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## RESEARCH ARTICLE

# Status cues and normative change: How the Academy Awards facilitated Chile's gender identity law

Carsten-Andreas Schulz<sup>1\*</sup> o and Cameron G. Thies<sup>2</sup>

<sup>1</sup>Department of Politics and International Studies, University of Cambridge, United Kingdom and <sup>2</sup>James Madison College, Michigan State University, East Lansing, Michigan, United States \*Corresponding author. Email: cas245@cam.ac.uk

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#### Abstract

This study explores how the Academy Award for A Fantastic Woman facilitated the adoption of Chile's Gender Identity Law. Approved in 2018 after languishing for over five years in Congress, the law establishes individuals' right to modify their national identification documents without the need to change their physical appearance or receive prior court authorisation. While trans rights activists extensively lobbied for a law that guaranteed access to gender marker changes, conservatives rejected the initiative, framing their opposition in terms of Christian values and against the 'gender ideology' that purportedly informed the bill. We argue that this backlash dissipated in the wake of the award. International recognition made support for trans rights temporarily a matter of national pride, thereby opening a window of opportunity for the approval of the law. The case of Chile's Gender Identity Law illustrates how international status cues can foster normative change by mobilising affect in domestic audiences. It contributes to recent debates on status and domestic political change, and the role that emotion and affect play in world politics.

Keywords: Gender Identity; LGBTQ+ Rights; Chile; Status; Emotions; Normative Change

## Introduction

On 4 March 2018, the Chilean movie A Fantastic Woman (Spanish: Una mujer fantástica) won the Academy Award for Best Foreign Language Film. The movie depicts the hardships that Marina, played by transgender actress Daniela Vega, faces after the sudden and unexpected death of her lover Orlando. Left alone to grieve, Marina endures humiliation from Orlando's family and discrimination from Chile's institutions that deny her identity as a woman. For a short moment, the recognition that the movie received brought trans rights into the global spotlight.<sup>1</sup>

In Chile, the award galvanised political support for the Gender Identity Law (GIL). Approved in September 2018 after languishing for over five years in Congress, the law establishes individuals' right to modify their national identification documents without the need to change their physical appearance or receive prior court authorisation. It drew inspiration from a similar law passed in Argentina in 2012, forming part of a wave of expanding LGBTQ+ rights in Latin America. Trans rights advocates had long campaigned for a gender identity law for Chile, where

<sup>&</sup>lt;sup>1</sup>For a critical discussion of the movie's international reception, see Ariane de Waal and Felipe Armstrong, 'Trans/national necronarratives: Mourning, vitality, and non-reproductivity in *Una mujer fantástica*', *European Journal of English Studies*, 24:1 (2020), p. 2.

<sup>&</sup>lt;sup>2</sup>Javier Corrales, *The Politics of LGBTQ Rights Expansion in Latin America and the Caribbean* (Cambridge, UK: Cambridge University Press, 2021).

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identification documents are crucial for access to education, employment, and health services.<sup>3</sup> Initially presented by a partisan group of Senators in consultation with civil society organisations, right-wing legislators, and conservatives rejected the bill, framing their opposition in terms of Christian values and against the 'gender ideology' that purportedly informed the bill. We argue that this backlash dissipated in the wake of the international recognition for *A Fantastic Woman*. International recognition made support for trans rights temporarily a matter of national pride, thereby facilitating the approval of the law.

The case illustrates how external status cues can foster normative change by mobilising affect in domestic audiences. Norm research has long recognised that emotions and affect play a role in the spread of norms or 'standards of appropriate behavior'.<sup>4</sup> According to Martha Finnemore and Kathryn Sikkink, 'a combination of pressure for conformity, desire to enhance international legitimation, and the desire of state leaders to enhance their self-esteem' often explains the acceptance of new norms.<sup>5</sup> Yet the politics of affect are often sidelined in the literature centred on persuasion and the power of the better argument.<sup>6</sup>

Prominent accounts of normative change in International Relations argue that actors accept or, at least, adhere to social norms because they strive for coherence.<sup>7</sup> The view is in line with cognitive dissonance theory, which posits that individuals have an innate drive to reduce or eliminate inconsistencies that arise from tensions between cognitions.<sup>8</sup> However, whereas norm research expects cognitive dissonance to lead to behavioural or attitudinal change, experimental and social psychology suggests that people may respond to dissonance in many different ways as attitudes influence the processing of information.

In contrast to existing research that emphasises the importance of evidence-based and reasoned debate in the global spread of norms, we suggest that status concerns can (temporarily) trigger affective responses that may lead to norm diffusion without 'rhetorical entrapment' or persuasion. In the Chilean case, the international recognition of *A Fantastic Woman* attracted attention and evoked a sense of national pride that made it desirable for erstwhile detractors to support the law despite their opposition on normative (values-based) grounds. Therefore, the case offers a twofold contribution: by exploring how status cues are perceived domestically, the study adds to the literature on status concerns and domestic political change; to evidence that the study adds to the literature on status concerns and domestic political change; to evidence the status concerns and domestic political change; to evidence the status concerns and domestic political change; to evidence the status concerns and domestic political change; to evidence the status concerns and domestic political change; to evidence the status case are perceived domestically.

<sup>&</sup>lt;sup>3</sup>Penny Miles, 'ID cards as access: Negotiating transgender (and intersex) bodies into the Chilean legal system', in Angelia R. Wilson (ed.), *Situating Intersectionality: Politics, Policy, and Power* (New York, NY: Palgrave Macmillan, 2013), pp. 63–88; Baird Campbell, 'Transgender-specific policy in Latin America', *Oxford Research Encyclopedia of Politics* (2019); Betilde Muñoz-Pogossian, 'Democracia y derechos de las personas LGBTI en América Latina: reformas para garantizar el derecho a la identidad y el derecho al voto de las personas trans, 2012–20201', *Revista de Derecho Electoral*, 30 (2020), pp. 87–109.

<sup>&</sup>lt;sup>4</sup>Affect refers to the psychological reaction to stimuli; emotions are manifest expressions of underlying affective states. For the sake of simplicity, we treat affect and emotions as synonymous.

<sup>&</sup>lt;sup>5</sup>Martha Finnemore and Kathryn Sikkink, 'International norm dynamics and political change', *International Organization*, 52:4 (1998), p. 895.

<sup>&</sup>lt;sup>6</sup>Richard M. Price and Kathryn Sikkink, *International Norms, Moral Psychology, and Neuroscience* (Cambridge, UK: Cambridge University Press, 2021), p. 2.

<sup>&</sup>lt;sup>7</sup>Margaret E. Keck and Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Ithaca, NY: Cornell University Press, 1998); Thomas Risse, "Let's argue!": Communicative action in world politics', *International Organization*, 54:1 (2000), pp. 1–39; Frank Schimmelfennig, 'The community trap: Liberal norms, rhetorical action, and the eastern enlargement of the European Union', *International Organization*, 55:1 (2001), pp. 47–80. For more recent overviews, see Anette Stimmer, 'Beyond internalization: Alternate endings of the norm life cycle', *International Studies Quarterly*, 63:2 (2019), pp. 270–80; Michelle Jurkovich, 'What isn't a norm? Redefining the conceptual boundaries of "norms" in the human rights literature', *International Studies Review*, 22:3 (2020), pp. 693–711.

<sup>&</sup>lt;sup>8</sup>Leon Festinger, A Theory of Cognitive Dissonance (Evanston, IL: Row, Peterson and Company, 1957).

<sup>&</sup>lt;sup>9</sup>Schimmelfennig, 'The community trap'.

<sup>&</sup>lt;sup>10</sup>Ann E. Towns and Bahar Rumelili, 'Taking the pressure: Unpacking the relation between norms, social hierarchies, and social pressures on states', *European Journal of International Relations*, 23:4 (2017), pp. 756–79; Steven Ward, *Status and the Challenge of Rising Powers* (Cambridge, UK: Cambridge University Press, 2017); Xiaoyu Pu, *Rebranding China: Contested Status Signaling in the Changing Global Order* (Stanford, CA: Stanford University Press, 2019); Paul Beaumont, 'The

with debates on the politics of emotions and affect, it contributes to the growing literature on contestation and what Anette Stimmer termed 'alternative endings of the norm life cycle' that do not culminate in internalisation.<sup>11</sup>

The remainder of the article proceeds as follows. The next section outlines the central argument that status cues can facilitate normative change through the mobilisation of affect. The third section focuses on the saliency of status concerns and their connection to the expansion of LGBTQ+ rights in post-authoritarian Chile. The subsequent section introduces the political process leading to the adoption of the Gender Identity Law in 2018. The study then examines the impact of the Academy Award on the public and legislative debate. The conclusion discusses the wider implications for understanding normative change.

# Status cues and normative change

We argue that status cues induce an affective response that can facilitate (or inhibit) the adoption of new norms. Whereas existing constructivist accounts focus on the power of the better argument, our framework builds on insights from social psychology and recent debates on affective global politics to explain how cues about a country's relative standing can open possibilities for change.

Dominant models of normative change in International Relations are premised on persuasion and reasoned argumentation. Earlier norm scholarship in IR focused on the emergence, spread, and internalisation of standards of behaviour across borders. A more recent wave examines the various processes through which norms are contested and changed as they diffuse. Importantly, both early and more recent scholarship expects actors to be motivated by an inherent need for consistency: consistency between social norms and beliefs systems, and between norms and actions (both physical and communicative). In this view, logically coherent and evidence-based arguments are more likely to convince others to accept norms or, at least, to act accordingly.

Norm entrepreneurs play a central role in this regard promoting norms by seeking to persuade others of their appropriateness.<sup>15</sup> They raise awareness and frame issues in ways that resonate with audiences. Studies find that norms framed in terms of legal equality or the protection of vulnerable populations from bodily harm have the power to persuade.<sup>16</sup> Norm entrepreneurs also use persuasion-based mechanisms to coax transgressive actors into compliance, for example, by pointing at inconsistencies between actors' normative commitments and actions. Similarly, they can stigmatise those whose normative commitments or actions fail to live up to social

Grammar of Status Competition: International Hierarchies as Domestic Practice' (PhD dissertation, Ås: Norwegian University of Life Sciences, 2020); Alex Yu-Ting Lin and Saori N. Katada, 'Striving for greatness: Status aspirations, rhetorical entrapment, and domestic reforms', *Review of International Political Economy*, 29:1 (2022), pp. 175–201.

<sup>&</sup>lt;sup>11</sup>Stimmer, 'Beyond internalization'.

<sup>&</sup>lt;sup>12</sup>Finnemore and Sikkink, 'International norm dynamics'.

<sup>&</sup>lt;sup>13</sup>Jacqui True and Michael Mintrom, 'Transnational networks and policy diffusion: The case of gender mainstreaming', *International Studies Quarterly*, 45:1 (2001), pp. 27–57; Amitav Acharya, *Whose Ideas Matter? Agency and Power in Asian Regionalism* (Ithaca, NY: Cornell University Press, 2009); Antje Wiener, *Contestation and Constitution of Norms in Global International Relations* (Cambridge, UK: Cambridge University Press, 2018).

<sup>&</sup>lt;sup>14</sup>Constructivists' emphasis on coherence draws on different sources, including scholarship on legal reasoning and Habermasian 'communicative action'. For a critique of communicative rationality in IR, see Ronald R. Krebs and Patrick Thaddeus Jackson, 'Twisting tongues and twisting arms: The power of political rhetoric', *European Journal of International Relations*, 13:1 (2007), pp. 35–66 and Tine Hanrieder, 'The false promise of the better argument', *International Theory*, 3:3 (2011), pp. 390–415.

<sup>&</sup>lt;sup>15</sup>Similarly, role theory work explores how 'role entrepreneurs' provide alternatives to those that might be more typically expected and socially acceptable within domestic society; see Klaus Brummer and Cameron G. Thies, 'The contested selection of national role conceptions', *Foreign Policy Analysis*, 11:3 (2015), pp. 273–93; Cristian Cantir and Juliet Kaarbo, *Domestic Role Contestation, Foreign Policy, and International Relations* (New York, NY: Routledge, 2016).

<sup>&</sup>lt;sup>16</sup>Finnemore and Sikkink, 'International norm dynamics', p. 907.

expectations, triggering a sense of shame in targets and pressuring them to justify their actions or attitudes.<sup>17</sup> Of course, actors do not always become socialised into accepting a norm. They can pay lip service or strategically adhere to a norm without being convinced of its appropriateness.<sup>18</sup> However, actors who care about their reputation and the legitimacy of their claims may become 'entrapped' as they feel the need to be (perceived as) consistent and logically coherent.<sup>19</sup>

Early norm research recognises that emotions and affect play some role in persuasion.<sup>20</sup> After all, social identities are affective attachments to groups, and many persuasion-based mechanisms, most notably shaming, rely on norm entrepreneurs' ability to induce an emotional response in others. By the same token, 'communicative action', which informs many constructivist accounts of persuasion, relies on agents' empathetic understanding of others' perspectives.<sup>21</sup> Yet the norm literature has long treated affect and emotions as secondary, foregrounding instead agents' drive for coherence between beliefs, norms, and social actions.<sup>22</sup>

The literature frequently (but variably) draws on cognitive dissonance as an explanation of people's inherent motivation for consistency. Originally developed in psychology, the theory states that disagreement between cognitions – knowledge that individuals have about themselves, their actions, and their environment – creates discomfort that they will try to avoid or eliminate. Norm research expects cognitive dissonance to motivate either behavioural or attitudinal adjustments, leading to norm compliance<sup>24</sup> or, eventually, internalisation. <sup>25</sup>

Yet behavioural or attitudinal changes are not the only responses to cognitive dissonance. Social psychologists argue that people have a 'psychological immune system' that helps them to cope with threats to self-integrity. Self-affirmation theory, for example, proposes that individuals can be resilient to dissonance in one domain when offered the possibility to assert their self-esteem in another. The textbook examples are smokers who respond to information about the health risks of their habit by reaffirming their identity as competent teachers or good parents. During the debate on Chile's GIL, religious conservative who opposed the bill exalted their Christian identity when presented with counterattitudinal evidence (about the harm that unequal or lack of access to gender identity changes cause to trans children). Similar coping mechanisms also explain why shaming can be counterproductive as they may cause individuals

<sup>&</sup>lt;sup>17</sup>Rebecca Adler-Nissen, 'Stigma management in International Relations: Transgressive identities, norms, and order in international society', *International Organization*, 68:1 (2014), pp. 143–76; Ayşe Zarakol, 'What made the modern world hang together: Socialisation or stigmatisation?', *International Theory*, 6:2 (2014), pp. 311–32; Towns and Rumelili, 'Taking the pressure'; Giovanni Mantilla, 'Forum isolation: Social opprobrium and the origins of the international law of internal conflict', *International Organization*, 72:2 (2018), pp. 317–49.

<sup>&</sup>lt;sup>18</sup>Jeffrey T. Checkel, 'International institutions and socialization in Europe: Introduction and framework', *International Organization*, 59:4 (2005), pp. 801–26. Socialisation research focused on roles similarly finds that leaders may adopt roles without internalising them for strategic reasons; see Cameron G. Thies, 'State socialization and structural realism', *Security Studies*, 19:4 (2010), pp. 689–717; and 'International socialization processes vs. Israeli national role conceptions: Can role theory integrate IR theory and Foreign Policy Analysis?', *Foreign Policy Analysis*, 8:1 (2012), pp. 25–46.

<sup>&</sup>lt;sup>19</sup>Schimmelfennig, 'The community trap', p. 48; Risse, "Let's argue!", p. 32.

<sup>&</sup>lt;sup>20</sup>Finnemore and Sikkink, 'International norm dynamics', p. 915; Neta C. Crawford, 'The passion of world politics: Propositions on emotion and emotional relationships', *International Security*, 24:4 (2000), pp. 116–56.

<sup>&</sup>lt;sup>21</sup>Risse, "Let's argue!", p. 25.

<sup>&</sup>lt;sup>22</sup>Price and Sikkink, International Norms, Moral Psychology, and Neuroscience, p. 2.

<sup>&</sup>lt;sup>23</sup>Festinger, Cognitive Dissonance.

<sup>&</sup>lt;sup>24</sup>Finnemore and Sikkink 'International norm dynamics', p. 904; on cognitive dissonance and norm compliance, see also Ryan Goodman and Derek Jinks, 'How to influence states: Socialization and international human rights law', *Duke Law Journal*, 54:3 (2004), p. 640; Diana Panke and Ulrich Petersohn, 'Why international norms disappear sometimes', *European Journal of International Relations*, 18:4 (2012), p. 722.

<sup>&</sup>lt;sup>25</sup>Checkel, 'International institutions and socialization in Europe', pp. 813–14.

<sup>&</sup>lt;sup>26</sup>David K. Sherman and Geoffrey L. Cohen, 'The psychology of self-defense: Self-affirmation theory', *Advances in Experimental Social Psychology*, 38 (2006), p. 184.

<sup>&</sup>lt;sup>27</sup>Claude M. Steele, 'The psychology of self-affirmation: Sustaining the integrity of the self', in Leonard Berkowitz (ed.), *Advances in Experimental Social Psychology* (Cambridge, MA: Academic Press, 1988), pp. 261–302.

who feel that their self-concept is being threatened to double down.<sup>28</sup> Affect, in other words, can both enable and inhibit normative change.

Research in cognitive and social psychology shows that people often process information in a manner that is consistent with their prior beliefs and attitudes. In some instances, individuals may be motivated to process arguments and evidence accurately; yet in others, they are driven by a desire to protect their positive self-concept.<sup>29</sup> Directional motivated reasoning occurs more commonly when issues are emotionally charged and connected to people's identities.<sup>30</sup> Because directional motivated reasoning leads to biased information processing, persuasion through argumentation and evidence becomes difficult (although not impossible).

Affect conditions how credible or persuasive people find arguments and other pieces of information.<sup>31</sup> This view is in line with a growing body of literature that explores the impact of emotions in global politics.<sup>32</sup> Studies find that emotionally charged discourse plays an important role in shaping how the public relates and ultimately responds to political events.<sup>33</sup> Emotions, in this sense, are not only individually felt but collectively constructed and experienced, depending on interactions with others and the particular social and political contexts in which they are embedded.<sup>34</sup> Narratives of national humiliation, for example, appeal to and mobilise collective emotions that lend themselves to more assertive or revisionist foreign policies to 'regain a sense of collective efficacy and authority'.<sup>35</sup> Emotions acquire their social meaning not only through narratives. Visual, and other non-verbal forms of communication also induce affective responses.<sup>36</sup> Visual representations, William A. Callaghan argues, create 'affective communities of sense' that shape social relations, among other things, through inducing emotions such as pride, disgust, or shame.<sup>37</sup>

Popular culture can create 'synthetic experiences' that change or reinforce preexisting beliefs, for example, about the nature of military threats. <sup>38</sup> Critical scholarship has long maintained that

<sup>&</sup>lt;sup>28</sup>Jack Snyder, 'Backlash against naming and shaming: The politics of status and emotion', *The British Journal of Politics and International Relations*, 22:4 (2020), pp. 644–53.

<sup>&</sup>lt;sup>29</sup>Ziva Kunda, 'The case for motivated reasoning', *Psychological Bulletin*, 108:3 (1990), pp. 480–98; but see James N. Druckman and Mary C. McGrath, 'The evidence for motivated reasoning in climate change preference formation', *Nature Climate Change*, 9:2 (2019), pp. 111–19.

<sup>&</sup>lt;sup>30</sup>Goal-oriented reasoning depends on the ability to experience emotions; see Robin Markwica, *Emotional Choices: How the Logic of Affect Shapes Coercive Diplomacy* (Oxford, UK: Oxford University Press, 2018). However, emotional investments also create motivations to process information in a way that supports prior beliefs and goals.

<sup>&</sup>lt;sup>31</sup>Crawford, 'The passion of world politics', p. 137.

<sup>&</sup>lt;sup>32</sup>See, for example, Joshua D. Kertzer and Dustin Tingley, 'Political psychology in International Relations: beyond the paradigms', *Annual Review of Political Science*, 21 (2018), pp. 319–39.

<sup>&</sup>lt;sup>33</sup>Todd H. Hall and Andrew A. G. Ross, 'Affective politics after 9/11', *International Organization*, 69:4 (2015), pp. 847–79; Emma Hutchison and Roland Bleiker, 'Theorizing emotions in world politics', *International Theory*, 6:3 (2014), pp. 491–514; Simon Koschut, Todd H. Hall, Reinhard Wolf, Ty Solomon, Emma Hutchison, and Roland Bleiker, 'Discourse and emotions in International Relations', *International Studies Review*, 19:3 (2017), pp. 481–508; C. Nicolai L. Gellwitzki and Anne-Marie Houde, 'Feeling the heat: Emotions, politicization, and the European Union', *JCMS: Journal of Common Market Studies* (2022), available at: {DOI: https://doi.org/10.1111/jcms.13328}.

<sup>&</sup>lt;sup>34</sup>Jutta Weldes, 'Popular culture, science fiction and world politics: Exploring intertextual relations', in Jutta Weldes (ed.), *To Seek out New Worlds: Science Fiction and World Politics* (New York, NY: Palgrave MacMillan, 2003), pp. 1–27.

<sup>&</sup>lt;sup>35</sup>Joslyn Barnhart, *The Consequences of Humiliation: Anger and Status in World Politics* (Ithaca, NY: Cornell University Press, 2020), p. 2; see also Ayşe Zarakol, *After Defeat: How the East Learned to Live with the West* (Cambridge, UK: Cambridge University Press, 2011).

<sup>&</sup>lt;sup>36</sup>Roland Bleiker, Visual Global Politics (London, UK: Routledge, 2018).

<sup>&</sup>lt;sup>37</sup>William A. Callahan, Sensible Politics: Visualizing International Relations (New York, NY: Oxford University Press, 2020), p. 35; see also Emma Hutchison, Affective Communities in World Politics: Collective Emotions after Trauma (Cambridge, UK: Cambridge University Press, 2016).

<sup>&</sup>lt;sup>38</sup>J. Furman Daniel and Paul Musgrave, 'Synthetic experiences: How popular culture matters for images of international relations', *International Studies Quarterly*, 61:3 (2017), pp. 503–16.

cultural artifacts constitute subjectivity and agency.<sup>39</sup> Television shows that portray cisgender same-sex couples as non-threatening may reflect changing attitudes towards homosexuality in society. However, as queer scholars note, they also perpetuate 'homonormativity', the assimilation of LGBTQ+ people into binary heteronormative norms.<sup>40</sup> At the same time, popular culture's affective impact can also be subversive. Dean Cooper-Cunningham, for instance, discusses the emergence of the Gay Clown Putin meme that LGBTQ+ rights advocates shared in response to Russia's gay propaganda law of 2013.<sup>41</sup> Popular culture frames issues in certain ways; and it is a site where meaning is constructed, and at times, contested through emotions and affect.

In Chile, trans rights advocates engaged in a long and arduous campaign for legal change. Initially a 'niche' topic that attracted little public interest, norm advocates raised awareness, arguing that a gender identity law was urgent to reduce harm in vulnerable populations. They provided concrete evidence and numerous testimonies that documented the hardship that trans people endured, often exposing themselves and their witnesses to humiliation. Advocates also emphasised the need to harmonise Chile's domestic legal framework with (inter-American) human rights law, citing legal precedents in neighbouring countries and the bill's coherence with the Yogyakarta Principles, a non-binding declaration on the application of human rights law to LGBTQ+ issues.

There is little doubt that norm advocates were successful in persuading some legislators to support the Gender Identity Law. However, it is equally clear that the debate triggered a conservative backlash.<sup>42</sup> As elaborated below, opponents became increasingly reluctant to accept counterattitudinal information, opting instead for delaying tactics purportedly justified by the need to improve the bill.

The international recognition that *A Fantastic Woman* received erupted into this debate. Although trans rights activists criticised the movie for its homonormative bias and inattention to questions of class and race, it became a common reference point that made the everyday discrimination of trans people intelligible to legislators and the wider public. <sup>43</sup> The movie's content reinforced the campaign message in support of normative change. For some, it also created a 'synthetic experience', which is evident in legislators' references to Marina (the movies' protagonist) during the legislative process. <sup>44</sup> However, the movie's impact cannot be separated from its international recognition. The Academy Award put the issue under the international spotlight, making the support for trans rights a matter of national pride that temporarily muted opposition to the law. The award served as a status cue that facilitated normative change.

# Status cues, affect, and normative change

Status and related concepts such as esteem and prestige have attracted renewed attention from International Relations. Initially, this literature focused on status concerns as an aspect of great power rivalry and conflict. Since then, the debate has broadened beyond the concerns of great

<sup>&</sup>lt;sup>39</sup>Linda Åhäll, 'Images, popular culture, aesthetics, emotions: The future of international politics?', *Political Perspectives*, 3:1 (2009), pp. 1–44; Laura J. Shepherd, *Gender, Violence and Popular Culture: Telling Stories* (New York, NY: Routledge, 2013); Lene Hansen, 'How images make world politics: International icons and the case of Abu Ghraib', *Review of International Studies*, 41:2 (2015), pp. 263–88.

<sup>&</sup>lt;sup>40</sup>Lisa Duggan, *The Twilight of Equality? Neoliberalism, Cultural Politics, and the Attack on Democracy* (Boston, MA: Beacon Press, 2003); Susan Stryker, 'Transgender history, homonormativity, and disciplinarity', *Radical History Review*, 2008:100 (2008), pp. 145–57.

<sup>&</sup>lt;sup>41</sup>Dean Cooper-Cunningham, 'Security, sexuality, and the Gay Clown Putin meme: Queer theory and international responses to Russian political homophobia', *Security Dialogue*, 53:4 (2022), pp. 302–23.

<sup>&</sup>lt;sup>42</sup>On backlash, see Karen J. Alter and Michael Zürn, 'Conceptualising backlash politics: Introduction to a special issue on backlash politics in comparison', *The British Journal of Politics and International Relations*, 22:4 (2020), pp. 563–84.

<sup>&</sup>lt;sup>43</sup>Baird Campbell, 'The Archive of the Self: Trans Self-Making and Social Media in Santiago de Chile' (PhD dissertation, Houston: Rice University, 2021), pp. 82, 91.

<sup>&</sup>lt;sup>44</sup>See, for example, Biblioteca del Congreso Nacional de Chile, Historia de la Ley Nº 21.120 (2018), p. 1284.

and aspiring powers to include small- and middle-sized states, <sup>45</sup> and the interconnection between status concerns and domestic political processes. <sup>46</sup>

Status refers to actors' social position based on estimations of honour and prestige. <sup>47</sup> Political actors care about the status of their state for both extrinsic and intrinsic reasons. <sup>48</sup> For one, status distinctions distribute resources unevenly in society. <sup>49</sup> Membership in exclusive clubs, such as the UN Security Council or informal country groupings like the G7 and G20, bestows high status in international politics and provides privileged access to decision-making as status groups monopolise economic and political advantages through 'social closure'. <sup>50</sup> Status further matters because people who identify with a state gain self-esteem from its recognition (or lose self-esteem from misrecognition and stigmatisation). <sup>51</sup> High status, in this sense, is a symbolic resource that bolsters the legitimacy of actors and their political projects.

Social identity theory (SIT), which informs many discussions of status in IR, argues that individuals derive their self-esteem from membership in social categories and groups. <sup>52</sup> To maintain a positive self-concept, individuals will either identify as members of high-status groups or, collectively, pursue strategies that enhance the standing of their group. According to Henri Tajfel and John Turner, 'social creativity' occurs when low-status groups shift the dimension of comparison, refine an ostensibly negative trait as positive, or change the reference group altogether. <sup>53</sup> For example, Gay Pride parades, which commemorate the resistance against police brutality at New York's Stonewall Inn in 1969, turn the negative association of homosexuality with Bohemian lifestyles into a source of pride. Social creativity can also lead to out-group discrimination within the LGBTQ+ community, as many gay movements, including in Chile, attempted to dissociate themselves from groups that were deemed of lower status, including lesbian, bisexual, and trans people. <sup>54</sup> By contrast, 'social competition' involves a more confrontational approach whereby low-status groups compete on a salient and immutable

<sup>&</sup>lt;sup>45</sup>Iver B. Neumann and Benjamin de Carvalho, *Small States and Status Seeking: Norway's Quest for Onternational Standing* (London, UK: Routledge, 2015); William C. Wohlforth, Benjamin de Carvalho, Halvard Leira, and Iver B. Neumann, 'Moral authority and status in International Relations: Good states and the social dimension of status seeking', *Review of International Studies* (2017), pp. 1–21; Pål Røren and Paul Beaumont, 'Grading greatness: Evaluating the status performance of the BRICS', *Third World Quarterly*, 40:3 (2019), pp. 429–50.

<sup>&</sup>lt;sup>46</sup>Towns and Rumelili, 'Taking the pressure'; Ward, *Status and the Challenge of Rising Powers*; Pu, *Rebranding China*; Beaumont, 'The Grammar of Status Competition'; Lin and Katada, 'Striving for greatness'.

<sup>&</sup>lt;sup>47</sup>Carsten-Andreas Schulz, 'Hierarchy salience and social action: Disentangling class, status, and authority in world politics', *International Relations*, 33:1 (2019), pp. 88–108 (p. 96).

<sup>&</sup>lt;sup>48</sup>Allan Dafoe, Jonathan Renshon, and Paul Huth, 'Reputation and status as motives for war', *Annual Review of Political Science*, 17 (2014), pp. 371–93, pp. 482–3; Jonathan Renshon, 'Status deficits and war', *International Organization*, 70:3 (2016), pp. 513–50 (p. 521).

<sup>&</sup>lt;sup>49</sup>Pierre Bourdieu, *Distinction: A Social Critique of the Judgement of Taste* (Cambridge, MA: Harvard University Press, 1984).

<sup>&</sup>lt;sup>50</sup>Edward Keene, 'Social status, social closure and the idea of Europe as a "normative power", European Journal of International Relations, 19:4 (2013), pp. 939–56; Tristen Naylor, Social Closure and International Society: Status Groups from the Family of Civilised Nations to the G20 (London, UK: Routledge, 2018); Schulz, 'Hierarchy salience and social action'; Lora Anne Viola, The Closure of the International System: How Institutions create Political Equalities and Hierarchies (Cambridge, UK: Cambridge University Press, 2020).

<sup>&</sup>lt;sup>51</sup>Status, on this view, relates to 'ontological security', i.e., people's sense of security and confidence in their identity, see Jennifer Mitzen, 'Ontological security in world politics: State identity and the security dilemma', European Journal of International Relations, 12:3 (2006), pp. 341–70; Michelle K. Murray, The Struggle for Recognition in International Relations: Status, Revisionism, and Rising Powers (New York, NY: Oxford University Press, 2019), p. 39.

<sup>&</sup>lt;sup>52</sup>Deborah Welch Larson, *Quest for Status: Chinese and Russian Foreign Policy* (New Haven, CT: Yale University Press, 2019); but see Steven Michael Ward, 'Lost in translation: Social identity theory and the study of status in world politics', *International Studies Quarterly*, 61:4 (2017), pp. 821–34.

<sup>&</sup>lt;sup>53</sup>Henri Tajfel and John Turner, 'An integrative theory of intergroup conflict', in William G. Austin and Stephen Worchel (eds), *The Social Psychology of Intergroup Relations* (Monterey, CA: Brooks/Cole, 1979), pp. 33–47.

<sup>&</sup>lt;sup>54</sup>On the Chilean case, see Víctor Hugo Robles, *Bandera hueca: historia del movimiento homosexual de Chile* (Santiago de Chile: Editorial Arcis, 2008), pp. 35, 87–90; Campbell, 'The Archive of the Self', pp. 33, 173; Hillary Hiner and Lelya

dimension. SIT suggests status-seeking is not necessarily a zero-sum game that leads to conflict as actors can compete for status on different dimensions if they able to do so. 55

Status is relational and perceptual: it depends on comparisons with salient reference groups and collectively held beliefs. Status is acquired through social recognition. Actors can communicate their aspired status through investment in culturally contingent status symbols. The organisation of global sporting events or the procurement of expensive weapons systems can be forms of 'conspicuous consumption', whereby ostentatious spending serves as a signal of a country's wealth and position. Importantly, status recognition cannot be directly observed but relies on cues. Status cues provide information about actors' competence or excellence on a socially valued dimension. Policy advocates take advantage of this dynamic through country rankings that compare states' performance on indicators, such as corruption perception or economic openness. By constructing an artificial 'pecking order' that classifies states on a hierarchical scale, rankings provide cues that reward the political projects of some while putting pressure on others to reform. Country rankings (and similar instruments) do so in part because they provide a seemingly objective criteria for comparison, but they also work through the politics of affect as they evoke feelings of pride or shame in target audiences.

We argue that cues about a states' relative standing can induce affects that facilitate (or inhibit) normative change. What counts as a status cue depends on social values, and societies may value different cues differently. As Jonathan Mercer points out, while international prestige is an 'illusion' that exists only in the minds of people as an objective evaluative property, it nevertheless influences individuals' political actions. <sup>60</sup> Because people tend to strive for a positive self-concept, and because they derive an important part of their self-esteem from group membership, they tend to focus on dimensions on which their group perform well: status cues associated with great power status may hold more sway among people who identify with great powers, whereas winning an international ice hockey competition may be more salient in societies that perform well in ice hockey.

Status cues depend on social conventions. They are not only context-specific, but their salience also varies across time. Status cues may become relevant only for a short period of time. The political effect of consistently poor performance on a specific country ranking is likely to be different from a sudden drop or improvement on the same indictor. Paul Beaumont, for example, shows that the comparatively low position that Norway achieved on the first PISA rankings, which compare educational attainment across countries, legitimised policy reform against

Troncoso, 'LGBTQ+ tensions in the 2018 Chilean feminist tsunami', Bulletin of Latin American Research, 40:5 (2021), pp. 679-95.

<sup>&</sup>lt;sup>55</sup>Larson, Quest for Status, p. 4.

<sup>&</sup>lt;sup>56</sup>Renshon, 'Status deficits and war'; Marina G. Duque, 'Recognizing international status: A relational approach', *International Studies Quarterly*, 62:3 (2018), pp. 577–92; Røren and Beaumont, 'Grading greatness'.

<sup>&</sup>lt;sup>57</sup>Lilach Gilady, *The Price of Prestige: Conspicuous Consumption in International Relations* (Chicago, IL: University of Chicago Press, 2018), pp. 79–80; Paul Musgrave and Daniel H. Nexon, 'Defending hierarchy from the Moon to the Indian Ocean: Symbolic capital and political dominance in early modern China and the Cold War', *International Organization*, 72:3 (2018), pp. 591–626; Lerna K. Yanık and Jelena Subotić, 'Cultural heritage as status seeking: The international politics of Turkey's restoration wave', *Cooperation and Conflict*, 56:3 (2021), pp. 245–63; Lin and Katada, 'Striving for greatness'.

<sup>&</sup>lt;sup>58</sup>André Broome and Joel Quirk, 'The politics of numbers: The normative agendas of global benchmarking', *Review of International Studies*, 41:5 (2015), pp. 813–18; Alexander Cooley and Jack L. Snyder, *Ranking the World: Grading States as a Tool of Global Governance* (Cambridge, UK: Cambridge University Press, 2015); Judith G. Kelley and Beth A. Simmons, 'Politics by number: Indicators as social pressure in International Relations', *American Journal of Political Science*, 59:1 (2015), pp. 55–70.

<sup>&</sup>lt;sup>59</sup>Towns and Rumelili, 'Taking the pressure'.

<sup>&</sup>lt;sup>60</sup>Jonathan Mercer, 'The illusion of international prestige', International Security, 41:4 (2017), pp. 133–68.

<sup>&</sup>lt;sup>61</sup>On the temporality of status and prestige, see Joshua Freedman, 'Status insecurity and temporality in world politics', *European Journal of International Relations*, 22:4 (2016), pp. 797–822; Carsten-Andreas Schulz, 'Accidental activists: Latin American status-seeking at The Hague', *International Studies Quarterly*, 61:3 (2017), pp. 612–22.

domestic opposition.<sup>62</sup> In this sense, status cues can open 'windows of opportunity' that allow for domestic political change.<sup>63</sup>

# Status salience and LGBTQ+ rights in Chile

Gender and sexual minority rights have been hotly contested in Chile in recent decades. Although the return of democracy brought human rights to the forefront of public debate, LGBTQ+ issues were largely sidelined as 'moral conservatism prevailed' for much of the 1990s. <sup>64</sup> For one, Chilean democracy inherited a constitution whose guiding principles are economically neoliberal while socially conservative. The constitution of 1980 reflects the interests of the political forces that supported the Pinochet regime, including the armed forces, pro-market libertarians, and Catholic conservatives. Despite the gradual elimination of the 'authoritarian enclaves' in Chile's political system (such as designated senators for life and an electoral system that favoured authoritarian successor parties), the proponents of the status quo retain important veto powers. <sup>65</sup>

For another, the *Concertación*, the coalition of left and centre-left parties that led the transition to democracy, was unwilling to break with the prevailing mores of Chilean society. As in other Latin American countries, homophobic and transphobic discourse has historically been pervasive among Chile's left, and the newly elected authorities shunned the association with gender or sexual minorities.<sup>66</sup>

Unlike in neighbouring Argentina, LGBTQ+ activism institutionalised only gradually.<sup>67</sup> The dictatorship harshly repressed political dissidents; and while the Pinochet regime did not specifically target queer people, it viewed those who did not adhere to cis-heteronormative ideals with suspicion.<sup>68</sup> Members of LGBTQ+ communities were persistently exposed to state violence and abuse, especially when also politically active.<sup>69</sup> The country's penal code, which predates authoritarian rule, criminalised male homosexual intercourse (Article 365) and any act that 'offends modesty or good manners' (Article 373). It served for a long time as a basis for police harassment that disproportionately affected homosexual men and transwomen.<sup>70</sup> The Homosexual Liberation Movement (MOVILH) was created in 1991 to campaign for the repeal of Article 365. Since then,

<sup>&</sup>lt;sup>62</sup>Beaumont, 'The Grammar of Status Competition', pp. 129-64.

<sup>&</sup>lt;sup>63</sup>In keeping with the political process approach to social movements, we recognise that collective action is context-dependent, see Doug McAdam, Sidney G. Tarrow and Charles Tilly, *Dynamics of Contention* (Cambridge, UK: Cambridge University Press, 2001).

<sup>&</sup>lt;sup>64</sup>Miles, 'ID cards as access', p. 67; see also Merike Blofield, *The Politics of Moral Sin: Abortion and Divorce in Spain, Chile and Argentina* (New York, NY: Routledge, 2006).

<sup>&</sup>lt;sup>65</sup>Manuel Antonio Garretón, *Incomplete Democracy: Political Democratization in Chile and Latin America* (Chapel Hill, NC: The University of North Carolina Press, 2003). Social discontent and political apathy over the lack of structural reforms increased over the past decade, as many Chileans considered the political system unresponsive to social demands. This led to widespread student mobilisation starting in 2011 and erupted into large-scale (and often violent) protests in 2019. A new constitution was drafted to channel tensions. Although the new constitution would have significantly expanded civil and social rights, 64 per cent of voters rejected the draft in a 2022 plebiscite, demonstrating the ability of status quo defenders to mobilise against change.

<sup>&</sup>lt;sup>66</sup>Óscar Contardo, *Raro: una historia gay de Chile* (Santiago de Chile: Planeta, 2011), ch. 6; Corrales, *The Politics of LGBTQ Rights Expansion*, p. 9.

<sup>&</sup>lt;sup>67</sup>Jordi Díez, The Politics of Gay Marriage in Latin America: Argentina, Chile, and Mexico (Cambridge, UK: Cambridge University Press, 2015); Omar Guillermo Encarnación, Out in the Periphery: Latin America's Gay Rights Revolution (New York, NY: Oxford University Press, 2016).

<sup>&</sup>lt;sup>68</sup>Contardo, Raro, p. 325; Campbell, 'The Archive of the Self', p. 17.

<sup>&</sup>lt;sup>69</sup>Robles, *Bandera hueca*; Contardo, *Raro*, p. 321; Fernanda Carvajal, 'Image politics and disturbing temporalities: On "sex change" operations in the early Chilean dictatorship', *TSQ: Transgender Studies Quarterly*, 5:4 (2018), pp. 623–5.

<sup>&</sup>lt;sup>70</sup>Hillary Hiner, Juan Carlos Garrido, and Brigette Walters, 'Antitrans state terrorism: Trans and travesti women, human rights, and recent history in Chile', *Transgender Studies Quarterly*, 6:2 (2019), pp. 194–209. According to Robles, the first LGBTQ+ demonstration the country occurred spontaneously in April 1973, when a group of genderqueer sex workers protested police abuse, *Bandera hueca*, p. 11.

the organisation (and its successor) has claimed a hegemonic role in debates over LGBTQ+ issues, often leading to tensions with other organisations that represent women or non-binary people, including the three main trans advocacy groups: TravesChile, Organizing Trans Diversities (OTD), and the Amanda Jofré Sex Workers' Union.<sup>71</sup>

Norm advocates successfully employed persuasion to advance LGBTQ+ rights. During the transition to democracy, activists pointed out the incoherence between the left's human rights discourse and its disregard for gender and sexual minorities. President Aylwin, who succeeded Pinochet in 1990, faced an embarrassing incident during a state visit to Europe when a Danish journalist confronted him about the treatment of homosexuals in his country, upon which Aylwin merely responded that there was no discrimination, but that Chilean society would not look upon homosexuality with sympathy. Apparently, in the president's view, LGBTQ+ rights did not belong in the same category as human rights.<sup>72</sup>

Óscar Contardo argues that the *Concertación* was eager to profile Chile as a democratic and liberal state.<sup>73</sup> Others agree that international 'insertion' has been a foreign policy priority since the 1990s.<sup>74</sup> The strengthening of Chile's participation in the international human rights regime (and international fora, more generally) allowed democrats to lock in policy choices; it also helped position the country as a multilateral broker.<sup>75</sup> Status anxiety gave policy advocates leverage over the agenda and strengthened their ability to push for normative change.

The liberal rhetoric also 'entrapped' the erstwhile defenders of the status quo. Whereas conservatives initially rejected the decriminalisation of sodomy, this position became untenable in the late 1990s. As Hernán Larraín, a prominent leader of the right-wing Independent Democratic Union (UDI) explained: 'we could oppose them [gay rights activists] in the early 1990s, but not by the end of the decade ...we were cultivating a positive international image, especially with European officials.'<sup>76</sup> In other instances, concerns over Chile's international standing aided in defending the status quo. The neoliberal economic model enshrined in the 1980 constitution became externally validated as Chile excelled on international benchmarks and foreign observers celebrated the 'Chilean miracle' (Milton Friedman). This reinforced the view that economic openness and the negotiation of free trade agreements was a matter of national interest exempt from partisan politics and public scrutiny. For many years, politicians celebrated Chile as a champion of free trade, cultivating the image of an 'oasis' of prosperity and macroeconomic stability in an otherwise volatile region.<sup>77</sup>

Civil society groups successfully advocated for the revision of many conservative laws. The Civil Code legally discriminated against children born outside of wedlock until 1998. Similarly,

<sup>&</sup>lt;sup>71</sup>The movement split in the 1990s over the question of whether MOVILH, then led by Roland Jiménez, should abandon its campaign for AIDS prevention and care to focus on civil rights. Following the expulsion of Jiménez, MOVILH merged with other groups into the Unified Movement of Sexual Minorities (MUMS). Jiménez later created another organisation that uses the same acronym MOVILH.

<sup>&</sup>lt;sup>72</sup>Contardo, Raro, p. 14. Díez, The Politics of Gay Marriage, pp. 197-8.

<sup>&</sup>lt;sup>73</sup>Contardo, Raro, p. 14.

<sup>&</sup>lt;sup>74</sup>Manfred Wilhelmy and Roberto Durán, 'Los principales rasgos de la política exterior chilena entre 1973 y el 2000', *Revista de Ciencia Política*, 23:2 (2003), pp. 273–86; Joaquín Fermandois, *Pragmatism, Ideology, and Tradition in Chilean Foreign Policy since 1990* (Basingstoke, UK: Palgrave Macmillan, 2016). On the concept of 'insertion' in Latin American foreign policy, see Fabrício H. Chagas-Bastos, 'La invención de la inserción internacional: fundaciones intelectuales y evolución histórica del concepto', *Análisis Político*, 31:94 (2018), pp. 10–30.

<sup>&</sup>lt;sup>75</sup>Claudia Fuentes-Julio, 'Norm entrepreneurs in foreign policy: How Chile became an international human rights promoter', *Journal of Human Rights*, 19:2 (2020), pp. 256–74; Carsten-Andreas Schulz and Federico Rojas-De-Galarreta, 'Chile as a transpacific bridge: Brokerage and social capital in the Pacific Basin', *Geopolitics*, 27:1 (2022), pp. 309–32.

<sup>&</sup>lt;sup>76</sup>Díez, The Politics of Gay Marriage, p. 202.

<sup>&</sup>lt;sup>77</sup>See Michael Stott and Benedict Mander, 'Chile President Sebastián Piñera: "We are ready to do everything to not fall into populism", *Financial Times* (17 October 2019). Another common trope describes Chile as a 'nice house in a bad neighborhood'; see Leslie Wehner, 'Chile's soft misplaced regional identity', *Cambridge Review of International Affairs*, 33:4 (2020), pp. 555–71 (p. 556).

divorce was only legalised in 2004 – Chile was one of the last countries in the world to do so. Abortion was illegal without exception until 2017. It has since been decriminalised in only limited cases.

Civil society pressure played an important role in putting LGBTQ+ rights on the agenda. Sodomy, the initial focal point of LGBTQ+ rights activism, was finally decriminalised in 1999. However, while there used to be some ambiguity on whether the original Article 365 extended to other forms of same-sex intercourse, the revised Penal Code explicitly established a different age of consent for all homosexual acts, leading to accusations that MOVILH worked against the interests of other gender and sexual dissidents.<sup>78</sup> The article was finally repealed in 2022.

In February 2012, the Inter-American Court of Human Rights (IACHR) reviewed a ruling of the Chilean Supreme Court that had awarded custody of her children to the husband of Karen Atala Riffo because of her homosexuality. It was the first IACHR ruling in favour of LGBTQ+ rights. The same year, the homophobic murder of Daniel Zamudio sparked public indignation. Zamudio became a symbol of the LGBTQ+ rights movement. A law was passed the same year (the 'Zamudio Law') prohibiting arbitrary discrimination and penalising crimes motivated by victims' sexual orientation and gender identity. Civil unions between same-sex couples were recognised in 2015. Same-sex marriage has been legal in Chile since 2022.

Persistent advocacy at the domestic and international levels led to the expansion of LGBTQ+rights across Latin America, and this despite often fierce and increasingly organised backlash.<sup>79</sup> Chile's advocacy groups were less unified than their regional peers. They also lacked the political allies that would have allowed them to be heard and participate in policymaking more directly, contributing to a sense that the country was held 'hostage to a conservative elite'. <sup>80</sup> Yet decision-makers' status anxiety increased the political systems' responsiveness to their concerns.

Trans rights occupied a marginal place in these debates. MOVILH, Chile's most visible LGBTQ + group, has long been ambiguous if not outright hostile towards trans and non-binary communities. Trans advocacy in turn has focused on individuals' right to change their name and gender with the Civil Registry – the state bureaucracy that issues identification documents, which Chileans are required to present for even the 'most menial tasks' and essential for accessing education, employment, and health services. After several failed attempts, a gender identity bill entered Congress in 2013. Although conservative legislators and religious groups opposed the initiative, it was backed by a broad political coalition and civil society organisations that campaigned for legal change.

However, despite this support, it took five years to pass into law – paradoxically, under the conservative government of Sebastian Piñera in 2018. There is evidence of norm diffusion, especially within Latin America, where the number of similar laws increased from one in 2012 (Argentina, the world's first) to nine by 2020. Advocacy groups shared similar rhetorical frames centred on the discriminatory treatment of trans people and their often atrocious living conditions in Latin American societies. In the Chilean case, they also made a strong connection with the country's 'incomplete transition', which resonated with wider social demands.

<sup>&</sup>lt;sup>78</sup>Robles, Bandera, p. 77.

<sup>&</sup>lt;sup>79</sup>Corrales, *The Politics of LGBTQ Rights Expansion*, p. 40; but see Lucas de Abreu Maia, Albert Chiu, and Scott Desposato, 'No evidence of backlash: LGBT rights in Latin America', *The Journal of Politics* (2022), available at: {DOI: https://doi.org/10.1086/720940}.

<sup>&</sup>lt;sup>80</sup>Miles, 'ID cards as access', p. 69.

 $<sup>^{81}</sup>$ See also Hiner and Troncoso, 'LGBTQ+ tensions in the 2018 Chilean feminist tsunami'.

<sup>&</sup>lt;sup>82</sup>Miles, 'ID cards as access', p. 64.

<sup>&</sup>lt;sup>83</sup>Corrales, The Politics of LGBTQ Rights Expansion, p. 19.

<sup>&</sup>lt;sup>84</sup>Jacob R. Longaker and Donald P. Haider-Markel, 'Transgender policy in Latin American countries: An overview and comparative perspective on framing', in Jami K. Taylor and Donald P. Haider-Markel (eds), *Transgender Rights and Politics: Groups, Issue Framing, and Policy Adoption* (Ann Arbor, MI: University of Michigan Press, 2014), pp. 49–79.

<sup>&</sup>lt;sup>85</sup>For example, the 2011 students movement demanded a free and 'non-sexist' education, which gradually broadened from a feminist demand to include concerns of the LGBTQ+ communities more generally; see Hiner and Troncoso, 'LGBTQ+ tensions in the 2018 Chilean feminist tsunami'.

Despite initial bipartisan support, opposition became increasingly entrenched. The possibility that the GIL would allow minors to change their legal gender markers mobilised conservative groups, who engaged in a coordinated campaign aimed at pathologising trans people and arguing that the bill's 'gender ideology' would put children at risk. However, this values-based opposition weakened in the wake of the Academy Awards. According to Costanza Valdés, the international recognition of *A Fantastic Woman* swiftly changed the terms of the national debate.<sup>86</sup> The movie's international success, Baird Campbell similarly notes, 'threw open the floodgates' for discussing trans rights.<sup>87</sup> Franco Fuica, who led OTD's efforts in support of the law, concurs: the Academy Award was a key moment that facilitated the approval of the law. Whereas the campaign previously centred on preventing harm in vulnerable populations, the award created political pressure that was impossible for the government to ignore.<sup>88</sup> The source of this pressure had less to do with the content of the movie then the fact that the award induced a sense of pride. It acted as a status cue that facilitated normative change.

# How the Academy Awards facilitated Chile's gender identity law

Before the approval for the GIL in 2018, trans people had access to name and gender changes only through litigation. Because Chilean law requires legal names to correspond to individuals' registral sex, petitioners could argue that a change was necessary for trans people to prevent 'moral harm'. Before, the process was costly and largely inaccessible to the majority of the trans population. Furthermore, litigants had to provide evidence of their 'gender dysphoria', and judges could require psychological or medical examinations, subjecting petitioners to a humiliating process whose outcome was uncertain. Two unsuccessful motions for a gender identity law had been presented in 2008 and 2010. A third and ultimately successful bill was introduced in 2013 with the support of OTD and *Fundación Iguales*. In January 2014, the Chilean Senate unanimously approved the motion to legislate. Yet it took over five years for the bill to pass into law.

Norm advocates argued that a new law was urgent to prevent harm and to end the pathologisation of trans people as required by (inter-American) human rights law. From the outset, conservatives agreed that inconsistencies in civil registry records needed rectification. However, they vehemently rejected the idea that gender marker changes should be open to minors. Anticipating opposition, the bill was intentionally drafted to bypass this objection with the tacit understanding that access would be broadened through 'amendatory observations' (*indicaciones*) at the committee stage. <sup>91</sup>

Because legislators had little knowledge of the situation of the trans people in the country, civil society organisations extensively lobbied the Senate, contributing evidence and testimonies during several rounds of committee hearings, where they often faced hostility and humiliation. Advocates focused on demonstrating the physical and psychological harm that the current regime inflicted upon the trans community and children, in particular. They recurrently referred to a

<sup>86</sup>Constanza Valdés, ¿Un cuerpo equivocado? Identidad de género, derechos y caminos de transición (Santiago: La Pollera, 2021), p. 83.

<sup>&</sup>lt;sup>87</sup>Campbell, 'The Archive of the Self', p. 92.

<sup>&</sup>lt;sup>88</sup>Personal communication, 4 October 2022.

<sup>&</sup>lt;sup>89</sup>Miles, 'ID cards as access', p. 69; Carvajal, 'Image politics'.

<sup>&</sup>lt;sup>90</sup>Iguales is a relatively recent advocacy group that focuses on the expansion of civil rights through political negotiation. Advocates frequently criticise it as assimilationist and unrepresentative of the wider LGBTQ+ communities. The initial bill was drafted by the human rights lawyer Ximena Gauché Marchetti on the initiative of the then-OTD president Andrés Rivera Duarte, personal communication with Ximena Gauché Marchetti, 27 January 2021.

<sup>&</sup>lt;sup>91</sup>Personal communication with Ximena Gauché Marchetti, 27 January 2021.

<sup>&</sup>lt;sup>92</sup>Personal communication with Andrés Rivera Duarte, 2 February 2021; see also Valdés, ¿Un cuerpo equivocado?, pp. 71–107. In addition to the advocacy groups cited above, *Todo Mejora*, which focuses on the welfare of trans youth, played a key in this regard. We thank an anonymous reviewer for pointing this out.

report of the Inter-American Commission on Human Rights (IACHR), which found the life expectancy of transwomen in the Americas not to exceed 35 years. <sup>93</sup> They also cited an OTD survey that documented the high suicide risk of trans people below the age of 18 in Chile. <sup>94</sup>

The advocacy campaign won over some sceptics. José Antonio Ossandón from the centre-right *Renovación Nacional* (RN) noted that, 'with each day' he would become more convinced of the bill's importance. Yet he also stressed that this insight would not change his belief in parents' right to raise their children as they seem fit.<sup>95</sup> Overall, the inclusion of minors provoked the anticipated response from right-wing legislators.<sup>96</sup> Led by Jacqueline van Rysselberghe (UDI), a trained psychiatrist (and later UDI president), detractors questioned the bill's constitutionality, opting for delaying tactics and other ways to dilute it.<sup>97</sup> Van Rysselberghe also led the charge in insisting that over 80 per cent of childhood gender dysphoria would correct itself before adulthood.<sup>98</sup> After years in committee limbo (where over three hundred amendments were discussed), senators finally passed the bill in 2017. However, they also rejected the inclusion of minors in a separate vote after which it moved to the Chamber of Deputies for review and approval.

The debate in the lower house followed a similar script. The left-wing government of Michelle Bachelet (2014–18) supported the initiative as part of its social and civil rights agenda, reintroducing the rights of minors to gender marker changes through a revised bill. The move riled up critics who accused the other side of dishonesty. Although references to 'gender ideology' were rare at first, they became more common during what turned into an acrimonious debate.<sup>99</sup> Catholic and evangelical groups increasingly mobilised and opposed the bill on values-based grounds.<sup>100</sup>

The drawn-out legislative process frustrated trans rights advocates, who criticised the Bachelet government's lack of support and failure to consider the views of the trans people on the matter. They were also disappointed that the executive abandoned the Yogyakarta principles, opting instead for a binary definition of gender that required trans people to register as either woman or man. Most importantly, though, the slow progress raised fears that conservatives would bury the initiative after the 2017 elections. This was a legitimate concern as the right and centre-right parties that supported Sebastián Piñera's (RN) presidential bid agreed to prevent the law from passing. Piñera himself criticised the GIL during his campaign, adopting sceptics' talking points about the self-corrective nature of 'gender dysphoria'. Piñera's views on the matter remained

<sup>&</sup>lt;sup>93</sup>IACHR, An Overview of Violence against LGBTI Persons in the Americas, 153/14 (Washington, DC: Organization of Americans States, 2014).

<sup>&</sup>lt;sup>94</sup>OTD, 'Informe sobre encuesta T' (2017), available at: {https://otdchile.org/wp-content/uploads/2020/05/Informe\_ejecutivo\_Encuesta-T.pdf}.

<sup>&</sup>lt;sup>95</sup>Biblioteca del Congreso Nacional de Chile, Historia de la Ley Nº 21.120, p. 265.

<sup>96</sup>See, for example, Biblioteca del Congreso Nacional de Chile, Historia de la Ley Nº 21.120, p. 265.

<sup>&</sup>lt;sup>97</sup>Detractors also used country comparisons in support of their claims. Van Rysselberghe argued that Chile should follow the Argentine law but adopt the model of developed countries that restrict access to adults and medical and psychological evaluations. In her view, 'gender dysphoria' was a pathology, and pathologies cannot be human rights, see Biblioteca del Congreso Nacional de Chile, *Historia de la Ley N*° 21.120, pp. 209–10.

<sup>&</sup>lt;sup>98</sup>The exact figure cited varied; see Biblioteca del Congreso Nacional de Chile, *Historia de la Ley N° 21.120*, pp. 433, 1067, 1068, 1099.

<sup>&</sup>lt;sup>99</sup>Although the Committee minutes do not record verbatim all remarks, the first mention of 'gender ideology' was by a representative of the Christian *Acción Familia* (Family Action) on 16 April 2014, Biblioteca del Congreso Nacional de Chile, *Historia de la Ley N* $^{\circ}$  21.120, p. 178. Legislators later adopted the same language.

<sup>&</sup>lt;sup>100</sup>Opponents to transgender rights in the region frequently use the slogan *con mis hijos no te metas* (don't miss with my kids); see Juan Marco Vaggione, "The conservative uses of law: The Catholic mobilization against gender ideology', *Social Compass*, 67:2 (2020), p. 261; Corrales, *The Politics of LGBTQ Rights Expansion*, p. 41; Hiner and Troncoso, 'LGBTQ+ tensions in the 2018 Chilean feminist tsunami', p. 687.

<sup>&</sup>lt;sup>101</sup>Valdés, ¿Un cuerpo equivocado?, p. 74; Campbell, 'The Archive of the Self', p. 44.

<sup>102</sup> Valdés, ¿Un cuerpo equivocado?, p. 81.

<sup>&</sup>lt;sup>103</sup>El Mostrador, 'Debate presidencial sin riesgos: Piñera compara la identidad de género con una camisa y Guillier mantiene ambigüedad sobre las AFP' (7 December 2017), available at: {https://www.elmostrador.cl/noticias/pais/2017/12/07/debate-presidencial-sin-riesgos-pinera-compara-la-identidad-de-genero-con-una-camisa-y-guillier-mantiene-ambiguedad-sobre-las-afp/}.

unchanged after winning the run-off vote held in December 2017. In fact, some even noted that he may shift further to the right after his coalition partners affirmed their intention to stop the law. 104 Yet the newly elected government abruptly changed its position after *A Fantastic Woman* won the Academy Award.

## A Fantastic Woman

Piñera governed Chile between 2010 and 2014. He returned to the presidency on 11 March 2018, for a second, non-consecutive term. International news dominated the agenda during the days leading up to the change in government. *A Fantastic Woman*, directed by Sebastián Lelio, won the Oscar for Best Foreign Language Film on 4 March 2018.

This was not the first time that Hollywood played a role in domestic contestations over Chile's place among liberal democratic states. Prominent movie actors, including 'Superman' Christopher Reeve, appeared in the 1988 campaign to restore democracy to Chile. The historical drama *No*, which focuses on the campaign to remove Pinochet from power through a plebiscite, was nominated for an Academy Award in 2012. Finally, *Bear Story*, an animated movie directed by Gabriel Osorio Vargas that deals with political exile, won the award for the best short film in 2016. However, these episodes addressed an 'old' partisan issue evolving the legacy of authoritarian rule. By contrast, *A Fantastic Woman* directly intervened in a salient domestic debate on trans rights.

The movie had already drawn acclaim during the 2017 festival circuit. Yet the public's interest in and repones to the film only peaked in the aftermath of the Academy Award. Following the nomination in January 2018, Daniela Vega, who played the leading role, quickly emerged as a figurehead of the trans movement, using her prominence to advocate for the GIL. The actress openly criticised conservatives for stalling the legislation in an interview that was widely reproduced in Chilean media:

Conservatism is very dangerous for the development of our human rights. Economic growth is no guarantee that Chile will advance on other issues: education, health, social insurance, same-sex marriage ... I leave Chile to represent my country with a masculine name in my passport and that brings me problems every day, every time I travel. 105

Vega's criticism points at the contradiction between recognition of the movie as a source of national pride, her role as Chile's representative at the international stage, and the ensuing discrimination of trans people in the country. Noteworthily, she also connects the question of gender and sexual minority rights with the continuation of the development model imposed during authoritarian rule. The international attention that she received help amplifying her critique and provided her position with credibility and prestige.

The award 'reignited' debate over trans rights in the country. Figure 1 shows the striking surge in public interest following the Academy Awards nomination in January 2018, as evident in Chilean newspaper coverage and Internet searches. Commenting on a poll that found that 67 per cent of Chileans supported the law in the aftermath of the Oscars ceremony, Juan Enrique Pi, the executive director of *Iguales* argued that the Chileans widely supported the

<sup>104</sup> Tomás Dodds, 'Fundación Iguales: "El giro conservador de Piñera se empieza a notar antes de asumir la Presidencia", La Tercera (3 January 2018).

<sup>105°</sup>Daniela Vega: "Salgo a representar a Chile con nombre masculino en mi pasaporte, ¿dónde están mis derechos?"", Emol (9 February 2018), available at: {https://www.emol.com/noticias/Espectaculos/2018/02/09/894474/Daniela-Vega-Salgo-a-representar-a-Chile-con-nombre-masculino-en-mi-pasaporte-Donde-estan-mis-derechos.html}.

<sup>&</sup>lt;sup>106</sup>OTD, "Una mujer fantástica" vuelve a encender el debate por los derechos trans' (9 March 2018), available at: {https://otdchile.org/una-mujer-fantastica-vuelve-a-encender-el-debate-por-los-derechos-trans}.

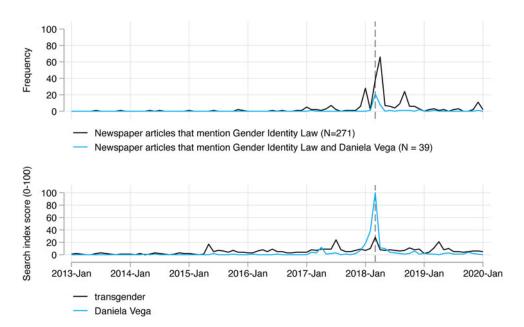


Figure 1. Public interest in trans issues in Chile (2013–20).

Note: The grey dashed line marks the date of the Academy Awards ceremony (4 March 2018). The sample includes Chile's principle (and generally conservative) outlets El Mercurio (online and in print) and La Tercera, and news reports from El Mostrador, La Cuarta, and El Desconcierto to capture more diverse editorial positions.

Source: Google search data is accessible at: {https://trends.google.com/trends/explore?date=2013-01-01%202020-01-01&geo=CL&q=transgenero,Daniela%20Vega}.

initiative 'to end the discrimination that trans people live with every day, and that is reflected so well in A Fantastic Woman'.  $^{107}$ 

Chilean politicians were also quick to associate the Academy Award with the situation of trans people in the country. As outgoing president Michelle Bachelet observed via Twitter: 'The award, which fills us with pride, not only recognises a film of great quality, but a history of respect for diversity that does us good as a country.' Back in Chile, Bachelet received the film crew in the president palace, providing Vega with yet another opportunity to reiterate her criticism. Bachelet also used her urgency powers to expedite the legislative process on her last days in office, thereby forcing the incoming conservative government to take a stand. <sup>110</sup>

To much surprise, her successor, Sebastián Piñera, decided to join the bandwagon. As he tweeted on 4 March:

Tonight Chilean cinema has touched the stars. Go Chile [*Grande Chile*] and a big hug, with pride and emotion, to the whole team of #UnaMujerFantástica, the best foreign film in the #Oscars 2018.<sup>111</sup>

<sup>107</sup> Alejandra Jara, 'Cadem: Un 67% está de acuerdo con ley de identidad de género tras Oscar de Una mujer fantástica', La Tercera (12 March 2018).

<sup>&</sup>lt;sup>108</sup>@mbachelet (Michelle Bachelet), Twitter post, 17 March 2018, 2:24 AM, available at: {https://twitter.com/mbachelet/status/970485105549561856?s=20}.

<sup>&</sup>lt;sup>109</sup>El Mostrador, 'Daniela Vega sigue revolucionando: de Google a la Moneda y de la admiración al Congreso' (17 March 2018), available at: {https://www.elmostrador.cl/braga/2018/03/07/daniela-vega-sigue-revolucionando-de-google-a-la-moneda-y-de-la-admiracion-al-congreso/}.

<sup>&</sup>lt;sup>110</sup>Chilean presidents have extensive constitutional powers to dominate the legislative process including the prerogative to declare legislation 'urgent', which forces Congress to expedite its consideration.

<sup>&</sup>lt;sup>111</sup>@sebastianpinera (Sebastián Piñera), Twitter post, 5 March 2018, 02:40 AM, available at: {https://twitter.com/sebastianpinera/status/970489111902654466?s=20}.

Although Piñera's tweet did not explicitly mention Vega or the GIL, the tone is emotionally charged and sharply contrasts with his earlier statements during the presidential campaign. For instance, he questioned the bill in a television debate, arguing that 'unlike a shirt' gender should not be something that can be changed from one day to another; he further rejected the idea that minors should be included in the law, echoing yet again the sceptics' claim about the prevalence of detransitions. <sup>112</sup>

The day after the Oscars, speaking on behalf of the incoming administration, Gonzalo Blumel recognised the need to legislate, arguing that the movie showed the need for a cultural change, further signalling the policy shift in the incoming government. Blumel's statements irritated the *Chile Vamos* coalition: party leaders had agreed to reject the bill and their legislators voted against it in Congress (although not unanimously); the evident change in the aftermath of the Academy Award caused considerable friction within the bloc, even threatening to 'dynamite' the coalition before taking office. Piñera, in turn, appointed long-time defender of the Pinochet regime, Hernán Larraín (UDI) Minister of Justice and Human Rights, who, together with undersecretary Lorena Recabarren (RN), was tasked with aiding the passing of the bill. Incidentally, two of Larraín's sons also happened to be the producers of *A Fantastic Woman*, adding yet another emotional layer to the events. (Larraín, who supported the decriminalisation of sodomy to bolster Chile's liberal democratic credentials in the 1990s denied having taken a picture of himself with the award.)

The government was quick to reject accusations of incoherence. Press secretary Cecilia Pérez argued that her coalition had long held the conviction that change was necessary. Rather than pressing the government to act, the award was a 'source of pride'. <sup>116</sup> In the following days, Piñera reiterated his support for the law so that 'cases like Daniela [Vega]' could change their name with the Civil Registry and be accepted by society. <sup>117</sup> Piñera even compared the situation to that after the powerful earthquake that shook Chile during his first government (2010–14) and which, he added, had not been on the campaign agenda either. <sup>118</sup>

Conservative legislators followed suit, stating that they would support the initiative in principle under the condition that the 'bad law' would be substantively revised. José Antonio Kast accused the right of insincerity and having surrendered to the left in a polemical op-ed, although he argued that trans people should not be discriminated against, suggesting a separate register for gender identity instead. Santiago's Archbishop, Cardinal Ricardo Ezzati initially doubled down, arguing that 'the fundamental issue is not simply age ... Just because I give a cat a dog's name, it will not become a dog. However, such views had become a lost cause, as

<sup>1124</sup> Debate presidencial sin riesgos: Piñera compara la identidad de género con una camisa y Guillier mantiene ambigüedad sobre las AFP', El Mostrador (7 December 2019), available at: {https://www.elmostrador.cl/noticias/pais/2017/12/07/debate-presidencial-sin-riesgos-pinera-compara-la-identidad-de-genero-con-una-camisa-y-guillier-mantiene-ambiguedad-sobre-las-afp/}.

<sup>113</sup> DunaFM, 'Gonzalo Blumel e identidad de género: "La película nos plantea un desafío que tenemos que abordar y ese es el valor simbólico de "Una mujer fantástica" (5 March 2018), available at: {https://www.duna.cl/programa/hablemos-en-off/2018/03/05/gonzalo-blumel-e-identidad-de-genero-la-pelicula-nos-plantea-un-desafío-que-tenemos-que-abordar-y-ese-es-el-valor-simbolico-de-una-mujer-fantastica/}.

<sup>&</sup>lt;sup>114</sup> Chile Vamos se abre a votar a favor de Ley de Identidad de Género con "correcciones", La Tercera (5 March 2018).
<sup>115</sup> Pablo Larraín's ideological difference with his father attracts much commentary. As one of Latin America's best-known movie directors, his work tends to centre on ruptures in Chilean history, in which his own family, one of Chile's long-standing political dynasties, often played a significant role.

<sup>&</sup>lt;sup>116</sup>Paula C. Catena, 'Cecilia Pérez, ministra vocera de gobierno: "Que la izquierda no se confunda, no son ellos quienes gobiernan hoy", *La Tercera* (25 March 2018).

<sup>&</sup>lt;sup>117</sup>T13, 'Piñera dice ser partidario de la Ley de Identidad de Género, pero sin incluir a niños' (7 March 2018), available at: {https://www.t13.cl/noticia/politica/pinera-dice-ser-partidario-ley-identidad-genero-pero-incluir-ninos}.

<sup>&</sup>lt;sup>118</sup>M. Eugenia Fernández G., 'Cómo Piñera se convenció de jugarse por la Ley de Identidad de Género', La Tercera (11 April 2018).

<sup>1196</sup> La verdad incómoda', La Tercera (10 April 2018).

<sup>&</sup>lt;sup>120</sup> Ezzati: "No porque a un gato le pongo nombre de perro comienza a ser perro", La Tercera (6 April 2018).

even the conservative government now criticised Ezzati. Chile made increasing progress towards greater inclusiveness, Cecilia Pérez noted, which required a public debate 'with respect and without prejudice or disqualification'. In a rather atypical move, the head of the Catholic Church in Chile was pressed to apologise. Long-time sceptic van Rysselberghe, in turn, tried to deflect: 'besides the Oscar', Piñera was elected to address the more pressing concerns, including public security, health care, and education reform. Van Rysselberghe became the figurehead of a rapidly dwindling number of conservative hold-outs, as illustrated by the cover of the satire magazine *The Clinic* (8 March 2018), which showed the Senator in a symbolic scene from the movie where Marina stands strong against opposing winds, titled 'A Fanatic Woman'. Van Rysselberghe responded with an interview in the same magazine (entitled 'The electroshock is like me: it gets bad press but is efficient'), arguing that just because opposing the law was now a lost cause does not mean that she has to approve it. The Academy Award was perceived as a source of national pride, triggering an affective response that led the erstwhile detractors of the law to change their position or drop their opposition.

Only two days after the Oscars, the Chilean Senate unanimously decided to send the bill to a joint committee to resolve the remaining differences. As Valdés notes, this move was unusual as the established procedure would have required another report from the Senate's Human Rights Committee where it was initially discussed. In her view, this demonstrates the impact that the award had on the debate. Daniela Vega and the movie also became recurrent reference points during the committee hearings. Deputy Karol Cariola Oliva (Communist Party) even dedicated her final vote to the advocates who fought for normative change and Vega, 'the great Chilean actress who gave an Oscar to this country'.

The law was approved on 4 September 2018 after over five years of deliberation (and with four votes from centre-rights senators; the inclusion of minors of 14 years was blocked). The government's sudden shift was evident. Centre-left politicians and NGOs called out the government for its hypocrisy. As Juan Enrique Pi remarked, 'It would be very bizarre [muy mezquino] to celebrate the artistic triumph of A Fantastic Woman without taking charge of the reality it portrays. As a society we are indebted to trans people.'127 Advocates recognised the impact that the movie had on the debate, arguing that without the support the award created for their cause, the approval of the GIL would have been uncertain, and the inclusion of minors almost certainly impossible. But trans activists also criticised the 'pink washing' of the trans rights agenda and other LGBTQ+ organisations including MOVILH and Iguales for taking credit for their efforts in the aftermath of the Oscars. Nor was it clear whether the government was truly committed to the cause, as it

<sup>&</sup>lt;sup>121</sup>Ann Melgar, 'Cardenal chileno se disculpa por polémicas declaraciones sobre identidad de género' CNN (9 April 2018), available at: {https://cnnespanol.cnn.com/2018/04/09/cardenal-chileno-se-disculpa-por-polemicas-declaraciones-sobre-identidad-de-genero}.

<sup>&</sup>lt;sup>122</sup>Emo, "Triunfo de "Una Mujer Fantástica" en los Oscar abre debate en Chile Vamos sobre Ley de Identidad de Género' (3 March 2018), available at: {https://www.emol.com/noticias/Nacional/2018/03/05/897458/Triunfo-de-Una-Mujer-Fantastica-en-los-Oscar-abre-debate-en-Chile-Vamos-sobre-Ley-de-Identidad-de-Genero.html}.

<sup>&</sup>lt;sup>123</sup>Lorena Penjean, 'Jacqueline Van Rysselberghe, presidenta de la UDI: "El electroshock es como yo, tiene mala prensa pero es eficiente ...", *The Clinic* (14 March 2018), available at: {https://www.theclinic.cl/2018/03/14/jacqueline-van-rysselberghe-presidenta-la-udi-electroshock-mala-prensa-eficiente/}.

<sup>&</sup>lt;sup>124</sup>Valdés, ¿Un cuerpo equivocado?, p. 83.

<sup>&</sup>lt;sup>125</sup>Vega's father, introduced as a 'practicing Catholic Christian', even had a cameo appearance in a hearing when his relationship with the actress was only revealed after his testimony, Biblioteca del Congreso Nacional de Chile, *Historia de la Ley N* ° 21.120, pp. 1098–9.

<sup>&</sup>lt;sup>126</sup>Biblioteca del Congreso Nacional de Chile, *Historia de la Ley Nº 21.120*, p. 1328.

<sup>&</sup>lt;sup>127</sup>OTD, "'Una mujer fantástica" vuelve a encender el debate por los derechos trans' (9 March 2018), available at: {https://otdchile.org/una-mujer-fantastica-vuelve-a-encender-el-debate-por-los-derechos-trans}.

<sup>&</sup>lt;sup>128</sup>Personal communication, 4 October 2022.

<sup>&</sup>lt;sup>129</sup>Campbell, 'The Archive of the Self', p. 84. As Andrés Rivera Duarte notes: suddenly trans people were the 'Queen of the ball' (*reina del baile*) and nobody wanted to the 'left out of the dance' (quedarse fuera del baile), personal communication, 2 February 2021.

later introduced restrictive administrative procedures to limit access to gender marker changes for minors. As Campbell concludes, 'what might have been a moment of reflection for a country struggling to come to terms with the situation of its trans population, instead became a moment to celebrate a victory for all Chileans, and for the country's image as a whole, on the backs of trans people who continued to be excluded from full citizenship.' 131

## Conclusion

The international recognition of *A Fantastic Woman* facilitated the approval of the GIL in 2018. Trans rights advocates had lobbied for a law that guaranteed access to gender marker changes for many years. They played an important role in raising awareness about the hardship of trans people and they successfully framed the issue as part of the country's incomplete transition to democracy that resonated with social demands for change. Throughout the protracted and often acrimonious debate, civil society organisations provided scientific evidence and personal testimonies that documented the harm that the status quo inflicted on a vulnerable population, especially trans children. In principle, conservatives agreed that legal change was necessary. However, they disputed whether gender identity constituted a human right and rejected its application to individuals below the age of 18. Although trans activists persuaded some legislators, others became more intransigent in their views, opposing the law on normative grounds. Because the Chilean political system provided opponents with veto powers to defend the status quo, these sceptics were able to protract the legislative process for over five years. By the time of the 2017 elections, it was by no means a foregone conclusion that the law would pass.

Yet the success of *A Fantastic Woman* at the Academy Awards radically changed the terms of the debate in early 2018. It created public interest in the situation of trans people, both domestically and abroad, and provided a focal point for discussing trans rights in Chile. Daniela Vega emerged as a powerful voice in this debate, featuring among *Time* magazine's 100 Most Influential People of 2018 (the accompanying note was written by former president Bachelet who became United Nations High Commissioner for Human Rights later that year).<sup>132</sup> In this sense, an external status cue legitimised a political cause. More decisively, though, the Oscar temporarily turned support for trans rights into a matter of national pride. It served as a cue about Chile's international reputation and prestige; the ensuing affective response was crucial in garnering support for the law across the political spectrum – even if for only a short period of time.

The case of Chile GIL demonstrates how status cues create opportunities for normative change. It is clear that the international recognition of a Chilean movie induced an emotional state in Chilean society. However, it is less clear whether conservatives, including the members of the Piñera government, eventually supported the law because of the sense of pride it instilled in themselves, or because they acted opportunistically, seeking to benefit from the collective sentiment of national pride. Although it is hard to establish decision-makers' true motivations ex post facto, it is clear that the Piñera government altered its course in response to the award, and against opposition from within its own ranks. Although the Oscar did not cause the GIL, it facilitated its approval in its current form.

The study contributes to the recent norm research that analyses the contestation and transformation of norms. In recent years, the election of right-wing populist who gained power on post-truth platforms has sparked interested in 'motivated reasoning' and other biased forms of information processing. The case of Chile's GIL illustrates the ambiguous effects of such

<sup>&</sup>lt;sup>130</sup>Isabel Caro and Paula Catena, 'La historia detrás del retraso del reglamento para la Ley de Identidad de Género', *La Tercera* (14 August 2019).

<sup>&</sup>lt;sup>131</sup>Campbell, 'The Archive of the Self', p. 82.

<sup>&</sup>lt;sup>132</sup>Michelle Bachelet, 'Daniela Vega', *Time*, available at: {https://time.com/collection/most-influential-people-2018/5217558/daniela-vega}.

psychological defence mechanism. On the one hand, emotionally charged debates make evidence-based and reasoned debate more difficult; for another, the politics of affect may also facilitate change by inducing a sense of pride or shame in audiences.

International Relations research continues to explore the contestation of national roles and the domestic perception of states' international standing, but more work is needed. Accounts that connect work on status, roles, norms, and beliefs could draw on theoretical advances in each to support the others. Although the literature agree that status is perceptual, most accounts assume the existence of a status order that neatly rank states according on social estimations of honour and prestige. As Mercer points out, actors tend to conflate their sense of pride with national prestige and discount the prestige of others, rendering prestige in his view an illusion. Future research should pay greater attention to way in which status cues are perceived and contested domestically, how they affect national role conceptions, and what opportunities they provide entrepreneurs to advance domestic change.

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Carsten-Andreas Schulz is an Assistant Professor of International Relations and Fellow of Gonville and Caius College, University of Cambridge. His research focuses on the development of international order, hierarchy in world politics, and the international relations of Latin American states. Author's email: cas245@cam.ac.uk

Cameron G. Thies is Dean of James Madison College and MSU Foundation Professor, Michigan State University. He is a scholar of International Relations who has published broadly in foreign policy analysis, conflict processes, international political economy, and International Relations theory. Author's email: thiescam@msu.edu

<sup>&</sup>lt;sup>133</sup>Mercer, 'The illusion of international prestige'.