Unpacking Social Movements' Democratizing Impact: The Case of the Lesbian, Gay, Bisexual, and *Travesti* Movement in Brazil

by

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Abstract

This dissertation examines the impact of the Brazilian lesbian, gay, bisexual, and *travesti*

(LGBT) movement on the construction of a more inclusive democracy. In order to do this, I

develop a framework for assessing the "whether," "how," and "why" of social movements'

democratizing impact, based on an understanding of substantive democracy that sees the

inclusion of marginalized groups as a central test. Substantive democratic inclusion would

require the *autonomous agency* of the social movement fighting for the interests of the

marginalized group in question; *public recognition* of the marginalized group via the increased

visibility and more widespread toleration of its members in the public sphere; the *participation of*

marginalized groups in decision-making institutions, by increasing their access and influence

over policy-makers, as well as their presence in relevant institutional spaces; *concreteness* of the

gains made by the movement, particularly in the form of public policies; and *universality* in

policy effect, addressing more systemic inequalities that affect those most strongly marginalized

within that population. By focusing on the period from the emergence of the LGBT movement in

1979 to the end of the first term of Dilma Rousseff's presidency in 2014, and examining

movement activity in the public sphere and actions aimed at the State (federal executive,

legislative, and judiciary branches), I argue that the movement has achieved an incomplete

democratic inclusion of sexual minorities. This incompleteness is characterized by headway in terms of autonomous agency, recognition, and participation, but limitations on the concreteness and universality of gains. This pattern of impact is shaped by three broad factors, namely the historical structures of marginalization, the institutional framework activists face in their engagement with the State, and the dominant regime of interest mediation. In the conclusion, I engage in a comparison with other social movements in Brazil to contextualize these findings.

Acknowledgments

This dissertation's roots go deep. It stems from a deep commitment to social justice and a longstanding interest in social movements and sexual diversity politics. A list of all those who played a role in making it happen is inevitably incomplete.

This thesis acquired its final features thanks to the support and tireless guidance of my supervisor, David Rayside, and my thesis committee, Judith Teichman and Melissa Williams. David's insistence on clarity forced me to balance a complex argument that sought to make sense of an ambiguous empirical reality. Judith pushed me to never lose sight of the deep inequality that structures Brazilian society, and all the theoretical implications that entails. And Melissa had the incredible ability to (a number of times) gently turn my head to see more clearly those elements of my argument around which I had been dancing for some time. I was also extremely fortunate to have Courtney Jung and Sonia Alvarez as, respectively, my internal and external examiners. Their encouraging comments and deeply stimulating questions helped me think about this work in a new light.

This whole project would not have been possible without the generosity and openness of the many activists and government officials I met, talked with, and interviewed in the course of my field research in Brasília, Rio de Janeiro, Salvador, São Paulo, and Manaus. To the extent that the lives of LGBT people in Brazil have improved over the last couple of decades, it is thanks to their efforts and tireless work. I especially think of those activists who helped me make sense of the Brazilian reality and are no longer amongst us, like William Aguiar, Janaína Dutra, and Hanna Suzart.

My work has been deeply enriched by the many conversations with and comments I received from colleagues. James N. Green has been both an inspiration and a mentor in this long journey. His deep knowledge of the gay and lesbian community and movement in Brazil was tremendously helpful in developing this project. Philip Oxhorn has had a deep intellectual influence over my work, both as my MA supervisor at McGill University and beyond. His continued support and encouragement over the years were key in keeping me going. Many others provided helpful comments at various stages of this project. Cecilia McDowell Santos and Elisabeth Jay Friedman provided extremely valuable feedback on a number of occasions.

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Chapter 1
Introduction

Sexual minorities have gained tremendous visibility in the Brazilian public sphere since the return to civilian rule in the mid-1980s. Mainstream media coverage of sexual diversity issues has been increasingly positive and openly gay or lesbian characters have become commonplace in the enormously popular *telenovelas*. More significantly, lesbian, gay, bisexual, and *travesti* (LGBT)[1] Pride Parades have spread across the country and have arguably become, if taken collectively, the political event that brings the largest number of people to the streets in the entire country. By 2007, the São Paulo Pride Parade had broken all previous records, with over 3 million participants (Recorde vai para o "Guiness", 2007), establishing itself as the largest LGBT Pride Parade in the world. Not only has the LGBT movement been able to gain impressive visibility through actions such as street demonstrations and parades, it has also managed to have an impact on the adoption of pro-LGBT public policies and legislation, at both local and federal levels. This activism, by social movement actors as well as their allies in the State, culminated in the legalization of same-sex civil unions—or homoaffective stable unions (*uniões estáveis homoafetivas*)—in a decision of the Constitutional Supreme Court in 2011, followed by the *de facto* legalization of same-sex marriage in a directive by the National Council of Justice in 2013 mandating that notary publics could neither refuse to perform same-sex marriages or reject requests to convert same-sex *uniões estáveis* into civil marriage.

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[1] Throughout this dissertation, I will refer to lesbians, gays, bisexuals, and *travestis* (LGBTs) when talking about sexual minorities in Brazil. It is only since around 2000 that the Brazilian movement has started self-identifying as "LGBT," partly motivated by a desire to bring itself more in line with the international movement, particularly in relation to the organization of Pride Parades (see discussion in Facchini, 2005, 263-70). In my usage, "T" stands most of the time for "*travesti*" rather than "transgender," given the former's political prominence in the movement. For variety, I sometimes use "gay and lesbian" to refer to the movement as a whole. I have chosen to use this more inclusive acronym to follow the movement's own dominant identity construction process, even though in the past and in previous publications I have used the acronym GLT to emphasize the fact that gays, lesbians, and *travestis* are the more clearly mobilized groups. I use the term "*travesti*" in Portuguese due to the specificities of the construction of that identity (see Kulick, 1998), which the English term "transvestite" does not evoke. I should note, however, that many *travesti* activists have, since the early 2000s, occasionally used the term "transgender" to identify themselves and their organizations. For the most part, however, this usage has not established firm roots in the movement. Transsexuals have also become increasingly active, especially since the mid-2000s—with transsexual men making more of an appearance in the movement around 2010. Nevertheless, *travestis* continue to be the more active group under the "T" in the movement.

At the same time, various sources, including organizations linked to the LGBT movement, some academics and governmental agencies continue to present a picture of sustained discrimination and high levels of violence towards sexual minorities. Mirroring the reality of increasing levels of violence in Brazilian society in general since the return to political democracy in the mid 1980s, gays, lesbians, and *travestis* suffer high levels of physical violence, extortion, and verbal and emotional abuse in a variety of places (*e.g.*, home, school, work, public spaces) from many kinds of aggressors (*e.g.*, family members, neighbours, or strangers) (Brasil. Presidência da República. Secretaria de Direitos Humanos, 2013, 29-31). According to data compiled by the *Grupo Gay da Bahia*, in 2013 312 LGBTs were murdered in Brazil, which amounts to a murder every 28 hours (Jade, 2014).

These opposing snapshots point to a puzzle: how to make sense of this ambiguous reality of, on the one hand, greater mobilization, visibility and policy gains, and, on the other, the continued discrimination and lack of concrete improvement to the lives of so many members of sexual minority communities. Given the persistent efforts of activists, what has been the broader impact of the Brazilian LGBT movement's struggle on the construction of a more inclusive democracy? What does the movement's activity and impact both in the public sphere and in its engagement with the State reveal about the main characteristics and quality of the democratization process? A closer examination of this case study also sheds light on broader questions of interest to students of democratization and social movements: by developing a framework for assessing and analyzing the "whether," "how," and "why" of social movements' democratizing impact, the conclusions of this study can help in our understanding of the role of civil society in democratization processes, particularly in societies characterized by high levels of inequality, as is the case in Brazil.

Focusing on the period ranging from the emergence of the lesbian, gay, bisexual, and transgender (LGBT) movement in 1979 to the end of the first term of Dilma Rousseff's presidency in 2014, I argue that the LGBT movement in Brazil has achieved an incomplete democratic inclusion of sexual minorities.[2] On the one hand, the movement has managed to

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[2] My conclusions resonate with the idea of a disjuncture in the construction of democracy in Brazil and other emerging democracies, a concept that has been used by other authors. In particular, Caldeira and Holston (1999, 692) characterize Brazilian democracy as disjunctive, by emphasizing how the development of citizenship rights "is

assert itself as a legitimate and autonomous political actor, making significant inroads in terms of visibility and participation in decision-making, as well as effecting important policy gains. On the other, serious obstacles hinder the effective implementation of pro-LGBT policies, and their impact has mostly benefitted a small part of the broader LGBT population. The end result is an incomplete process of democratic inclusion, whereby the increased visibility and participation of the LGBT movement in the policy-making process translates into a situation where only a few members of the LGBT community benefit disproportionately from these gains—especially white, middle- and upper-class gay men—while much of the LGBT population continues to face discrimination and marginalization—particularly *travestis* and the poor, non-white members of that community. This situation started becoming more apparent and settling itself into place especially from the mid-1990s until the mid-2000s. Since then, under the Workers' Party (*Partido dos Trabalhadores*, PT) governments of Luis Inácio Lula da Silva (2003-2010) and Dilma Rousseff (2010-2016), it has become more entrenched, crystallizing some of its key dynamics.

In order to arrive at an overall evaluation of the impact of the LGBT movement in Brazil, this study develops a framework for assessing the democratizing impact of social movements, based on an understanding of substantive democracy that sees the inclusion of marginalized groups as a central test. Substantive democratic inclusion would require the *autonomous agency* of the political actors (activists and social movement organizations) that represent the interests of the marginalized group in question; *public recognition* of the marginalized group via the increased visibility and more widespread toleration of its members in the public sphere; the *participation of marginalized groups in decision-making institutions* whose decisions affect them, by increasing their access and influence over policy-makers, as well as their presence in relevant institutional spaces; *concreteness* of the gains made by the social movement, particularly in the form of public policies addressing the needs and demands of the marginalized group in question that are implemented in an effective and sustainable manner; and *universality* in policy effect, benefitting

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never cumulative, linear, or evenly distributed for all citizens, but is always a mix of progressive and regressive elements, uneven, unbalanced and heterogeneous." More specifically, they focus on how, despite the democratization of political institutions and enactment of formally democratic constitutions, the civil component of citizenship is seriously eroded by a systematic violation of citizens' rights.

not just a small subsection of the marginalized population, but addressing more systemic inequalities that affect those most strongly marginalized within that population.

Three key broad factors explain the degree of the Brazilian LGBT movement's democratizing impact along these criteria. First, the *historical structures of marginalization* that shape Brazilian society—along axes of class, race, gender, and sexuality—generate deep patterns of inequality in society, shape the characteristics of social movements, affect the degree and form of public recognition of the marginalized group in question, and impose obstacles to the inclusion of those most strongly marginalized. These historical structures include cultural elements. In the case of the LGBT population, for example, the existence of societal homophobia and strong religious opposition to the acceptance of sexual diversity play an important role in shaping the ability of LGBT activists to generate change.

Second, social movements' democratizing impact is mediated by the *institutional framework* activists face in their engagement with the State. The main characteristics of legislative, executive, and judiciary branches of government delineate the opportunities and obstacles a social movement faces as it tries to increase its participation in decision-making spaces and generate and implement policy changes.[3] The mediating role of political parties is part of this institutional framework, as they affect access to State resources and decision-making institutions. Also important are informal institutions[4] that affect the extent and quality of access activists have to the State, such as personalism and clientelism. In addition, of particular importance to this study is the question of formal institutional strength, closely related to State capacity, or the ability of the State to administer its territory and carry out what it sets out to do (Skocpol, 1985). More specifically, institutional strength—conceptualized in terms of enforcement and stability (Levitsky and Murillo, 2009, 117)—significantly affects policy implementation. All of these

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[3] The international sphere plays an important background role in this framework. The efforts of the State to insert itself into the international sphere, both politically and economically, can affect the kinds of opportunities and obstacles a social movement faces in effecting change. Similarly, the ways in which the national economy is inserted into the international economic system strongly shape the kind of economic development a country is able to pursue, and affect the kind of influence and control external actors (such as international financial institutions) have over the domestic sphere.

[4] I borrow the definition of informal institutions outlined in Helmke and Levitsky (2006, 5): "socially shared rules, usually unwritten, that are created, communicated, and enforced outside officially sanctioned channels."

elements of the institutional framework play a significant role in explaining the extent of social movements' impact.

Third, the *regime of interest mediation* in place strongly shapes the opportunities of social movements to have a democratizing impact. This refers to the degree of openness of the State apparatus to societal input, and the types of civil society organization most likely to take advantage of these openings.[5] The regime of interest mediation is closely related to and deeply shaped by the institutional framework since the latter can, for example, crystallize arrangements and spaces that ensure greater societal participation in policy-making processes, or, alternatively, shut out societal voices from decision-making, restricting it to technocratic experts (Teichman, 2009). It is also affected by the ideological stance of different governments *vis-à-vis* more participatory forms of democracy. Finally, the regime of interest mediation is also constitutive of the broader economic development model being pursued. For example, import-substitution industrialization, or a neoliberal development model will rely on different types of regime of interest mediation in order to further the implementation of economic reforms and projects, and weave together a coalition of social sectors that can help maintain legitimacy of the development project. As many scholars have highlighted, the implementation of neoliberal reforms shifted the ways in which popular sectors[6] in Latin America organized themselves and voiced their demands to the State, and established a new kind of relationship between the State and civil society organizations (see, among many, Oxhorn, 2011; Chalmers *et al.*, 1997a; Collier and Handlin, 2009c) that oftentimes had ambiguous effects on the participation of social movements in decision-making spaces and in the public sphere. And in Brazil, in the mid-2000s, as the Lula and Rousseff administrations launched a post-neoliberal neo-developmentalist project, more opportunities for participation arose, even if limitations persisted in the depth and universality of the policy gains made in that period.

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[5] The evolving types of organizations and structures used by the marginalized to voice their demands have been labelled "structures of representation" by Chalmers *et al.* (1997a) and "interest regime" by Collier and Handlin (2009a).

[6] As is commonly the case in studies of Latin American politics, the "popular sectors" refer to "the groups within the lower strata of the income hierarchy, which constitute the majority in most Latin American countries" (Collier and Handlin, 2009a, 4, fn. 1).

1 Outline of the project

1.1 Chapter outline

As mentioned above, the central questions driving this project speak to broader issues of importance to understanding democratization processes that are ongoing in many regions in the Global South. More specifically, this case study seeks to shed light on "the 'grand *incognitus* of social movement research'; namely, the political impact of social movements" (Foweraker and Lanham quoted in Oxhorn, 1999, 139). It asks what kind of impact social movements are able to have in a context of high inequality rooted in multidimensional historical axes of marginalization, and what kind of obstacle to democratization these structural inequalities impose. In order to provide this assessment, I outline, in chapter 2, a substantive conceptualization of democratization, making the inclusion of historically marginalized groups a central test of the quality of democracy. This chapter also underlines how the literature has generally seen the democratizing role and impact of social movements. I emphasize how, in order to properly examine the broader societal and political impact of social movements, we must develop a more holistic approach, looking at social movements' multiple fields of action, aimed at both the State and society. With this approach in mind, I develop a framework for assessing social movements's democratizing impact, a tool for evaluating the extent to which social movements are able to bring about the democratic inclusion of the marginalized group(s) they represent. As mentioned above, the main criteria are: a movement's autonomous agency, the public recognition of the members of the marginalized population and their demands, increased participation in decision-making institutions, concreteness of policy gains, and universality of policy effect. Next, drawing on the historical record of Latin American and particularly Brazilian political development, I outline the tortuous historical path toward democracy in Brazil, briefly mapping out the persistent but shifting obstacles faced by marginalized groups. In this section, I highlight the interaction of the main factors that shape a movement's likelihood of engendering a more substantive democratic inclusion, namely the historical structures of marginalization, the institutional framework, and the shifting regimes of interest mediation.

The heavily hierarchical and unequal structure of Brazilian society has been solidified through long-standing processes of marginalization that date back to colonial times—along the axes of class, race, gender, and sexuality. As chapter 3 will explore in greater detail, the historical roots

of marginalization in Brazilian society go deep, creating an environment inimical to democracy. The playing field on which social movements fighting for social justice and citizenship rights must act is therefore highly uneven, and the challenges they face significant. Moreover, the existence of the multiple axes of marginalization pushes us to analyze struggles for inclusion through an intersectional lens, taking into consideration how the simultaneous effects of class, race, gender and sexuality shape individuals' and groups' social positions and ability to push for greater democratization.

As chapter 4 will examine in greater detail, even though the broader structural context of inequality and marginalization is, not surprisingly, reflected within the LGBT movement, creating divisions and imbalances of power among activists groups, overall we have witnessed the emergence of a highly diverse and heterogeneous but fairly united national LGBT movement with a broad political agenda in Brazil. In great part this is due to the rise of flexible and plural national networks that bring together disparate organizations from around the country, highlighting how networks active since the 1990s have contributed to the emergence of a fairly cohesive political agent.

This vibrant and diverse LGBT movement, since the return to civilian rule in the mid-1980s, but especially since the mid 1990s, has been active in multiple fields of action, achieving important gains at the level of society and culture at large, as well as in regard to the State. Chapter 5 will explore the gains in public recognition in the public sphere made by the LGBT movement since the 1980s. An important element of this recognition is the increase in the level of toleration of homosexuality, as made evident in public opinion surveys. Central to these changes is visibility, made evident in the growth of a "pink market" in the main urban centres in the country, in the extraordinary boom of LGBT Pride Parades throughout Brazil, and the increasingly respectful coverage of homosexuality in the mainstream media, as well as the growing visibility of gays and lesbians in entertainment media. As the analysis in this chapter will also make clear, however, the weight of the historical patterns of marginalization and inequality shape the gains in public recognition of the LGBT population. While in many ways impressive, the degree to which these gains make a difference for the reality of lower-class gays, lesbians, and *travestis* has severe limitations.. They make clear how, while the choir of the LGBT community has been singing more loudly over the past couple of decades, some voices are more audible than others.

This is particularly evident in the case of the gains made via the market, as they are ultimately rooted in consumption power.

Chapters 6 to 8 examine the interaction of the LGBT movement with federal-level State institutions, completing the picture of how the movement's impact has resulted in an incomplete democratic inclusion.[7] The explanatory factors highlighted earlier—the historical structures of marginalization, the institutional framework, and the regime of interest mediation—interact in complex and at times ambiguous ways to give rise to a situation where, despite a growing participation of sexual minorities in decision-making institutions—directly or via allies—and important gains in public policy, the concreteness of those policies is undermined by serious implementation challenges, and the universality of policy effect is also limited.

Chapter 6 examines the key relationship between the LGBT movement and the federal executive and highlights the ways in which activists have managed to make significant inroads in terms of participation in decision-making spaces and, in some issue areas, in the creation of pro-LGBT public policies. In great part, these gains have been rooted in the exceptional circumstances around the development of a governmental and societal response to the AIDS epidemic. The cooperative State-society response to AIDS has not only led to some effective policy initiatives, but also allowed activists to push for—and in a more limited way achieve—policy gains in areas such as human rights, education, public security, employment, and social security. While in many senses impressive, much about these policies remains limited, precarious or unsustainable, and many are primarily symbolic. As a result, the deprivations faced by many LGBTs are not properly or significantly tackled, perpetuating their marginalization.

The dominant regime of interest mediation in place and the institutional framework are central factors to explain these patterns. The dominant regime of interest mediation during the period of democratic transition in the 1980s, the move to a more clearly neoliberal regime in the 1990s,

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[7] A more complete examination of the democratizing impact of social movements in Brazil would include an exploration of their interaction with subnational levels of government in the federation, given the importance of federalism in the institutional framework of the country. Space limitations prevent me from developing this aspect more fully in this dissertation. I have analyzed some aspects of the effect of federalism on the activity and impact of the LGBT movement in Brazil elsewhere (Marsiaj, 2012), and the basic dynamics of the incomplete democratic inclusion being discussed here hold, adding a regional element to the distribution of opportunities and obstacles LGBT activists face.

and the later shift to a neo-developmentalist one in the mid-2000s shaped the opportunities for LGBT activists to access and occupy decision-making spaces within the State apparatus. These expanding opportunities made possible the increasing participation of LGBT activists in the State, increasing their ability to push for concrete change. The institutional framework faced by activists helps explain the increased participation of activists and the creation of pro-LGBT policies, as well as some of its limitations of those gains, namely their instability and lack of sustainability. As will be seen, the predominance of personalism opens doors, but makes headway dependent on particular individuals; and weak State capacity seriously erodes the concreteness and universality of the gains made by the movement.

The following chapter analyzes the relationship between the LGBT movement and the federal legislature. Chapter 7 examines how, despite the substantial gains in participation the LGBT movement has made in Congress, rather limited concrete gains have emerged. Important avenues for participation have been available, allowing for significant gains in access to decision-making spaces, allowing the LGBT movement to firmly place sexual diversity issues in the legislative debate. One important element of this change has been the gradual increase in the power of leftist parties in Congress. Activists have successfully built on alliances with many members of these parties—particularly the PT—to establish a more visible presence in the legislature, in committees of the Chamber of Deputies, and by creating a short-lived LGBT Parliamentary Front. A few concrete gains have resulted, such as the approval of limited budgetary funds for pro-LGBT programs. Nevertheless, the interplay between other elements of the institutional framework and the historical patterns of marginalization of sexual minorities work against a deepening of democratic inclusion. The pervasiveness of personalism renders gains in participation more unstable, which, combined with the obstacles related to the internal institutional structure of the Chamber of Deputies, make it extremely difficult to pass pro-LGBT legislation. Furthermore, the reality of permanent "coalitional presidentialism," whereby presidents consistently have at best a small plurality of members of Congress from their own party, amplifies the impact of homophobic attitudes in Congress, especially those rooted in religious conservatism, by giving inordinate power to members of Congress linked to Evangelical Chuches, who are staunchly opposed to LGBT rights.

Finally, chapter 8 explores the ambiguities of role of the justice system in promoting the democratic inclusion of LGBTs. On the one hand, the justice system has provided some of the

strongest avenues for democratic inclusion of LGBTs in Brazil, made most evident by the legalization of same-sex marriage in 2013. LGBTs have made significant inroads in a variety of areas, including family law, consumer rights, and health. On the other, serious limits on the universality of this inclusion are also clear, particularly around criminal law. Despite some important initiatives and efforts to address homophobic violence via the justice system, the weakenesses of the criminal justice system itself help perpetuate impunity, especially around crimes committed against individuals more strongly marginalized due to their sexual identity, race, and class. While institutional changes brought about by the 1988 Constitution made it easier for marginalized groups to make claims and seek redress via the courts, persistent institutional failings in the criminal justice system put a stain on these gains, shedding light on a serious fault line of democratic inclusion in Brazil. When this institutional framework meets with the reality of institutionalized homophobia and homophobic violence, which are core elements of the historical structure of marginalization of sexual minorities, the results are high levels of impunity, erosion of basic human rights, and obstruction of a fuller democratic inclusion.

The concluding chapter takes stock of the case of the LGBT movement, restating the central argument regarding the characteristics of its democratizing impact and contextualizing it in comparative terms. In order to investigate whether an incomplete democratic inclusion characterizes more strongly the reality faced by the LGBT population than that of other marginalized groups, chapter 9 compares the LGBT movement with three other movements active in Brazil since the return to civilian rule: the women's, Afro-Brazilian, and landless peasant movements. I examine the main characteristics and impact of these movements along the criteria of democratic inclusion: autonomous agency, public recognition, participation in decision-making spaces, concreteness, and universality of outcomes.

This conclusion highlights how, to a certain degree, other movements' democratizing impact have similarities with that seen in the case of the LGBT movement. While an increasing number of social actors have entered the political stage, gained greater public recognition, raised their participation in decision-making institutions, and even effected some policy change, in many instances the implementation of those policies is highly deficient, and their effect tends to benefit a minority among marginalized populations. An important source of variation in their democratizing impact, however, derives from the compatibility of a movement's demands with the dominant model of development. On the one hand, movements whose demands and goals

dovetail with the main objectives and interests of the dominant economic development project experienced greater headway, and a deeper, albeit incomplete, democratic inclusion. On the other, movements whose demands are more directly antagonistic and antithetical to the dominant model of economic development—and, in many cases, whose actions tend to be more non-institutionalized and direct—have encountered a clearer set of limitations. So, for example, the more radical redistributive claims of landless peasants has meant that, even though some land redistribution has taken place since the 1990s, the democratic inclusion of those groups has remained more starkly restricted to what "fits" within the dominant development model. These findings stress the importance of the targets and audiences of social movements (Luders, 2010), and of the ideational alignment between social movements' claims and the dominant development project. It also underlines some ways in which the LGBT movement may be seen, to a certain extent at least, as a special case.

This study is based on extensive field research in Brazil—conducted in August 2002, January to December 2003, July 2004, April 2010, and December 2011—and rests on a variety of methods, including in-depth semi-structured interviews, participant observation, and analysis of primary documents from both LGBT organizations and State institutions. A more detailed discussion of methodological issues, including a list of interviewees, types of questions asked, and events attended can be found in Appendix 1. In addition, it should be noted that the analysis developed in this dissertation follows a strongly inductive approach to arrive at the broader conclusions regarding the main factors shaping social movement impact. The vast literatures on political development, democratization, and social movements in Latin America, together with some key insights from political theory, provided the theoretical grounds on which my interpretive framework was developed.

2   Main contributions

The use of an in-depth case study provides strong tools to help make sense of a counterintuitive case.[8] As illustrated at the outset, the reality of the LGBT population in Brazil seems at first quite ambiguous, with the puzzling coexistence of unprecedented visibility and continued

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[8] For a rich and careful discussion of the usefulness and importance of case studies in the social sciences, see George and Bennett (2004).

marginalization. Moreover, the Brazilian case is puzzling in another sense. During the transition to democracy and following the return to civilian rule in the 1980s, Brazil experienced one of the most vibrant revivals of civil society in the region (Hipsher, 1998; Sader, 1988; Alvarez, 1990; Avritzer, 2002; Mainwaring and Viola, 1984; Escobar and Alvarez, 1992; Alvarez *et al.*, 1998; Cardoso, 1992; Friedman and Hochstetler, 2002). Newly (re)mobilized social movements continued to be active following the establishment of more routinized democratic politics, in some cases pursuing more direct, non-institutionalized actions, and in others plugging themselves effectively into mainstream institutional politics. Furthermore, the shift to leftist-leaning governments under the PT since the early 2000s gave hope to many progressive actors that more opportunities for substantive change would emerge, especially given the party's history of more participatory modes of governance (Abers, 2000; Wampler, 2007; Nylen, 2002, 2003; Baiocchi, 2003, 2005; Dagnino, 2002; Dagnino *et al.*, 2006; Avritzer and Navarro, 2003; Avritzer, 2004, 2010). *Prima facie*, then, it would seem likely that we would see a more substantial democratic inclusion of marginalized groups 30 years after the transition. The reality described above points to a different outcome. How can one explain the translation of hopeful and encouraging factors—the rise of a vibrant LGBT movement, democratic institutional innovations, and the rise to power of a party sympathetic to progressive demands of marginalized groups—into a truncated and incomplete outcome? A close and richly contextualized case study allows us to more carefully explore the causal mechanisms that explain these complex outcomes and thus contribute to theorizing about social movements' democratizing impact. It highlights the distinction between social movements as sources of democratizing *pressure* and their democratizing *impact,* but also the mixture of success and failure in that impact. This approach also makes it possible to chart a clearer map of social movement activity and impact that avoids the extremes of defeatist and paralyzing pessimism, on the one hand, and unwarranted optimism, on the other. The case study approach is particularly useful in fulfilling these tasks, as it involves "the detailed examination of an aspect of a historical episode to develop or test historical explanations that may be generalizable to other events" (George and Bennett, 2004, 5).

Furthermore, the outline of a framework to assess the democratizing impact of social movements can be very useful to examine other cases and verify the extent to which the causal links uncovered are generalizable beyond the Brazilian case. At the same time, the analysis developed here stresses the importance of examining the domestic context of other cases, given the complex

ways in which the political field faced by marginalized groups in a particular country is shaped by the specificities of the historically rooted structures of marginalization and the characteristics of the institutional framework social movements face.

The holistic approach I take, focusing on social movements' multiple fields of action—aimed at both society and the State—as well as structural and institutional factors is necessary to develop this more richly contextualized analysis. It also allows me to more critically engage with a growing literature analyzing the record of social movements under leftist governments in Latin America (see, for example, Friedman, 2009; Prevost *et al.*, 2012; Cannon and Kirby, 2012; Disney and Williams, 2014; Ciccariello-Maher, 2013).

Furthermore, this dissertation makes a significant contribution to a growing literature on the emergence and impact of LGBT communities and movements in Latin America. Increasingly since the late 1990s, journal articles, book chapters, edited volumes and book-length manuscripts have examined sexual diversity issues in the region as a whole or in specific countries (see, for example, Corrales and Pecheny, 2010a; Lind, 1997; Adam, 1995; Adam *et al.*, 1999; Prieur, 1998; Lumsden, 1991; Lumsden, 1996; Drucker, 2000; Thayer, 1997; Brown, 2002; Robles, 1998; Murray, 1995; Howe, 2013; Encarnación, 2016).[9] As a sign of increasing attention to these issues, some studies have focused on more specific questions, such as the recognition of same-sex marriage (Díez, 2015; Pierceson *et al.*, 2010, 2013). Few of those contributions come from political science, however, and they are more narrowly focused, not aiming at providing a more macro account of the development of LGBT politics in a specific country.

A few scholars have examined the culture of Brazilian sexual minorities (Parker, 1989, 1991, 1999; Mendès-Leite, 1993; Kulick, 1998, 2003), and a number of studies—from scholars based in North America and Brazil alike—have begun exploring the emergence and development of the Brazilian gay and lesbian movement and its relationship with political institutions and actors (Green, 1994, 1999a, 1999b, 2000; MacRae, 1992; de la Dehesa, 2007, 2010; Larvie, 1999; Klein, 1998; MacRae, 1990; Câmara, 2002; Facchini, 2005, 2009; Andrade, 2002). This study complements that growing literature with a focused account of the development of LGBT

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[9] See also special numbers of *NACLA – Report on the Americas* (vol. 31, no. 4, 1998) and *Latin American Perspectives* (vol. 29, no. 2, 2002).

politics in Brazil, a task that has yet to be tackled in a single study. The empirical material presented in this dissertation provides a more detailed historical narrative of the development of the current LGBT movement than other works on the politics of sexual diversity in Brazil.[10]

This work adds to the growing literature examining the development of sexual diversity politics in Latin America and the global South. Unlike other studies, it provides a close examination of LGBT activists' interaction with both the State and the public sphere, and, importantly, assesses the movement's impact on public policy and, more broadly, on democratization. Rafael de la Dehesa's comparative study of the Brazilian and Mexican LGBT movements (de la Dehesa, 2010) provides a careful examination of the ways in which gays and lesbians have struggled for and negotiated their entry into the public sphere in these two countries. My work looks more broadly at the movements' activity in the public sphere—through, for example, the organization of LGBT Pride Parades. It also explicitly provides an assessment of the movement's broader impact on democratization in those two countries.[11]

The broader focus of my analysis also entails a more tempered reading of the impact of the LGBT movement, balancing the passage of pro-LGBT public policies with the continued challenges to their effective implementation and the persistent reality of discrimination and violence—both societal and State-related—for so many in the gay, lesbian, and *travesti* community. While many analysts of sexual diversity politics in the region also highlight some shortcomings and limitations to the many gains made by LGBT movements in different countries,[12] much of the general tone of recent scholarship has been primarily positive,

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[10] Other important contributions from historians have closely mapped the development of homosexual communities in Brazil (Green, 1999b; Figari, 2007).

[11] This study thus innovates in its analysis of social movement "external" consequences (Amenta, 2014). Most analyses of social movement impact on other actors or fields tend to concentrate either on States and policy-making (Amenta and Caren, 2004), or, alternatively, on cultural actors and fields (Earl, 2004). By combining an analysis of the simultaneous impact of social movements on multiple fields of action under a framework of their contribution to a process of democratization, this study makes a contribution to the growing literature on understanding social movement impact.

[12] Different scholars have underlined, for example, the narrower incorporation of middle- and upper-class LGBTs in Uruguay, or the continued transphobic violence and marginalization in various countries, and even in places like Argentina, where some of the most progressive gender identity legislation in the world has been approved (Ravecca, 2010, 12-15; Barrientos *et al.*, 2008, 42; Brigeiro *et al.*, 2009, 98; Figari *et al.*, 2005, 22; Jones *et al.*, 2006, 25; Ben, 2010, 41, fn 12; Modarelli, 2010; Moreno, 2010; Fernández, 2010).

particularly for discussions of countries that have moved farther in the creation of pro-LGBT legislation and policy—such as Argentina, Uruguay, Colombia, Brazil, and Mexico.[13] For example, Encarnación (2011) refers to a "Gay Rights Revolution" taking place in Latin America, even with the persistence of homophobia. Enthusiasm and optimism is particularly evident among some authors analyzing the pioneering case of Argentina (Encarnación, 2013; Corrales and Pecheny, 2010b; Díez, 2015), and is oftentimes closely linked to the trailblazing and inspiring struggle leading to the legalization of same-sex marriage in that country.

In a ground-breaking study of the struggle for same-sex marriage in Latin America, Díez (2015) identifies key variables that help explain why same-sex marriage has been legalized in Mexico and Argentina, while not in Chile. His illuminating argument focuses mainly on social movement agency—in particular, the ability of activists to build effective alliances and networks with policy-makers, and their efforts at framing their demands in ways that resonate with larger social debates—and the institutional framework activists face in their interactions with the State. The book provides a convincing argument explaining change in a particular policy area—that, as stressed by the author, represents a significant historical symbolic and cultural change. Its focus, however, leaves unanswered larger questions regarding the state and quality of citizenship rights for the LGBT population more broadly. Many of Díez's factors are considered in my analysis, but the important and essential inclusion of structural factors (the multiple historical structures of marginalization), and the broader focus on social movements' multiple fields of action—State and society—allow us to draw a more complete picture that deals with the extent to which we have witnessed concrete and more universal change to the lives of gays, lesbians, bisexuals, and *travestis*.

Another rich recent study of LGBT politics in Latin America by Encarnación (2016) provides additional insights into these questions. Like Díez's and my analyses, the author stresses the importance of local activism as a key source of pressure and change, rejecting the view that LGBT rights victories in the region are a result of unmediated international pressure (2016, 3-9). Focusing mainly on Argentina, and including a comparative chapter on Brazil, Encarnación also

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[13] Many authors often highlight the great variation in gay rights advancement within the region, especially if they include the Caribbean in their analysis (see, for example, Encarnación, 2011, 114-17; Corrales, 2015).

underlines the importance of cultural and societal change as an element of more substantive change. This focus allows him to briefly address the impact of structural inequality and homophobia on the struggle of the LGBT movement in Brazil, underlining, as I do, that they impose important constraints on activists (2016, ch. 5). The argument developed here is thus an important complement to that literature, as it stresses the fact that much more than the passage of specific pieces of legislation or public policy is needed for the substantive improvement of the lives of sexual minorities, especially in a region characterized by high and multidimensional inequalities and low levels of State capacity.[14] By deepening the analysis of these arenas and issues, and broadening the assessment of movement impact beyond policy creation, my analysis adds considerably to the insights from these authors.

Finally, the comparison with other social movements presented in the concluding chapter helps contextualize the activity of the LGBT movement within the field of civil society activity. This helps counter a trend that focuses more narrowly on sexual diversity issues, losing sight of the ways in which the broader political context shapes LGBT politics, as well as allowing us to draw out more clearly the valuable lessons that the study of LGBT politics can teach us about broader political dynamics.

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[14] This approach allows me to establish a dialogue with a North American literature that is critical of the view that the main political struggles around sexual diversity politics have been successfully resolved in countries like the United States. In particular, the work of scholars like Lisa Duggan and Joseph DeFilippis has highlighted very important and understudied intersections of queer politics and social justice (see, for example, the 2011-12 issue of S&F Online dealing with *A New Queer Agenda*, available at http://sfonline.barnard.edu/a-new-queer-agenda/).

Chapter 2
Assessing the Democratizing Impact of Social Movements

The democratic transition Brazil and other Latin American countries underwent in the 1970s and 1980s brought with it tremendous hope for groups in society that had been marginalized for decades. Expectations were high among marginalized groups that new channels of expression and representation would emerge with the new regime, opening opportunities for them to have greater influence over the definition of public policies, enhancing their ability to bring about a substantive improvement of their lives. Over two decades after that transition period, social movements have played an important role in the process of democratization, but continue to face multiple obstacles. This chapter sets out the theoretical framework guiding the analysis developed in the remainder of the dissertation. More specifically, it presents a framework to assess the extent and depth of the democratizing impact of social movements, which will serve as the basis for the analysis of the impact of the LGBT movement in Brazil. Based on a substantive understanding of democracy, this framework sets an ideal type of democratic inclusion, with criteria along which the impact of the LGBT movement will be "measured." It also aims to outline the main factors that explain the advances and limitations of the gains made by gay, lesbian and *travesti* activists since the early 1980s, which have resulted in an incomplete democratic inclusion of the LGBT population.

In this chapter, I will delineate, first, my understanding of what is at stake in the process of democratization in Brazil and in Latin America. Rejecting more minimalist understandings of democracy that focus almost solely on electoral aspects, I will argue for a more substantive conceptualization of democracy, one that extends the focus beyond procedural changes in State institutions to encompass a greater equalization of social relations and a certain level of redistribution of power resources, and one that gives central importance to the inclusion of marginalized groups. The second major section will delineate more precisely the role that social movements and civil society more broadly play in the struggle for the inclusion of marginalized groups, and hence in the democratization process. While various constraints of a political, economic and cultural nature have historically posed challenges to the strength and autonomy of civil society in Latin America, I argue that social movements have been important sources of

pressure for greater democratization from the bottom up, even if their democratizing impact has often fallen short of their expectations.

The third section discusses in greater detail the concept of marginalization and presents the framework for assessing social movements' democratizing impact, developing an ideal-typical set of criteria against which we may evaluate the extent to which the impact of a social movement approximates the ideal of democratic inclusion. The fourth section provides a historical overview of the difficult struggle for democratic inclusion in Brazil since the Colonial period, underlining the interaction of key factors that explain the extent to which social movements exercise influence..

1   Democratization

1.1   Defining democratization

Given the long history of marginalization and domination various sectors of society have experienced in the region since colonial times, democracy and democratization in Brazil and Latin America should be approached in broader and inclusionary rather than narrow and formalistic terms. Traditionally, many democratic theorists have focused their attention on certain institutional "rules of the game" as the main yardstick with which to measure how democratic a polity is. So, for example, many highlight the establishment of free and fair elections with universal suffrage and the guarantee of basic freedoms—the sources of the competition and contestation central to Robert Dahl's polyarchy (1971, 1989)—as the central characteristics of a democratic regime. Similarly, the need to prevent non-elected officials and institutions—particularly the military (Karl, 1990)—from taking over power is also important to the goal of maintaining a democratic political system. Likewise, the guarantee of a democratic rule of law (Linz and Stepan, 1996, 10-11; Holston and Caldeira, 1998; Munck, 2007) is of course essential to the protection and strengthening of citizenship rights, providing the backbone of a democratic regime (O'Donnell, 2010, ch. 5). The democratization of a political regime along these procedural and institutional lines certainly plays a vital role in the processes of inclusion of

historically marginalized minorities, even though it cannot, in and of itself, guarantee their substantive inclusion in decision-making processes.[15]

A definition of democratization more attuned to questions of inclusion can be devised by referring to scholars of transitions and democratization who, instead of maintaining a narrower focus on electoral democracy or elite-based political processes, have emphasized participatory notions of democracy. In their view, citizens should have available to them mechanisms for participation that go beyond the election of public officials (Brachet-Marquez, 1997, 17). More on-going participation, in this view, also entails greater voice and influence over public policy-making, a voice that expands the indirect and more limited representation by elected officials. Democratization thus requires that conditions be fostered such that different groups in society may make their demands heard not only through the electoral channels of a democratic regime, but also other types of collective action mechanisms (social movements, non-governmental organizations, public-policy monitoring bodies, etc.).[16]

While many scholars and analysts concerned with democratization in Latin America focus their attention on procedural elements of democracy, the persistent historical inequality (along a number of axes of marginalization) results in marginalized groups and minorities "falling through the cracks" of political institutions, eroding citizenship rights and the quality of the democratic regime. Their position in society and the dynamics of their marginalization often lead to a situation in which their interests go unrepresented or their access to the State and rights is deficient (O'Donnell, 2010, 154-55; Karl, 2004, 189-92). Especially in societies characterized by a high degree of political and economic inequality (such as Brazil), the substance of a democratic

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[15] A more extensive discussion and precise definition of the meaning of inclusion will be provided below.

[16] As highlighted by David Held (Held, 1987, 291-92), it is important to point out that, while we may aspire to the ideal of the active citizen, participation is neither a necessity nor an obligation. The objective is not to "force" anyone to participate, but rather to provide the most propitious conditions for that participation whenever it is deemed necessary by citizens. It seems almost inevitable that the number of mobilized citizens who are directly involved in constructing and keeping social movements or other organizations alive will be a minority. This problem is, by far, not restricted to the LGBT movement—for an example regarding the Christian Base Communities in Brazil see Burdick (1993, 196-203). Quite often, even in cases of vibrant and active movements, not everyone, or even a majority of "constituents" actively participates. This situation may well mean that, inevitably, more diffuse citizen interests will go unrepresented, *i.e.*, a perfect pluralism is unattainable. That fact, however, does not invalidate the position that sees participation as an important value in a democracy. In my view, we should still strive to foster the organization of different groups and interests in a society by improving the conditions under which such interests are taken into account in the construction of the common good.

regime is often lacking even if the formal democratic institutions are in place (Weffort, 1992, 100-04).[17]

As stated by Iris Young (Young, 2000, 5-6), the "normative legitimacy of a democratic decision depends on the degree to which those affected by it have been included in the decision-making processes and have had the opportunity to influence the outcomes." Citizens can better hold their representatives accountable and more legitimately authorize them to make decisions in their names when they have available many institutions that increase the interaction among themselves and with their representatives (Young, 2000, 8). In addition, "[systems] of representation are most inclusive […] when they encourage the particular perspectives of relatively marginalized or disadvantaged social groups to receive specific expression" (Young, 2000, 8). Inclusion of marginalized groups, therefore, requires the acceptance of those groups as legitimate political actors and recognition of their ability to voice their interests in the public sphere and in the policy process.[18] This also implies that the included actors should be autonomous (from the State, political parties, and other actors in civil society) in defining their identities, interests and demands. A result of this kind of inclusion is likely to be a kind of public policy that is "designed to prevent discrimination among social groups, to promote respect for individual human rights and to inculcate more inclusive attitudes regarding diversity [which] are […] important social markers of democratic deepening" (Wong, 2003, 236-37). Issues and processes of inclusion of marginalized groups are therefore central to the discussion of democratization.

The theoretical focus in this dissertation is on *democratization*, understood as a continual, non-linear, complex and multidimensional process by which a polity approximates a utopian

[17] For a similar argument in the context of modern India, see Drèze and Sen (2002).

[18] The issue of representativeness of the voices from marginalized groups is also important. Organizations that claim to represent a marginalized group in society but which have weak linkages to their base or to the community in question raise serious questions about representation of those interests. As highlighted by Young (2000) inclusion should not be equated with homogenization, but should instead be based on plurality and heterogeneity. This applies not only to the way in which other political actors engage with, say, the LGBT movement, but also to the LGBT movement itself. Is the internal functioning of the movement and its interactions with the State affected by other dynamics of inequality? Is the movement, for example, too "gay?" Does it marginalize certain voices, such as those of lesbians and *travestis*? Are groups from poorer regions less represented in the movement as a whole? In other words, how internally plural and democratic is the LGBT movement? The analysis presented in future chapters touches on many of these questions.

democratic state.[19] In this sense, while theoretically and normatively we can discuss the meanings and merits of democracy as a political regime, empirically it seems more appropriate to think about *democratizing* polities, rather than *democratic* ones, both in the North and the South. Democracy, in other words, is always under construction (Friedman, 1999). This does not, of course, mean that all countries are at the same level of democratization, since different polities have managed to approximate the democratic ideal to a greater or lesser extent for historical, political, economic and cultural reasons. Moreover, *democratization* is preferred over *democratic consolidation*, a term often used in studies of democratization in Latin America, given the fact that the latter seems to assume the polity in question is already "democratic." Moreover, I share the view that both "democracy" and "consolidation" are "terms too polysemic to make a good pair" (O'Donnell, 1997, 44).

1.2   Redistribution of power and democratization

Democratization necessitates a redistribution of power in many spheres and at many levels. This point arises from the fact that "a fair distribution of power is a basic – indeed fundamental – requirement of democracy" (Drèze and Sen, 2002, 10). At a basic level, it involves a redistribution of political power into the hands of the citizenry (and away from the hands of the dominant elites) by increasing the degree of openness and responsiveness of the State apparatus to greater participation of individuals and groups in society. We move in this direction, for example, with the establishment of free and fair elections, and the guarantee of the institutions needed for a polyarchy. A deeper democratization, however, would also involve a broader, more diffuse redistribution of power in society, laying the bases for greater levels of equality— political as well as economic—in society, or at the very least the reduction of the tremendous levels of inequality evident in countries like Brazil. This is particularly the case in relation to

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[19] In addition, the dichotomy between "merely" procedural conceptions of democracy and more substantive definitions focusing on the outcomes of the democratic process can be misleading. This is particularly true in relation to the issue of attaining basic equalization as an essential element of democratization, to be discussed below. Often, procedural definitions of democracy (such as Dahl's) will assume, or take for granted, a minimal level of equality among citizens. Once we move from theory to the realm of "actually existing democracies" in the context of tremendous inequality, as is the case in Brazil, the lines between preconditions and outcome become blurred. We either cannot call such a polity democratic until inequality has been tackled (despite the existence of elements that would lead us to characterize it as a democracy, even if with reservations), or we make basic equalization a necessary outcome of the current democratic process. By distancing myself from the procedural-substantive dichotomy and focusing on the process of democratization, I seek to avoid this ambiguity.

marginalized groups, who have been structurally disadvantaged *vis-à-vis* dominant groups.[20] Guillermo O'Donnell has recently stressed this point more forcefully, highlighting the need for at least basic equalization in society for individuals to be able to fulfill their human agency (2004, 57, 2010, 175-81).[21] This equalization, moreover, should be understood in multi-dimensional terms: the provision of a minimum of material wellbeing seems essential, but the fair and considerate treatment of citizens goes beyond socio-economic issues, and may apply to gender, sexual orientation, gender identity, race, ethnicity, age, ability or other attributes. Inclusion, equality and universality therefore go hand in hand, and form the basis for the conceptualization of democratization proposed here. The struggles of marginalized groups for greater political voice similarly address these same principles (see, for example Phillips, 2003).

This deeper and more demanding conceptualization of democratization resonates with research done on citizen's views of democracy in Latin American countries. In countries like Mexico and Chile, for example, many "view democracy in social and economic, not political, terms" (Camp, 2001, 16). Camp points to survey evidence indicating that citizens in Latin America tend to expect greater socio-economic equality from a democratic regime than do citizens in the United States (2001, 17). Another study has indicated that citizens with lower levels of education in Brazil tend to give greater emphasis to the ends of democracy—*e.g.*, equality of opportunity and outcome, social rights, responsiveness—than to its means—*e.g.*, civil liberties, political rights, accountability (Baviskar and Malone, 2004, 9, 11). Finally, a variety of civil society actors in Latin American countries define democracy "in terms of citizen impact and policy outcome that improves people's lives" (Teichman, 2009, 69, emphasis in the original).

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[20] Even more "limited" procedural conceptualizations of democracy such as Dahl's polyarchy (1989) indicate the need for a certain degree of equality of opportunity to participate in the political life of a community, something clearly related to the distribution of socio-economic resources. My point here is that the historical and structural marginalization of certain sectors of society touches on the foundations of the functioning of a democracy. A discussion of the roots of structural marginalization in Brazil will be presented in chapter 3.

[21] This conceptualization raises the bar for democracy quite high; but that need not be a problem. It underlines more forcefully the real limitations of actually existing democracies, pointing to arenas and issues that need addressing if we are to approximate as much as possible what may well be a democratic utopia. Moreover, and importantly, it helps cast aside a rigid distinction between "established" or "consolidated" democracies, on one side, and "fledgling" or "incomplete" ones, on the other. While questions of degree of "democraticness" may remain valid, a high bar for democracy sheds needed light on the multiple shortcomings of so-called "established" democracies in addressing the marginalization of a variety of social groups.

2   Social movements and struggles for inclusion in Latin America

Marginalized groups may try to counter their marginalization by a variety of means, including direct appeals to political elites and electoral politics. The mobilization of social movements is another key avenue for the struggle against marginalization. According to Paul Haber, for example, social movements are groups of people who define themselves as marginalized, demand change in existing decision-making processes and try to gain greater voice in society and in the political process (Haber, 2006, 31). I conceptualize social movements in an avowedly broad way. Following Charles Tilly (1984, 1993), a social movement "consists of *a sustained challenge to powerholders in the name of a population living under the jurisdiction of those powerholders by means of repeated public displays of that population's numbers, commitment, unity and worthiness*" (Tilly, 1993, 7, emphasis in the original). As this definition implies, the State is not the sole target or reference point of social movements. Other powerholders in society, such as economic elites, religious organizations, or cultural groups are often the target of the actions of movement organizations.

The boundaries and members of a social movement, moreover, are not clearly or rigidly defined, and the networks constitutive of a movement can easily spread across different social and political arenas and into the State apparatus. Social movements are deeply embedded in the political-institutional and cultural-discursive terrains, and a wide variety of actors form networks and webs that provide the source and basis for contentious action (Alvarez, 1997).[22] These actors include, for example, social movement organizations with varying degrees of institutionalization (from informal groups to formally registered non-governmental organizations), academics, media actors, artists, and sympathizers. In addition, individuals aligned with the social movement in political parties or in government provide key linkages in political society and in the State apparatus and represent the penetration of social movement networks into arenas beyond civil

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[22] As will be seen in chapter 4, movement networks and webs are often characterized by internal heterogeneity and diversity, which is also often associated with the development of "power knots" in those webs, whereby internal inequality shapes the ability of actors within the social movement to gain access to decision-making spaces (Alvarez, 1997). Historical patterns and processes of marginalization, as explored in chapter 3, also play an important role in giving rise to these "power knots."

society itself.[23] A social movement therefore goes beyond any single organization, however representative that organization may be.[24]

2.1   The democratizing pressure of social movements

Early analyses of democracy in Latin America following the transition away from authoritarian rule tended to focus on elites and procedural elements of the regime (Avritzer, 2002). This tradition had its roots in the work of Joseph Schumpeter, whose definition of democracy stripped it down to the basic notion of elections (1976, 269). This emphasis on elite actors and formal political institutions diverted attention from other spheres and groups that may also play a key role in the expansion and deepening of the democratization process (Avritzer, 2002). Attention to formal institutions and elite actors is especially strong in analyses of transitions to democracy, a period of uncertainty and instability, where pacts and strategic moves by key elite actors (hardliners and moderates within the ruling elite and the opposition) are determinant elements of a successful transition (Przeworski, 1991; Linz and Stepan, 1996; Diamond *et al.*, 1997; O'Donnell and Schmitter, 1986). The preoccupation with ensuring that elections are held and securing the integrity of the new and fragile institutions is made evident in the definition of a completed democratic transition offered by Juan Linz and Alfred Stepan in their influential *Problems of Democratic Transitions and Consolidation* (1996). The focus on formal institutions and procedures continued as studies started casting their gaze beyond the transition period and scholars became concerned with the "consolidation" of the new democracies. Some of the studies that emerged in the mid-1990s gave some attention to the role of civil society in the process of consolidation of democratic rule (Linz and Stepan, 1996; Domínguez and Lowenthal,

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[23] The penetration of social movement networks into the State has been made starkly clear by the creation of women's agencies in many Latin American countries, and the staffing of those agencies with women previously active in the women's and feminist movements. The return of political parties to the forefront of politics with the end of military authoritarian regimes in the 1980s also opened up the possibility of carrying one's activism into that arena. The issue of "double militancy" and the role and position of the so-called "femocrats" in the movement became a point of heated discussion in many cases, often around the issue of the autonomy these individuals have to push forward the movement's agenda (Alvarez, 1990; Franceschet, 2005).

[24] Methodologically, as well as in practical terms, this presents a challenge. Studies of social movements often concentrate their attention on a few, more "representative" organizations. In my research of LGBT groups in Brazil, I spent more time and worked more closely with three organizations (*Grupo Estruturação* in Brasília, *Grupo Arco-Íris* in Rio de Janeiro, and *Grupo Gay da Bahia* in Salvador). In order to broaden my understanding of the movement as a whole, however, I made an effort to interview leaders of numerous other organizations from across the country.

1996). Overwhelmingly, however, the main focus remained on the strength of formal political institutions, and civil society and its activity were not given priority (Eckstein, 2001b, 2).

As scholarly debate continued on processes of democratization and the activity of social movements in Latin America and beyond, the view that these groups are a key source of pressure for democratization has acquired the status of a near consensus in large circles of academics (see, for example, Putnam, 1993; Giugni, 1999; Warren, 2001b; Rueschemeyer *et al.*, 1992; Avritzer, 2002; Tilly, 2003, 2004; della Porta and Diani, 2006; Cohen and Arato, 1992; Cohen and Rogers, 1992). Different authors stress different ways in which these groups contribute to the strengthening of democracy: *e.g.*, by developing social capital; boosting participation, dialogue, and cooperation; expanding the scope of public policies; bringing new actors into the polity; having an impact on policy-making; and creating new spaces for representation of new issues and bringing new claims and demands to the public sphere. In these different ways, a vibrant civil society has been portrayed as having a beneficial effects on democratic governance.

Even when civil society organizations were not deemed the main actors shaping the process—or when analyses were laced with cautionary caveats—the democratizing role of social movements was generally acknowledged as significant (O'Donnell and Schmitter, 1986; Foweraker, 1995; Haber, 2006; Oxhorn, 1995; Waylen, 1994, 2003; Hipsher, 1998; Sader, 1988; Alvarez, 1990; Avritzer, 2002; Slater, 1985, 1991; Mainwaring and Viola, 1984).[25] A large number of studies (such as Escobar and Alvarez, 1992; Alvarez *et al.*, 1998; Dominguez, 1994; Eckstein, 2001c; Eckstein and Wickham-Crowley, 2003a, 2003b; Johnston and Almeida, 2006; Stahler-Sholk *et al.*, 2008; Burdick *et al.*, 2009) have, since the early 1990s, shed light on the struggles staged by

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[25] The return of electoral democracy and of more routinized and institutionalized channels to voice demands presented new challenges to civil society organizations that had mobilized under the authoritarian regime. As a result, some authors have examined how the democratization process contributed to a demobilization of social movements (Oxhorn, 1995; Hipsher, 1996). Such demobilization should not be over-emphasized or carelessly generalized, however, since for cases where social movements did not have such strong links to parties that played a central role in establishing transitional pacts with conservative elites, as is the case of social movements linked to the *Partido dos Trabalhadores* (Workers' Party, PT) in Brazil, demobilization was not felt as strongly, as in the case of Chile (Hipsher, 1998). With the return of more democratic politics, social movements continued playing an important role in bringing new issues into the public sphere and politicizing new identities (Escobar and Alvarez, 1992; Alvarez *et al.*, 1998), highlighting a variety of demands put forward by marginalized groups (Eckstein, 2001c; Eckstein and Wickham-Crowley, 2003a, 2003b), expanding the arenas and spaces for democratic practice, helping erode persistent authoritarian practices (Avritzer, 2002), providing important mechanisms of societal accountability (Peruzzotti and Smulovitz, 2006) and attempting to find solutions to a variety of social problems, by gathering information, fighting for accountability, and representing the rights of the poor (Oxhorn, 2006).

social movements defending the rights of marginalized groups, and how these movements have shaped the relationship between the State and groups such as peasants, labour, the urban poor, Afro-Latin Americans, indigenous peoples, and women (see, for example, Zamosc, 2001; Ondetti, 2008a; Houtzager and Kurtz, 2000, 2001; Collier and Collier, 1991; Nash, 2001; Eckstein, 2001a; Haber, 2006; Gay, 1994; Perlman, 2006; Andrews, 1991, 2004; Grueso *et al.*, 1998; Hanchard, 1994; Telles, 2004; Yashar, 1998, 1999, 2005; Lee Van Cott, 2000; Assies, 2006; Brysk, 2000; Jung, 2008; Garfield, 2001; Warren, 2001a; Alvarez, 1990; Franceschet, 2005; Schild, 1998; Htun, 2003b; Jaquette, 1994, 2009a; Bonner, 2007).

Some authors have gone further, arguing that social movements do not simply play a complementary role in democratic politics, by providing an additional and secondary channel for voicing demands beyond more traditional ones such as elections and political parties. According to this view, given the multiple weaknesses and failures of political institutions in democratizing Latin American countries, social movements and the increasingly complex "associative networks" in which they are embedded have become alternative or substitute forms of political representation (Chalmers *et al.*, 1997b; Chalmers *et al.*, 1997a; Friedman and Hochstetler, 2002; Hochstetler and Friedman, 2008; Alvarez, 1997, 104). According to Elisabeth Friedman and Kathryn Hochstetler, for example, the institutional and political changes Brazil has undergone since the late-1980s have created the conditions for the possibility of a new representational regime where civil society plays a key role in public deliberation and in the representation of societal interests, helping deepen the democratization of decision-making (Friedman and Hochstetler, 2002).[26]

The actual success of social movements in deepening democracy, however, rests on the fact that any agency these actors may possess is bounded by the contextual factors in which they are immersed—such as the structures of historical marginalization these groups may face, or the characteristics of the political institutions with which they engage. Historically in Latin America,

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[26] The question of whether civil society or State actors will emerge as dominant in the new representational regime in Brazil, a point that Friedman and Hochstetler ultimately leave open, as do I, provides a backdrop to the present investigation. The degree to which civil society actors are able to move away from more cooptive and limited arrangements is of central importance for understanding the dynamics of democratic inclusion in Brazil and Latin America, as will be seen below. Moreover, it should be mentioned that the prospects for a more substantive role for civil society actors is not equal across countries in the region: some have highlighted a bleak outlook for countries such as Argentina (Friedman and Hochstetler, 2002) and Mexico (Olvera, 2010).

social movements have oftentimes come short of fulfilling their inclusionary goals. Repression, cooptation, elite control and demobilization have all plagued these groups, frustrating their hopes and defusing their challenge to the dominant system of marginalization. Social movement impact, however, is not an all-or-nothing matter, and we need care to avoid taking too pessimistic or optimistic a view. As Paul Haber has said, "[while] movements usually fail to achieve their more far reaching goals, limiting their historical importance on this basis is not only a disservice to their creativity and bravery—often in the face of fantastic odds—but also bad history" (2006, 8). The subtler and more indirect effects and impacts of social movements should be considered carefully, a task that necessitates a nuanced framework. The analysis developed in this dissertation is guided by these considerations.

2.2   Social movements' multiple "fields of action"

Based on the more substantive conceptualization of democratization discussed above, which encompasses the institutional, political and cultural arenas, social movement activity should be understood as taking place in multiple fields of action. Therefore, in addition to potentially having an impact on public policy, movements can give rise to a range of cultural and symbolic changes, extending from the idiosyncratic level (by improving the self-esteem of participants or empowering them) to the group level (by helping strengthen group identity, particularly of marginalized groups) to the broad cultural level (by contributing to shifts in cultural valuations of certain groups or helping put an end to discriminatory attitudes) (McAdam, 1999; Melucci, 1996; Rochon, 1998; Swidler, 1995; Johnston and Klandermans, 1995).

Among the various fields in which movements are active, though, the State is critical. It is a central point of reference for social movements; in the words of Jenkins and Klandermans, it is "simultaneously target, sponsor and antagonist for social movements, as well as the organizer of the political system and the arbiter of victory" (1995, 3). Not only do social movements strive to gain access to the State and formal decision-making institutions, but they also promote cultural change by targeting the State, as the latter's actions heavily influence the formation of the cultural field.

Given this relationship with the State, moreover, social movements should be understood as part of the "normal" political process—as actors that regularly participate, directly and indirectly, in policy-making processes through both institutionalized and noninstitutionalized politics—rather

than as episodic anomalies or as outsider groups that solely resort to disruptive means (Goldstone, 2003). Students of social movements have often seen them as challengers seeking to be included in the polity, an arena where insiders follow the routinized channels of institutional politics (Tilly, 1978). Consequently, studies have focused on protest action and social movement activity as lying solely or primarily in the realm of noninstitutionalized politics—such as demonstrations, violent protest, strikes, sit-ins, blockades, riots, and participation in associations. While this kind of action is still very visible in the activity of many social movements across Latin America (for illustrative examples, see Stahler-Sholk *et al.*, 2008), many others—particularly those that have become increasingly professionalized and institutionalized—have also sought to influence political parties, public officials, legislatures and bureaucracies through direct engagement, and not simply through protest activity (Dagnino, 2002, 2006). Some studies have also focused on the interaction between groups in civil society and political institutions, the construction of networks among organizations, both nationally and internationally, or their role in the construction of new channels of representation (for example, Dagnino, 2002; Eckstein and Wickham-Crowley, 2003a, 2003b; Chalmers *et al.*, 1997b; Baiocchi, 2005; Nylen, 2003; Johnston and Almeida, 2006).

Social movements also play a very important role in what Nancy Fraser has called "weak" publics (1992, 132-36). In an incisive critique of Jürgen Habermas' examination of the emergence of the bourgeois public sphere, Fraser has highlighted the need to distinguish conceptually between weak and strong publics—or, as I prefer to call them, *soft* and *hard* publics.[27] The former are concentrated in the associational realm of civil society, focus on the formation of public opinion, and are not directly involved in decision making (Fraser, 1992, 134).[28] It is in these publics that social movements representing marginalized groups, with greater or lesser degrees of independence from the State, can put forward their voice in the public deliberation of public values and norms. It is in this space that public identities of marginalized groups are constituted—made visible and public by marginalized groups

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[27] I opt for this alternate nomenclature to avoid the impression that one sphere (strong) is necessarily more powerful than the other (weak), or to prevent the mischaracterization of a vibrant and dynamic public sphere as "weak." I thank Antonio Torres-Ruiz for the insightful suggestion.

[28] As will be seen in chapter 5, other actors such as the media play a very important role in soft publics.

themselves and contested by other groups in society—and collective valuations and public opinion are formed in regard to those groups. Soft publics stand in contrast to hard publics, such as parliaments and legislatures, where deliberations not only contribute to the formation of public opinion, but authoritative decisions are made in the form of laws and public policies, for example.[29]

This multidimensional activity of social movements has been increasingly highlighted in studies of Latin American movements. With the return to democratic rule in Brazil, for example, Sonia Alvarez has pointed out that "social movements […] created new public spaces in which the socially, culturally, and politically marginalized could re/construct identities, needs, and interests and challenge authoritarianism – in politics *and* in society" (1997, 83, emphasis in the original). Nevertheless, a more thorough and consistent account of the various fields of action of social movements as part of the analysis of collective action in the region still is uncommon. I seek to further efforts to take account of the multidimensional activity of specific social movements, examining both their cultural activities and impact and their interaction with political institutions and other actors in the political system.[30] The framework used in this dissertation for the analysis of the impact of the gay and lesbian movement in Brazil is intended to provide better tools to analyze the functioning and the impact of social movements in the various fields of action in which they exist and function, taking into consideration their different types of action (institutionalized and non-institutionalized), areas of impact (symbolic gains, visibility, cultural change, policy change) and actors with whom they interact (State agencies, political parties,

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[29] These two types of public are related to each other, but their connection is not simply straightforward and direct, in the sense that the general will of the people, as expressed in and through soft publics, is seamlessly translated into formal State decisions. The outcome of the public deliberations in and among diverse publics in the soft public sphere is mediated through institutions such as political parties and is refracted through the dominant characteristics of State institutions that constitute the hard public sphere. So, for example, increased positive visibility of a stigmatized group may contribute to a reduction in negative attitudes in society, but that change in the soft public sphere may not directly or easily be translated into public policies aimed at protecting members of that group.

[30] Among the important exceptions to this gap in the literature, I should mention Oxhorn (1995) and Avritzer (2002).

actors in the market, other social movement organizations, society-at-large, international and transnational groups, etc).[31]

3 Marginalization and the struggle for democratic inclusion

3.1 Marginalization

Prior to examining more precisely what would be required for a more substantive democratic inclusion, it is necessary to explain what I mean by the terms "marginalization" and "marginalized groups." Given the breadth of meanings the concept of marginality can evoke, and its various usages in the study of Latin America since the 1960s, it is important to outline the main elements of the concept as it is used here. At the broadest level, the definition of marginalization given by John Scott and Gordon Marshall captures the essence of the concept: "a process by which a group or individual is denied access to important positions and symbols of economic, religious, or political power within any society" (2009). To this definition, I would add the cultural as another crucial sphere in which this process can take place.[32] It is in this domain that social actors deploy symbols and discourses in ways that simultaneously are shaped by and help perpetuate power imbalances among different groups, and that help crystallize societal values as well as valuations of particular social practices, behaviours and social groups.

The kind of marginalization on which I focus is based on historically-rooted patterns of inequality in the distribution of economic, political and cultural resources among different groups in society.[33] It involves not only materially-based issues of redistribution, but also culturally-based issues of recognition: material deprivation, cultural stigmatization, and political silencing are often combined elements of the marginalization these groups face (Fraser, 1997,

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[31] My efforts thus join, albeit from a different theoretical vantage point, those of Rubin (2004), who provides a framework rooted in cultural politics for understanding the emergence and functioning of social movements, including their interaction with the State.

[32] This definition of marginalization, therefore, does not emphasize Durkheimian notions of *anomie*, seeing marginalized groups as separate, isolated, or detached from the rest of society. Its focus lies instead on deprivations suffered by individuals along a variety of spheres.

[33] This conceptualization of marginalization highlights one particular aspect of Melissa Williams' definition of "historically marginalized groups" (1998).

2003, 7-109; Young, 1990, 53-55). The historical accumulation of deprivations affects the ability of individuals in these groups to escape their position, and reinforces the inequality they face. This durable inequality, moreover, is heavily shaped and depends on the institutionalization of categories of discrimination—along class, race, gender, sexual orientation lines (Tilly, 1998, 8)—across various institutional and organizational spheres. These include States, firms, households, religious sects, *i.e.*, "all sorts of well-bounded clusters of social relations in which occupants of at least one position have the right to commit collective resources to activities reaching across the boundary [of that organization]" (Tilly, 1998, 9).

The above characteristics contribute to making these inequalities structural. Given the structural character of the phenomenon, even without persistent, open and explicit discrimination by a specific individual or organization, we may still identify the existence of marginalization (Williams, 1998, 16). Members of marginalized groups "share the experience of cultural and structural obstacles that non-members do not face, including the experience of group-based stereotypes" (Williams, 1998, 18). As a result, marginalized individuals and groups are often silenced, losing their political voice. Their ability to act collectively to counter their situation and the degree of access they have to the traditional channels of representation are impaired; at an extreme, they may become socially invisible (Costa, 2004).[34] As mentioned above, and based on a view of State-society relations that rejects a dichotomy between the two spheres, and sees the State as embedded in society and the dominant culture (Migdal, 1994), the dominant patterns and processes of marginalization tend to permeate institutions—particularly the political institutions that embody the State.[35] A central element of the struggle against marginalization involves, thus,

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[34] My definition of marginalization is compatible with the concept of marginalized ascriptive groups as defined by Williams (1998). This is so despite the variation in the processes of the construction of homosexuality, race, ethnicity, and class identities as well as the degree of visibility of members of marginalized groups in countries and cultures as diverse as Brazil and the United States (for a discussion of the construction of sexual and racial identities in Brazil, including comparative discussions, see, for example, Parker, 1991, 1999; Trevisan, 2000; Skidmore, 1993; Marx, 1998; Telles, 2004). For practical purposes, it is the ascription of membership in a marginalized group by others (individuals and institutions in society and the State) that matters for the consequences of marginalization to be felt, and that ascription is the source of unjust acts and the resulting inequalities that characterize marginalization. This fact becomes even clearer in cases where discrimination and stigma are inflicted upon individuals even when they are "misidentified" as a member of a marginalized group (*e.g.*, when a "non-member" is the victim of homophobic discrimination or violence because she was identified as such by an oppressor due to her appearance, behaviour or mannerisms).

[35] This understanding of the State and of State-society relations allows us to better analyze the engagement between the LGBT movement and the State, as it does not pre-determine the type of relationship between the two. In some,

a strengthening of the political representation and participation of marginalized groups in those institutions responsible for making and implementing policies that can have a concrete impact on the perpetuation or decrease of the deprivations characteristic of marginalization.

As will be explored in greater detail in the next chapter, a variety of dimensions of marginalization co-exist in Brazil. In most studies focusing on the issue of marginality in Latin America in the 1960s and 1970s, the socio-economic dimension received greater attention through the analyses of the reality of the urban poor, even though some authors also explored cultural dimensions (Perlman, 1976; Lewis, 1966; Castells, 1983). The rise of identity-based social movements in Europe and North America during the same period, as explored by many scholars studying so-called "new social movements," highlighted the diverse non-material dimensions of marginalization in those societies (Canel, 1997; Cohen, 1985; Habermas, 1987; Young, 1990). In the 1980s, during the processes of democratic transition in a number of Latin American countries, identity-based claims—around gender, race, ethnicity and sexual orientation, for example—also started becoming increasingly visible and loud in the public sphere, even though many of them were still closely related to the reality of material deprivation (Jelin, 2004; Slater, 1985). These movements highlighted the complexity of marginalization processes in Latin American countries, pointing to the existence of other bases on which groups in society were being marginalized beyond class or socio-economic status.

Nancy Fraser has provided useful tools to analyze the variety of types of injustice suffered by marginalized groups. As pointed out by Fraser, these groups tend to experience simultaneously

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perhaps most, instances, the marginalization of sexual minorities may be reflected in the behaviour of State actors, but under different circumstances, progressive and egalitarian actions may result from their interaction. Theoretically at least, we should also open the space for the institutionalization of more progressive positions in the State apparatus. Some scholars have explored the notion of State feminism, pointing out the need to rethink the State in gendered terms (Alvarez, 1990; Waylen, 1998; Santos, 2005; Franceschet, 2003, 17-18). Those contributions, among many others, recognize that while the State is usually permeated by patriarchal gender hierarchies characteristic of the dominant gender systems in which it is embedded, there are sites for feminist struggle that may put in question those patriarchal values. Out of this struggle can emerge feminist policies or State agencies in charge of women's issues and potentially a change in the norms and values shaping State positions in regard to women. Similarly, in examining the engagement of lesbians and gays with the State, we should allow for greater agency of societal groups to promote change in the State, opening the possibility for advancement in the inclusion of sexual minorities (Cooper, 1995, 2003). Understanding when progressive change can emerge out of the struggle between the State and the LGBT movement is one of the main goals of this study.

injustices rooted in the economic and cultural spheres, *i.e.*, the injustices they face are both about redistribution and recognition (Fraser, 1997, 2003; Fraser and Honneth, 2003). As Fraser explains, "socioeconomic injustice, [...] is rooted in the political-economic structure of society. Examples include exploitation […]; economic marginalization […], and deprivation" (Fraser, 1997, 13). Injustice related to issues of recognition, in turn, stem from a kind of injustice that "is cultural or symbolic. Here injustice is rooted in social patterns of representation, interpretation and communication. Examples include cultural domination […]; nonrecognition […]; and disrespect" (Fraser, 1997, 14).[36] Cultural and symbolic injustice, it should be noted, goes beyond the merely symbolic realm and can also translate into violence, at times fatal, as the case of hate crimes rooted in discrimination and intolerance of difference aptly illustrates. Heuristically at least, we may conceptualize these injustices as a spectrum ranging from redistribution to recognition issues, with some marginalized groups experiencing injustices rooted in the economic sphere more strongly than those rooted in the cultural sphere, and vice-versa.[37] The different kinds of injustice marginalized groups suffer are reflected in the types of claims social movements fighting in their name make. The LGBT movement, in this sense, would fall closer to the recognition end of the spectrum, while a movement like the landless peasants' movement would fall closer to the redistribution end, given the predominant demands and claims each movement puts forward in the public sphere. Groups like women or Afro-Brazilians, in turn, would fall somewhere in between those two ends.

3.2 Unpacking democratic inclusion

As discussed earlier, the inclusion of marginalized groups is a central feature of democratization, and, with marginalization, it establishes opposite poles of a spectrum that allows us to better understand the political and social positioning of various social groups. Building on the definition of democracy presented earlier, we can develop an ideal-typical conceptualization of

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[36] A number of influential authors (see, for example Taylor, 1994; Young, 1990) have also explored these recognition issues in relation to challenges raised by questions of difference and the diversity of collectivities and groups in society.

[37] In reality, of course, these diferent types of injustice are oftentimes inseparable, as questions related to identity are intertwined with and embedded in the material and economic structures of inequality. Placing different kinds of movement along a spectrum serves primarily an analytical purpose.

democratic inclusion, from which we can outline five main criteria: *autonomous agency*, *public recognition*, *participation*, *concreteness*, and *universality*.[38]

Autonomous agency is an attribute of the political actor that represents the interests of the marginalized group in question.[39] In other words, the substantive and democratic inclusion of sexual minorities requires that LGBTs themselves (either individually or organized in a social movement) struggle to assert their own political voice in determining the policies and norms that affect them.[40] This need not mean that marginalized groups are to generate and sustain change on their own: cooperation with the State is oftentimes crucial in solidifying victories, especially those more directly related to the creation of public policy. This cooperation, if it is to be consistent with autonomous agency, cannot be established on unequal and hierarchical terms, *i.e.*, cooptation and control from above would erode inclusion. Autonomy, in other words, is a central element of this kind of democratic agency. As argued by Warren (2001b), autonomy is essential for the elaboration of authentic reasoning needed to resolve political conflicts between individuals, and to reach collective judgements through deliberative processes among citizens. The ability to participate autonomously in a democratic polity, therefore, gives substance to the more participatory understanding of democracy I defend. In terms of social movements and their interactions with other political actors, the focus shifts from the individual to an organization or

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[38] Total and complete inclusion—very much like total and complete marginalization—is an abstraction. Much like perfect democracy is utopian, perfect inclusion is impossible to achieve in reality. For those reasons, this concept should be seen as an ideal type. "Measuring" the extent to which social movements representing marginalized groups have managed to fulfill the criteria of democratic inclusion allows us to evaluate of the extent to which these groups have succeeded in deepening democratization. Some of the details regarding the elements of each criterion of democratic inclusion draws on work done by William Gamson (1990), Paul Schumaker (1975) and especially Paul Burstein and his collaborators (1995), who together underline different stages of social movement impact that can aid us in assessing the overall impact of social movements fighting for the inclusion of historically marginalized groups.

[39] By assigning this attribute to a political actor—such as a collectivity of grassroots movement organizations, or non-governmental organizations pushing forward the demands of a marginalized group, or a social movement as a whole—I do not mean to ignore issues of internal democracy or representativeness of that actor, nor do I seek to essentialize and homogenize the marginalized group in question. The political actor in this model is oftentimes a collective actor, internally diverse, with internal tensions, and unstable boundaries. The discussion of the LGBT movement in chapter 4 will highlight this internal heterogeneity. For the purposes of the current discussion, a social movement, despite its unclear boundaries, will be treated as a unit of analysis.

[40] In a similar vein, Philip Oxhorn has pointed out that "[agency] is a key to understanding how citizenship rights actually evolve or stagnate. The pressures for expanding citizenship rights that emerge (or fail to emerge) from within civil society, and how those pressures are dealt with by the state, are central to any causal theory of citizenship" (Oxhorn, 2003, 41-42).

the movement as a whole, and their autonomy from interference and undue influence from other actors.[41] We should, however, avoid falling into a fetishism of autonomy (Hellman, 1992), where complete separation and isolation from other actors, particularly political parties and State institutions, becomes the only true autonomy. In the words of Jonathan Fox, "while autonomy is an inherently relative notion, the key threshold here is whether group decisions, on balance, are made internally or externally" (quoted in Haber, 2006). In other words, simply working with and cooperating with State officials or political parties does not entail the automatic loss of a movement's autonomy, and we should be careful not to underestimate the ability of activists to make creative use of State resources in ways that reinforce, rather than weaken, their autonomy *vis-à-vis* those institutions. Where, ultimately, that threshold lies is impossible to determine *a priori*, but a careful examination of the functioning and actions of these organizations can provide us with a fairly refined assessment.

Public recognition of a marginalized group is closely linked to its increased visibility and toleration in the public sphere. A seemingly obvious goal of social movements is to gain greater visibility for themselves and for the cause for which they fight. For historically marginalized groups, particularly those whose existence as a social group has been silenced or made invisible by structures of oppression and marginalization, visibility tends to weigh quite heavily and assume a high degree of importance.[42] Moreover, gaining visibility is, for these groups, an initial but essential step in the struggle for recognition and the (positive) cultural revaluation of their currently vilified or negatively-valued identity. It involves the public expression of a group

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[41] While such a shift is not a simple one and is open to criticism—*e.g.*, is individual autonomy *within* those organizations and movements important?—the basic principle remains: a more meaningful democratic participation of social movement organizations in the political process rests on their ability to reach their own judgements and conclusions without the overbearing interference of other actors.

[42] Not surprisingly, visibility tends to be of particular significance for gay and lesbian movements in different parts of the world. Not constituting a visible minority and facing marginalization by a dominant heterosexist culture, gays and lesbians often have to take a clear stand to express their existence as a group (hence slogans such as "We're queer, we're here, get used to it"). Interestingly, another example of a group whose social existence has been denied and made invisible by dominant cultural values and frameworks is the Afro-Brazilian population. Until very recently, the dominant ideology of racial democracy diluted the separate identity of Afro-Brazilians into a melting pot of supposed racial harmony. The emergence of a strong movement based on a more clearly defined Afro-Brazilian identity was thus hampered by the denial of the existence of racism in Brazilian society by the dominant myth of the existence of a racial democracy in that country. Consequently, an important element of the mobilization of the Afro-Brazilian movement has to do with the positive re-affirmation of *Afro-Brazilian* elements of the national culture, for example, through music (Cunha, 1998).

identity on terms set by the group itself, free of the negative and demeaning depictions that may be more common and widespread in mainstream culture. Another important element of visibility has to do with "presence." These actions often involve bringing attention to the existence of individuals who are members of the marginalized group in question in different spheres of social life. Visibility, then, as it is being used here, takes place primarily in the soft public sphere, through noninstitutionalized actions and media exposure. It is at the heart of the cultural politics of many social movements, even though by itself, it does not necessarily entail a change in culture and attitudes in society-at-large. Increased visibility is also closely related to promoting greater toleration of a marginalized group's social existence and of a social movement as a legitimate political actor representing the legitimate interests of that marginalized group.[43] Toleration refers to the recognition by others in society, whether or not they are sympathetic to a social movement's goals, of the validity of the group's participation in the political process. In a democratic regime, it would involve what Mark Warren refers to as "process tolerance," or "the willingness of individuals to recognize the rights of others to speak and defend their positions even when they disagree, and then to resolve disputes through democratic means" (Warren, 2001b, 239, fn. 43).[44]

Participation of marginalized groups in decision-making institutions is strengthened by increasing their access to relevant institutional spaces and influence over policy-makers. Gaining access refers to the willingness of allies in decision-making institutions—*e.g.*, other political actors, such as bureaucrats, elected officials, political parties, and legislative aides—to meet with and hear the concerns and demands of the movement in question. These allies may help, but not necessarily ensure that the marginalized group gain greater leverage and have some influence over the decision-making process. Also important to furthering democratic inclusion is increasing the presence of members of the marginalized group in decision-making spaces in the

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[43] By "social existence" I mean the public presence and/or expression of an identity. In the case of gays and lesbians, for example, this would be manifested in the ability of members of those groups to live more public lives as gays and lesbians. Common indicators of societal toleration of sexual minorities are public opinion surveys assessing atitudes toward homosexuality. The concept of toleration used here is similar to that of acceptance used by Gamson (1990)

[44] Given the many and at times irreconcilable understandings of the good life in pluralistic societies, rather than a deeper concept of acceptance, I opt for this thin form of toleration, which would be enough for the requirements of democratic governance and coexistence.

State, bringing their voice and influence to bear more directly in the policy-making process. To put it differently, participation, as it is being used here, encompasses both certain types of representation (via allies) and presence in institutional spaces. These inroads in participation can help place the demands of a social movement on the agenda of institutions that have the power to enact public policy that aims to address the needs of the marginalized group in question.

Concreteness refers to the depth of the change generated by the mobilization and pressure exerted by the marginalized group in question, particularly in terms of public policies. It focuses on whether the efforts of activists and allies have resulted in the creation of public policies dealing with the claims and demands made by the movement. Also essential to the discussion of concreteness is the question of whether policies are effectively and sustainably implemented, or if they are mainly symbolic or mere tokenism.[45] Only as we move toward more significant reform, with strong and consistent implementation of policies do we approach democratic inclusion.

Universality refers to whether the gains made by the activity of a marginalized group are widespread within that population. Even when social movements are able to have a positive impact on policy creation and implementation, the effects of those policies may benefit only a small minority within that marginalized population. They may leave relatively unchanged the multiple and intersectional structural factors that shape the marginalization of social groups. Even policies that are attained by means of increased democratic participation may, when implemented, reinforce a two-tiered pattern, whereby a few individuals enjoy newly acquired rights and benefits while a majority remains marginalized. Only once policy effect fosters a more universal expansion of rights can we talk about approaching democratic inclusion.

Democratic inclusion does not necessarily entail a linear, progressive fulfillment of these five criteria. Processes of democratization are non-linear and multidimensional, and oftentimes do not follow an "all-good-things-come-together" pattern. Similarly, advances on one criterion are not contingent on fulfillment of another. So, for example, increased participation in decision-making

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[45] Analyses of movement impact that conflate the enactment of public policy with success run the risk of overlooking potentially serious limitations to that impact due to lack of implementation, or of remaining blind to processes of cooptation, whereby passage of (symbolic) policies that are unlikely ever to be implemented can be used by elites as a tool for defusing pressure and protest from below.

spaces and passage of public policies are no guarantee that those policy gains will be implemented or have a more universal impact on the marginalized population.

Furthermore, since democratic inclusion is an ideal type, actually existing democracies are inherently incomplete. The five criteria of democratic inclusion provide us with a tool to fine-tune our assessment of this incompleteness in any particular case. Even though countries in the Global South and Global North are both incompletely democratic, the ways in and degree to which they are incomplete will vary. This variation can also be observed across time in the same country, as seen in the regime changes from the mid-twentieth century onward in Brazil, to be discussed below.

Democratic inclusion, then, stems from the struggle of autonomous political agents who represent the interests of marginalized groups and who, ideally, by gaining access, influence and power, shape public policy and generate cultural change in society, which in turn leads to a concrete and widespread reversal of the multiple deprivations affecting the group whose interests that political agent defends.

4 The historical challenge of deepening democratic inclusion in Brazil

Chapters 3 to 8 will carefully examine the ways in which the impact of the LGBT movement since the 1980s was shaped by the dominant *historical structures of marginalization* that characterize Brazilian society, the *institutional framework* social movement activists face in their interactions with the State, and the *regime of interest mediation* in place governing the relationship between civil society and the State. This section provides a historical account of the struggle for the deepening of democratic inclusion in Brazil since colonial times. This is intended as a backdrop to the analysis of the struggle of sexual minorities in Brazil and to highlight the fact that the historical record has witnessed a gradual broadening of opportunities for gains in democratic inclusion, as well as the stubborn persistence of barriers and limits to the deepening of democracy.

4.1 From the Colonial period to the First Republic

As chapter 3 will explore in greater detail, the rigid, hierarchical and extremely unequal characteristics of Brazilian society impose heavy limitations on how fast and how far democratization has been able to move in the country, as the inequality generates a bias in political institutions that perpetuates the benefits of dominant groups. This reality has very deep historical roots, and thus sets boundaries on what can be realistically envisaged in regard to democratic inclusion under the conditions of a highly stratified and unequal society.

The record of democratization and, more broadly, the patterns of political development in Brazil are closely related to the economic and social development of the country. During the colonial period, political power was firmly centralized in the hands of the Portuguese king, leading to the creation of strongly hierarchical and authoritarian political institutions aimed at exploiting resources from the colony, characterized by a weak rule of law and excessive use of coercion— similarly to other countries in the region, under Spanish rule (Karl, 2003, 139). The construction of this kind of political rule in the colony from the sixteenth century onwards is at the heart of the long process of solidification of patrimonial rule, which fed into the authoritarian and exclusionary characteristics of political institutions to the present (Faoro, 2001). These characteristics also penetrated deeply into local level political institutions that emerged during the colonial period, emerging hand in hand with the economic system that led to a tremendous concentration of land and wealth that is felt to this day (Nunes Leal, 1997, 81-86)[46]. Political institutions in this context were both strong and weak: strong to control labour and defend the economic interests of the Crown and powerful landowners, but weak in the sense of lacking legitimacy, and being permeated by private interests from powerful actors and groups (Karl, 2003, 140).

Independence from Portugal in 1822 brought little change to the general exclusionary characteristics of the political system. The persistence of the highly unequal export economy based on slavery and large landholdings also meant that few significant changes were made to political institutions that worked to protect the interests of the elites; not surprisingly, the State

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[46] A more detailed discussion of the historical roots of land and wealth inequality will be developed in chapter 3.

institutions emerging in the nineteenth century tended to skirt social investments—such as those in education and health—that would benefit popular sectors (Karl, 2003, 142). As highlighted by Oszlak (1981), the process of State formation and consolidation in the entire region was closely intertwined with the need to establish some level of order and unity following independence in the early nineteenth century. This order was based on the establishment of institutions that would allow for elites to maintain their control and push forward capitalist economic development, as well as pursue the insertion of the newly independent countries in the international economic system.

The transfer of the seat of the Portuguese empire to the city of Rio de Janeiro in 1808, as the Portuguese royal family fled the invading Napoleonic armies, changed the context for independence. The declaration of independence by D. Pedro, the son of the Portuguese king, followed by the establishment of an Empire in Brazil—in contrast to the other Spanish American republics—the commercial and political interests of the Brazilian elite, and the growing influence of Britain in the nineteenth century converged to ensure a relatively peaceful break with the colonial power. At the same time, the independence process perpetuated the patterns of marginalization—along class, race, gender and sexuality—already present during the colonial period.[47]

The Empire, which lasted until 1889, when the First Republic was established, was a restricted type of polity. Economic and political elites kept tight control of the State, crystallizing a highly unequal society, where a large majority of the population was illiterate, women did not have the right to vote—only acquiring it in 1932—and slavery remained in place until 1888 (Carvalho, 2002b). Despite the existence of formal elections and a parliamentary monarchy in Brazil, the independent State was firmly controlled by the elites.

The establishment of the Republic in 1889 did not change much in terms of the inclusion of the masses into the political system (Carvalho, 2002b). Illiterate people were still prevented from voting, and political and economic elites maintained their power. Electoral fraud and clientelism

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[47] Revolts and uprisings, many of which had a strong anti-monarchical element, did rise in various parts of the country in the first few decades of the nineteenth century, but a strong and centralized State emerged fairly early on, which helps explain why Brazil managed to maintain its territorial integrity, rather than fall prey to the centrifugal political forces that led to the breakdown of Spanish Latin America into different republics.

helped maintain the system closed and the elites in control (Hagopian, 1996, 37-50; Graham, 1990). The First Republic (1889-1930) set in place a significantly more decentralized system, devolving power to the hands of state governors. The period came to be known as the "republic of *coronéis*," in reference to the local strongmen who retained virtually unchecked power over their local fiefdoms. This was also the period of the boom of agro-export economies in Latin America. Continuing patterns similar to those established under colonialism, the political power of these large-landholding elites was grounded on their economic power derived from the export of primary products—coffee being the main export commodity in the case of Brazil in the late nineteenth and early twentieth centuries—which was rooted in a social structure characterized by the exploitation of rural labour.

Associated with these early historical patterns of political and economic development is the development of certain types of linkages between State and society that have developed into deeply entrenched elements of the informal institutional framework civil society actors face in their interactions with the State to this day. Key among these practices have been *clientelism* and *personalism*.[48]

Clientelism is one of the strongest and most longlasting features of Brazilian and Latin American politics (Teichman, 2001; Wiarda, 2001, 31).[49] Clientelism rests on "asymmetric but mutually beneficial and open-ended transactions and [is] predicated on the differential control by social actors over the access and flow of resources in stratified societies" (Roniger, 1994, 3). Some of the key features that characterize the traditional relationship between patrons and clients are: its unequal character, the uneven reciprocity between the two, the non-institutionalized nature of that relationship and its face-to-face quality (Mainwaring, 1999, 177). This classic version of

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[48] Authors such as O'Donnell (1996) have stressed the pervasiveness and persistence of other important patterns of political behaviour in Latin America such as particularism. Particularism refers "broadly to various sorts of nonuniversalistic relationships, ranging from hierarchical particularistic exchanges, patronage, nepotism, and favors to actions that, under the formal rules of the institutional package of polyarchy, would be considered corrupt" (O'Donnell, 1996, 40). In addition, particularism "is antagonistic to one of the main aspects of the full institutional package of polyarchy: the behavioural, legal and normative distinction between a public and a private sphere" (O'Donnell, 1996, 40). Other authors (Roett, 1999; Faoro, 2001) have also explored patrimonialism as a related feature in Brazilian politics, whereby "political rulers treat the state as if it were their own property" (Mainwaring, 1999, 179). Patrimonialism thus carries the logic of particularism to its limit by, in a sense, privatizing the State.

[49] Clientelism has been highlighted as a central feature of politics in developing countries by a variety of authors (see, for example, Roniger and Gunes-Ayata, 1994; Clapham, 1985, 39-60; Hilgers, 2012).

clientelism was the standard mode of linkage between rural elites and subaltern groups in the interior of Brazil throughout the nineteenth century and into the earlier part of the twentieth century (Nunes Leal, 1997; Carvalho, 2002b). It, together with straight-forward coercion, provided the basis for maintaining the control of landed elites over the rural population, most of whom remained strongly marginalized. The rapid urbanization and industrialization Brazil witnessed since the middle of the twentieth century has promoted important changes in the practice of clientelism, but it has also made evident its resilience and adaptability to new conditions (Mainwaring, 1999, 178-79).[50] Patron-client networks depend on access to material resources for their sustainability and survivability. Consequently, political elites have sought to control the State apparatus, as it represents a key source of patronage—in the form of funding, jobs, and public projects, for example (Samuels, 2003; Ames, 2001).

Given the nature of the patron-client relationship, members of marginalized groups are especially vulnerable to this kind of arrangement. While clientelism is characterized by interdependence, since the patron needs the continued support of clients in order to remain in the position of power, the relationship rests on keeping clients in a subordinate position. By atomizing the links between patrons and clients, and by making concession to specific individuals while leaving the collective demands of the marginalized group unaddressed, clientelistic relations erode the basis for the mobilization of collective political actors and directly erode their level of participation in decision-making spaces, shaping the level of access different groups in society have to centres of power that control the drafting and implementation of public policies, as well as the relationship between social groups and their elected representatives in legislatures and in the executive.[51]

Closely related to (and partly constitutive of) clientelism is the concept of *personalism*. This refers to the tremendous importance attributed to personal connections and face-to-face interactions in determining access to State resources and services, as well as to decision-making

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[50] On the persistence of clientelism in electoral politics in Argentina in recent years, see Brusco *et al.* (2004).

[51] Clientelistic relations can provide access to needed goods and resources that would otherwise be unattainable. In fact, in political systems such as the Brazilian one, clientelism can become one of the main and in some cases the sole path of access to State and public goods (Mainwaring, 1999, 178). Under such circumstances, though, the notion of entitlement emanating from universal rights held by the citizenry is eroded, and personal relations and connections become paramount in accessing the resources held by the State. While concrete improvements to the welfare of a few individuals may result, these gains are, by definition, far from universal.

spaces. The ability to participate effectively in the making of public policy and to have one's voice heard in that process often depends on personal connections to specific allies in positions of power. Historically, since colonial times, these personal connections have been central to the permeation of State institutions by elites. The latter's ability to directly influence powerholders has allowed them to benefit (and oftentimes enrich) themselves from State power and action.

The pervasiveness and predominance of personalism therefore contributes to eroding universality and equality in the ability to participate meaningfully in the political system. When decision-making power is concentrated in spaces and institutions to which access is contingent on personal connections, marginalized groups—who are often in a more difficult position to establish those linkages with public officials—are often left out of deliberations and decision-making processes.[52]

Personalism, however, is not exclusive to elites, and does not necessarily entail a closed door for disadvantaged groups. It is, in other words, a more flexible political "grammar" (Nunes, 1999). Bureaucrats and elected officials who sympathize with the demands of marginalized groups have at times provided some space for those groups to participate in decision-making, however indirect and limited that participation may have been.[53] The use of personalistic linkages to further the goals of marginalized groups, however, is more clearly a recent phenomenon linked to the democratization process since the 1980s, and was virtually negligible prior to the later part of the twentieth century. As will be seen below, it was during this period that marginalized groups became more organized and mobilized, and were better able to connect with allies in positions of power who were sympathetic to their demands. This new political landscape allowed these subaltern groups to make use of personalism to increase their participation and presence in

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[52] The effectiveness of the personalistic link to those powerholders depends on the latter's ability and willingness to either "bring in" individuals who are "outside" of those circles of power or defend their interests and demands.

[53] Personalism, as it is understood here, is less hierarchical and rigid than clientelism. In other words, while historically it has mostly served to further the interests of powerful groups in society, its logic can also provide spaces for mobilized marginalized groups pressing for change (differently from the definition provided by Weyland (1996, 33-34), who sees personalism as being pervaded by hierarchy). While not denying an unbalance of power between allies in the State and their petitioners in society, particularly if they come from marginalized sectors, personalistic linkages are less rigidly unequal than those that would be characterized as clientelistic. Unlike patrons in a clientelistic relationship, powerholders and allies in the State apparatus are not primarily or necessarily interested in using their personalistic linkages to their petitioners as a means to furthering their position within the State—or enriching themselves.

decision-making processes. Even though these developments are recent, the non-universalistic logic of personalistic linkages has deep roots in Brazilian history.

While personalistic linkages can serve as the basis for greater participation for marginalized groups by opening up spaces through connections with allies in the State apparatus, those gains come with limitations. When marginalized groups' participation in decision-making spaces is solely or primarily reliant on their access to and influence over allies, participation tends not to be routinized and strongly institutionalized, but rather remains contingent on the availability of the individual ally. Personalism is thus both a symptom and enhancer of the weak formal institutionalization of State institutions, particularly in regard to the participation of civil society in decision-making processes.

Another important consequence of personalism is the instability of policy gains that are too closely associated with particular individuals in the government or in the bureaucracy. Since in many cases gains and advances are dependent on the activity of individual allies or representatives of marginalized groups, their eventual departure—due to, for example, a change in government—often translates into a change in policy. The result of this dynamic is often the predominance of policies of governments, or even policies of specific agencies or officials, rather than policies of State that remain in place despite changes in the staffing of the bureaucracy or in the party in power. This erodes the concreteness of policies aimed at bettering the situation of marginalized groups, by making them superficial and symbolic or their implementation temporary and incomplete. Only by gaining a stronger foothold in decision-making spaces—by, for example, increasing their presence in them—do marginalized groups have a better chance of monitoring and protecting policy gains made via personalistic means.

4.2   From Vargas to Bureaucratic Authoritarianism

The economic crisis that was set in motion in 1930 with the Great Depression represented the collapse of the export-economy and the First Republic (1889-1930) in Brazil, a period characterized by an oligarchical political system, where land-holding elites maintained control through electoral fraud and clientelism (Hagopian, 1996, 37-50; Graham, 1990). Economic and political instability brought Getúlio Vargas, a lower-ranking military officer, to power in a military coup. Vargas proceeded to consolidate his authoritarian rule, establishing in 1937 the *Estado Novo*, a closed authoritarian political system modeled after fascist experiments in Europe

that lasted until 1945. With no elections and no parties allowed to exist, this period was clearly a low point in the development of democratic governance in Brazil.

It is during this period that corporatism emerged as a central institutional feature of State-society relations. Corporatist[54] arrangements (Wiarda, 1995, 185-208, 2001, 246-80) have a longlasting presence in the history of Latin American political development. Corporatism experienced its peak from the 1930s until the 1970s, especially under the classic populist rule of leaders such as Getúlio Vargas in Brazil, Lázaro Cárdenas in Mexico, and Juan Perón in Argentina.[55] Aimed primarily at urban labour, in many countries in the region these arrangements also often included other sectors, such as peasants (Collier and Collier, 1991; Middlebrook, 1995; Houtzager, 2001), and were characterized by top-down, hierarchical and oftentimes authoritarian arrangements (Schmitter, 1974; Malloy, 1977; O'Donnell, 1977).

These corporatist arrangements were a key element of the establishment of populist rule under Vargas in Brazil.[56] The economic development path in this period tended to favour urban working classes—given the centrality of the import-substituting industrialization (ISI) model—to the detriment of the rural sector (Cardoso and Helwege, 1991).[57] The organization of labour through top-down corporatist arrangements did in fact bring with it significant benefits in terms

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[54] My focus here is on corporatism as understood by Schmitter (1974, 93-94): as a "system of interest representation in which the constituent units are organized into a limited number of singular, compulsory, noncompetitive, hierarchically ordered and functionally differentiated categories, recognized or licensed (if not created) by the state and granted a deliberate representational monopoly within their respective categories in exchange for observing certain controls on their selection of leaders and articulation of demands and supports."

[55] In some cases, these corporatist arrangements were maintained under the bureaucratic-authoritarian regimes that came to power in the 1960s. As pointed out by Schamis (1991), the maintenance of corporatist arrangements with certain sectors of society differentiated bureaucratic-authoritarian regimes (such as those in Brazil [1964-1985] and Argentina [1966-1973]) from other military authoritarian regimes in the Southern Cone which may be better characterized as neoconservative (such as Pinochet's regime in Chile [1973-1990] and the second military-authoritarian regime in Argentina in the 1970s [1976-1982]).

[56] Populism has manifested itself in a variety of economic and political contexts, with different types of organizational forms, pursuing disparate economic development projects, and building divergent links with groups in civil society (Roberts, 2006; Weyland, 1999, 2003). I use the term here in reference to what might be called "classic" populism associated with the launch of import-substitution industrialization projects in a number of countries in Latin America around the middle of the twentieth century. Some of the key characteristics of this kind of populism are outlined in the discussion below.

[57] For example, in Brazil, while urban workers started being organized in this fashion in the early 1940s, initial steps toward rural workers had to wait another two decades, when the first rural unions were created in 1963 (Carvalho, 2002b), on the eve of the military coup that froze, if not reversed, many of those gains.

of workers' rights and social rights for organized workers.[58] However, such gains were not so much a result of the autonomous agency of labour, but rather were handed down from a paternalistic populist government. These moves were led by the State and aimed at controlling and depoliticizing labour, by legalizing and institutionalizing a labour movement that was heavily penetrated by the State (Collier and Collier, 1991, 163). At least initially, under the authoritarian *Estado Novo*, the mobilization of labour was discouraged—or at least not seen as a priority—by the populist leader;[59] later, as the regime changed and electoral democracy was re-established from 1945-64, some degree of more independent organization among workers was possible, but it quickly led to a polarization of the political field and the imposition of heavy repression by the military regime that took power in 1964 (Collier and Collier, 1991, 360-402).

Not only corporatism, but personalistic and clientelistic behaviours also helped sustain populist governments under Vargas and under the 1945-64 democratic period. In addition to the legalization and institutionalization of corporatist bodies, personalistic and clientelistic ties were forged between the centralizing federal government and the local—state and municipal—political elites (Nunes, 1999, 50). Control of marginalized groups in society, thus, also relied on other old historical patterns of State-society relations. Finally, it should not be forgotten that coercion, violence and repression were an important part of the apparatus that kept Vargas's authoritarian regime from 1937-45 afloat. Police and armed forces arrested and mistreated those suspected of being political opponents, particularly those from the left (Levine, 1998, 56-57).

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[58] Some of Vargas' social welfare legislation, implemented soon after he came to power, give an indication of the kinds of expansion of rights he brought about: "a number of decrees provided for retirement pensions for some categories of workers, industrial accident insurance, greater holiday benefits, regulation of working hours and employment of minors, and benefits related to emergency treatment, and maternity benefits" (Collier and Collier, 1991, 172). The nationalistic project of Vargas also involved the symbolic and cultural embracing of marginalized groups—treated collectively as the *povo*—as well as the valorization of workers (Caulfield, 2000, 186-87). This symbolic inclusion was an important element of the populist leader's control of the masses: it served to buttress the perception of the charismatic leader as a father figure or as a saviour who was finally paying attention to the poor and marginalized. These symbolic elements can also be seen in the case of Argentina, where Evita Perón played a key role in shaping the affective support for Juan Perón, herself becoming a cultural icon and a mother figure for the *descamisados*, or "shirtless" masses (Navarro, 1983).

[59] In other countries in the region, the opposite occurred. One prime example is Argentina, where, rather than being depoliticized and demobilized, labour was actively mobilized, for electoral and broader political reasons by Juan Perón, especially in the period from 1943-55 (Collier and Collier, 1991, 165-67).

Moreover, given the main lines of the institutional arrangements characteristic of populist corporatism in Brazil, the gains granted by populist governments were not universal or egalitarian. The selectiveness of benefits granted by the State left out large sectors of society, such as non-unionized workers and the large masses of workers in the rural areas—still the majority in the 1930-1950 period (Carvalho, 2002b).[60] As pointed out by Robert Levine, "the balance sheet for the 1940s was mixed. [...] [Vargas'] *sindicatos* ignored the millions of lower-class Brazilians who lacked skills to find work. The government unions were for the cream of the working class, but despite the generous benefits offered to them, even most trained workers stayed away as well" (Levine, 1998, 66-67). So, while populist governments did bring with them important gains for many workers—including concrete material gains, addressing, to a certain extent, redistribution issues—it was far from being a case of substantive democratic inclusion in Brazil.

Vargas' fall from power in 1945 brought along a more democratic period, which lasted until the onset of a military bureaucratic-authoritarian regime in 1964. During this period, new political parties emerged, and electoral competition was maintained for about two decades, even though the maintenance of literacy requirements for enfranchisement imposed serious limitations to the political participation of large sectors of society. Governments in this period maintained the State-led model of economic development pursued under Vargas. These two decades were also characterized by an intensifying mobilization and polarization of society. Leftist populist leaders and their increasingly radical discourse and mobilization of organized groups in society raised the fears of the conservative economic and political elites, sparking a strong reaction, and the period closed with the onset of a 25-year bureaucratic authoritarian regime, where the military took the reins of power and embarked on a project of exclusionary economic growth. While the 1945-1964 period brought about increasing participation from various groups in society in the social and political life of the country, such participation remained strongly controlled from the top, either through the activity of corporatist institutions or the leadership of populist leaders.

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[60] This is not the case for all cases of populist governments in the mid-twentieth century in Latin America. In the case of Mexico, for example, peasants—as well as other "popular" sectors—were also included in the corporatist arrangements set up by populist governments, and significant land reform was implemented (Middlebrook, 1995, 92-93; Collier and Collier, 1991, 198-201).

The bureaucratic-authoritarian regime in power from 1964 until 1985 established a regime that combined a variety of elements of repression, exclusion and control of groups in society, representing a low point in the prospects of democratic inclusion.[61] Following a period of more intensified repression of leftist groups, politicians and activists in the late 1960s, the regime refined a system of control of social groups that involved the creation of a two-party system with regular elections for the federal legislature and other local-level positions—except mayors of capital cities, governors and the federal executive—and the maintenance of the corporatist system of representation of urban and rural workers, which had been purged of its more radical leaders and replaced by a quiescent and loyal group of labour representatives (Skidmore, 1988; Alves, 1985; Schamis, 1991; Houtzager, 2001). These measures provided the stability needed for the intensification of a State-led model of economic development, sealing more strongly the State's alliance with domestic and foreign industrialists, who benefited disproportionately from the economic growth in this period. This unequal growth did not benefit the majority of workers, who saw many of the gains granted under populist regimes rolled back. Workers were heavily repressed, and faced an increasingly difficult situation in the context of an industrialization process that failed to absorb a growing urban labour force, increasing the informal sector of the economy and the level of marginalization of the popular sectors.

4.3 The New Republic (1985-)

The State-led economic model that was maintained by the military regime entered into crisis by the late 1970s. The ensuing economic difficulties contributed to an increasing erosion of the regime's political legitimacy, as made clear by the result of the 1974 elections, when the opposition party, the *Movimento Democrático Brasileiro* (Brazilian Democratic Movement, MDB) had a strong showing in the politically and economically important Southeastern regions of the country (Skidmore, 1989). From the mid-1970s onwards, a slow and gradual process of political opening, or *abertura*, was initiated, with a complex give-and-take between moderates and hardliners in the military regime and moderate and radical actors in civil society (Skidmore,

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[61] Differently from military regimes established in Argentina in 1976 and in Chile in 1973 (Schamis, 1991), where the level of violent repression and overall closure of the political system were much higher, the Brazilian military regime used some of the corporatist mechanisms already in place to maintain its control over society and ensure the pursuit of its development project. It was, however, an exclusionary development project and inequality increased during that period.

1989; Alves, 1985; O'Donnell and Schmitter, 1986). Brazil's is one of the clearest examples of a controlled transition, where the military regime held the upper hand in the transfer of power to civilian hands (Karl, 1990; Power, 2000), when a civilian president was indirectly elected by an electoral college in 1985.[62]

The popular masses and marginalized groups more specifically were not able to play a determinant role in setting the pace and conditions for the transition process. Nevertheless, the democratization process initiated in the 1970s and 1980s opened up opportunities for new political actors to emerge, for new groups in society to organize and raise new issues, claim rights that had not been formulated on the public and political spheres up to that point, and try and break with old patterns of marginalization (Avritzer, 2002; Sader, 1988; Dagnino, 1994, 2001). As an alternative to the labour unions that were controlled by the military regime—and the populist regimes beforehand—labour leaders started mobilizing along more independent and autonomous lines and organized a number of strikes that contributed to the destabilization of the authoritarian regime (Keck, 1989). Landless and other peasants, as well as rural workers, building on the organizational "infrastructure" provided by rural unions and on more autonomous organizing, also started staging increasing protests for land reform and improvement of working conditions (Houtzager and Kurtz, 2000, 2001). Shantytown-dwellers and other popular sector groups started pressuring for the betterment of their living conditions, by organizing campaigns against the increase in the cost of living and in favour of the provision of basic services (Alvarez, 1990). Women were particularly active in these mobilizations, as their subordinate position in the sexual division of labour made them especially vulnerable to the economic hardships the popular sector underwent during the "lost decade" of the 1980s. Not only were women active in popular sector movements demanding an improvement in living conditions, but by 1980 a number of more middle-class feminist organizations were also active in various parts of Brazil (Alvarez, 1990).[63] Other identity movements were also increasingly

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[62] Despite significant civil society mobilization for the establishment of direct presidential elections (the *Diretas Já* campaign), those would have to wait until 1990 to become a reality.

[63] The distinction between popular-sector feminine organizations and middle-class feminist groups should not be understood as a rigid division. Not only did women's groups in popular sector neighbourhoods develop a feminist critique of their own, but some degree of interaction and cooperation between leftist middle-class feminist activists and lower-class groups did take place in cities like São Paulo in the early 1980s. For an account of women's mobilization during this period, see Alvarez (1990).

active during this period, as seen in the rise of a revitalized wave of Afro-Brazilian mobilization (Hanchard, 1994). It is during this period as well that sexual minorities started organizing and joining the wider struggle against the authoritarian regime, with the creation of *Grupo Somos* in São Paulo in 1978 (Green, 1994, 1999a, 1999b; Trevisan, 2000; MacRae, 1990, 1992; Facchini, 2003, 2005).

The return to democratic rule was accompanied by significant shifts in the formal institutional framework of the State as well, embodied in the enactment of the so-called Citizen Constitution of 1988. Following the return to civilian rule in 1985, the National Congress elected in 1986 functioned as a Constituent Assembly. Despite a tumultuous drafting process (Power, 1998), the 1988 Constitution received unprecedented levels of input from society and brought about formal gains and expansions in citizenship rights (Carvalho, 2002b), including protections in equality rights, expansion of the franchise to illiterate people, and the institutionalization of participatory mechanisms. This new institutional framework created new aspirations for the fulfillment of a more inclusive kind of citizenship and gave rise to hopes of tackling the historic marginalization that plagued Brazilian society.[64]

The rapid changes in the political arena were accompanied by a strong re-orientation of the economic model in the 1980s. The deepening of the import-substitution industrialization (ISI) model by the military dictatorship, coupled with the shock generated by the oil crisis in the early 1970s, meant that, by the end of that decade, economic growth was increasingly fuelled by high levels of borrowing, and an expanding foreign debt (Frieden, 1991). The default of Mexican foreign debt in 1982, following a sharp hike in interest rates in the United States, sparked a region-wide economic crisis, leading the 1980s to be dubbed the "lost decade." The dominant answer to this economic crisis of unprecedented magnitude came in the form of a bitter pill of austerity-producing neoliberal market-based economic reforms. These reforms emphasized the sharp reduction of State intervention in the economy, along with the flexibilization of labour

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[64] Chapters 6 to 8 will examine how the institutional changes brought about by the 1988 Constitution, when faced by the struggles waged by marginalized groups, have ambiguously opened up some avenues for improvements in democratic inclusion, while at the same time imposing limits on the extent to which their marginalization can be more substantively tackled.

markets, and the liberalization of foreign trade and financial flows (Green, 2003; Williamson, 1993).

The path to neoliberal economic reform in Brazil was rocky. The governments of José Sarney (1986-90), Fernando Collor de Mello (1990-92) and Itamar Franco (1992-94) were characterized by a succession of failed stabilization plans, leading to economic stagnation and a hyperinflationary spiral (Baer and Paiva, 1998). It was only under Collor (1990-1992), and more clearly and firmly under Cardoso (1995-2002), that neoliberal reforms were put in place—*e.g.*, liberalization of trade and of the financial sector, and privatization of State enterprises.[65] These changes were accompanied by the implementation of the *Real* Plan in 1994—put in place by then finance minister and later president Fernando Henrique Cardoso—which brought inflation under control and achieved greater macroeconomic stability.

Therefore, the process of democratization in Brazil unfolded, especially from the 1990s until the early-2000s, simultaneously with austere neoliberal economic reforms. These reforms, in turn, did not substantially improve the dire economic and social conditions into which the country was thrown during the crisis of the "lost decade." Not only were growth rates unimpressive for much of the 1990s; the reforms also had a negative effect on the rates of poverty and inequality, worsening problems such as unemployment, lack of public services, especially for the popular sectors, as well as environmental degradation (Green, 2003, 151-71). Despite the fact that the *Real* Plan led to a consumption boost and generated benefits to the popular sectors with the defeat of hyperinflation, the overall economic situation of the poorer sectors did not improve as we entered the twenty-first century (Amaral *et al.*, 2008, 142).

In the 2000s, partly in reaction to the failures of neoliberalism, most countries in the region elected leftist governments, which, to varying degrees, shifted economic policies to deal with the most glaring shortcomings of market-oriented reforms (Cameron, 2009; Murillo *et al.*, 2010;

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[65] While there is a noticeable level of similarity across Latin American countries, there is important variation in terms of the timing and degree of implementation of neoliberal reforms. Chile, for example, started implementing these reforms in the 1970s and 1980s under the authoritarian rule of General Augusto Pinochet. In Argentina, the speed and depth of reform under Carlos Menem in the 1990s were virtually unrivalled in the region (Teichman, 2001, 111-26). As pointed out by Amaral, Kingstone and Krieckhaus, "Cardoso and his economic team were not committed neoliberal ideologues (in contrast to Chile, for example), and economic policy under his government remained quite heterodox and pragmatic" (2008, 140).

Panizza, 2009). The failures of neoliberalism led to a re-thinking of the model by many of the dominant international financial institutions, and what many have termed the "Post-Washington Consensus" focused more attention on the importance of political institutions, on democratic governance and on addressing the needs of individuals who "fall through the cracks" of market reforms (Panizza, 2009). While in countries such as Venezuela, leftist governments pursued policies that more radically departed from the neoliberal model (Weyland, 2009; Cameron, 2009), in Brazil, the government of President Luis Inácio Lula da Silva of the Workers' Party (*Partido dos Trabalhadores*, PT), elected in 2002, preserved some of the central tenets of the more orthodox market-oriented reforms put in place in the previous decade (Hunter, 2007; Amaral *et al.*, 2008), such as the continued focus on fiscal discipline, macroeconomic austerity, financial and trade liberalization, and the concern with providing individuals with the conditions for their successful insertion into the market economy.[66]

Nevertheless, since the mid-2000s, starting with Lula's second mandate and continuing under his PT successor Dilma Rousseff, the government moved in the direction of a neo-developmentalist model, whereby the State more actively promotes a national development strategy, with greater engagement in the economy and interference in defining industrial policy, thus differentiating it from a neoliberal approach (Bresser-Pereira, 2011; Sicsú *et al.*, 2007). From the early 2000s, the State provided substantive amounts of credit via State banks, such as the *Banco Nacional de Desenvolvimento Econômico e Social* (BNDES), to firms of all sizes.[67] These loans were especially active in promoting the domestic and global expansion of large "national champions," as well as firms in traditional sectors (mining, soy, sugar, pulp and paper, petroleum, and gas)

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[66] This can be seen in the way social policy has developed in a number of countries under the neoliberal economic model. Neoliberal targeted assistance has been implemented throughout the region, with programs such as the National Solidarity Program in Mexico (Cornelius *et al.*, 1994). The main aim of these social programs—which focus on health, education, nutrition, employment and housing (Oxhorn, 1998, 206)—is to provide a safety-net for the most destitute who are adversely affected by the economic reforms, preventing those already poor from sinking further into destitution and allowing them to be re-integrated into the market (Vilas, 1996; Oxhorn, 1998, 205-07, 2003, 51). Rather than being based on a universal notion of delivery of services and assistance to citizens rooted on their rights, these programs are targeted only towards specific individuals in need, and are aimed at giving them the conditions to be able to enter the market economy. These targeted social programs have also been used in some cases for electoral and political benefit of the political elite, becoming an important resource for the perpetuation of clientelistic networks (Hunter and Power, 2007; Teichman, 2001, 175-76).

[67] The BNDES became "the largest development bank in the world, with more then $US 100 billion in loans in 2010" (Sandbrook, 2014, 160).

(Carrillo, 2014, 68; Morais and Saad-Filho, 2012, 793). But policies were also put in place to stimulate science, technology, and innovation projects in high-value-added sectors where Brazil did not have a comparative advantage (Carrillo, 2014, 67; Ban, 2013, 310-12).[68] The State's more direct and active involvement in promoting development also included heavy investment in infrastructure starting in 2007 (roads, railways, and energy projects) (Sandbrook, 2014, 160; Morais and Saad-Filho, 2012, 793; Ban, 2013, 305).[69] In addition, and importantly, more focused attention was given to intensifying social policies (through poverty eradication programs and increases in the minimum wage, for example), thus contributing to economic growth with equity and to an expansion of the domestic market (Morais and Saad-Filho, 2012, 793).[70]

In contrast to the "old" developmentalism of ISI, this emerging model, despite involving the return of a more active role for the State in guiding national development, rejects autarkic and protectionist measures, is strongly averse to inflation, stresses the maintenance of central bank independence, maintains fiscal restraint, and pursues macroeconomic stability. In those significant areas, then, it is not unlike the neoliberal model it supplants, highlighting its hybridity (Bresser-Pereira, 2011; Carrillo, 2014, 63; Morais and Saad-Filho, 2012). These changes in the economic, political, and social realms signalled the rise of a neo-developmentalist model in the mid-2000s (Morais and Saad-Filho, 2011, 2012; Bresser-Pereira, 2011; Sicsú *et al.*, 2007).[71]

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[68] While in the "old" developmentalist ISI model, industrial policy was central, in the neo-developmentalist model, it is subsidiary, and does not have as pre-eminent a place in national developmentalism. The State is indeed expected to support national industry, but does so in a strategic and non-permanent fashion, with an eye to making those firms competitive not only domestically, but also internationally (Bresser-Pereira, 2011, 119).

[69] On the agrarian front, the State provided support for large exporting agro-business, especially since much of the economic growth underpinning the neo-developmentalist model was driven by commodity exports, where agricultural products weighed heavily. In this period, Brazil became one of the world's largest agricultural exporters (Sandbrook, 2014, 162).

[70] Under the Rousseff administration starting in 2011, *Bolsa Família* was expanded further, becoming a minimum income guarantee for those in extreme poverty, as well as a targeted cash transfer program (Sandbrook, 2014, 161).

[71] According to some analysts, this post-neoliberal neo-developmentalist model is indeed a hybrid, retaining some key elements of the neoliberal model, in particular the emphasis on macroeconomic stability (Ban, 2013). Consequently, some observers remain critical of the maintenance of some conservative elements in the PT's macroeconomic policies (Figueroa, 2015; Saad-Filho, 2013). While there were shortcomings in the ability of PT governments to implement the reforms needed to deepen the neo-developmentalist model, and the economic growth in the period was primarily driven by the export of commodities (which had a negative impact on the promotion of high-value-added manufactured goods), the basic objectives of the development model being pursued since 2006 were substantially different from those of the preceding neoliberal model (Sandbrook, 2014, 155-61; Bresser-Pereira, 2013).

Scholars have highlighted a variety of ways in which the coincidence in the 1980s-1990s of the democratization process and the implementation of market-based neoliberal economic reforms has given rise to tensions and contradictions (Oxhorn and Ducatenzeiler, 1998; Oxhorn and Starr, 1999; Smith *et al.*, 1994a, 1994b; Bresnahan, 2003). These authors stress how many of the effects of neoliberal reforms have worked against the deepening of the democratization process. The shift in economic model, coupled with the tremendous disruptions caused by the economic crisis have also had an effect on the main characteristics of civil society actors and on the functioning of the formal and informal institutional framework of the State, affecting the patterns of State-society relations (Collier and Handlin, 2009c).

As mentioned above, the democratization process and the associated "resurrection of civil society" (O'Donnell and Schmitter, 1986) contributed to the emergence of new issues and new actors on the political stage. The dominant and privileged position of labour in civil society during the period of populist incorporation gave way to a significantly greater pluralism among social movements. While material or class issues—*i.e.*, redistributive claims—have remained centrally important in the mobilization of popular sectors in Brazil, a variety of movements have also brought forth other claims for the recognition of certain identities and for the cultural revaluation of historically marginalized groups (Collier and Handlin, 2009a, 16-21).

The political and economic changes taking place since the 1980s have also meant a shift in the main kind of organizations through which the popular sector sought representation and inclusion (Collier and Handlin, 2009d, 48-60). While unions were the privileged type of organization especially in the 1940s and 50s, the organizations representing the interests of marginalized groups since the 1980s are much more diverse, fluid and loosely connected, oftentimes organized in networks and webs that constitute social movements.[72] Many observers of civil society in

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[72] This change is similar to what Chalmers *et al.* have called the emergence of "associative networks" (1997a). Some of the characteristics of these networks include: 1) a diversity of organizations, individuals and participants; 2) flexibility to be reconfigured over time as issues, rules, participants and opportunities change; 3) an emphasis on cognitive politics, focusing on the debate and discussion of preferences, understandings and claims, as well as bargaining over interests and claims; and 4) greater ease to avoid direct confrontation among participants, despite inequalities in terms of resources, thanks to a downplaying of hierarchical relations, shifting and multiple patterns of identity, and the open-ended character of cognitive politics (Chalmers *et al.*, 1997a, 567-68). This process also shares many elements of what Collier and Handlin have termed the shift in the interest regime from the union-party hub to associational networks (2009c).

Latin America have indicated that these changes have also been marked by the significant rise in the importance of non-governmental organizations (NGOs), in what some have called the growing "NGOization" of civil society (Landim, 1987; Macdonald, 1995; Alvarez, 1999; Eade, 2007).[73] According to these authors, these organizations have some key characteristics: they are specialized, professional, have formal structures, paid staff, few volunteers, focus on intervening and implementing projects in favour of specific social sectors, and tend to receive funds from international and State agencies (Alvarez, 1998; Fernandes, 1994; Jelin, 1998). Furthermore, NGOs are often juxtaposed with grassroots organizations, which are depicted as having a more fluid internal structure and count on a broader base of volunteers who participate actively in the group's activities, helping shape a shared collective identity.

According to this critical view, under the framework of neoliberal economic and social policies, the State has relied increasingly on these professionalized and technocratic organizations to implement government projects and advise on the delivery of services. For example, as highlighted by Sonia Alvarez (Alvarez, 1999, 183), States have turned to women's NGOs as gender experts, rather than as citizen's groups fighting for women's rights. NGOs are treated as surrogates for civil society, making it easier for State agencies to selectively consult a few professionalized organizations, who oftentimes ignore large segments of the overall constituency, and neoliberal States increasingly subcontract these NGOs to advise them on or carry forward public policies.[74] Moreover, governments have become more vulnerable to the pressures of international financial institutions and other lending agencies, many of which have started, especially since the late 1990s, to stress the need to build linkages with NGOs as an efficient way of delivering governmental services.

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[73] As highlighted by Hale, neoliberalism has been characterized by an unloading onto civil society organizations of responsibilities for solving the problems affecting individuals, a development fully consistent with the retrenchment of the State and its role in addressing those needs (2002, 496).

[74] Some critics have highlighted the negative effects this "NGOization" of civil society can generate. For example, Yúdice (2005, 77) has highlighted how, as these civil society organizations integrate themselves more into the bureaucratic logic, the public sphere is eroded. Petras and Veltmeyer (2005, ch. 1) go farther, accusing NGOs of being one of the key agents of the spread of free-market neoliberal values, functioning as puppets of international financial institutions, and co-opting and neutralizing revolutionary activity that may otherwise emerge from the increasingly marginalized masses in Latin America.

However, the reality on the ground for many movements—and in particular for the LGBT movement in Brazil, as will be discussed in chapter 4—is one of hybridity. More recent research by one of the main proponents of the idea of "NGOization," for example, questions the view that these NGOs are mere puppets or service providers of the State. A decade after her influential article on NGOization of the feminist movement in Latin America, Alvarez (2009) stressed that many feminist NGOs in the region are in fact hybrid organizations that have also done a lot of "movement work," and were not simply deliverers of government services. They play important roles in producing knowledge, disseminating feminist discourses among movement actors, and engaging in educational and consciousness-raising activities. All of these, traditionally, were seen as activities typical of grassroots organizations.

Another criticism aimed at the growing intensification of the relationship between NGOs and the State points to the fact that NGO's dependence on State agencies for funds and other resources seriously erodes the autonomy of those organizations and of social movements more broadly. This problem arises by blunting recipients' ability or willingness to criticize the State, or pushing them to organize themselves or shift priorities in a way that meets the requirements for State funding (Collier and Handlin, 2009b, 89-90).

The overall impact of State funding, however, is ambiguous. While the limits on autonomy are a clear possibility, the increase in agency mentioned earlier also points to the energizing and strengthening of social movement organizations. We should not be blind to the possibility that activists, to a certain degree at least, "grab the money and run," making creative use of the resources they receive—as, arguably, is the case with the Brazilian LGBT movement's use of HIV/AIDS-related resources.[75] Another possibility might be that government funding "may simply enable associations to do what they were already doing more effectively (rather than entailing a forfeiture of associational autonomy or the deprioritization of constituent preferences)" (Handlin and Kapiszewski, 2009, 242).

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[75] This in-between, ambiguous situation regarding social movements' autonomy *vis-à-vis* the State has also been highlighted by Fernandes in relation to *barrio* women's organizing in a very different context, Chávez's Venezuela: "barrio women in Venezuela also work in association with official institutions and programs while maintaining a degree of autonomy through their local organizing work in domestic and community spaces. But at the same time, barrio women are always vulnerable to directed mobilization from above and the institutionalization of their struggles" (2007, 101-02).

In addition, the increased activity of NGOs and, more broadly, social movements since the 1980s underlines a shift in State-society linkages brought about by the democratization process and neoliberal institutional and administrative reforms—under the revisions proposed under the "Post-Washington Consensus" (Panizza, 2009). As opposed to the top-down corporatist links between the State and labour unions typical of the mid-twentieth century, new types of linkages have emerged between the diverse and hybrid civil society organizations and State institutions.[76]

Since the early 2000s, new institutional arrangements have taken shape in Brazil, characterized, in some cases, by a cooperative relationship between State and civil society and more direct participation of civil society actors in the formation, implementation and monitoring of public policies, thus underlining a shift in the dominant regime of interest mediation. In some cases, these arrangements go against neoliberal notions of technocratic and exclusionary policy-making, and are embodied in a variety of consultative, regulatory or executive policy councils, most often at the local level —epitomized in the participatory budget first implemented by the PT administration in Porto Alegre in Brazil in 1989, but later expanded throughout the country and other cities in the region (Abers, 2000; Wampler, 2007; Nylen, 2002, 2003; Baiocchi, 2003, 2005; Dagnino, 2002; Dagnino *et al.*, 2006; Avritzer and Navarro, 2003; Avritzer, 2004, 2010). While these changes have opened up opportunities for a deepening of democratic inclusion at the local level, the real effectiveness and depth of these institutional linkages, as well as the degree of concrete power and voice they grant marginalized groups remain open questions.

While some of these participatory mechanisms stem from the innovations of the 1988 Constitution, many have been closely associated with the rise of the PT to power—at first, in the 1980s and 1990s, locally and, since the mid-2000s, federally. Questions and criticisms remain regarding the depth of this participation at the federal level and whether it has generated a more concrete impact (Hochstetler, 2008, 46-47), but these institutional spaces nevertheless represent

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[76] As outlined by Oxhorn (1998) neopluralism, a new mode of interest intermediation that has accompanied the neoliberal wave in a many Latin American countries, emphasizes the rising apathy and fragmentation of civil society. In the case of Brazil in the period under study here, however, I believe we have witnessed an overall rise in agency and pluralism in civil society. Two important elements should be highlighted, though: Brazil may well stand out on this front, particularly in relation to countries like Chile, and the main characteristics of neopluralism might be more relevant to urban popular sectors pushing forward redistribution claims. As Oxhorn himself indicates in a later piece, there are important exceptions to this pattern of increased apathy and atomization (2003, 55).

an opening for greater democratic inclusion under the shift toward a neo-developmentalist model.

Furthermore, neoliberal reforms put in place in the 1990s have had complex and at times contradictory effects on the functioning of historically embedded formal and informal political institutions that have traditionally shaped State-society relations in Latin America. The move away from the State-led ISI model toward the market-based neoliberal reforms played a central role in the erosion of the corporatist framework structuring the relations between the State and labour under populist governments in the mid-twentieth century (Oxhorn, 1998, 200-05), and the shift to hybrid forms of neo-developmentalism in the 2000s has not been accompanied by a restoration of corporatist forms of State-society relations.

The dynamics of political democratization and the economic difficulties faced by the military regime in the late 1970s provide the backdrop to the rise of *novo sindicalismo* (New Unionism) in the industrial heartland of Brazil. This mobilization concentrated among metalworkers in São Paulo and represented a rejection of the rigid State controlled unions that characterized the populist period (Keck, 1989; Schürmann, 1998, 27-84). In Brazil, this break was not radical and total, however. Many regulations that provided the structure for the corporatist framework that organized State-labour relations under Vargas' *Estado Novo* were maintained to some degree in the 1988 Constitution. Despite these legacies, the old corporatist system was eroded, opening the door for greater pluralism in labour organization (Tavares de Almeida, 1994; Boito, 1998, 76). While many observers have indicated a weakening of organized labour as the neoliberal reforms started being implemented more forcefully in the 1990s—not only in Brazil, but also in many other Latin American countries (Oxhorn, 1998, 204-05)—Brazilian unions remained active, especially as we entered the twenty-first century (Boito and Marcelino, 2011). Overall, however, their democratizing impact was limited and they failed to assert a strong stance against the neoliberal reforms being implemented by the government. In some cases, this was due to the precarious situation in which the neoliberal reforms left workers; in others, it stemmed from the fact that some of the more newly organized unions were accommodative of those economic

reforms, or even supportive of them (Boito, 1998).[77] Even under the PT and the shift toward a neo-developmentalist model, the gains made by the labour movement have been rather limited (Galvão, 2014). In summary, while the erosion of populist corporatist arrangements helped give rise to opportunities for greater pluralism and agency, labour's ability to counter the implementation and impact of neoliberal reforms should not be exaggerated or assumed, nor should its capacity to achieve a substantial deepening of democratic inclusion.

Neoliberal reforms have also had a complex impact on the functioning of clientelism and personalism. The retrenchment of the State apparatus and the fiscal discipline dictated by neoliberal precepts undermines the patronage goods that undergird clientelistic networks (*e.g.*, government jobs, funding, services). In some contexts, though, the scarcity of resources helped strengthen patrons, *i.e.*, those with access to the diminishing resources and able to distribute them.[78] In addition, neoliberal reforms and personalism have proven quite compatible, and in some cases mutually reinforcing—as made evident by the rise of neopopulism in the 1990s, characterized by charismatic figures—such as president Collor in Brazil—who pushed through painful and austere market-based reforms (Weyland, 1999, 2002, 2003). Therefore, while the specific dynamics of clientelism and personalism may have changed since the 1990s under neoliberalism, these informal institutions remain in place, showing resilience and adaptability to new conditions (Gay, 2006; Lenardão, 2008). In the case of clientelism, due to the difficulty of patrons to ensure compliance of clients, compared to more "traditional" versions of this kind of relationship, the new and adapted patron-client relations do allow for greater autonomy and independence for subaltern groups, even if constraints and limits do remain in place (Gay, 2006).[79]

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[77] In other Latin American countries, corporatist arrangements from populist periods have played a role in keeping key sectors quiescent—particularly labour—and in striking the needed agreements for the implementation of market reforms (Heredia, 1994; Zapata, 1998; Teichman, 2001, 165; Murillo, 2000).

[78] In Argentina, for example, reforms that were painful for the majority of the population were passed more easily thanks to the use of clientelistic networks for gaining the support of key actors (Teichman, 2001).

[79] This situation is akin to what Fox (1994) has called semiclientelism.

The stronger emphasis on social policies under the neo-developmentalist model launched by the PT governments, epitomized in the *Bolsa Família* conditional cash transfer program,[80] has also contributed to a transformation, if not erosion, of traditional patterns of clientelistic relations.[81] Being a program that is well administered, centralized, and delivered in an impartial manner that circumvented some of the traditional channels of patron-client relations linked to state governments, the *Bolsa Família* has also contributed to constructing a deeper understanding of citizenship among the poor (Pereira, 2015, 1695; Fenwick, 2009; Hunter and Sugiyama, 2014; Sugiyama and Hunter, 2013). This in turn has contributed to pushing marginalized groups to increasingly pressure for a deepening of social programs beyond transfers such as *Bolsa Família* that are primarily focused on increasing consumption. Many observers saw the protests of June 2013 as evidence of this renewed agency among those that now seek deeper citizenship rights, demanding quality health care, education, and improvements to public transit (Saad-Filho, 2013).[82]

The New Republic has also been characterized, especially since the 1990s, by a growing internationalization of politics and the economy. Neoliberal reforms put in place in the 1990s entailed external liberalization of the economy, thus deepening and intensifying the impact of international and transnational influences.[83] More broadly, the deepening of globalization has had a significant role in changing State behaviour (Risse and Sikkink, 1999; Keck and Sikkink, 1998; della Porta and Tarrow, 2005; Tarrow, 2005; Torres-Ruiz, 2011). In a similar vein, since

[80] An examination of the impact of social programs under the PT on poverty and inequality will be presented in chapter 3.

[81] There is an intense debate as to whether programs such as *Bolsa Família* are examples of the strengthening of clientelism, of populism, or simply good social policy that strengthens democracy (see, for example Pereira, 2015).

[82] It should be stressed that, while very successful in some ways, *Bolsa Família* is not a panacea, as the analysis in chapter 3 will indicate. A broader look at social policy in Brazil since the return to civilian rule in the 1980s indicates that, while some improvements have been achieved in providing basic levels of social protection, the interests of the privileged sectors have been protected, avoiding thus a redistribution of social protection from the richer to the poorer sectors of society (Hunter and Sugiyama, 2009).

[83] The international sphere is, obviously, also relevant in previous periods. For example, the collapse of international trade brought about the end to liberal economic development period in the late nineteenth and early twentieth centuries, pushing the country into the pursuit of a more autarkic alternative under Vargas. Similarly, the international system is central to the ideologies and strategies of the military dictatorship that took power in 1964, as made evident in both its anti-communist views and the alliance with transnational capital as one of the pillars of industrial development.

the 1970s, social movements have also been increasingly connected to and influenced by the international sphere, which has been an important source of alliances, resources, ideas, and network-building. The very emergence of the LGBT movement, for example, was influenced by the rise of gay and lesbian politics in other parts of the world. Furthermore, the increasing influence of the international sphere has helped open opportunities for greater levels of participation and influence on policy-making at the domestic level. These transnational strategies are especially relevant for movements representing the interests of historically marginalized groups, who often face domestic resistance and have to resort to outside sources of support, in what scholars have called a "boomerang effect" or "spiral model" (Keck and Sikkink, 1998; Risse and Sikkink, 1999).

This historical overview allows us to delineate the evolution of different regimes of interest mediation, one of the main factors that help shape the democratizing impact of social movements (Table 1.1).[84] This periodization also highlights the ways in which over time, and very gradually, we have witnessed the emergence of conditions more conducive to a deepening of the democratizing impact of social movements, as less hierarchical and more accessible spaces emerge for civil society actors to build linkages with the State. However, as this historical account has underlined, and the rest of this study will highlight, the fulfillment of the potential for deeper democratic inclusion has been hampered by the effect of the structures of marginalization and the characteristics of the institutional framework.

Table 2.1: Regimes of interest mediation in Brazil (1889-)

Regime of interest mediation (approx. dates)	Economic development model	Dominant type of civil society organization	Key institutional State-society linkages
Oligarchical (1889-1930)	Liberal, commodity-export based	Weak societal organization	Clientelism and personalism

[84] The categories listed are ideal types that generally characterize each historical period. During a neoliberal regime, for example, NGOs and networks are not the only players on the political stage, as movements and organizations resistant and opposed to the neoliberal project remain alive and oftentimes play an important role in moving away from neoliberal policies (Silva, 2009). Similarly, while NGOs and plural networks are the dominant type of civil society organization under neo-developmentalism, we also see, in that period, a slight resurgence of labour unions in the Brazilian case. Moreover, the dates indicated are, in some senses, roughly drawn and are intended to indicate a general periodization, omitting the differences between, for example, the Estado Novo (1937-1945) and the democratic period of 1945-1964, or the transitional period from 1985 to the early 1990s.

Populist (1930-1964)	Import-substitution industrialization	Unions	Corporatism, undergirded by clientelistic linkages Strongly hierarchical, controlled inclusion
Exclusionary Authoritarian (1964-1985)	Deepening of import-substition industrialization, in intermediate and capital goods, dependent on direct foreign investment Based on triple alliance between the State, domestic capitalists, and international capital	Relied on State-controlled unions to control labour Ressurgence of grassroots organizations with transition to democratic rule	Exclusionary authoritarian regime Relied on violent repression, as well as clientelistic and existing corporatist linkages to control and neutralize threats/demands from society Informal, personalized networks ("bureaucratic rings") between business and the State
Neoliberal (1985-mid-2000s)	Neoliberal	Non-governmental organizations (NGOs) and networks	Civil society organizations as service providers Decentralized linkages Technocratic consultation of NGOs as experts on specific issues/populations Limited societal input in policy-making Persistent, but adapted, clientelism and personalism
Neo-developmentalist (mid 2000s -)[85]	Neo-developmentalist	NGOs and networks	Increased autonomous participation in decision-making Continuation of service provision and technocratic linkages Slight erosion of clientelistic linkages, persistence of personalism

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[85] The events of late 2015 and 2016 that led to the removal from office of president Dilma Rousseff has put in place the interim government of Michel Temer, led by political forces strongly opposed to Rousseff and the PT. Some of

5 Explaining social movements' democratizing impact

The historical overview presented above highlight how a vicious cycle was formed, whereby inequality, poverty and other kinds of marginalization fed into a State that has been penetrated by the interests of powerful groups and classes, who in turn have historically tended to marginalize large sectors of society. As a result, political institutions work to further the interests of a small minority, eroding their legitimacy for the majority of the population and further contributing to the perpetuation of inequality (Karl, 2003, 145-50). At the same time, institutional changes and cracks in the structures of marginalization have also allowed, especially since the 1980s, for some improvement in the ability of social movements to bring their demands to the political table and to effect some concrete change, though within serious limits.

By analyzing the democratizing impact of the Brazilian LGBT movement, this study seeks to not only shed light on how democratic inclusion has been incomplete in Brazil in the last few decades, but also why. The ability of social movements to deepen the process of democratic inclusion is shaped by the dominant *historical structures of marginalization* that characterize Brazilian society, the *institutional framework* social movement activists face in their interactions with the State, and the impact of the *regime of interest mediation* organizing the relationship between society and the State.

The actual assessment of the impact a particular social movement has had and whether it amounts to democratic inclusion requires a careful and systemic empirical examination. The remainder of this dissertation, as outlined in the previous chapter, develops such an examination by exploring the factors shaping the impact of the LGBT movement in Brazil.

This systemic approach must include the consideration of contextual structural factors that shape or constrain the development of social movements (and civil society more broadly) as well as of

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the early initiatives of the Temer government aim to reverse course, pushing the country back into a neoliberal model of development. In other words, given the hybridity of the neo-developmentalist model, and the instability of the current crisis, the sustainability of that regime of interest mediation is highly questionable.

political institutions. The historical processes that have established the marginalization of certain groups in society not only mould the social position of those groups, but also shape the development of mobilizations and movements by marginalized individuals, and the interests they will defend. Those same historical processes of marginalization involve flows and concentration of power in the hands of elites—economic, political, and cultural power—helping explain the way in which political institutions are shaped to defend the privilege and interests of those elites (Karl, 2003), and how State weakness is rooted in power realities in society (Teichman, 2016, 22).[86] These institutions include formal ones, such as political parties, legislatures, executive agencies, bureaucracies, police forces, and the justice system, as well as informal onces, such as clientelism and personalism. However, while the unequal power realities in society impose limitations on how much inclusionary change institutions can help bring about, historical structures of marginalization do not make progress toward greater inclusion impossible.

Those political institutions—most of which constitute the State apparatus—are in fact some of the main channels through which the relationship between social movements and the State is mediated. The ability of marginalized groups to access decision-making spaces and to influence and shape the creation and implementation of public policies is contingent on the characteristics of that institutional framework. The latter, thus, is a key element, or an intervening variable, in explaining the policy outcome of social movement activity.

As discussed earlier, social movements function simultaneously in multiple fields of action, targeting not only the State but also society or, more specifically, the "soft" public sphere. Social movements' actions in that arena are key in determining the kind of impact they are able to generate on the general tone of public opinion, and on the tenor of cultural valuations of certain group identities based on, for example, sexuality.

Since, as discussed earlier, both public policy and societal attitudes are important in determining the degree of inclusion of marginalized groups—and consequently the depth of democratization

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[86] I do not intend, here or in the next chapter, to provide a close discussion or outline a theory of institutional genesis in Brazil; that would go beyond the focus and scope of this project. Suffice it to say that the link between historical and structural factors, on the one hand, and the existing political institutions, on the other, should not be overlooked, particularly in a context of high inequality such as Brazil.

in the polity—only such a systemic approach can help us get a better sense (however imperfect) of the democratizing impact of a social movement.

The following chapters will explore the elements of this systemic model, highlighting how the activity of the LGBT movement, the gains it has made, and the limitations and obstacles it faces result in an incomplete democratic inclusion.

Chapter 3
The Historical Roots of Marginalization

In order to understand the impact that the Brazilian LGBT movement has had we must take into account the context of multidimensional structural marginalization in which sexual minorities are immersed. As this chapter will argue, LGBTs in Brazil are embedded in historical processes of marginalization based on class, race, gender and, of course, sexuality. Despite a gradual and very tentative improvement on some fronts in recent years, the persistence of these historical patterns impose a heavy constraint on social movement's ability to have a deep democratizing impact, and are a key factor in explaining the continued incompleteness of democratic inclusion in Brazil. As chapters 4-8 will indicate, these patterns of marginalization affect the characteristics of movement organizations, the ability of different groups to gain visibility in the public sphere, and the differential ability of LGBT activists to make gains *vis-à-vis* the State.

The social structures of class, race, gender and sexuality generate complex effects—both independent and intersectional—that impinge on lesbians, gays, bisexuals and *travestis* in Brazil. Following a discussion of the concept of intersectionality in the first section, I will outline the historical patterns of marginalization along class, race, gender and sexuality in Brazil, examining each of these separate social structures independently, since they all generate, to some extent, autonomous effects on marginalization, but also highlighting important ways in which they intersect, bringing to the surface the intersectional elements of the marginalization suffered by sexual minorities.

1 The multidimensionality and intersectionality of marginalization

As pointed out in the previous chapter, the mobilization of a variety of social movements in Brazil since the 1980s has highlighted the multiple dimensions along which groups in society have experienced deprivations and marginalization. The latter is multidimensional in another important sense: individuals may belong to various social collectivities that suffer different kinds of injustice simultaneously (Fraser and Honneth, 2003, 26). In other words, marginalization is not experienced equally by all members of the group in question (Williams, 1998, 18). In addition, the multidimensionality of marginalization means that the issues or identities around

which social movements mobilize do not exist in a vaccum. The mobilization of women in Latin America, for example, cannot be understood simply in terms of women organized as women, since they have often participated in politics as the urban poor, as workers, teachers, and students (see Alvarez, 1990; Foweraker, 1995, ch. 3; Chinchilla, 1992). As will become clearer in chapter 4, the gay and lesbian movement's internal diversity stems from a variety of types of marginalization that different gays, lesbians and *travestis* suffer, and as the other chapters will demonstrate, this variation also shapes the ability of different activists and organizations to have an impact on public policy and society in general.

These points underscore the centrality of intersectionality to the study of marginalization. Intersectionality refers to the "relationships among multiple dimensions and modalities of social relations and subject formations" (McCall, 2005, 1771), and is a "concept that describes the interaction between systems of oppression" (Weldon, 2008, 193). Emerging primarily from critiques stemming from the work of feminists of colour, intersectionality focuses on the multiple subordinations that result from the intersection of various axes of marginalization—*e.g.*, gender, race and class—shedding light on particular kinds of marginalization that would be obscured or rendered invisible by a more rigid and essentialist understanding of social categories such as women, or homosexuals, or Afro-Brazilians. Women in the Third World, for example, are not homogenously marginalized simply due to their sex, since different groups of women sit in different positions in society and face concrete deprivations also due to their race, class, sexual orientation, ability, etc.[87]

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[87] A related point raised by Mohanty (1988) is that women and, I would argue, by extension, other marginalized groups, should not be understood as homogeneously or totally powerless. We should be conscious of the particular economic, political, and ideological processes that constitute those groups as marginalized in specific contexts. Moreover, we ought to be cognizant of the cracks in the structures of marginalization that allow for either the resistance or more active struggle by those subaltern groups. We must, in other words, examine their political subjectivity instead of reducing them to mere objects of oppression. History provides ample evidence of this diverse subjectivity. For example, long before the mobilization of landless peasants in the 1990s, the rural poor have organized in order to counter their marginalization. From the messianic movements that emerged in the early years of the Republic in the late 19th and early 20th centuries (Cunha, 1968; Levine, 1992; Diacon, 1990) to the mobilization of peasants in the 1960s and 1970s (Pereira, 1997), the difficulties faced by rural workers and the rural poor have led them to organize against the dominant order. During colonial times, runaway slaves congregated in communities called *quilombos*, resisting the oppressive slave system by exiting it. And in a notorious example, urban slaves rebelled in the newly independent Empire in 1835 in the city Salvador, in a brief but notable case of resistance (Reis, 2003). Similarly, modernization and changes brought about by the end of the Old Republic in 1930 also allowed for important gains and advances in the status and position of women in politics and in society and, for some, within the household (Besse, 1996). Thus, in 1932, women acquired the right to vote, after successful campaigning by suffragettes, mostly from the upper-classes (Hahner, 1990). Lower-class women, however, did not

Moreover, the complexity of intersectionality also means that the intersection of axes of marginalization should not be conceived as merely additive—as a layer cake of oppression—but rather as the source of a multiplicity of positions of marginalization that, together, form a "matrix of domination"—with specific positions that are, simultaneously, gendered, classed, racialized, etc., *i.e.*, that are, to a certain degree mutually constructed (Mohanty, 1988, 194-195, 197). In this sense, it does not make sense to talk about the marginalization suffered by a lower-class black lesbian in Rio de Janeiro, for example, as simply "greater than" that experienced by a poor black heterosexual woman, or a poor black man. The marginalization these different individuals experience, and the interplay of the social structures that constitute their social position are simply different, and stem from the intersection of various axes of marginalization. In addition, the marginalization experienced by that lesbian cannot be understood solely in aggregative terms, as simply the addition of the patterns of marginalization suffered by lower-class individuals plus those experienced by women plus those lived by non-whites plus the ones encountered by lesbians. While some of the deprivations she faces may have commonalities with those experienced by others in those various broader social categories, her marginalization should be understood as the particular one she faces *as a lower-class black lesbian*.[88]

When applying and operationalizing the concept of intersectionality, we should be careful not to fall into an atomizing slippery slope, whereby a rigid understanding of the multidimensionality of marginalization can lead to "an infinite process of splitting of social groups, until one is left with nothing but individuals" (Mohanty, 1988, 197). According to this more rigid view, as highlighted by Weldon, "there is no autonomy to gender, race or class categories, no content (for example) to gender apart from race. So the idea of intersectionality, in this strong version, requires social structural analysis, but makes such analysis difficult (if not impossible) to undertake" (1988, 200).

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benefit much from these advancements and opportunities, and feminist mobilization was not able to entrench itself strongly in society, suffering serious setbacks with the shift to a closed, dictatorial regime in 1937 with the establishment of Vargas' *Estado Novo* (Besse, 1996; Hahner, 1990).

[88] We should not forget that the intersection of social structures does not only disadvantage particular social groups; others may be intersectionally advantaged in specific ways given the specific position in which they sit (Mohanty, 1988, 197).

We have, thus, to allow for multiple types of effect from the interaction and intersection of these various social structures. Some of these effects will be autonomous to a specific social structure—such as class, gender, race or sexuality—others additive, multiplicative or more purely intersectional. Moreover, "structural analysis is *required* by the idea of intersectionality: it is the intersection of social *structures*, not identities, to which the concept refers. We cannot conceptualize 'interstices' unless we have a concept of the structures that intersect to create these points of interaction" (Mohanty, 1988, 202). This middle-ground approach, that allows us to examine the functioning of particular axes of marginalization, while at the same time considering the ways in which they intersect and shape the experiences of more specific groups, guides my analysis of the historical development of the structures of marginalization.[89] The relationship between class, race, gender and sexuality—made evident in both the examination of the LGBT community/movement, and, in the conclusion, in the comparison across different social movements in Brazil—make use of these separate and intersecting social structures to uncover the nuances of the patterns of marginalization and inclusion within and across these various social groups.

2 The historical roots of marginalization in Brazil

2.1 Class

The roots of class-based inequality prevalent in Brazil may be traced back to the colonial period and the predominant economic system of the time, based on the large-landholding, the slave economy and the exploitation of primary commodities. Commercial and economic control of the territory by Portuguese colonizers was immersed in the expansion of the Portuguese empire beginning in the sixteenth century. In the mid-1500s the immense territory of the new colony was parceled out into a dozen captaincies, awarded to men close to the king to start agricultural exploitation (Prado Junior, 1987, 31-33). This translated into a tremendous concentration of land

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[89] As McCall (2005) has noted, this complexity has led to a variety of approaches: some scholars rejected social categories as simply incapable of encompassing social reality—what she calls the anticategorical approach; others opposed more specifically broad and sweeping categories that overlooked the internal diversity of these social categories—the intracategorical approach; and yet others accepted dominant social categories, despite their inadequacies, and used them strategically in order to focus on "the complexity of relationships among multiple social groups within and across analytical categories and not on complexities within single social groups, single categories, or both" (2005, 1786)—the intercategorical approach. The discussion in this chapter and the approach in this dissertation follows most closely McCall's intercategorical approach.

in the hands of a few, which provided the basis for a process of concentration of political and economic power in the hands of a small elite, a process that unfolded gradually over the next two centuries of the colonial period, and extended beyond independence in the early 1800s (Faoro, 2001). Patterns of land concentration and income inequality were reinforced in 1850, when the *Lei da Terra* (Land Law) was passed, decreeing that ownership of public land could only be obtained by purchasing it from the government or by paying taxes to regularize land acquired through previous agreements. These changes significantly eroded small holders' access to land, benefitting large landowners, who were involved in plantation-based agriculture, and helping perpetuate rural poverty (Skidmore, 2010, 59).

The tremendous concentration of land ownership in the rural areas has persisted, even as the country modernized and diversified its economy in the twentieth century. At the close of that century, the Gini coefficient for land concentration in Brazil stood at 0.843 (Ondetti, 2007, 11).[90] Data from 2003 show that, following the unprecedented redistribution of land undertaken by the Cardoso administration, concentration of land remained impressive: 31.6 percent of rural landholdings were under ten hectares, covering only 1.8 percent of the total area of landholdings in the country, while those with over 2,000 hectares counted for 0.8 percent of the total number of landholdings, but covered 31.6 percent of the total area of rural landholdings in the country (Brasil. Ministério do Desenvolvimento Agrário and INCRA (Instituto Nacional de Colonização e Reforma Agrária), 2005, 11).

It is no surprise that this tremendous level of concentration of land is associated with very high levels of landlessness. One estimate from the early 1990s put it at over 70 percent of the rural population (quoted in Parayil and Tong, 1998, 68). Landlessness continues to plague a large number of families in Brazil, even after some redistribution of land since the return to civilian rule in the mid-1980s. Different studies estimate that only between 4.6 and 7.6 percent of total farm families benefitted from land redistribution during one of the most intense periods of land reform in Brazilian history, from 1995 to 2002 (Ondetti, 2007, 20).

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[90] The Gini coefficient is the most popular measure of income inequality; its value ranges from 0 to 1, with a value of 0 corresponding to absolute equality and a value of 1 to absolute inequality.

The lack of opportunities in the rural sector and the growth of modern agro-export businesses that freed large amounts of rural labour in the second half of the twentieth century, helped fuel the rural-to-urban migration in the country, which reached unprecedented levels in the 1960s and 1970s, shifting the population balance between urban and rural areas. Since 1930, the processes of economic modernization and industrialization brought about the rise of another element of the elites, this one linked to the growing industrial sector. The economic growth and expansion of the 1930-1980 period, however, did not absorb the growing masses of rural workers moving into the cities, resulting in large groups of unemployed or under-employed individuals gradually inflating cities across the country, making increasingly visible the growing ranks of the urban poor, and increasing the size of the informal economy (Reis, 2000; Portes and Schauffler, 1993, 33-38).

These foundations of Brazilian economic development have contributed to the perpetuation of poverty and inequality, thus solidifying strong patterns of marginalization of the majority of the population and imposing persistent obstacles to the inclusion of marginalized groups (Baer and Paiva, 1998, 112; Reis, 2000, 180; Hoffmann, 2001). Despite improvements in a number of social indicators during the import-substitution industrialization period—from the 1930s to the 1970s[91]—and a period of rapid economic growth under the military dictatorship in the late 1960s and early 1970s, growth and wealth did not trickle down significantly. Average annual growth rates for the gross domestic product *per capita* for the 1950s, 60s, and 70s stood at 4.0, 3.1, and 5.9 percent, respectively (Bresser-Pereira, 2003, 19). During the so-called "Economic Miracle" of the 1968-73 period, the economy grew at an average annual rate of 11.3 percent. However, indicators of income distribution among the economically active population tell a less positive story. While in 1960, the richest ten percent of the population earned 39.6 percent of national income and the poorest twenty percent only received 3.9 percent, by 1980, these shares of the national income had changed to 50.9 and 2.8, respectively (Bresser-Pereira, 2003, 186, 198).

Once the debt crisis in the early 1980s set in course the "Lost Decade," economic growth ground to a halt—with a total growth of GDP for the 1981-90 period of only 1.6 percent (Bresser-

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[91] For example, life expectancy at birth in Brazil increased from 42.7 years in 1940 to 61.7 in 1980, and infant mortality rates dropped by about half from 1930 to 1990 (Silva and Barbosa, 2003, 39, 41).

Pereira, 2003, 241)—and the economic situation of the popular sectors worsened significantly (Campos *et al.*, 2003). By the end of the decade, income inequality had reached tremendously high levels: the shares of aggregate income for the top ten percent and bottom twenty percent were, respectively, 52.4 and 2.2 percent (Baer and Paiva, 1998, 112). Poverty rates also increased sharply in the 1980s. From 1980 to 1989 the share of the urban population living with under US$ 2 per day in Brazil increased from 23.9 to 33.2 percent, and among the rural population from 55.0 to 63.1 percent (Psacharopoulos *et al.*, 1995, 248).

In the 1990s and the early part of the 2000s, as neoliberal reforms were put in place in response to the crisis, circumstances did not improve significantly. The reforms did not revive economic growth, and during that decade, unemployment reached very high levels, contributing to the erosion of economic stability for the popular sectors (Luna and Klein, 2006, 61-77). Despite some improvement in housing conditions and access to services such as water, sewage and electricity in some regions, for large sections of the poor population, the concrete deprivations and difficulties of day-to-day life remain a reality—undergirded by precarious employment opportunities, mounting violence in their neighbourhoods, and prejudice and discrimination because of their socio-economic status or place of residence (Perlman, 2006, 171).

The stabilization brought about by the 1994 Real Plan had a positive effect on the livelihood of the popular sectors, thanks to its successful tackling of hyperinflation.[92] The stabilization of the economy helped increase the purchasing power of lower-income households, bringing about a reduction in the levels of poverty of almost 10 percent in urban areas in the first half of the 1990s, as indicated in Table 3.1. Despite that positive development, by the second half of that decade, as economic growth slowed down and unemployment increased, poverty reduction stalled.

More recently, under the first term of President Luiz Inácio Lula da Silva from the PT, a shift in this trend emerged (Hunter and Power, 2007). The share of Brazilian families whose income amounted to less than one third of the minimum wage fell from 28 to 23 percent between 2003

[92] By bringing down hyperinflation, the Real plan got rid of the "inflation tax" faced by the poor, who, due to their low income, did not have access to financial markets, which effectively protected the middle- and upper-classes' incomes from being eroded by inflation.

and 2005. In states such as Bahia, this drop was even larger, 10 percentage points (Hunter and Power, 2007, 17). Moreover, between 2001 and 2005,[93] the aggregate income of the poorest 10 percent of Brazilians grew by 7.9 percent per year. In the same period, the increase in income for the poorest 50 percent of the population was 16 percent, while the top 10 percent of the income pyramid saw their incomes fall by 1.3 percent (Hunter and Power, 2007, 16). As table 3.1 shows, as PT governments under Lula, from 2003-2010, and from 2011 to mid-2016, under Dilma Rousseff put in place more effective social policies, in particular the conditional cash transfer program *Bolsa Família*, a much more substantive reduction in the poverty level was achieved, of nearly 20 percent over the course of a decade. Income inequality, as measured by the Gini coefficient was also reduced (Table 3.2), suggesting a substantial impact of this flagship program on the reduction of poverty levels and income inequality (Fenwick, 2009, 115; Economic Commission for Latin America and the Caribbean (ECLAC), 2007, 92).

These are encouraging signs, even if some issues impose limitations on the real impact of the PT's social policies. Some scholars have underscored, for example, the serious obstacles to combating social exclusion imposed by the continuation of high real interest rates under both the Cardoso and Lula administrations, which restrict spending on social policies (by raising the government's debt servicing), blunt the promotion of fuller employment, and contribute to the perpetuation of high levels of inequality, even if improvements may be initially apparent (Câmara Neto and Vernengo, 2007). *Bolsa Família*'s impact also should not be exaggerated.[94] An increase of the minimum wage above the inflation rate, for example, helped combat poverty in the formal sector (Ban, 2013, 317). However, much of the reduction in poverty and inequality was due to job expansion and a rise in wages linked to the rapid growth in the period (Sánchez-Ancochea and Mattei, 2011, 307). Maintenance and sustainability of this rate of reduction in poverty and inequality was put in question as growth slowed down significantly since 2011. As

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[93] This period includes the last two years in office of Fernando Henrique Cardoso's government and Lula's first term in office.

[94] Some estimates indicate that it was responsible for 21 percent of the fall in the Gini index in the 1995-2004 period (Soares *et al.*, 2010, 179). Others have highlighted further concerns with the PT's main conditional cash transfer program, including its medium- and long-term impact on poverty and inequality, the danger of the politicization of the program, the risk of the creation of a growing dependence on those transfers by large sectors of society, the challenge of integrating the program with more sustainable employment creation, and the possibility that broader social investment may decline—given the high electoral rewards of the Bolsa Família (Hall, 2008, 810-17).

the commodity-export based growth started to take a downturn (Leahy, 2015), indigence levels rose by 0.5 percent from 2012 to 2013 (Economic Commission for Latin America and the Caribbean (ECLAC), 2014, 16), and, for the first time since 2003, the Poverty Headcount Ratio, measured by the World Bank as the percentage of people living under $1.90 a day, rose between 2012 and 2013, from 4.6 to 4.9 percent.[95]

Table 3.1: Poverty levels in Brazil (percentage of population below the poverty line)[96]

Year	Poverty incidence
1990	48.0
1999	37.5
2001	37.5
2012	18.6
2013	18.0

Source: ECLAC (Economic Commission for Latin America and the Caribbean (ECLAC), 2014, 91)

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[95] Data gathered from http://povertydata.worldbank.org/poverty/country/BRA [accessed May 17, 2016]

[96] The methodology used by the United Nations Economic Commission for Latin America and the Caribbean "classifies a person as poor when the per capita income of his or her household is below the poverty line, which is the minimum level of income needed to meet their basic needs. Poverty lines [...] are calculated from the cost of a basket of goods and services using the cost of basic needs method." (Economic Commission for Latin America and the Caribbean (ECLAC), 2014, 65). Definitions of poverty lines are, of course, politically contentious, and make comparison across countries difficult, given the diversity of types of data and variation in their availability.

Table 3.2: Income concentration in Brazil (Gini coefficient)

Year	Gini coefficient
1990	0.627
1999	0.640
2001	0.639
2012	0.567
2013	0.553

Source: ECLAC (Economic Commission for Latin America and the Caribbean (ECLAC), 2014, 119)

The enormity of the challenge become clearer once we compare the much-improved recent inequality indicators with other countries in the hemisphere: even after the reduction in the Gini coefficient in the past couple of decades, Brazil remains one of the most unequal countries in the Americas (Table 3.3).[97]

Table 3.3: Income concentration in comparative perspective

Country (year)	Gini coefficient
Brazil (2013)[a]	0.553
Argentina (2012)[a]	0.475

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[97] In addition, according to Medeiros *et al.* (2015), if one examines the trend of inequality between 2006 and 2012 by using data from income tax returns and the National Household Survey, a different picture emerges: income inequality in Brazil was higher than previously thought and has remained stable from 2006 to 2012.

Chile (2013)[a]	0.509
Mexico (2012)[a]	0.492
Uruguay (2013)[a]	0.383
Canada (2011)[b]	0.316
United States (2013)[b]	0.401

Source: (a) ECLAC (2014, 119-20); (b) OECD.Stat (http://stats.oecd.org/Index.aspx?DataSetCode=INEQUALITY) [accessed August 10, 2015]

The gains brought about by social policies such as *Bolsa Família* are potentially the beginning of a long and steep climb toward a substantial improvement in social indicators that could provide a strong basis for true inclusion of economically marginalized groups, but the gains have been fragile.[98]

Class inequality is also reflected in other areas, such as access to employment opportunities, and vulnerability to crime and violence (Pochmann and Amorim, 2003; Campos *et al.*, 2003; Campos *et al.*, 2004; Méndez *et al.*, 1999; Brinks, 2012, especially ch. 8; Plant, 1999; Matos *et al.*, 2014). In addition, these trends also manifest themselves territorially in Brazil. At a regional level, the Northeastern region exhibits significantly higher levels of exclusion and marginalization than the wealthier Southeastern and Southern regions. Moreover, large metropolitan centres also present high degrees of variation in levels of socio-economic conditions, with pockets of tremendous

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[98] The deprivations associated with class marginalization, however, do not boil down to income indicators or the proportion of the population below a given poverty line. A rise in consumption ability and consumption level by lower classes—or by the emerging "new middle class"—should not be equated with or mistaken for a strengthening of citizenship rights. While the poorer may be able to buy more goods, heavy investments in and concrete improvements in health and education remain elusive (Hall, 2008, 816-17; Sánchez-Ancochea, 2011, 307-11; Salm and Bahia, 2013, 115).

wealth sharing an urban space with vast areas of abject poverty, normally in the peripheries of the large cities (Pochmann and Amorim, 2003; Campos *et al.*, 2003).[99]

The persistence of poverty and inequality in Brazil poses serious obstacles to the democratization process in that country. Poverty and inequality are at the root of the challenge of achieving a level of basic equalization essential for the deepening of democratization, as discussed in chapter 2. The deprivations and constraints imposed by class marginalization play a key role in shortening the time-horizon for many individuals, whose preoccupation with survival or maintenance of a minimal level of wellbeing occupy most of their lives. The effective exercise of political rights, for example, is hampered by this situation, as the poor are more vulnerable to populist and clientelist arrangements. Representation of the marginalized sectors is thus weakened significantly; their voice is muted (Karl, 2003). According to Guillermo O'Donnell, the lack of material and other conditions that characterize the life of the poor in Latin America seriously erodes and weakens rights and the entire infrastructure of a democracy (2004, 2010, ch. 9). The improvements achieved under the neo-developmentalist model set in place in the mid-2000s represent a glimmer of hope and have contributed to countering these exclusionary patterns (see, for example, Pereira, 2015), but the enormity of the challenge, and the obstacles to the deepening of the inclusionary project mean that these structures of class marginalization remain dominant and strongly shape the functioning and impact of the LGBT movement in Brazil.

2.2 Race

Racism has deep roots in Brazilian history and has contributed to a strong correlation between class and race. Studies have shown that "50 percent of black and brown households in Brazil were poor in 1989 compared to only 22 percent of white households. […] [In other words,] that makes non-whites three-and-a-half times as likely as whites to be poor" (Telles, 2004, 112).

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[99] These problems also become evident as one examines the variation in levels of Human Development Index (HDI) within the country and within large metropolitan areas. The HDI provides a composite measure of three dimensions of human development that goes beyond the level of gross domestic product, following a broader definition of well-being which includes: living a long and healthy life (measured by life expectancy), being educated (measured by adult literacy and enrolment at the primary, secondary and tertiary level) and having a decent standard of living (measured by income).

Other indicators of human development, income, wealth, education, and occupation also highlight the racial basis of inequality in Brazilian society (Telles, 2004, ch. 5).

Importantly, the reductions in poverty levels and inequality brought about by more substantive social policies put in place since the mid-2000s under the neo-developmentalist model have benefitted non-whites disproportionately, since they are overrepresented among those eligible for such programs. Tellingly, however, in 2008, whites still received slightly over double the income of non-whites in Brazil (Soares, 2008, 120). In addition, the improvements in the income of non-whites came mainly from general redistributive social policies, rather than policies aimed at reducing race-based inequality or from a reduction in racial discrimination. Not much improvement has taken place in relation to labour market opportunities for non-whites, leaving them economically vulnerable and more dependent on those social policies (Soares, 2008, 128).

The roots of the marginalization of Afro-Brazilians date back to the colonial period, with the introduction of slave labour as the basis of the sugar economy by Portuguese colonizers, to supplant the dwindling indigenous population that had been used for forced labour in the initial period of colonization (Prado Junior, 1987, 34-37). The longevity of slavery in Brazil—from the sixteenth century until the very late abolition of slavery in 1888—left strong legacies that have shaped the (lack of) opportunities available to the non-white population.

African slaves were used in various sectors of the colonial economy, following the economic cycles that unfolded from the sixteenth century onward: sugar, gold and diamonds, and coffee. Slaves were also in demand in growing cities such as Rio de Janeiro, Salvador, Recife and São Paulo, for performing household duties and other services, or to be hired out by their masters (Theodoro, 2008).[100] Not surprisingly, slavery left a deep mark in racial relations in Brazilian society and economy. With the abolition of slavery in 1888, freed slaves and other Afro-

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[100] Despite historical interpretations that depicted the relationship between slave-owners and slaves in Brazil as less exploitative than in the United States (Freyre, 1995; Tannenbaum, 1946), slavery in Brazil was indeed very harsh (Degler, 1971, 67-75). A comparison between United States and Brazil in the nineteenth century underlines the high rates of mortality among slaves in Brazil. While both countries began that century with a slave population of approximately one million, around the 1860s, in the United States the population had grown to about four million, while in Brazil, it was only 1.5 million—a number made more alarming by the fact that close to one million slaves are estimated to have been imported into Brazil in the first half of the nineteenth century alone (Furtado, 1995, 117-18).

descendants who had already acquired their formal freedom were nevertheless systematically marginalized from the economic system and from other opportunities that might have helped them escape poverty and exclusion, such as greater levels of education and access to basic public services. Many freed slaves remained relegated to marginal economic activities in cities, and many in the rural areas relied on subsistence agriculture, failing to escape the control of and dependence on large landowners, especially in the less economically dynamic regions of the country, setting many non-whites on the path of economic deprivation and over-representation in the ranks of the informal economy (Theodoro, 2008, 24-29). The more dynamic sectors of the economy—the booming coffee plantations in the Southeast of the country and the nascent industrialization in the larger urban centres—did not make significant use of the now formally liberated Afro-Brazilian labour force, relying instead on European immigrants, a tendency supported by racist policies inspired by the ideal of "whitening" of the population (Theodoro, 2008, 32-33). Racial discrimination, rather than disappearing or being subsumed in a culture that was colour-blind, became ingrained in the capitalist development model that emerged in the late nineteenth and twentieth century (Cardoso, 1991; Hasenbalg, 1985; Fontaine, 1985; Theodoro, 2008). Many among the educated elite also helped perpetuate racist ideologies well into the twentieth century, by making race a central element in their debates about national identity, stressing the negative impact of the African heritage on national development (Skidmore, 1993).

Moreover, closely linked to nation-building processes, and espoused by thinkers such as Gilberto Freyre in the 1930s, the myth of racial democracy became the dominant discourse around race relations in Brazil, masking and invisibilizing the persistence of racism. The notion of racial democracy rests on the view that Brazil experienced a less harsh and violent slavery—when compared to countries like the United States—and that the high degree of miscegenation between Europeans and African slaves gave rise to a mixed-race population where dichotomous racial identification makes little sense. According to this view, the inequalities that persist in Brazil can be traced back to the inequalities of the slavery system, and whatever problem of discrimination that may exist in Brazil is socio-economic in nature, not racial (Hanchard, 1994; Marx, 1998; Reichmann, 1995; Skidmore, 1985; Fry, 2000). While more concerted questioning and criticism of this view gained force with the adoption of affirmative action measures in the early 2000s (Htun, 2004), it remains powerful among mainstream circles in Brazilian society and strongly shapes racial politics in the country (Da Costa, 2014).

Racial discrimination, with its deep roots in Brazilian history, has led to a dismal record of social exclusion for non-whites, a reality that has persisted until the present.[101] Deep inequalities remain between whites and non-whites in a variety of spheres. Race shapes a number of areas in Brazilian society, such as income levels, educational attainment, employment structure, spatial segregation, availability of adequate housing, vulnerability to crime and violence, abuse by police and government officials, availability of basic infrastructural services, and levels of child mortality (Hasenbalg, 1985; Reichmann, 1995; Dwyer and Webster, 1988; Caldeira, 1996; Lovell and Wood, 1992; Silva, 1985; Telles, 1994, 1995, 2004).

2.3 Gender

Another axis of marginalization deeply rooted in Brazilian history is gender. Since colonial times, the traditional gender culture has been based on a patriarchal model anchored in a dichotomy between *machismo* and *marianismo*, which have guided the definition of appropriate male and female behaviour (Craske, 1999, 11-13). According to this model, which has roots in European, particularly Iberian culture, *machismo* is characterized by a cult of virility, whose chief characteristics are "exaggerated aggressiveness and intransigence in male-to-male interpersonal relationships and arrogance and sexual aggression in male-to-female relationships" (Stevens, 1973, 90). *Marianismo*, the flipside of *machismo*, on the other hand, refers to the cult of feminine spiritual superiority (Stevens, 1973, 91), a cultural construction of women stemming from values associated with the Virgin Mary. Grounded in this view, motherhood, with its

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[101] Significant evidence indicates that arguments pointing to a so-called "mulatto escape hatch" (Degler, 1971), whereby the high level of racial miscegenation in Brazil made strict discrimination unviable and generated many opportunities for social mobility for mixed-race individuals, are flawed (Marx, 1998, 9; Silva, 1985). The inequality between whites and non-whites dwarfs the differences in levels of income, education and other indicators between black and brown individuals. It is therefore more appropriate to talk about the marginalization and discrimination of "non-whites" in Brazilian society.

Indigenous peoples also suffer tremendously from the consequences of colonialism—past and present—in Brazil. The virtual disappearance of indigenous populations in many regions of the country attest to the near extermination many groups suffered from the sixteenth century onwards. The existence of discriminatory attitudes toward indigenous peoples, as well as low levels of education, a lack of access to State services, and a weak guarantee of rights attest to the marginalization that the remaining indigenous groups still face in Brazil (Warren, 2001a; Garfield, 2001). Occasional incidents highlight this continued discrimination, and the complex relation between ethnicity, race and class: in 1997, a group of middle-class youth in Brasília set a Pataxó man on fire while he was sleeping in a bus shelter; that man, Galdino Jesus dos Santos, later died in hospital. The young men argued in their defense they thought he was a homeless man, and that they did not mean to kill him, but rather simply to scare him. The leniency with which the perpetrators of the crime were later treated underlined persistent biases of class and race in the functioning of the justice system (Warren, 2001a, 5-8; Jardon, 2007).

associated notions of humility, sacrifice and devotion to the family—especially to husband and sons—is a defining element of femininity. Women, in this model, are seen as submissive and in some cases are infantilized. These notions are the basis for the negative cultural valuation of women and femininity in general, leading to serious injustices, of a cultural-symbolic, economic—due to the sexual division of labour—or physical nature—as made evident by the high levels of violence against women in these societies.

In travelers' accounts and historical studies of the nineteenth century in Brazil, upper-class women were depicted as living in submission to the men in their lives, first their father, and later their husband (Costa, 2007, 493-523; Hahner, 1990, 2-3). Lower-class women, in contrast, could not afford the luxury of staying at home, and were forced out into the workforce, often as maids and servants, and at times as vendors in markets and the streets of the larger cities. These lower-class women often faced a double or triple workload, as they were also often responsible for raising children, tending to household chores and caring for those in need in their communities. Many of these women were also especially vulnerable to various kinds of violence and abuse. Despite glimmers of change in the later part of the nineteenth century, particularly with the expansion of education opportunities for women of the middle- and upper classes (Costa, 2007, 493-523; Hahner, 1990), women remained in a subordinate position within the household and in society in general.

This subordinate position was often inscribed in and supported by law. For example, the 1916 Brazilian civil code "gave husbands the legal representation of the family, exclusive power to manage and dispose of family property, and power to determine and move the family residence at will. Married women could not work outside the home, open bank accounts, sign contracts, apply for passports, or serve as witnesses without their husband's authorization" (Htun, 2003a, 47). This imbalance of power in the household also affected the rights of parents over children. It was only very gradually over the course of the twentieth century that much of this formal gender inequality in the family was reformed.

Despite some advances, the patriarchal gender system, and the exploitation of women within and outside the household still need to be more fully addressed in Brazil. While signs of gradual erosion of the traditional patriarchal system date back to the late nineteenth century, not all women were affected by these changes equally. Employment and education opportunities opened

up by the economic boom of the late 1960s and early 1970s, for example, benefited disproportionately middle- and upper-class women (Alvarez, 1990). More recently, even though some progress has been made in pursuing gender equity in income in the 1990s and 2000s, by 2007 women still only earned two-thirds of what men did (Pinheiro *et al.*, 2008, 33; World Bank, 2003a, xxx). If we include a racial element to the analysis, an even more troubling picture emerges: that same year, black women earned only about one-third of what white men did (Pinheiro *et al.*, 2008, 33). Women continue to be relatively marginalized from the formal political sphere, despite passage of electoral quota laws in Brazil. This law, passed in 1997, was diluted in Congress to a point that made it toothless and virtually ineffective (Marx *et al.*, 2009; Htun, 2002; Htun and Jones, 2002).[102] Moreover, other rights, particularly sexual and reproductive rights, continue to be restricted for many women, even for some elite women, despite important advancements since the 1980s (Barsted, 1999; Oliveira, 2009). While the public debate in Brazil around abortion has been relatively open in recent years, religious opposition to further liberalization of abortion and muted popular support for this kind of change in policy have meant that expansion in that area of reproductive rights remains stalled (Htun, 2003a, ch. 6).[103] The persistence and prevalence of violence against women, within and outside of the household, and the difficulties in mounting an effective response to the problem are also stark indications of the continued marginalization of women in Brazilian society (Saffioti and Almeida, 1995; Soares, 1999; Santos, 2005).

2.4 Sexuality

Among the various dimensions of marginalization at play in Brazilian society, this study focuses primarily on sexuality.[104] In this case, marginalization is mainly expressed as homophobia,

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[102] This is especially the case when compared to countries such as Argentina, where the 1991 quota law has led to concrete changes in the number of women elected to office (Marx *et al.*, 2009).

[103] On a more positive note, this lack of advancement on the liberalization of abortion was also due to the ability of the feminist movement, particularly since the 1980s to stop attempts by conservative forces to restrict the limited access to the procedure that is currently legal in Brazil—*viz.*, to save the mother's life, or in the case of a pregnancy resulting from rape (Oliveira, 2009). In April 2012, the Constitutional Supreme Court (*Supremo Tribunal Federal*, STF) ruled that the abortion of anencephalic foetuses should not be criminalized (Seligman and Nublat, 2012).

[104] Sexuality is used here as an umbrella term encompassing issues related to both sexual orientation and gender identity, given the reality of *travestis* and other transgender individuals.

which, according to Mark Blasius, refers to "an individual's revulsion toward homosexuality and homosexuals, and often the desire to inflict punishment on the latter as retribution, or to cure them" (1992, 643). This kind of marginalization derives from "a structure of power in society (as racism and sexism are) that privileges as superior (natural, more healthy, normative) heterosexuality over homosexuality and, through a variety of procedures of subjectification, creates homophobic subjects." (Blasius, 1992, 643, emphasis in the original). Homophobic discrimination is felt in various ways and in diverse spheres of life, and can also have material and economic ramifications. Similar feelings are often aimed at *travestis* and other transgender individuals, underlining the persistence of transphobia, and privileging a rigid and unchanging gender binary. One example is discrimination in the job market, as experienced, for example, by many *travestis* in Brazil who see themselves forced to find their livelihood in sex work.[105]

Discrimination and marginalization of sexual minorities also has deep historical roots in Brazil. *Machismo*, and its associated patriarchal gender system, are also at the root of homophobia and the persecution and marginalization of sexual minorities. While same-sex desire and acts have been documented in many pre-Columbian civilizations, and transgender men had a recognized and assigned place in some societies (Sigal, 2003), homosexuality and femininity were not valued in cultures and societies that gave preference to "warrior" values (Mejía, 2000).

The arrival of the Spanish and Portuguese colonizers to the Americas brought with it the harsh repression of "sodomites" by the Catholic Church, which was very active through the tribunals of the Inquisition (Higgs, 2003; Mott, 1999, 2003; Trevisan, 2000). The open persecution of sexual deviance helped maintain the hegemony of the more traditional sexual and gender systems defended by the Catholic Church, and the religious basis of marginalization remains an important source of support for continued marginalization.

The sexual morality characteristic of the Catholic Church is also shared by other Evangelical Churches that have grown in size and political influence in Brazil since the last quarter of the

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[105] While no reliable data are available on the economic effect of homophobic discrimination on the socio-economic status of sexual minorities in Brazil, popular stereotypes of gays and lesbians as well-off individuals with significant disposable income are often used to deny the existence of this kind of marginalization. In North America, research in this area has already dispelled this view (see, for example, Badget, 2001), even though it remains well-entrenched in mainstream circles.

twentieth century (Freston, 1994, 2001). With Medieval roots in Natural Law, Christian sexual ethics sees homosexual acts as a crime against nature and thus a heinous sin (*pecado nefando*) (Díez, 2015, 30-32; Mott, 2003, 171-72). Homosexuality also represents a broader and deeper threat, as it undermines the heterosexual procreative family, the very foundation and building block of society (Díez, 2015, 32). In this religious framework, many Evangelical Churches have painted recent moves toward pro-LGBT policies as dangerous and threatening, pushing forward an agenda that is destructive of Christian values and of the Brazilian family. This "gay agenda" is also seen as a direct threat to religious freedom as it aims to silence religious discourse that sees homosexuality in a negative light, imposing a "gay dictatorship" (Natividade and Oliveira, 2009).[106]

The Constitution promulgated after the independence of Brazil in the early 1820s did not explicitly mention or criminalize sodomy. Nevertheless, sexual minorities continued to be policed and repressed, as documented in police records of arrests of homosexual men who congregated around certain plazas and squares in cities like Rio de Janeiro and São Paulo in the late nineteenth and early twentieth centuries. Following the theories of eugenics in vogue in Europe in the early twentieth century, a number of public health officials, in conjunction with police forces and other State agencies were intent on pushing forward public hygiene campaigns. From the 1920s until the 1940s, the rounding up of homosexuals, and the intense medicalization of homosexuality, were key tools in the control of sexuality and the continued marginalization of sexual minorities in Brazil (Green, 1999b).

As will be discussed in the next chapter, the modernization, industrialization and urbanization processes under way in Brazil in the 1930s-80s period played a very important role in setting the stage for the emergence of an LGBT community in the main urban centres in Brazil, especially in the 1960s-70s. Simultaneously, however, the repression and harassments of homosexuals continued to be common practice—providing, in fact, a "glue" to unite individuals and groups under the broader umbrella of sexual minorities.

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[106] There is a strong resemblance between the argument put forward by Evangelical Churches in Brazil and those deployed by the Christian Right in the United States (Herman, 1997).

The onset of the military regime in 1964 did not immediately entail a targeted persecution of LGBTs by the State. Surprisingly, during this period, gay spaces—such as saunas, bars, discos—actually expanded in larger cities, due in great part to the rapid economic growth the country experienced, which increased substantially the consumption opportunities of the rising middle classes (Green, 1999b, ch. 6). The relatively fringe character of the nascent gay and lesbian community at the time meant it did not represent a central concern for the regime, which faced other, more substantial challenges. Moreover, the repressive apparatus of the military regime did not exert a complete control over society, leaving spaces and opportunities for communities of sexual minorities to develop (Green, 1999b, 248-49).

Nevertheless, frequent harassment and police raids were a staple of the LGBT community during this period (Green, 1999b, ch. 6). As described by a gay man who frequented gay areas in São Paulo in the 1960s: "The 1964 military coup took a while to be felt where we congregated [...] The revolution [coup] of 1964 did not have an immediate effect among people, only after the AI-5 [Institutional Act 5][107] of 1969. Then there was a massive *blitz*. They closed the three entrances to *Galeria Metrópole* [a shopping mall in downtown São Paulo and a gay hangout at the time], arrested everyone and took them in a police van and a bus" (Perlongher, 2008, 96).[108] The police regularly harassed and arrested *travestis* working in the sex trade under charges of vagrancy, disturbance of the public peace, or performing obscene acts in public, even though prostitution itself was not a criminal offense (Green, 1999b, 252-53).

In the 1980s, the rise of the AIDS epidemic brought with it a new wave of homophobic discrimination in Brazil. The concentration of early cases among gay men led to a strong negative reaction from many circles in society, in the media, and in medicine (Trevisan, 2000, 435-68; Galvão, 2000, 48-55). The social panic around the rising epidemic was targeted towards the gay community, seen by many as threatening, as a vector of disease. Not surprisingly, ideas of physical separation of homosexuals, if not overt violence toward them were raised in many

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[107] The presidential decree that gave powers to the regime to suspend some civil rights in cases of threat to national security, and opened the door for an increase in repression of "subversives."

[108] My translation.

places (Trevisan, 2000, 435-48). A new wave of medicalization of homosexuality emerged, this time heavily associated with its pathologization, at least in the early part of the 1980s.

2.4.1 A violent reality

Homophobic discrimination in Brazil has often manifested itself through violence. Despite the challenge of gathering reliable and consistent data, a variety of sources highlight a reality of frequent discrimination and violence against the LGBT population in Brazil. Increased reporting due to the greater visibility of the LGBT movement and its demands has likely enhanced awareness of this reality. Regardless, it does not negate the persistence and high frequency of anti-LGBT attacks, assaults and murders in Brazil.

Gay and lesbian groups have taken the initiative in attempting to quantify the level of violence and discrimination faced by sexual minorities in Brazil. Some of the most often cited figures come from the work of Luiz Mott from the *Grupo Gay da Bahia*, who has produced reports with statistics on violence and discrimination against sexual minorities since the mid-1990s (Mott and Yonara, 1999; Mott, 2000; Mott and Cerqueira, 2001; Mott *et al.*, 2002; Mott and Cerqueira, 2003). Using mainly media reports (printed media and Internet), but also some information from other LGBT organizations in the country, these reports outline hundreds of cases of discrimination and violation of the human rights of LGBTs (Table 3.4).[109]

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[109] There is some debate within the LGBT movement in regard to the accuracy of these statistics and the appropriateness of their political use. Some activists and other observers point to the fact that a significant number of the crimes committed against gays, lesbians and *travestis* are not due to homophobia, but can rather be attributed to other reasons, such as thefts, drugs and the general vulnerability of the poorer sectors to violence. Others question the sources used, raising concerns about the extent of media filtering and whether that obscures an accurate portrayal of reality. As one activist pointed out, the media tend to focus on sensationalist cases, giving too much attention to the murder of *travestis* and paying less attention to other, more "invisible" cases of violence against LGBTs (interview with gay activist, April 7, 2003, Brasília, DF). In addition, a number of activists distance themselves from what they consider to be a *vitimista* attitude: overemphasizing gays as victims of homophobic crimes leads to the development of a "victim complex," a defeatist and disempowering attitude. Nevertheless, despite these important questions, these reports and statistics have been widely used by other organizations of the LGBT movement, by governmental agencies and international organizations (Mott and Cerqueira, 2003, 10). Consequently, they have had an important impact on the discourse around the human rights of sexual minorities, as well as on the framing of homophobic violence and the marginalization of gays, lesbians, and *travestis* as a social problem. Moreover, as stressed by different activists, the production of data and knowledge about violence and discrimination against sexual minorities is important for establishing the credibility of the movement's claims, as well as for providing quantitative data that can serve as a basis for the design and implementation of public policies to address the problem (interviews with gay activists, August 28, 2002 and April 7, 2003, Brasília, DF).

Table 3.4: LGBTs murdered in Brazil – 1990-2014[110]

Year	Number of victims	Year	Number of victims	Year	Number of victims	Year	Number of victims	Year	Number of victims
1990	134	**1995**	99	**2000**	130	**2005**	81	**2010**	260
1991	153	**1996**	126	**2001**	132	**2006**	94	**2011**	266
1992	83	**1997**	130	**2002**	126	**2007**	122	**2012**	338
1993	149	**1998**	116	**2003**	125	**2008**	187	**2013**	312
1994	97	**1999**	169	**2004**	158	**2009**	198	**2014**	326

Source: Mott and Cerqueira (2003, 19), Grupo Gay da Bahia (n/a, n/a, n/a, n/a, n/a), Urbanin and Décimo (2008), http://homofobiamata.wordpress.com

Other sources also point to the fact that LGBTs in Brazil suffer a significant level of discrimination and violence. In a survey conducted at the 2003 Pride Parade in Rio de Janeiro, 16.6 percent of respondents reported having suffered physical aggression because of their sexual orientation, 56.3 percent reported having received threats or suffered verbal aggression and 58.5 percent reported having suffered some form of discrimination (Carrara *et al.*, 2003, 61). In surveys conducted the following year in Rio de Janeiro, and in São Paulo in 2005, similarly high levels of aggression and discrimination were reported (Carrara and Ramos, 2005, 73-97; Carrara *et al.*, 2006).[111] In the first 18 months of existence of the *Disque Defesa Homossexual* in Rio de Janeiro—a telephone service for the denunciation of the violation of rights of sexual minorities

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[110] These numbers are meant to illustrate the persistence of the violence faced by sexual minorities in Brazil. In addition to the limitations inherent to the sources of the data, they are not easily comparable to the overall murder rates. Arriving at the murder rate for gay, lesbian, and *travesti* populations, however, proves to be a virtually impossible task, as there is no reliable estimate of the proportion of the general population that is LGBT. Only then would we be able to compare the murder rate for the LGBT population with the murder rate for the population at large. Anti-LGBT violence is embedded in a broader context of tremendous violence. In 2013, for example, over 53,000 people were murdered in Brazil (Fórum Brasileiro de Segurança Pública, 2014), and the country's murder rate has remained quite high since the mid-2000s, rising from 23.5 per 100,000 inhabitants in 2005 to 25.2 in 2012 (UNODC (United Nations Office on Drugs and Crime), 2013, 127).

[111] Similar surveys were conducted in Buenos Aires, Argentina, in 2004 and in Santiago de Chile in 2007, highlighting comparable rates of violence and discrimination (Figari *et al.*, 2005, 22-25; Barrientos *et al.*, 2008).

created in June 1999—20.2 percent of a total of 500 calls reported some type of discrimination—
e.g., denial of access to an establishment, discrimination in the workplace, inadequate service in
a public institution, unfounded imprisonment, etc.—and 18.7 percent of the calls involved
physical aggression (Ramos and Borges, 2001, 73). A report prepared by *ACOS – Ações Cidadãs
em Orientação Sexual*, a gay and lesbian organization in Brasília, analyzing 187 instances of
discriminatory and violent acts against sexual minorities committed in the region of the Federal
District in 2000, highlighted a high incidence of verbal abuse and physical aggression, as well as
a significant number of murders (10.2 percent of cases) (Jaques-Jesus, 2003). This report, as
those published by the *Grupo Gay da Bahia*, also highlights the fact that the most vulnerable
LGBTs are those under 30 (Mello, 2003, 36).[112]

Importantly, and similar to the case of women, the household is a significant source of
discrimination and violence, which is often perpetrated by close family members. A large
number of calls received from across the country by the *Disque Cidadania Homossexual*—a
telephone service similar to the *Disque Defesa Homossexual* in Rio de Janeiro offered by
Instituto Atitude, a gay and lesbian organization in Brasília, in 2001 and 2002—reported
discriminatory acts by siblings, parents and other relatives, ranging from regular verbal abuse to
physical violence (interview with gay activist, August 28, 2002, Brasília, DF). The high
incidence of violence and discrimination in the household and in schools or universities was also
reported in the Rio de Janeiro and São Paulo Pride Parade surveys mentioned above (Carrara *et
al.*, 2003; Carrara and Ramos, 2005; Carrara *et al.*, 2006). These surveys also indicate that
discrimination in the household tends to be more frequent for lesbians than for gay men,
underlining how the combination of gender and sexual orientation shapes the specific ways in
which marginalization works. However, the largest share of reported cases of discrimination and
violence in these surveys takes place in public spaces, especially in the case of gay men and
travestis.

Another common source of violence against sexual minorities, as indicated by various reports
from LGBT organizations, are police officers, both on- and off-duty. A number of police officers

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[112] A similar violent reality was highlighted in the first report of the federal Human Rights Secretariat regarding the
violation of human rights of the LGBT population. In 2011, the report lists 6809 incidents of violation of human
rights of sexual minorities, including 278 murders linked to homophobia (Rodrigues, 2012).

have been reported to participate in death squads and extermination groups, who target different kinds of social "outcasts" such as the poor—mostly young and non-white—and other minorities—such as gays and *travestis* (Aggege, 2003; Martins, 1991; Benevides and Ferreira, 1991; Pinheiro, 1996b; Dudley, 1998; Mott, 1996). Finally, while many cases of homophobia may have idiosyncratic roots, organized groups are also sometimes to blame (Mott, 1996, 123; Lind, 1997). In 2000, one such case of homophobic violence received considerable media attention, when a gay man was beaten to death in downtown São Paulo by an extreme-right wing group called "*Carecas do ABC*" (Pinheiro, 2000; Teixeira, P. C., 2000).

2.4.2   Homophobia and intersectionality

Homophobia is also shaped by complex patterns of intersectionality. The experience of discrimination and violence faced by sexual minorities, in other words, is intersected by dynamics of class discrimination, racism, and sexism. While violence targets LGBTs from all classes, those from the poorer sectors are especially vulnerable. Class and race also shape the distribution of the violence, underlining the intersection of different axes of marginalization. Hence, lower-class gays, lesbians and especially *travestis* are the most vulnerable to violent acts on the streets and those committed by police forces, drug traffickers, or other groups, as well as to more purely homophobic attacks that do not have a pecuniary motive attached to them (Itaborahy, 2014). In a similar vein, middle- and upper-class gays and lesbians have greater access to "safe spaces" such as LGBT-positive commercial establishments in more well-off neighbourhoods (Ramos, 2005; Marsiaj, 2003).

The continued marginalization of LGBTs is fed by the lack of action to counter these problems. Homophobic violence often goes unreported. The survey conducted during the 2004 Pride Parade in Rio de Janeiro, for example, points to the fact that over 40 percent of violations considered serious by victims were not reported. Of individuals that reported the discrimination or violence, most only told friends and family, with a low number reporting incidents to the police (9.8 percent), to services such as the *Disque Defesa Homossexual* (1.6 percent) or to LGBT NGOs (1.6 percent) (Carrara and Ramos, 2005, 95). Similar results were found in the 2005 Pride Parade in São Paulo (Carrara *et al.*, 2006, 56). Lack of access to the justice system— due to discrimination and lack of resources, for example—the fear of exposure of victims, the lack of knowledge about one's rights, and the distrust of police forces and of the justice system

in general, which are often justifiably seen as ineffective, contribute to a high level of impunity of homophobic crimes. In addition, the marginalization characteristic of the lives of most *travestis*, many of whom are poor and work in the sex trade under risky conditions, contributes to a dismissive attitude from the justice system. Consequently, much of the violence perpetrated against these groups goes unpunished, perpetuating the impunity for transphobic crimes (Carrara and Vianna, 2006).

The disproportionate targeting of *travestis* also highlights the marked intersection between gender and sexuality central to transphobia. Being intricately intertwined with patriarchy and its associated gender rules and norms, homophobia is closely related to the policing of "proper" gender lines and behaviour. The transgression of gender boundaries often makes them especially vulnerable to discrimination and violence.[113] Furthermore, the compounded discriminations suffered by non-white trans women means they face tremendous difficulty when accessing not only employment, but also education, health and justice, in addition to being tremendously vulnerable to violence (Global Rights: Partners for Justice, 2013).

3   Conclusion

The structures of marginalization examined above deeply shape the emergence of social movements that struggle against those patterns of inequality and the impact they are able to have. Chapter 2 already briefly examined some of the ways in which the long history of marginalization contributed to limiting the prospects of democratic inclusion in Brazil. The following chapters will illustrate some of the ways in which these multidimensional and instersectional patterns of exclusion structure not only the emergence and development of a diverse LGBT movement, but also the degree to which the gains made by activists benefit the LGBT population as a whole. These structures of marginalization are an important factor in explaining how and why most of the more significant gains made by the LGBT movement benefit disproportionately the more privileged sectors of the community, while its poorer members remain heavily marginalized.

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[113] A similar pattern has also been observed in Mexico City by Ortiz-Hernández and Granados-Cosme (2006).

The interplay of the historical structures of marginalization with the regime of interest mediation and the institutional framework shapes the depth of the democratizing impact of the LGBT movement. The following chapters (4-8) will examine closely how, since the return to civilian rule in the 1980s, a diverse LGBT movement strongly shaped by the inequalities of Brazilian society launched a political struggle in the context of the establishment of a neoliberal economic model in the 1990s, followed by a shift to a neo-developmentalist model in the mid-2000s. Under these structuring conditions, the movement's actions in the public sphere and its engagement with different branches of government (legislature, executive and justice system) have resulted in an incomplete democratic inclusion of sexual minorities in Brazil.

Chapter 4
"*Juntos somos mais fortes*": the building of a diverse LGBT movement

In the space of two and a half decades, the lesbian, gay, bisexual, and *travesti* movement in Brazil has grown and diversified to a surprising degree. By the beginning of the twenty-first century, over 100 LGBT organizations were active across the country, in every one of the 26 states and in the Federal District, and by 2006, over 200 groups could be found across the country. Since the foundation of the first gay political group in 1978 in São Paulo, lesbians have also started organizing in separate organizations and presenting their own demands to the rest of the movement, to the State and to society in general. As early as the mid- to late-1980s, *travestis* started becoming more politicized, fighting for their rights and demanding greater respect, and since the mid 1990s, numerous separate *travesti* groups have added a forceful new voice to the chorus of sexual minorities fighting for greater acceptance of sexual diversity in Brazil. Managing this internal diversity has oftentimes presented challenges to LGBT activists in the form of tensions, divisions and disparities of power among groups. Consequently, some movement leaders have stressed the motto "*juntos somos mais fortes*" ("together we are stronger").

As this chapter will demonstrate, economic, social and cultural changes taking place in Brazil from the 1930s until the 1980s laid the bases for the emergence of an LGBT community and movement. I will argue that the context of structural marginalization examined in the previous chapter has strongly affected the rise and development of the LGBT movement. The intersection of multiple axes of marginalization has meant that sexual minorities have experienced discrimination and deprivation in a variety of ways, depending on their class, race, and gender. This has, in turn, been reflected in a diverse political agenda for the movement, as well as in an unbalanced distribution of resources among different sectors of the LGBT movement. These divisions and inequalities have also shaped the balance of power among various leaders and groups: those with greater access to resources are able to gain greater public visibility and political clout within the movement. Finally, despite these tensions and centrifugal forces, we have witnessed the rise of a strong political agent and diverse national movement, resting on the rise and strengthening of movement networks at the national level. This plural movement has

become increasingly professionalized and "NGOized," and has managed to push forward a diversified agenda.[114] The type of movement organization that became dominant under a neoliberal regime of interest mediation dominant in the 1990s and early 2000s has made possible the emergence of a fairly cohesive political agent, without completely eliminating internal differences and power imbalances.

In this chapter, I will first examine the rise and development of the Brazilian LGBT movement, outlining the social, economic, cultural and political changes that provide the backdrop for the rise of the movement in the late 1970s. The second main section will explore the effects of class, race, and gender on the development of the LGBT movement, shedding light on the various tensions, divisions and imbalances of power that stem from its internal diversity, and how these have helped shape the emergence of a heterogeneous movement agenda through the binding effect of the rise of social movement networks.

1   Socio-economic transformation and the seeds of an LGBT community

The processes of economic development, late industrialization, modernization and urbanization that have taken place in Brazil in the twentieth century have laid the ground for the emergence of a gay and lesbian community and movement (Parker, 1999; Marsiaj, 2003).[115] The rapid

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[114] Whether gains resulting from the LGBT movement's struggle address those lower-class demands and other redistribution issues is, of course, a separate question, to be addressed in chapters 5-8. It should be noted that, while I argue that a fairly unified and cohesive movement has emerged in Brazil, I do not mean to infer that a homogeneous and conflict-free unitary political actor has been formed. As will be seen, the movement is characterized by a combination of cooperation and conflict (see also Facchini and França, 2009, 64). It should also be noted that this argument (of an "NGOized" movement pushing forward a diverse agenda) is, to many, counterintuitive, given the assumption that the process of NGOization is homogenizing and contributes to a narrower political focus.

[115] As discussed by John D'Emilio in his analysis of the rise of modern gay communities and identities in the West, capitalist expansion and the rise of wage labour in increasingly urbanized societies brought about changes in the importance and centrality of the family and allowed for gay social circles to start forming in the larger urban centres (D'Emilio, 1983). Out of social "homophile" groups, a modern gay identity gradually started to develop, which provided the basis for the rise of the more politicized gay liberation movement in countries such as the United States (D'Emilio, 2000; Adam, 1995). Other authors have further pointed out that it was the gradual breakdown of the sexual division of labour typical of a more traditional patriarchal society, and the consequent partial freeing of women from the household and the family, that made possible the emergence of modern lesbian communities and identities (Matthaei, 1997). However, given the very different reality of development in Latin America, assuming that the emergence of gay and lesbian communities in Brazil would mirror the process as it unfolded in North

urbanization seen in the middle of the century made it possible for social networks among individuals with same-sex sexual attractions to form, especially in larger cities such as Rio de Janeiro and São Paulo (Green, 1999b). Increasing modernization and industrialization also allowed a growing number of individuals—especially middle- and upper-class men—to be more economically independent from their families and establish relationships with same-sex partners. The rising consumption of some sectors and the agglomeration of these communities in the larger cities also contributed to the emergence of commercial establishments catering to *entendido* customers (or "those in the know"). As already seen, however, economic development in Brazil has been accompanied by the maintenance of a highly unequal and hierarchical society. The structures of marginalization predominant in society make themselves felt within the LGBT communities and in the development of a gay and lesbian movement.

1.1 Feminism, counterculture, and the emergence of a Brazilian critique of *machismo*

Given the intricate relationship between sexism and homophobia, the rise of an LGBT movement in Brazil was closely related to the disruptions generated by the political and cultural changes taking place around gender and women's rights in the 1960s and 1970s. During that period, a group of women involved with leftist organizations, including journalists and academics, started developing a feminist critique of women's condition in Brazilian society. In developing this position, they sought to avoid a mere "transplantation" of North-American feminism, and thus retain a political space within the Left (Alvarez, 1990, 89-91). At the same time, many groups rejected the submission of gender to class interests and radicalized their feminist critique of the dominant *machista* gender system (Alvarez, 1990, 110-36). The growth of the feminist movement deepened the destabilization of the traditional order and further opened the discursive space for the discussion of the oppression of sexual minorities, which was key to the initial mobilization of the gay and lesbian movement in the same period. At the same time, the media started to contribute to a questioning of *machismo* and to the discussion of women's issues. In

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America would be misguided. The broader point that remains relevant, however, is the necessity to link the process of capitalist development with the politics of sexual diversity (Drucker, 2011).

print media and television, issues previously considered taboo such as virginity, sexuality, contraception and divorce were brought to the forefront and discussed openly, and women were increasingly depicted performing non-traditional roles (Alvarez, 1990, 111).

The feminist movement was not the sole actor pushing for changes in the traditional gender system in Brazil in the late-1970s and early 1980s. Broader countercultural manifestations also contributed to the articulation of alternatives to the dominant order, expanding the public sphere and helping multiply voices pushing for inclusion. In music and theatre, a number of influential artists pushed the boundaries of gender and sexuality, breaking the more rigid limits of traditional gender norms and providing a new cultural vocabulary for homosexuality, and allowing it to come out in the public sphere (Green, 1999a, 256-62; Trevisan, 2000, 283-304). Some, like singer Ney Matogrosso, went further, talking openly about their homosexuality in interviews (Trevisan, 2000, 290).

1.2   The changing meanings of homosexuality and an evolving LGBT community

In addition to the destabilization of *machismo* brought about by the feminist and countercultural movements, cultural norms relating to and understandings of homosexuality also underwent changes throughout the twentieth century. The result of this process is the overlapping of different cultural frames around sexuality, which interact in complex and at times contradictory ways (Parker, 1991, 1999, ch. 2). These cultural frames are key in understanding the extent to which a gay, lesbian, bisexual or *travesti* identity can be fostered among sexual minorities, which has an impact on the mobilizational capacity of the LGBT movement.

One of the dominant understandings of homosexuality in Brazilian culture is strongly anchored in the *machista* gender system. This "traditional" model focuses on the relationship between sexual practices and gender roles, rather than on sexual practices themselves, or in the sex of one's object of sexual desire. The traditional model stresses the distinction between masculine activity and feminine passivity, and it is along these lines that men and women are defined, and masculinity and femininity constructed. These lines are very rigid, and deviance is determined by non-compliance with one's gender roles. Men who assume the passive role and are penetrated by other men, or women that assume the active and assertive position in same-sex relationships are seen as not fulfilling their roles and are thus stigmatized and marginalized. The traditional

understanding of homosexuality can give rise to complex situations, since conforming to one's gender role, irrespective of the partner's sex, would incur less stigmatization than being an effeminate man or a masculinized woman.

Since the early twentieth-century, however, other frames have emerged. During the 1930s, at a time when eugenics was seen as the key to the development of the country, medical, legal, police and psychiatric institutions were active in classifying, diagnosing, curing and controlling what were seen as threats to the health of Brazilian society (Green, 1999a, ch. 3).[116] The medicalization of homosexuality was intensified in this period and contributed to the creation of categories of people based on the sex of the person to whom one was attracted, not on whether one conformed to an active or passive role in sexual practices (Parker, 1999, 37-38; Green, 1999a, ch. 3). The notion of sexual categories of homosexuality and heterosexuality remained mostly restricted to educated elites, not trickling down to the popular sectors until significantly later (Parker, 1999, 37-38).

From the 1940s until the end of the 1960s, an underground culture of *entendidos* ("those in the know") slowly emerged among groups of men who shared an attraction for other men in large urban centres such as Rio de Janeiro and São Paulo. Associated to this urban culture was a "mapping" of gay spaces in the city, which included beaches, private parties, bars, beauty pageants and Carnival balls (Green, 1999a). In some cases, social groups that did not have an explicit political aim emerged, providing a crucial space for homosexuals to congregate and strengthen their networks; one such example is the *Turma OK* in Rio de Janeiro.[117] It was not until the late 1970s and early 1980s that a more public and politicized homosexual identity started emerging, energized by the broader political and cultural changes under way during that period.

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[116] For an examination of the effect of this scientific and rational attitude on women's condition and on gender norms in Brazil at the time, see Besse (1996).

[117] The *Turma OK* was created in 1959 and functioned until the mid-1960s, when it went dormant. It was reactivated in the early 1980s (Green, 1999b, 328, fn. 154), and has since continued to organize social events, drag shows, regular dances, balls and, more recently, theatre workshops (interview with member of *Turma OK*, June 10, 2003, Rio de Janeiro, RJ).

With the onset of the AIDS epidemic in the 1980s, sexual categories and notions such as homosexuality, bisexuality and heterosexuality, which before had been relatively restricted to elite circles, became more diffused in Brazilian culture, thus facilitating the emergence and expansion of a more politicized homosexual identity and movement (Parker, 1999, 40-42). With the increasing visibility of sexual minorities and the continued development of urban spaces where different sexual minorities congregated, the diversity of sexual identities came into the open. While the traditional understanding of homosexuality persists in many areas, especially in the interior of the country and in the poor peripheries of large cities, a complex and multilayered homosexual culture can be found in many Brazilian urban centres. A clear sign of this internal diversity is the proliferation of various subgroups within the broader LGBT community and the emergence of a varied terminology used to characterize members of these minorities (Parker, 1999, 48-49).

This development of an increasingly complex set of sexual categories and identities has both contributed to and been fuelled by the rise and growth of the LGBT movement. Despite a certain lack of resonance or "fit" of a gay and lesbian identity among certain sectors in Brazilian society, and tensions between "hegemonic transnational sexual identities constructed around sexual object choice and much more complex and polyvalent sexual landscapes at the level of everyday life" (de la Dehesa, 2010, 15), hybrid cultural notions around sexuality took hold, making it possible for LGBT activists to mobilize a movement to push for the inclusion of sexual minorities. This activism, in the Brazilian case, has been dominated by a discourse of minority rights since the early 1980s (de la Dehesa, 2010, ch. 4).

2 The emergence and development of the LGBT movement[118]

In the late 1970s, at a time when other social movements were becoming increasingly active and visible in the context of a democratic transition in Brazil, the gay and lesbian movement was born. It resulted from the confluence of a number of factors and processes (Green, 1994, 1999b): in addition to the factors discussed above—namely, the social and economic changes taking

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[118] Some passages of this section are drawn from Marsiaj (2011).

place since the 1930s, the rise of the feminist movement and its critique of *machismo*, and the gradual development of a network of gays and lesbians in the larger urban centres—we should add the international diffusion of ideas of gay liberation, particularly through the travels of future movement leaders to Europe and North America, and the influence of other leftist movements mobilizing at the same in Brazil.

In 1978, a group of gay intellectuals, artists and journalists launched the *Lampião da Esquina*, a publication that focused on a number of issues related to homosexuality in an open and daring manner (Trevisan, 2000, 338-39). The *Lampião* had wide distribution in many cities, thus broadening its impact on gay circles across the country. Out of the experience of the *Lampião* and the collaboration among these gay intellectuals in São Paulo, the first gay liberation group in the country was formed later that year, called *Grupo Somos*.[119] Emerging during the transition period under the military dictatorship, many activists in *Somos* pursued an anarchist, anti-authoritarian strategy, emphasizing internal consensus in the group's decision-making and autonomy *vis-à-vis* other actors such as political parties, the State and other groups in civil society. In the beginning, most of *Somos*'s activities focused on consciousness-raising, on the self-discovery of one's homosexual identity and on the construction of a collective identity.

While activists in São Paulo were beginning to organize, groups also started to emerge in other regions of the country, including in Rio de Janeiro and in capital cities in the country's Northeastern states. Most prominent among these was the *Grupo Gay da Bahia* (GGB), created in Salvador in 1980 by Luiz Mott, an anthropologist at the Federal University of Bahia. The GGB was among the few groups that survived the decade of the 1980s in the gay movement, making it the oldest gay organization still in operation in Brazil.

Following the initial boom of gay and lesbian group formation in the 1978-1982 period, the movement underwent a period of adaptation and transformation (Facchini, 2003, 2005). While in the beginning of the 1980s approximately 20 gay and lesbian organizations were active throughout the country, only 7 still existed by 1984 (Grupo Gay da Bahia, 1993b). The sudden decline in numbers can be attributed to the combination of factors (Green, 1999a; Facchini,

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[119] For a more detailed account of the early years of the movement, see MacRae (1990, 1992), Green (1994, 1999a, 1999b), Trevisan (2000), and Facchini (2005).

2005). The initial high number of groups may have been artificially inflated by the fact that many of them were very small or splinters of larger groups. Most groups were and continue to be led by individuals from the middle-class, but organizations tend to have a membership basis ranging from the middle- to the lower-middle and lower classes (Green and Babb, 2002, 14). Partly because of these characteristics, most groups had very limited resources, and soon faced enormous difficulties. The onset of the economic crisis of the 1980s created serious and urgent material constraints, including for many middle-class individuals, which contributed to the dissolution of many groups. Resources became even scarcer during this period and many activists were no longer able to dedicate their time or money to the movement. Some groups, such as *Somos* in its early years, and *Outra Coisa*—a group that emerged following an early split within *Somos*—which followed a more non-institutionalized, anti-authoritarian, autonomist and anarchist line, had difficulty adapting to the new political context, where political parties started taking a more central role in politics and institutionalized strategies of negotiation with State agencies were increasingly common. Finally, the onset of the AIDS crisis in the early- to mid-1980s dealt a severe blow to the gay community and movement, as numerous activists and those around them passed away and many of the survivors shifted their energies toward building organizations whose main and primary focus was the fight against the epidemic, rather than the acceptance of sexual diversity and civil rights for the LGBT population.

Not all groups disappeared during this period, however. Two groups in particularly were able to adapt to the new conditions and push for legislative and policy change that would help guarantee the rights of sexual minorities: the *Grupo Gay da Bahia*, led by Luiz Mott, and *Triângulo Rosa*, a group from Rio de Janeiro created in 1985, and led by João Antonio Mascarenhas, a lawyer and civil servant (Facchini, 2003; Câmara, 2002). In an assertion of the autonomous agency of the nascent movement, Mott and Mascarenhas shifed the focus away from revolutionary and liberationist goals of the more autonomist and anarchist groups, and followed a more pragmatic strategy focusing on minority rights, seeking to officially register their groups, formalizing their organizations' structure, and engaging in interactions with State actors and institutions (Facchini, 2003, 93-104).

This approach led to the first major gains for the movement (in terms of public recognition of the movement and its demands, influence over and participation in decision-making, and concrete changes to policy). This was due to the ability of the few movement leaders to build important

alliances and bring the issue of sexual orientation to the public sphere. As part of a strategy of garnering support for the struggle against the marginalization and pathologization of homosexuality, the *Grupo Gay da Bahia* spearheaded a successful campaign between 1981 and 1984 to pass anti-discrimination motions in a number of scientific and academic associations, such as the Brazilian Society for the Progress of Science, the Brazilian Anthropological Association, the Brazilian Association of Population Studies, the National Association of Graduate Studies in Social Sciences and the Brazilian Psychiatric Association (Grupo Gay da Bahia, 1990b, 64-69). At the same time, with the help of some of the few other groups across the country, the GGB launched a campaign to remove paragraph 302.0 of the International Classification of Diseases of the World Health Organization—which characterized "homosexualism" as a "sexual deviation and disturbance"—from the code used by the Brazilian federal health authorities. Emboldened by the support from intellectuals, scientific organizations and sympathetic politicians, activists managed to push the Federal Council of Medicine to modify the classification of homosexuality in 1985 (Grupo Gay da Bahia, 1984, 1985).[120]

The main effort to bring visibility to the situation faced by gays and lesbians and to generate policy change in the late 1980s was the attempt to include "sexual orientation" in the list of individual rights and guarantees under the Federal Constitution being drafted in 1987 and 1988. This campaign was led by Mascarenhas, and supported by activists in Bahia and São Paulo (Câmara, 2002, 110). Despite intense lobbying efforts by Mascarenhas, and the support of 130 Congress members—out of a total of 559—the campaign was ultimately unsuccessful, highlighting what Mascarenhas considered to be the main obstacles to the advancement of gay rights in the federal legislature: conservatism, *machismo*, homophobia and religion (Mascarenhas, 1997; Câmara, 2002, 107-29).

In the second half of the 1980s, some groups, such as the *Grupo Gay da Bahia* and *Atobá*, a lower-class group from the Western suburbs of Rio de Janeiro formed in 1985, saw in the growing AIDS epidemic a key issue to be addressed. These groups joined forces with a growing number of AIDS non-governmental organizations in the struggle for the construction of a more substantial response to the epidemic. They managed to adapt their strategies and actions to the

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[120] The World Health Organization only changed its classification in the early 1990s.

new reality, combining their struggle for LGBT rights with the fight against HIV/AIDS (Facchini, 2003, 102).

Following the lull in activity in the second half of the 1980s, the movement's expansion and diversification was already evident by the early-1990s. In the early part of the decade, a number of organizations that would become important players in the movement at the turn of the millennium started emerging in different parts of the country: *nuances* was founded in Porto Alegre in 1991, *Grupo Dignidade* in Curitiba in 1992, *Grupo Arco-Íris* in Rio de Janeiro in 1993, and *Estruturação* in Brasília in 1994. All of these groups saw the fight against HIV/AIDS as important to the development and cause of the LGBT movement.

This type of activism set the tone for the growth of the LGBT movement in the second half of the 1990s, once a significant inflow of resources for the fight against AIDS became available through the federal government thanks to a World Bank loan for that purpose (see chap. 6).

While initially many of these groups focused more on providing a positive and safe space for gays and lesbians, in contrast to many of the organizations active in the pre-AIDS period in the early 1980s, this new generation of activists quickly shifted their energies to more institutionalized strategies, seeking to access State resources related to AIDS prevention and other projects. This required that groups institutionalize themselves—by drafting a formal statute, delineating a clear internal structure, and registering the organization—and professionalize in order to be deemed able to deliver services and carry out projects. The increasing degree of interaction with State agencies as the governmental response to the AIDS epidemic developed, coupled with the difficulty of organizations to garner funds through private donations, and the extended economic crisis in the 1980s, led many LGBT organizations to turn to the State for support (Interview with gay leader, Brasília, DF, August 28, 2003). As we entered the 1990s, then, the signs of professionalization and "NGOization" of the movement started becoming increasingly evident. Nevertheless, characteristics of grassroots or social movement organizations—such as the continued presence and importance of volunteers and the construction of a shared collective identity—have remained in place, highlighting the blurry lines

between these different types of organization, and the fact that the process of "NGOization" of civil society groups is not dichotomous (Alvarez, 2009).[121]

2.1 The expansion of a diverse movement

Since the movement's emergence, and following the developments in the late 1980s and 1990s, the internal diversity and divisions of the LGBT community and movement were increasingly evident. These divisions had their origins in a variety of sources, such as ideological ones and those based on sexual identity. The context of structural inequality explored in the previous chapter, and the resulting intersection of multiple axes of marginalization has also diversified the movement.

Early in the movement's history, ideology created rifts among activists. *Somos* members in the early 1980s were divided in regard to the movement's relationship with leftist organizations, and its insertion in other liberationist struggles. While some activists felt strongly about joining the left in broader struggles, others insisted on maintaining a more autonomist line, remaining wary of leftist groups and parties that tended to subsume all struggles under the class struggle. Within two years of the birth of *Somos*, these two factions split, with the autonomist contingent moving on to form *Grupo Outra Coisa*. As the country moved beyond the democratic transition period into more routinized politics, and as interactions with the State became more frequent, some of these divisions have subsided. Tensions and ambiguities regarding the movement's relationship with leftist parties, however, remain in place, as will be seen in chapter 7.

Table 4.1: Selected list of LGBT organizations in Brazil (state; date of activity)

Joint groups (LGBT, GL, GLT)	Lesbian groups	*Travesti* groups
Somos (São Paulo; 1978-83)	Grupo de Ação Lésbico-Feminista – GALF/Rede Um Outro Olhar (São Paulo; 1980-)	ASTRAL (Rio de Janeiro; 1991-)
Grupo Gay da Bahia (Bahia;	Movimento D'Ellas (Rio de	Grupo Esperança (Paraná; 1994-)

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[121] As will be discussed below, another development in the LGBT movement in Brazil has been the development of a series of movement networks, bringing together various groups under more or less institutionalized umbrella organizations. By 2009, there were nine national networks active in the country (Facchini and França, 2009, 56), and numerous other regional ones. The increasing visibility of these kinds of looser linkages among civil society organizations has also been identified by other authors in other social movements and contexts in Latin America (Chalmers *et al.*, 1997a; Collier and Handlin, 2009b; Handlin and Kapiszewski, 2009).

1980-)	Janeiro; 1993-)	
Triângulo Rosa (Rio de Janeiro; 1985-90)	Coletivo de Lésbicas do Rio de Janeiro – COLERJ (Rio de Janeiro; 1995-)	Associação de Travestis de Salvador – ATRAS (Bahia; 1995-)
Atobá (Rio de Janeiro; 1985-)	Grupo de Mulheres Felipa de Souza (Rio de Janeiro; 2001-)	
nuances (Rio Grande do Sul; 1991-)		
Dignidade (Paraná; 1992-)		
Grupo Arco-Íris (Rio de Janeiro; 1993-)		
Grupo Estruturação (Brasília; 1994-)		
National networks		
Associação Brasileira de Lésbicas, Gays, Bissexuais, Travestis e Transsexuais – ABGLT (1995-)		
Liga Brasileira de Lésbicas – LBL (2003-)		
Articulação Brasileira de Lésbicas – ABL (2004-)		
Articulação Nacional de Travestis, Transexuais e Transgêneros – ANTRA (2000-)		
Rede Afro-LGBT (2005-)		
E-Jovem (2001-)		
Associação Brasileira de Gays – ABRAGAY (2005-)		

Differences emerging from the diversity of sexual identities have also at times been a source of tension in the movement. Feeling marginalized and unsatisfied with the way their demands and identities were treated, lesbian members of *Somos* left the group in 1980 to form the *Grupo de Ação Lésbico-Feminista* (Lesbian Feminist Action Group, GALF). This group became the main lesbian organization in the country throughout the 1980s, focusing much of their activity on bringing issues of sexuality to the table of the feminist movement (MacRae, 1990; Alvarez, 1990; Facchini, 2005).[122]

Despite the nominally or formally inclusive character of many groups—including gays, lesbians and, since the 1990s, *travestis* under the same organization—attempts to effectively include lesbian-specific issues in the functioning of the organization or to create lesbian subgroups have

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[122] In the late 1980s, as the GALF restructured itself to become a more professionalized organization, it changed its name to *Rede de Informação Um Outro Olhar*, which continued active through the 1990s (Facchini, 2005, 99).

been rarely successful and usually short-lived. While many groups, such as *Grupo Arco-Íris* in Rio de Janeiro continue to have men and women in their ranks, and present a broader set of demands affecting both gays and lesbians, the pattern evident from the early years of the movement, with independent lesbian organizations, persisted in the following decades (Green, 1999a; Mogrovejo, 2000, 298-307).

Lesbian activism was initially concentrated in São Paulo, but in the 1990s groups started being formed in other regions and attempts at greater cooperation among lesbian organizations were launched. In 1993, with the formation of *Movimento D'Ellas* by activist Yone Lindgren, independent lesbian organizing started gaining more ground in Rio de Janeiro. The following year, the *Centro de Documentação e Informação Coisa de Mulher* (Centre for Documentation and Information on Women's Issues, CEDOICOM), an organization formed by and for Afro-Brazilian women, was created and focused its activity on the struggle against racism, sexism, lesbophobia, classism and other forms of discrimination, highlighting issues related to the intersectionality of the marginalization many women suffered. In 1995, the *Coletivo de Lésbicas do Rio de Janeiro* (Rio de Janeiro Lesbian Collective, COLERJ) was launched as a project of the CEDOICOM, partly motivated by the preparatory mobilization for the International Lesbian and Gay Association Conference to be held in Rio de Janeiro later that year (Interview with lesbian leader, Rio de Janeiro, RJ, August 04, 2003). Consonant with the CEDOICOM's mandate, the COLERJ also stressed the intersection of gender, sexuality, race and class in its activities.[123]

Out of frustration with the lack of space for the discussion of lesbian-specific issues at National Meetings of Gays, Lesbians, and *Travestis*, CEDOICOM activists organized the First *Seminário Nacional de Lésbicas* (National Seminar of Lesbians, SENALE) in 1996 to provide an independent forum for lesbian activists and to promote the growth and greater cohesion of the lesbian movement (29 de Agosto, 2003). These seminars have become important spaces for the

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[123] Lesbian groups also emerged in other parts of the country in the second half of the 1990s. Some examples include the *Associação Lésbica de Minas* in Minas Gerais state, *Grupo Athena* in Sergipe, *Movimento de Lésbicas de Campinas*, *Umas e Outras* and the *Associação de Mulheres que Amam Mulheres* in São Paulo, and *Lésbicas Gaúchas* in Rio Grande do Sul.

mobilization of activists and the promotion of internal debates in the movement.[124] Other initiatives aiming at developing greater coordination and interaction among lesbian groups have emerged more recently in the form of national networks of lesbian organizations—such as the *Liga Brasileira de Lésbicas* (Brazilian Lesbian League, LBL) formed at the Third World Social Forum held in Porto Alegre in 2003, and the *Articulação Brasileira de Lésbicas* (Brazilian Lesbian Articulation, ABL), founded in 2004—highlighting the search for an independent voice for lesbians, many of whom see the mixed gay and lesbian groups as too often dominated by men.

Travestis also started making themselves more visible in the movement from the early 1990s onwards, stressing the need for a more independent voice.[125] Facing tremendous resource obstacles to sustain separate organizations, *travestis* were limited to mobilization within joint LGBT groups in the late 1980s and early 1990s. Especially since the late 1990s, thanks to their activism in these joint organizations, where they acquired skills and resources, some *travesti* leaders were able to start developing a more independent voice, defining their specific demands, creating separate organizations and gathering resources.[126] One of the first *travesti* organizations to emerge in Brazil was the *Associação de Travestis e Liberados* (Association of *Travestis* and Open-Minded People, ASTRAL) in Rio de Janeiro in the early 1990s, soon followed by *Grupo Esperança* (Group Hope) in Curitiba in 1994, and the *Associação de Travestis de Salvador* (Association of *Travestis* of Salvador, ATRAS) in Salvador in 1995. Thanks in great part to the development of the governmental response to the AIDS epidemic, more resources became available in the later part of the 1990s, and *travesti* groups started emerging in other parts of the

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[124] SENALEs have been held in the following dates and places: First – 1996 – Rio de Janeiro, RJ; Second – 1997 – Salvador, BA; Third – 1998 – Betim, MG; Fourth – 2001 – Fortaleza, CE; Fifth – 2003 – São Paulo, SP; Sixth – 2006 – Recife, PE; Seventh – 2010 – Porto Velho, RO; Eighth – 2014 – Porto Alegre, RS.

[125] Since the mid-2000s, transsexuals have grown in visibility within the movement, oftentimes organizing alongside *travestis* and other transgender activists.

[126] There is, of course, variation in the attitude among *travesti* activists toward working with gays and lesbians in joint organizations. In the poor suburbs of Rio de Janeiro, for example, *travestis* work together with gays and lesbians in *Grupo Atobá*, but in another neighbourhood, a group called *Movimento de Gays, Travestis e Transformistas* (Gay, *Travesti* and Drag Movement) does not include women because, in the words of a member, they face another reality (Interviews with gay and *travesti* leaders, Rio de Janeiro, RJ, September 10 and 13, 2003).

country.[127] The marginalization suffered by *travestis*, however, has posed tremendous challenges to the sustainability and survival of these groups, many of which remain quite small.

Following the example of lesbian activists, *travestis* have also engaged in efforts to build networks and spaces for internal debate. Since 1993, *travesti* activists have held regular meetings, the *Encontro Nacional de Travestis, Transexuais e Transgêneros que Trabalham na Prevenção da AIDS* (National Meeting of *Travestis*, Transsexuals and Transgender persons who work in AIDS prevention, ENTLAIDS) (ATRAS (Associação de Travestis de Salvador), 2003).[128] Regional meetings have also been held with some frequency, allowing groups that lack the resources to attend the ENTLAIDS to contribute to movement-wide debates, and helping strengthen regional-level networks. One of the most active regional groups is the Northeastern one, indicating the relative greater strength of the *travesti* movement in one of the poorest regions of the country (Interview with *travesti* activist, Salvador, BA, October 10, 2003). As was the case with lesbians, the growing organizational capacity and politicization of *travestis* also led to the creation of a national network in 2000, called the *Articulação Nacional de Travestis, Transexuais e Transgêneros* (National *Travesti*, Transsexual and Transgender Articulation, ANTRA), which brought together not only independent *travesti* groups, but also activists working in joint LGBT organizations.

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[127] Some examples are the *Movimento de Gays, Travestis e Transformistas - MGTT* and *CHARLATHS* in Rio de Janeiro, the *Associação de Travestis Unidas na Luta Pela Cidadania – UNIDAS* and the *Associação Sergipana de Transgêneros – ASTRA* in Sergipe state, *Igualdade – Associação de Travestis e Transexuais do Rio Grande do Sul*, the *Associação de Travestis do Mato Grosso do Sul – ATMS*, the *Associação de Travestis de Belo Horizonte – ASTRAVEBH* in Minas Gerais, the *Associação de Travestis do Piauí*, the *Associação de Travestis da Paraíba – ASTRAPA*, and the *Associação de Travestis do Amazonas – ATRAAM*. A few transsexual groups have also emerged since the early 2000s (*e.g*, *Movimento de Transexuais de Campinas* in São Paulo state and *Grupo Licoria Ilione* in Bahia).

[128] These meetings were initially known as the *Encontro Nacional de Travestis e Liberados Trabalhando com AIDS* (National Meeting of *Travestis* and Open-Minded People working with AIDS), but later, as new identities were incorporated into the movement, their name changed. The ENTLAIDS meetings have been held in the following dates and places: First – 1993 – Rio de Janeiro, RJ; Second – 1994 – Vitória, ES; Third – 1995 – Rio de Janeiro, RJ; Fourth – 1996 – Rio de Janeiro, RJ; Fifth – 1997 – São Paulo, SP; Sixth – 1998 – Rio de Janeiro, RJ; Seventh – 1999 – Fortaleza, CE; Eighth – 2000 – Cabo Frio, RJ; Ninth – 2002 – Curitiba, PR; Tenth – 2003 – Porto Alegre, RS; Eleventh – 2004 – Campo Grande, MS; Twelfth – 2005 – Florianópolis, SC; Thirteenth – 2006 – Goiânia, GO; Fourteenth – 2007 – São Paulo, SP; Fifteenth – 2008 – Salvador, BA; Sixteenth – 2009 – Rio de Janeiro, RJ; Seventeenth – 2010 – Aracaju, SE; Eighteenth – 2011 – Recife, PE; Nineteenth – 2012 – Brasília, DF; Twentieth – 2013 – Curitiba, PR.

Class differences are also important in understanding the internal diversity of the LGBT movement. As mentioned earlier, since the emergence of the gay and lesbian movement with the creation of *Grupo Somos* in São Paulo in 1978, LGBT groups are typically created and led by middle-class individuals (Green and Babb, 2002). Often holding university degrees, many of these leaders have tended to be academics, teachers, intellectuals, journalists, lawyers, or civil servants. That is the case, for example, for many of the main groups active since the 1980s, such as the *Grupo Gay da Bahia* in Salvador, *Grupo Arco-Íris* and *Triângulo Rosa* in Rio de Janeiro, *Grupo Dignidade* in Curitiba, *Estruturação* in Brasília, and *nuances* in Porto Alegre. Remarkably, however, the wider membership in these groups is often varied, and includes not only middle-class members, but also some lower-middle and lower class individuals.

In contrast, the leadership and membership of *travesti* groups are reflective of the deep marginalization the *travesti* community faces, and are more homogeneously lower class. Very few *travestis* have managed to attain university-level education and attain a middle-class status, making (late) leaders such as Janaína Dutra from Ceará and Hannah Suzart from Rio de Janeiro glaring exceptions as *travesti* leaders who were also able to establish themselves professionally outside of the movement.[129] As the LGBT movement has gradually professionalized itself, some *travesti* leaders have been able to gain some social mobility through their work in non-governmental organizations. The majority of *travestis* that join these groups, however, remain in very marginal living conditions, often working in prostitution, and only reaching very low levels of education—oftentimes due to high drop-out rates linked to discrimination in the school environment. These difficulties faced by most *travestis* is one of the key factors why the independent organization of this segment has taken longer to emerge, and still faces significant obstacles, especially if compared with the organizational capacity of middle-class lesbians and especially gay men.

As is the case with the feminist movement (Alvarez, 1990), many lesbian leaders, especially from richer states such as São Paulo, come from the middle class. In some regions, however, such as Rio de Janeiro and the Northeastern region, where the lesbian movement is heavily Afro-

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[129] The deaths of Janaína Dutra in 2004 and Hanna Suzart in 2006 represented tremendous losses for the *travesti* community and the broader LGBT movement.

Brazilian, the composition of lesbian groups is often more mixed, making the overall representation of lower-class women higher.[130] Examples of the latter include COLERJ and *Grupo de Mulheres Felipa de Souza* in Rio de Janeiro. Importantly, their focus on the intersection of class, gender and sexuality has helped them push forward and bring demands of poorer and non-white lesbians to the table of the LGBT movement and to the public sphere (Interviews with lesbian leaders, Rio de Janeiro, RJ, June 9 and August 4, 2003).

Brazil's regional inequalities and the urban geographical distribution of poverty have also had an effect on the class composition of LGBT organizations. Groups based in the main urban areas in the richer Southern and Southeastern cities tend to attract a greater number of middle-class members; groups from poorer regions of the country, such as the Northeast or the North, or groups from poor neighbourhoods in the larger cities, often located in the suburbs, even if led by middle-class activists, usually have a markedly different membership, with a greater number of lower-middle and lower class individuals. Thus, groups such as *Arco-Íris* in Rio de Janeiro attract a significantly higher number of middle-class members than, for example, *Atobá*, a group based in a poor Western suburb of that city, which has a markedly more lower-class membership (Interview with gay activist, Rio de Janeiro, RJ, September 10, 2003). Similarly, *Conexão G*, an LGBT organization based in the Maré shantytown in Rio de Janeiro, has a markedly lower-class membership. In the Northeastern region of the country, where poverty and other human development indicators tend to be significantly lower than in the Southern and Southeastern states, groups also tend to include a greater number of lower-class members. For instance, this is the case with the *Grupo Gay da Bahia* and other groups in the main capitals of the Northeastern region. The greater presence and activism of *travestis* in the Northeast, as mentioned earlier, is also associated with the overall higher levels of poverty in that region.

Lower-class LGBT organizations and activists have also tend to deal with broader redistributive issues in their communities to a greater degree than other groups in more middle-class areas. Many groups in the poor regions of the country or in poor neighbourhoods in large cities are

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[130] As underlined by Alvarez (1990), even though the concern with feminist issues such as sexuality and reproductive rights may have been more heavily concentrated in the middle- and upper-classes, it was never their exclusive domain, as lower-class women's groups also developed, with time, their own feminist discourse and activities.

active in trying to address problems of poverty and social exclusion. On different occasions, such as around the time of LGBT Pride Parades, groups often participate in food distribution to the needy in their community, and organize activities to provide individuals with proper documentation, help them find employment, give legal aid for work-related issues, and offer basic health services (Interviews with gay leader and *travesti* leader, Rio de Janeiro, RJ, June 10 and September 13, 2003).

The place and participation of Afro-Brazilians in the movement has generated internal debate since the emergence of the first gay and lesbian organization in the late 1970s (MacRae, 1990, 268-77). Accusations of racism within the gay and lesbian movement by Afro-Brazilian activists in *Grupo Somos* in the early 1980s highlighted the need to address the particular issues that affected those individuals (MacRae, 1990, 271-73). This early debate in the movement had repercussions in Bahia—Salvador is, after all, one of the main centres of Afro-Brazilian culture (Telles, 2004, 205, 212-213)—giving rise to a more independent mobilization of Afro-Brazilian gays and lesbians. Already in 1981, a group called *Adé-Dudu* was created in Salvador, and it was active for a few years, bringing issues of racism to the table of the gay movement and highlighting the homophobia that persisted in the *movimento negro*—the Afro-Brazilian rights movement (MacRae, 1990, 273-77). More recently, in 1995, another group linked to the *Grupo Gay da Bahia* was formed, called *Quimbanda-Dudu*. Its stated main objectives are: to fight against racism in the homosexual community; to fight against homophobia in the black community; to recover the lost history of gay and lesbian afro-descendants; to diffuse knowledge about sexual diversity in Africa and in the African diaspora; to establish contacts with African and African-American gay and lesbian organizations; and to work in the prevention of sexually-transmitted diseases and AIDS in the black community (Quimbanda-Dudu, 2002, 26).[131]

Race has also played a role in the internal dynamics of the lesbian movement. As mentioned above, groups such as COLERJ and *Grupo de Mulheres Felipa de Souza* in Rio de Janeiro are mainly constituted of Afro-Brazilian women (Interview with lesbian leader, Rio de Janeiro, RJ, June 09, 2003). Groups such as these sought to differentiate themselves from other organizations,

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[131] Since the late 1990s, other Afro-Brazilian gay groups have emerged in other parts of the country, such as Alagoas, São Paulo, Minas Gerais and Brasília.

since the activists involved in them not only faced many of the challenges other Afro-Brazilian gay and lesbian groups had to deal with, but also encountered limited space in the broader feminist movement to deal with race and class issues. They realized there was little discussion of sexual orientation in the Afro-Brazilian women's movement, and felt the need to bring issues of race to the LGBT movement. These mobilization patterns have given rise to tensions within the lesbian movement. For example, the flipside of COLERJ's focus and emphasis is the perception by some activists that women who do not fit the mold of, as one activist put it, the "poor black lesbian" would not feel represented by that group (Interview with lesbian activist, Rio de Janeiro, RJ, August 12, 2003). At times, divisions along race have also contributed to hampering dialogue among lesbian groups in Rio de Janeiro, as activists perceive groups such as COLERJ as Afro-Brazilian and poor, while others such as *Movimento D'Ellas* are seen as white and middle-class (Interview with lesbian leader, Rio de Janeiro, RJ, September 10, 2003).[132]

Over the last couple of decades, race issues have become more prominent in the LGBT movement and the more autonomous organization of Afro-Brazilians in the movement has gained more force. These developments are in part due to the racial composition of many organizations—many of them, particularly in the poorer regions, are heavily non-white—the increasing prominence of race issues in Brazil since the turn of the millennium, and the mobilization of racial identity spurred by the organization of the Afro-Brazilian movement. One example took place at the 2003 National Meeting of Gays, Lesbians and *Travestis*, when Oséas Santana, president of *Quimbanda-Dudu*, proposed a motion establishing a racial quota of 30 percent—in each category of gays, lesbians, and *travestis*—when determining the funding provided by organizers for activists to participate in future National Meetings. Following much heated debate, the motion was approved (Encontro Brasileiro de Gays, Lésbicas e Transgêneros (EBGLT), 2003). Another example was the creation, in 2005, of the *Rede Afro-LGBT*, a national network of Afro-Brazilian LGBT activists formed to help strengthen the fight against racism and homophobia.

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[132] The mobilization of Afro-Brazilian lesbians has also started more recently to develop into national movement networks, with the creation of the *Coletivo Nacional de Lésbicas Negras Feministas Autônomas* (National Collective of Autonomous Feminist Black Lesbians, Candaces BR) in 2007, following the VII Latin American and Caribbean Lesbian Feminist *Encuentro*.

3 Pluralism and a diverse agenda: building a heterogeneous movement

3.1 Pluralism and imbalances of power

Despite significant broadening of the LGBT movement, the intersection of sexual identity, gender, class and race does reproduce imbalances of power within the LGBT movement, affecting the extent to which activists and organizations are able to gain greater visibility or political voice within the movement and *vis-à-vis* other political actors. A smaller "movement elite" has managed to open opportunities—for accessing decision-making spaces or funding, for example—that allowed more a heterogeneous agenda to be pushed forward, bringing attention to issues that are particularly pressing for lower-class and non-white sexual minorities. Nevertheless, the overall movement is characterized by the concentration of power in the hands of only a few, mostly gay, leaders, who possess the resources needed to professionalize their organizations and build international linkages.[133]

Some activists attribute the imbalance of power within the broader movement to egocentrism and the search for "stardom." (Private conversations with movement leaders, Manaus, AM, November 2003). Others go further, hinting at the practice of clientelism by gay *coronéis* in the distribution of resources for projects, particularly those related to AIDS prevention (Interviews with gay leaders, Brasília, DF and Rio de Janeiro, RJ, August 28 and 30, 2002 and September 17, 2003; private conversations with activists, Manaus, AM, November 2003). The "movement elite," critics say, is better connected to politicians and political parties, and are thus more likely to be invited to join councils and committees or other decision-making spaces.[134]

While the increasingly independent mobilization of lesbians and *travestis vis-à-vis* gays in the movement has contributed to a much more inclusive and diverse agenda for the movement as a

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[133] Resources are understood as going well beyond financial resources, and include other sorts of material resources such as infrastructural ones (*e.g.*, having a functioning office and staff) as well as more intangible ones such as human resources (*e.g.*, level of education of leaders, degree of professional training, knowledge of the functioning of bureaucratic channels).

[134] Criticisms voiced by some activists during the opening ceremony of the Second National LGBT Conference held in Brasília in Deember 2011 went further, claiming that some sectors of the movement's "elite" were too closely aligned with, if not overly obedient and subservient to the government.

whole—as will be seen below—this has taken place in the context of an unbalanced allocation of resources. This imbalance has been particularly salient in regard to AIDS prevention projects, which have been the main source of State resources to movement organizations, and have been strongly shaped by epidemiological trends. They have thus been geared primarily towards men who have sex with men and, more recently and to a much smaller degree, *travestis*, to the detriment of lesbian groups (Interview with lesbian activist, Rio de Janeiro, RJ, August 12, 2003). Furthermore, among recipients of AIDS-related funds, some groups and activists have been relatively privileged. As mentioned earlier, the socio-economic conditions of the vast majority of *travestis*, for example, is often reflected in the lower levels of human and material resources groups have available to mobilize. Lacking in resources, poorer organizations often see themselves as disadvantaged in the competition for project funding compared with groups from more affluent regions or neighbourhoods with more means and greater visibility in the media— because of their location in more accessible and "nicer" areas—more connections to politicians and bureaucrats, and thus greater access to the purse-strings of State agencies (Interview with gay activist, Rio de Janeiro, RJ, September 17, 2003 and AIDS activist, Salvador, BA, December 03, 2003).

Inequalities among organizations have also been reflected in and further exacerbated by linkages to the international sphere. The benefits and opportunities awarded by globalization have not been distributed equally among the various segments of the movement. For those groups and activists able to take advantage of these linkages—*i.e.*, especially middle-class and more highly educated gay men—the international sphere has increased their ability to gather resources, gain access to decision-making arenas and have a stronger political voice at the domestic level.

These international linkages have ranged from personal travel to institutional links with foreign and transnational bodies. Early leaders such as Luiz Mott and João Antonio Mascarenhas already saw in the early 1980s the importance of international linkages. In 1977, for example, Mascarenhas hosted the director of a gay publication based in San Francisco during his visit to Brazil, building bridges with the American gay liberation struggle and helping trigger some of the first meetings that led to the emergence of *Grupo Somos* (Howes, 2003; Silva, 1998; MacRae, 1990, 96-97). Mascarenhas, throughout his activism, also kept abreast of developments in the international gay liberation struggle (Howes, 2003). Luiz Mott established numerous international contacts since the 1980s, building more formal contacts with North American

organizations, disseminating information about the situation of sexual minorities in Brazil to an international public and, in a few cases, receiving funds for the continued functioning and growth of the *Grupo Gay da Bahia* (Grupo Gay da Bahia, 1983a, 1989a, 1989b, 2003). Exposure to the gay community in the Castro District in San Francisco, for example, helped spark the activist flame in some individuals. A visit to that city in the early 1990s by Augusto Andrade and Luiz Carlos Freitas helped motivate them to struggle for LGBT rights in Brazil, leading to the creation of *Grupo Arco-Íris* in Rio de Janeiro in 1993 (Interview with Augusto Andrade, Brasília, DF, February 14, 2003).

The funding available through international channels has also varied across different organizations, being more concentrated among a limited number of groups. Most of the direct linkages between Brazilian LGBT groups and international agencies and organizations are related to the fight against HIV/AIDS. Groups such as *Arco-Íris* in Rio de Janeiro have developed a number of partnerships with international groups, many of which involve participation in larger projects that mobilize sizeable resources.[135] Some organizations, such as *Grupo Gay da Bahia* in Salvador, *Grupo Arco-Íris* in Rio de Janeiro, and *Grupo Dignidade* in Curitiba have been quite successful in building these international connections. This, according to a long-time gay activist, has allowed them to partially shield themselves from the overdependence on State resources—particularly those related to the fight against AIDS—so characteristic of most LGBT organizations in Brazil (Interview with long-time gay leader, São Paulo, SP, July 25, 2003).[136]

Finally, inequalities among activists and organizations in the LGBT movement are also evident in the varying ability of groups to "NGOize," *i.e.*, to professionalize themselves and conform to the requirements imposed by State agencies to qualify for funding. The increasing NGOization

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[135] In conjunction with other non-governmental organizations and governmental agencies, *Arco-Íris* has co-administered projects supported by the ICCO, a Dutch interchurch group for development cooperation, the Elton John Foundation, Caritas International and the European Union. One example of such programs is the *Programa Rede Buddy Brasil* launched in the early 2000s, which aimed to provide assistance to people living with AIDS.

[136] While mostly concentrated in a few groups from larger urban centres with middle-class, educated leaders, resources from international groups also occasionally reach groups from poor areas, such as *Atobá*, from the poor suburbs of Rio de Janeiro. In 1990, this group secured financing from the Ford Foundation and the American government to help fund a project called *Disque-AIDS*, a telephone service for the delivery of information on HIV/AIDS (Parker, 1999, 155). This partnership, however, was short-lived, and the linkage with a new foreign donor was not easily forthcoming.

of civil society since the 1990s as neoliberal reforms were put in place, as discussed in chapter 2, has not taken place to an equal degree across organizations in the movement. Middle-class groups with highly educated leaders and members were better able to meet these demands and acquire the needed expertise and professional skills. Having adapted more easily to these new conditions, these groups gained earlier and greater access to badly needed funding from the State. Importantly, capacity-building projects such as Project *Somos* and Project *Tulipa*— implemented in the late 1990s and early 2000s, to be discussed in chapter 6—have sought to train and raise the capacity of gay and *travesti* groups in more remote and poorer regions of the country to access funds for projects. Notably, this kind of initiative has helped diminigh the gap in the level of professionalization across organizations, strengthening groups more broadly, and amplifying their democratizing impact.

3.2   Building a complex agenda of demands

As mentioned earlier, the internal diversity of the gay, lesbian and *travesti* movement is also reflected in its varied agenda, which has focused primarily on HIV/AIDS, relationship recognition, and violence/discrimination. Many of the demands put forward by LGBT groups are widely shared by members of the LGBT community. Issues of homophobic discrimination and violence, for example, resonate with all subgroups in the movement, even if they do not affect different parts of community in the same way. The intersection of sexual orientation, class, race and gender adds layers of complexity to more universal LGBT demands and gives rise to a complex agenda of demands. Understanding movement demands from the standpoint of intersectionality clarifies how these claims are embedded in the dominant structures of marginalization, while also reflecting the diversity of social backgrounds of movement members. While some issues receive more attention and resources than others, the movement has managed to bring onto the political table a wide array of demands, many of which address the needs and interests of the most marginalized within the LGBT population. The extent to which these different demands are in fact addressed—in other words, the impact of the LGBT movement's pressure—depends on the interaction of the movement with society and the State, a matter to be examined in chapters 5-8.

One of the dominant issues on the LGBT movement's agenda is the fight against the AIDS epidemic. Since the early 1980s, AIDS has been a central concern to the movement, as the

epidemic's impact on the gay community grew increasingly clear. The urgency and magnitude of the problem were key factors in pushing it to the top of the agenda. The dynamics of the response to the epidemic, both at the non-governmental and governmental levels, also contributed to making it one of the main demands of LGBT groups. The "social epidemic" of stigmatization and discrimination that accompanied the spread of HIV married the demands for an effective response to AIDS with the struggle for the recognition of non-heterosexual sexualities as valid and worthy of respect. As chapter 6 will examine in greater detail, the approach taken by both the LGBT movement and the State agencies in charge of tackling the AIDS epidemic was based on creating the most propitious conditions for prevention campaigns to be effective. Those conditions involved the construction of a context in which gays, lesbians and *travestis* could develop stronger self-esteem by promoting a positive view of their identity and sexuality.

Based on epidemiological data, the main targets of these activities within the LGBT community have been men who have sex with men. Among the subgroups in the movement, this meant that gay men were the primary actors in the construction of a response to the problem. Mobilizing resources linked to AIDS prevention, available especially since the mid-1990s, have been concentrated in the hands of gay activists. As the need to combat the pauperization of the epidemic and address its previously "hidden" facets became more urgent, projects and resources also started to look at the situation of *travestis*, who, as we have seen, started getting better organized in the later part of that decade. Much of their activism since then has focused on AIDS and other health issues (Klein, 1998; Larvie, 1999), and given the fact that most *travestis* work in the sex trade, prevention of HIV and sexually-transmitted infections are among the central issues and demands of their groups (Interview with *travesti* leader, Salvador, BA, October 10, 2003).

As will be explored in greater detail in chapter 6, despite the fact that the LGBT movement has managed to bring attention to the AIDS-related needs of different groups within the queer community, many challenges remain in place to successfully address them. For example, the successful implementation of prevention campaigns in the context of abject poverty is extremely difficult (Interview with AIDS activist, Rio de Janeiro, RJ, August 14, 2003). Similarly, the concerns of Afro-Brazilian LGBTs in regard to the AIDS epidemic still need to be addressed more forcefully by State officials, despite the increasing mobilization of that population in groups such as *Quimbanda-Dudu* and the *Centro Baiano Anti-AIDS*, both with strong

connections to the *Grupo Gay da Bahia*. For *Quimbanda-Dudu*, the promotion of self-esteem and the fight against racism and homophobia are closely linked to the promotion of effective AIDS prevention (Interview with gay leader, Salvador, BA, October 31, 2003).

The prominence of AIDS-related issues on the agenda of gay and *travesti* activists has given rise to some criticism from other sectors of the LGBT movement, who highlight the lack of attention the movement elite has given to other health-related struggles. Some lesbian activists, for example, have stressed that the dominance of HIV/AIDS in demands of the broader movement has sidelined health issues of particular concern to the lesbian population. They have highlighted the need to address health issues affecting the lesbian community which are related to pervasive lesbophobia in society, such as the high incidence of alcoholism and obesity, the discrimination suffered by lesbians in the health system and the negative impact that prejudice has on their reproductive and overall health (Presentation by lesbian leader at the Gender, Sexuality, Health and Human Rights Seminar, State University of Rio de Janeiro, August 2003; conversations with lesbian leaders, Manaus, AM, November 2003; interview with lesbian leader, Rio de Janeiro, RJ, June 09, 2003). Furthermore, many lesbian activists insist that the view that lesbians are practically immune to HIV is misleading and dangerous. While same-sex contact between women may not be a significant source of HIV transmission, lesbians are exposed to the virus through other means—opposite-sex sexual contact, intravenous drug use, blood transfusion, prostitution, etc. Moreover, vulnerability to other sexually transmitted infections through same-sex contact is not negligible for lesbians. These issues have been the focus of projects such as *Espelho de Mim*, coordinated by *Grupo Arco-Íris* and *Grupo de Mulheres Felipa de Sousa* in Rio de Janeiro and others coordinated by COLERJ in Rio de Janeiro and *Rede Um Outro Olhar* in São Paulo.[137] A few gains have been made in addressing these demands, such as the creation of a space for the discussion of HIV/AIDS among lesbians in the Ministry of Health in 2001 (Interview with lesbian leader, Rio de Janeiro, RJ, June 09, 2003).

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[137] The strategy of seeking funds for the prevention of HIV/AIDS and sexually transmitted infections by lesbian organizations is not unanimous among activists. A lesbian leader in Rio de Janeiro was strongly critical of what she considers lesbian activists' instrumental use of AIDS to access resources, which she believes should be concentrated on projects aimed at men who have sex with men, who are more directly affected by the epidemic (Interview with lesbian leader, Rio de Janeiro, RJ, September 10, 2003).

Since 1995, when Marta Suplicy, then a federal deputy from the PT, introduced a bill for the legalization of civil unions between same-sex partners, same-sex relationship recognition has risen in importance in the LGBT movement's agenda. Through legislatures and courts, gay and lesbian activists have sought to gain recognition of their unions with the goal of redefining the cultural norms around families and unions, as well as practical objectives related to inheritance rights, same-sex partner benefits, visitation rights in hospitals, and adoption, among many others. Same-sex relationship recognition has gained importance since the mid-1990s, becoming the focus of the LGBT Pride Parade in São Paulo in 2005, with the slogan "Civil Partnership Now!" Much of the focus of movement activity on this front focused on the recognition of civil partnerships, and saw the fight for the legalization of same-sex marriage as a potential later stage in the struggle. However, in the early 2010s, as change emerged rapidly via the courts, marriage became an attainable goal. It rose to centre stage in 2011, when same-sex *uniões estáveis* ("stable unions") were legalized, and culminated in 2013, when same-sex marriage was *de facto* recognized across the country, as will be explored in chapter 8.

Another key issue on the LGBT movement's agenda is homophobic violence. As discussed in chapter 3, much of the information available on that issue comes from the efforts of the movement itself to document and record incidences and statistics about the problem. It is an issue that affects the LGBT community as a whole (Mott, 1996), even though important variation exists, particularly in relation to socio-economic status (Marsiaj, 2003; Mott and Yonara, 1999; Mott, 2000; Mott and Cerqueira, 2001; Mott *et al.*, 2002; Mott and Cerqueira, 2003). Following the broader trends of the growing violence in Brazilian society in the last couple of decades— and underscoring the embeddedness of homophobic violence in the broader structures of marginalization—poorer, younger, non-white LGBTs bear the brunt of this violent reality. Not surprisingly, then, for groups with a greater concentration of individuals facing those conditions, the struggle against homophobic violence is more central to their efforts. Consequently, Luiz Mott, the founder and long-time president of the *Grupo Gay da Bahia* has been one of the main voices in the movement denouncing the problem of violence. The fact that his group works directly with many lower-income gays, lesbians and *travestis* makes this issue one of prime concern for him. His prominence in the movement and tireless activism have been major reasons why violence against LGBTs has remained high in the movement's agenda. For other groups in the peripheries of the large urban centres, where general violence often reaches very high levels,

violence and security also often receive high priority (Interview with gay activist, Rio de Janeiro, RJ, September 17, 2003).

Consequently, the fight against homophobic violence has been a priority for the movement as a whole since early on. As chapter 8 will examine further, the tremendous political and institutional obstacles to solving the broader public security challenges the country has faced since the 1980s means that demands to stem homophobic violence are not addressed adequately by the State. Institutional weaknesses in the justice system as a whole, and in the police forces particularly, have hampered efforts at controlling societal and police violence against marginalized groups, despite the continued pressure by the LGBT movement to tackle the problem.

General attitudinal discrimination in public and private institutions against gays, lesbians and *travestis* is also an important issue for LGBT organizations. It is a problem that affects LGBTs of virtually every social class and racial group, but does so in different ways, which gives rise to a variety of types of claims revolving around the issue of homophobic discrimination. LGBT activists have, since early on in the movement, pressured politicians to pass anti-discrimination legislation that would protect sexual minorities from discriminatory behaviour in commercial establishments, public spaces and public services. One of the central issues in the movement's interaction with the federal legislature has been the struggle to pass legislation that would criminalize homophobia, along the lines of existing laws that criminalize racism. In addition, LGBT groups address the issue of discrimination in a variety of ways. Actions denouncing discrimination in commercial establishments have been quite effective in raising visibility about the issue and, in some cases, bringing commercial establishments to account.[138] *Travestis*, whose experience of discrimination oftentimes goes deeper than that faced by most gays and lesbians, have made use of direct action, legislative initiatives, pressuring State agencies, and legal action to fight against transphobia not only in their use of commercial establishments, but in their interactions with public institutions. For example, activists highlight the lack of recognition of

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[138] Examples of actions aimed at addressing discrimination in commercial establishments include organizing a kiss-in in a shopping centre in São Paulo where a gay couple was discriminated or using the media to denounce discrimination and attacks on gays in an area of the city where popular gay bars were concentrated in Rio de Janeiro (Nanci, 2005; Andrade, 2002, 126-27).

their feminine gender identity as a real obstacle to their true access to the health care system and education (see, for example, de la Dehesa, 2010, 12), something that only very recently has started to be reconized by the State.

In the 2000s, discrimination in the school environment has become an important focus of attention for many activists as well.[139] For *travestis* this issue has been particularly pressing and complex, given the linkages between school dropout rates and redistributive issues. Ensuring respect for gender identity in schools is an effective way to provide *travesti* students with the tools that may allow them to overcome the obstacles imposed by their class-based marginalization (Interview with Keila Simpson, Salvador, BA, April 13, 2010).

Finally, discrimination in the job market is another problem that affects the LGBT population, even if it is not at the top of the movement's agenda. Here again, the poorest and most visible, namely *travestis*, feel it disproportionately. This leads many *travesti* activists and groups to emphasize social and economic demands when struggling for greater inclusion. Many groups working with *travestis* have attempted to put in place courses to provide skills that would allow them to move beyond prostitution—a kind of work to which many *travestis* have to resort—and find other kinds of employment. These courses focus on, for example, hairdressing, English language training, and computer skills (ATRAS (Associação de Travestis de Salvador), 2002). Activists have gradually realized the complexity of the demands in this area, given a series of factors: difficulty identifying which kinds of courses would be most useful and adequate; lack of interest by many *travestis*, particularly when courses do not train them to engage in employment that interests them; and the frequent absence of basic training, due in great part to very low levels of schooling.[140]

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[139] A growing and rich academic literature has accompanied and helped drive forward this issue within the movement and in State institutions; see, for example Junqueira (2009b), Caetano (2005), and Lionço and Diniz (2009).

[140] As pointed out by an activist in Brasília, the difficulty in addressing these issues underlines the fact that, without significant changes in employers' attitudes towards *travestis* and in the high levels of structural economic and educational inequality, these professionalizing courses will fall short of their intended objectives (Interview with lesbian activist, Brasília, DF, April 02, 2003).

4   The rise of national movement networks

As discussed in chapter 2, especially since the 1990s, we have witnessed the emergence of fluid movement networks that bring together movement organizations as a way of more effectively debating and discussing strategies, understandings, and claims, as well as coordinating actions and demands (Chalmers *et al.*, 1997a, 567). This process has served as a basis for the LGBT movement to at least partly overcome many of the divisions mentioned above, leading to the emergence of a national, but also diverse and plural movement that has managed to push forward a diverse agenda of claims and demands on the political arena. In other words, the infrastructure generated by the web of national movement networks has made possible the construction of a fairly unified political agent, building connections among the various sectors of the LGBT community and movement.

Social movement networks vary significantly in their level of institutionalization, with some leading to the formation of a formalized organization (Handlin and Kapiszewski, 2009, 240-41). This variation is also reflected in the nomenclature used by many of these groupings: *rede* (network), *articulação* (articulation), *liga* (league), *associação* (association). In all cases, though, when compared to the peak organizations that dominated the corporatist arrangements under ISI—*i.e.*, labour federations and confederations—these networks are less rigid and hierarchical (Handlin and Kapiszewski, 2009, 231).[141] The coordinating organizations under ISI, for example, had a more formalized representative role for its member unions, who were also more rigidly bound to decisions taken from above; in contrast, the level of autonomy of member organizations under an umbrella association is much higher.

In some important senses, however, these new social movement networks—and the coordinating organizations that emerge out of them—play equivalent functions to labour federations and confederations. They have been key in "scaling up" the pressure of the LGBT movement,

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[141] The social movement networks that have emerged around the LGBT movement have approximated more what Handlin and Kapiszewski (2009) have called "Flexible Fronts." Unlike what they have termed "Nodal NGOs," Flexible Fronts are more likely to be more strongly "by" and "of" the social movement in question, usually including member organizations in internal elections for the leaders of the coordinating association. Unlike Flexible Fronts, however, many of the LGBT networks in Brazil have become more strongly institutionalized, and have established close relations with the national State, and have received State funds for the implementation of projects—characteristics that, according to those authors, are more typical of Nodal NGOs.

allowing them to bring together multiple voices of groups spread around the country, and in doing so acquiring greater leverage to pressure, gain access and influence over politicians and policy-makers at the national level. Moreover, they have played an important role in strengthening the movement as a whole, engaging in capacity building activities, such as training community leaders and helping create new organizations at the local level (Handlin and Kapiszewski, 2009, 251, 255).[142]

The networks that have allowed the LGBT movement in Brazil to scale up its activity also share a crucial characteristic with what Chalmers, Martin and Piester have called "associative networks" (1997a).[143] In these authors' words, while these networks "can and often do involve actors with sharply unequal resources, there are typically more chances to escape or shift the ground to avoid a direct test of strength with an unequal competitor [in interactions among members of the network]. [...] This results not so much in more equality as *less rigid* inequality among participants" (Chalmers *et al.*, 1997a, 567-568, emphasis in original). So, while the divisions and imbalances of power among various sectors and groups in the LGBT movement remain in place, activists and organizations with greater resources have, in a sense, shared their wealth by using their mobilizational and advocacy power to push forward the interests of other, more marginalized and weaker groups. Oftentimes this comes out of internal political struggle within those networks, rather than the goodwill or foresight of certain leaders, highlighting an element of strength in the movement's internal democracy.

So, since the early 1990s, networks among various LGBT groups in Brazil have formed, providing the basis for the rise of a fairly unified national LGBT movement, in spite of identity, ideological, regional and other divisions. The origins of these linkages date back to the earlier years of the movement, with the holding of regular National Meetings, where common goals and

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[142] One of the best examples of this kind of capacity building activity in the case of the LGBT movement in Brazil was the creation of Project Somos, to be discussed in greater detail in chapter 6.

[143] It should be noted that the social movement networks that I am discussing here are different from what those authors mean by associative networks, a concept that focuses on and includes not only the linkages among civil society actors, but also those with the State.

strategies were debated and agreed upon.[144] At the National Meeting in 1993, for example, the idea of a national LGBT organization emerged. After intense debate regarding the nature and type of organization to be created, the Brazilian Association of Lesbians, Gays, Bisexuals, *Travestis*, and Transsexuals (*Associação Brasileira de Lésbicas, Gays, Bissexuais, Travestis e Transexuais*, ABGLT) was founded in 1995.[145] Partly modeled after the International Lesbian and Gay Association, the ABGLT is an umbrella organization that loosely coordinates the activity of its member organizations. Its directorate is formed by leaders from its member organizations (Interview with gay leader, Brasília, DF, February 14, 2003).[146] Since its creation, the ABGLT has grown rapidly, currently counting over 200 organizations as members, spread across all states of the federation, including most of the main LGBT groups in the country. Given its size and national coverage, it has become a strong civil society voice defending LGBT rights in the Brazilian political system, particularly at the federal level. Its structure makes it possible to coordinate actions across the country, while at the same time granting autonomy to groups to act and monitor governments at the state and municipal levels, effectively "federalizing" its activity.

While the ABGLT is the oldest and largest of these networks, the emergence of others has also contributed to the formation of a more plural and heterogeneous movement. As already mentioned, networks have been formed to promote the interests of lesbians, *travestis*, Afro-Brazilian LGBTs and Black lesbians—with associations such as ABL, LBL, ANTRA, *Rede Afro-LGBT* and the National Collective of Autonomous Feminist Black Lesbians.[147] In addition

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[144] The official National Meetings (initially called EBHOs [Brazilian Meeting of Homosexuals], later retitled EBGLTs [Brazilian Meeting of Gays, Lesbians, and *Travestis*] and, since 2008, EBLGBT [Brazilian Meeting of Lesbians, Gays, Bisexuals, *Travestis*, and Transsexuals] were held in the following dates and places: First – 1980 – São Paulo, SP; Second – 1984 – Salvador, BA; Third – 1989 – Rio de Janeiro, RJ; Fourth – 1990 – Aracaju, SE; Fifth – 1991 – Recife, PE; Sixth – 1992 – Rio de Janeiro, RJ; Seventh – 1993 – Cajamar, SP; Eighth – 1995 – Curitiba, PR; Ninth – 1997 – São Paulo, SP; Tenth – 2001 – Maceió, AL; Eleventh – 2003 – Manaus, AM; Twelfth – 2005 – Brasília; Thirteenth – 2008 – Porto Alegre.

[145] While the organization's acronym has remained constant over the years, its meaning has varied. When the group was created it stood for the Brazilian Association of Gays, Lesbians, and *Travestis*, but in the early 2000s, it was changed to refer to gays, lesbians, and transgender people. More recently, after 2006, members decided to rename it the Brazilian Association of Lesbians, Gays, Bisexuals, *Travestis*, and Transsexuals.

[146] In the early 2000s, the administrative structure of the ABGLT was modified, ensuring a more balanced representation of gays, lesbians and trans activists in its executive board.

[147] In addition to these, other networks currently active in Brazil include the *Coletivo Nacional de Transexuais* (National Collective of Transsexuals, CNT), the *Associação Brasileira de Gays* (Brazilian Association of Gays,

to their independent activities, partnerships among different networks have also allowed for a stronger pressure to be exerted on State institutions and for a more plural agenda of demands to be politicized. For example, the ABGLT lists as its partner organizations the National Articulation of *Travestis*, the Brazilian Articulation of Lesbians, E-Jovem, the Brazilian Association of Gays, and the Brazilian Association of Fathers and Mothers of Homosexuals. These groups share the goals and objectives of the ABGLT and have also joined efforts to help pressure for specific policy change and other campaigns.

The growth and increasing density of movement networks does not mean that its internal tensions and divisions are eliminated. For example, the concentration of power in the hands of a movement elite has been the focus of the criticism of some activists within the ABGLT.[148] Divisions among gays, lesbians and *travestis* were made evident at the association's 2003 General Assembly, for example. At that event, heated debate arose over the reformulation of the organization's structure to improve the representation of lesbians and *travestis* in the directorate. After much debate, a more balanced structure of representation was agreed upon, and even though gay men still tended to dominate positions of power in the organization, this represented an important step toward including lesbians, *travestis* and transsexuals in those positions. While feelings of marginalization by these groups within the movement—and accusations from some lesbian and *travesti* activists that these moves were mere window-dressing— did not suddenly vanish, the changes brought about by their demands and pressures have allowed them to carve a clearer and more visible space within the umbrella organization. In a similar vein, the launch of many advocacy and lobbying campaigns geared toward the *travesti* population stems out of the partnership between ANTRA and the ABGLT (Interview with Keila Simpson, Salvador, BA, April 13, 2010). In other words, linkages among different movement networks have provided the basis for the construction of a more plural and unified movement.

ABRAGAY), both created in 2005, and *E-Jovem*, a group geared to LGBT youth which emerged at the beginning of the decade (Facchini and França, 2009, 56, fn. 2).

[148] In a joking reference to this issue, some leaders refer to gay NGIs (non-governmental individuals), as opposed to NGOs (non-governmental organizations).

The cooperation among activists that underpins the formation of these networks and the multiple instances of inter-network partnerships have made the imbalances of power examined earlier in this chapter less rigid, allowing for a more united movement to emerge. Since 2005, the ABGLT has held national Congresses where not only is its executive board of directors elected, but members also collectively analyze the national and international political environment the movement faces, and outline the association's priorities for the following years.[149] The documents and debates stemming out of these meetings highlight an organization clearly aware of its internal diversity and the reality of intersectionality the LGBT community faces— addressing issues such as the specific demands and visibility of lesbians, *travestis* and transsexuals, Afro-Brazilians, youth, people living with HIV/AIDS, senior citizens, people with disabilities, and bisexuals (ABGLT (Associação Brasileira de Gays, Lésbicas e Travestis), 2006b, 2006a, 2009).

5 Conclusion

The development of the gay, lesbian and *travesti* movement in Brazil must be understood in the broader social context in which it takes place. As shown in the discussion above, the various axes of marginalization that characterize Brazilian society permeate the LGBT movement, affecting the composition and characteristics of its groups and organizations. There is notable internal diversity in terms of identity, gender, race and class, but that diversity has also given rise to internal tensions, divisions and fierce debate. And yet, as this chapter demonstrates, despite these centrifugal forces, a fairly cohesive yet plural movement has emerged, especially since the mid-1990s. This development rests on the formation of a web of social movement networks that have allowed organizations to work together and "scale up" their activity, something consistent with the emergence of a neoliberal regime of interest mediation. This has effectively given rise to a national movement that acts as a political agent fighting for the rights of the LGBT population from the local to the federal level of government.

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[149] Prior to the holding of these Congresses, internal elections were held at the organization's General Assemblies. The first ABGLT Congress was held in Curitiba, PR in 2005, the second in Maceió, AL in 2006, the third in Belém, PA in 2009 and the fourth was held in late 2011 in Belo Horizonte, MG.

What is the outcome of the political deployment of the diverse agenda of demands of the LGBT movement remains an open question, to be explored in chapters 5-8. It is through the struggle put forward by the LGBT movement and the advances they are able to make in the soft public sphere and in political institutions that the other elements of an incomplete democratic inclusion make themselves evident, namely the limitations in the concreteness and universality of those gains.

Chapter 5
LGBT visibility and the soft public sphere

Social movements, especially those fighting for the rights of marginalized groups, are often involved in "cultural work." As discussed in chapter 2, movements often deploy symbolic and cultural strategies in their attempt to counter their marginalization and the stigma attached to them. They seek to gain greater agency in defining the cultural representation of their constituency, and struggle to achieve greater public recognition of the social group in question, they worthiness, and dignitiy. This process is strongly shaped by their visibility and exposure in the media. Soft publics are key arenas in the public sphere where this activity is played out. In contrast to other, hard publics—such as State and other political institutions whose internal deliberation leads to binding decision-making—soft publics are constituted by spaces and discursive arenas outside of the State, but that are nonetheless public. It includes the media (television, newspapers, radio, Internet-based), the "street" (especially public spaces such as squares and main streets where groups may congregate and where demonstrations and other expressions of their interests and identities are often held), as well as commercial establishments or other non-commercial venues that provide points of congregation for members of a social group and spaces for deliberation about issues relevant to that group (such as bars, bookstores, clubs, but also academic programs, conferences, research centres, conventions, and cultural festivals). The activity of social movements and their impact in the soft public sphere are at the core of the cultural work these movements undertake, which influences the public construction of attitudes and valuations aimed at marginalized groups. This is the heart of the struggle for public recognition, the second criterion in the model for assessing the democratizing impact of social movements presented in chapter 2.

Central to this attempt at public recognition is the goal of a social movement to gain greater visibility for itself and for the cause for which it fights. For historically marginalized groups, particularly those whose existence as a social group has been silenced or made invisible by structures of marginalization, visibility tends to weigh quite heavily and assume a high degree of importance. Moreover, gaining visibility is, for these groups, an initial but essential step in the struggle for the (positive) cultural revaluation of their currently vilified or negatively valued identity. It often involves the public expression of a group identity in the public sphere on terms

set by the group itself, though the venues and vehicles through which visibility is gained may well impose limitations on the portrayals of that identity. Obviously, visibility by itself does not necessarily entail the public recognition of the marginalized group in question. Nevertheless, the public deployment of a marginalized identity interferes with the process of public construction of those collective identities, since the latter is shaped by the interaction between a group's self-constructed identity and the way others—non-members—see that group (Johnston *et al.*, 1994). Greater positive visibility may, for example, promote more propitious conditions for increased toleration of a marginalized group, another key aspect of public recognition.

By focusing on three main spaces where the LGBT movement has been active— the "gay market," LGBT Pride Parades, and the media—this chapter will argue that the visibility gains made by the LGBT movement in Brazil since the 1970s, and especially since the mid-1990s, have contributed in important ways to furthering an incomplete democratic inclusion of the LGBT population in Brazil.[150] On the one hand, the increasing presence of the LGBT movement in the public sphere is a clear sign of the rise of a new political actor, with at least some agency to define and diffuse its own interpretation of sexual diversity, inciting—albeit not ensuring—a revaluation of sexual minorities by the rest of society. Moreover, these gains have been central to moving LGBTs from a position of virtual social invisibility to the mainstream of culture and society, helping solidify their toleration by other social and political actors as a legitimate social group or political agent, thus attaining a significant level of public recognition. On the other hand, as the analysis in this chapter shows, the growing visibility and tolerance of sexual diversity in Brazil is skewed, in the sense that it is shaped by dynamics of class and, to a lesser extent, race and gender, promoting more strongly the acceptance of a particular subgroup of the

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[150] I should note that, given the conceptualization of social movements being used here—which includes wider networks beyond more formal LGBT organizations, such as allies in the media, academia and the market—the effects of the LGBT movement in the soft public sphere are diffuse and at times hard to delineate. This is so because spheres such as the media and the market can be both a target of movement action and an independent source of change. As will become clearer in the following discussion, while some initiatives that have contributed to an increase in LGBT visibility—such as LGBT Pride Parades—have LGBT organizations more clearly behind them, others—such as the increase in commercial establishments geared towards the LGBT population or the growing visibility of gay and lesbian characters in popular *telenovelas*—are not the direct result of strategic action by LGBT groups. These various developments, however, are intricately related, and it is at times very difficult to connect the dots linking activism to its impact.

LGBT population, namely gay men of higher socio-economic class who are able to enjoy higher levels of consumption.

These conclusions underline an important point raised by Fraser (1992, 118-32), namely that structural marginalization shapes the patterns of inclusion and exclusion in the dominant public sphere.[151] Therefore, even though, formally, with the return of electoral democracy to Brazil in the mid-1980s, diverse groups have been able to mobilize and put forward their demands and deploy their discourses in soft publics, informal constraints imposed by the structures of marginalization mean that some voices are heard more loudly than others in that public sphere. The fact that neoliberalism exacerbated and the shift to neo-developmentalism only partially mitigated those patterns of marginalization means that some subgroups are "more visible" than others in soft publics.[152]

The first section will examine the rise of the "gay market" in many of the larger cities, underlining the positive potential and the inherent limitations of a strategy based on consumption. The following section explores the rapid expansion of LGBT Pride Parades across Brazil since the mid-1990s, making evident their role in generating visibility. Next, the discussion will address the changes in the visibility of gays and lesbians in the news and entertainment media since the 1980s. Given the influence of these realms in shaping popular culture, these gains have been accompanied by an increase in popular acceptance of the LGBT population, as will be seen in the last section exploring attitudes toward homosexuality as measured by public opinion surveys.

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[151] As stated by Fraser (1992, 121): "a necessary condition for participatory parity [in the public sphere] is that systemic inequalities be eliminated. This does not mean that everybody must have exactly the same income, but it does require the sort of rough equality that is inconsistent with systematically generated relations of dominance and subordination. *Pace* liberalism, then, political democracy requires substantive social equality." The issue of the impact of the socio-economic context of marginalization on social groups' participation in the public sphere is thus consistent with the more radical conceptualization of democracy presented in chapter 2, which rests on a certain level of socio-economic equalization.

[152] The intersectional approach developed here—see chapter 3—highlights how structures of marginalization operate *both* in subaltern counterpublics (the alternative publics generated by marginalized social groups) and dominant publics, such as through the depictions in the mainstream media (Fraser, 1992, 123-24).

1   The rise of the "gay market"

As discussed in the previous chapter, prior to the emergence of the more politicized LGBT movement in the late 1970s, gay and lesbian life was relatively more dissimulated, often not as "visible" to those not already "in the know." Nevertheless, already in the 1950s and 1960s, numerous spaces for homosexuals to congregate existed in cities such as Rio de Janeiro. With the rapid urbanization and development of the larger urban centres in Brazil, the anonymity and opportunities open to many individuals, especially middle-class men, fostered the emergence of a gay subculture (Green, 1999a). Carnival festivities became one of the high points of gay culture in Rio, after a slow and gradual process of appropriation of many of these events by homosexuals. By the 1950s and 1960s, a large number of drag balls and other "gay" events were taking place, increasing in size and popularity (Green, 1999a, ch. 5).

Starting tentatively in the 1970s, and picking up steam from the 1990s onwards, other spaces and venues where gay men—and, to a lesser extent, lesbians and *travestis*—could congregate started emerging. The rise of a "commercial scene" catering to the LGBT population has played a very strong role in promoting the visibility of this community, particularly in the larger urban centres. These commercial establishments have also fostered the development of collective identities among sexual minorities and opened opportunities for their expression in the public sphere. The visibility gains this "gay market" has provided, however, have disproportionately benefitted those individuals who are able to consume more, *i.e.*, those of a higher socio-economic class. As will be seen in this section, although lower-class LGBTs are not completely excluded from these commercial spaces, the latter have brought to the surface the inequalities that cut across the gay, lesbian and *travesti* communities. Ultimately, in a context marked by the legacies of neoliberalism, where individual rights associated with consumption are prized and citizenship rights are heavily shaped by one's ability to join the market, there are important exclusions generated by the "gay market."

The industrialization and urbanization of the country that started in the 1930s generated social and economic transformations that contributed to the growth of a middle class with enough resources to sustain such a network of commercial establishments. The economic boom of 1968-1973, during the military dictatorship, and the consequent boost to middle-class consumption patterns, also helped lay the bases for the growth of venues such as bars, nightclubs and saunas

for gay men. The economic power of some homosexuals, and the increasing marginalization of those left out of the "economic miracle" also contributed to the increase in the commercialization of sex in Brazilian society, leading to the greater visibility of *travestis* working as sex workers and male hustlers in the streets of the major Brazilian cities (Green, 1999a, 246-56).

While the economic crisis that affected Latin America in the 1980s and the onset of the AIDS epidemic dampened the development of the "gay market," the stabilization of the economy in the mid-1990s and the implementation of neoliberal economic policies created new opportunities for the spread of consumerism (Nunan, 2003, 190), particularly among the middle- and upper-classes. The late 1990s and the early twenty-first century saw a rapid growth of this market niche: in 2003, a study indicated that in the previous five years, the number of businesses aimed at the gay public doubled to over 200 across the country, including nightclubs, bars, restaurants, travel agencies, saunas, hotels, gyms, fashion stores, film festivals, raves and websites (Athayde, P. D., 2003; Nunan, 2003, 187). In 2004, several travel agencies and hotel chains formed the *Associação Brasileira de Turismo para Gays, Lésbicas e Simpatizantes* (Brazilian Tourism Association for Gays, Lesbians and Sympathizers, ABRATGLS) to coordinate the promotion of tourism for gays and lesbians. Increasing attention is given in the business media to what is depicted as a well-off market niche, with greater purchasing power and disposable income than the average population (see, for example Cunha, L., 2006). The perception of gays as conspicuous consumers is commonly depicted in the media, solidifying their image as a legion of DINKs ("double-income-no-kids") (Badget, 2001, 1-2; Bell and Binnie, 2000, 97).

Some analysts, entrepreneurs and activists see the market and the rise of the "gay economy" as an important locus of visibility and mobilization, as a new way of "doing politics" (Interview with researcher from Universidade Cândido Mendes, Rio de Janeiro, RJ, June 04, 2003). The ways in which the commercial establishments geared toward a gay and lesbian clientele may contribute to the struggle for inclusion of sexual minorities are manifold. In this view, the establishment of a gay and lesbian commercial scene, by creating a space of sociability, provides spaces and opportunities for interaction that contribute to the formation of a common identity that binds together the gay and lesbian community. The market allows, at least to a certain extent, for plural identities to be promoted, as seen in the proliferation of venues aimed at more

specific groups within the LGBT community—masculine gay men, lesbians, bears, drags, etc. (Simões and França, 2005).[153]

This "commercial scene" can also play an important role in the active promotion of a positive visibility of sexual diversity—with the deployment of identifiable international symbols such as rainbow flags, the adoption of a positive and progressive discourse *vis-à-vis* the gay and lesbian community, and by directly participating in LGBT Pride Parades with *trios elétricos*, the large trucks with loudspeakers that typically lead the crowds in these events (Simões and França, 2005). In these ways, the lines between activist organizations and commercial establishments can become quite blurry, as both become political actors that share a common "field of action," pushing forward the positive visibility of a social group that is often depicted by the mainstream culture in pejorative and negative terms (França, 2006, 104-05, 2007). Moreover, many entrepreneurs in the gay market see their business decisions as a form of activism—pointing out that, businesswise, many of their ventures would not make sense; they are only in business because it is something they believe in, something they find politically important (França, 2007). The development of a "gay market," therefore, has engendered positive results, especially with the growth of commercial establishments openly geared toward a gay or lesbian clientele, since these venues inevitably increase the visibility of sexual minorities in society.

As mentioned above, however, these developments tend to benefit disproportionately those capable of enjoying higher levels of consumption. The market is not immune from—it is in fact a source of—the hierarchies and inequalities that structure Brazilian society. The development of a "gay market," not surprisingly, brings to the fore and reinforces some of the inequalities that exist within the gay, lesbian and *travesti* community. This does not mean that lower-class individuals are completely marginalized from the market. Gay bars and dance clubs do exist in poorer neighbourhoods, such as the Northern or Western periphery of Rio de Janeiro; and while not readily accessible to lower-class individuals, more *chic* establishments may not be completely out of reach to them. So, while consumption options are available for lower-class LGBT individuals, the "gay market" in the larger cities—similarly to the entertainment market in

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[153] The creation of urban spaces where gay and lesbian establishments are concentrated can also be catalysts for demands for the protection of these venues against violence (Andrade, 2002, 126-28).

general—is often characterized by a distinction between those establishments catering to a modern, sophisticated, richer clientele and those more accessible to poorer individuals (Simões and França, 2005; Parker, 1999, 145-50). Homophobic violence and general insecurity also tend to be seen as more of a problem in the areas and spaces frequented by lower-class individuals (Simões and França, 2005). In the LGBT community, class and sexual identity are often intermingled in the construction of social markers, as made clear by the use, especially among those circulating in the more modern and sophisticated spaces, of pejorative terms to designate lower-class, more effeminate gays—*bicha quá-quá*, *bicha poc-poc*, *bicha um-real*, *bicha pão-com-ovo* (Simões and França, 2005). Moreover, most of these commercial spaces cater more specifically to gay men. While in larger cities like São Paulo, a more diverse commercial scene can be found, with bars and night-clubs for lesbians as well (Simões and França, 2005), significantly fewer establishments cater exclusively to women, reflecting their lower consumption power.[154]

Travestis are also frequently excluded from this "gay market," underlining other elements of hierarchy and inequality it promotes, as well as tensions that exist between the LGBT movement's struggle and the functioning of the market. It is not uncommon for *travestis* to be denied entrance to gay bars and clubs, or to have their entrance fees increased—at times up to tenfold (França, 2006, 106, 114 fn. 13). In November 2003, as a response to this recurring problem, *travesti* activists from the São Paulo LGBT Pride Parade Association organized what they called "*Blitz Trans*." This involved visiting gay establishments that tended to deny entrance to *travestis*, accompanied by an activist lawyer; when denied entrance, activists would threaten legal action and protests. In a case that received significant attention in the LGBT community in São Paulo, *travesti* activists demanded entrance to a gay sauna; being denied, they deployed their strategy. Following the action, and due to the public attention the case brought on the owner of the sauna, he finally relented (França, 2006, 111). This case made clear the strong hierarchies and exclusions that exist in the "gay market," and brought to light the tensions between, on the one hand, the LGBT movement's discourse of inclusion and equality among all sexual minorities and, on the other, the tendency of the market to cater to specialized niche consumer groups and

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[154] Differences in the use of public spaces by women and men, as well as variation in the centrality of commercial establishments for gay or lesbian cultures may also contribute to these differences.

to exacerbate hierarchies and inequalities of power among its various potential consumers. Finally, this case also underlines the ways in which the market can contribute to the identity-building processes within the LGBT community and, consequently, to the visibility it promotes within and beyond that community. By excluding some groups—in this particular case, *travestis*—the "gay market" values a specific subgroup over others as more acceptable, in large part because of its ability to consume more.

The "liberation through consumption" opened by the market, then, is inevitably incomplete and limited. As pointed out by Bell and Binnie in the case of the United States and the United Kingdom, this kind of strategy presents a variety of dangers (2000, 96-107), since it can easily lead to the increased visibility and acceptance of one kind of group (white, middle-class and composed of model consumer-citizens), and the marginalization of all other "bad queers." In more Brazilian terms: the risk is that society ends up accepting the *gay rico* (rich gay man) and marginalizing even more the *bicha pobre* (poor "fag") (Marsiaj, 2003).

2   The boom of LGBT Pride Parades

Since the late 1970s, the LGBT movement's repertoire has included direct actions such as demonstrations in front of government offices, marches, and, more recently, kiss-ins. Yet Pride Parades, since the first one was held in 1995 in Rio de Janeiro, have become one of the main vehicles for raising the visibility of sexual minorities and their claims. By 2005, over 50 parades took place in all regions of the country (Governo destina, 2006), and one year later, there were over 100 (ABGLT (Associação Brasileira de Gays, Lésbicas e Travestis), n/a). Increasingly, they are organized in smaller towns in the interior of the country: in 2006, for example, 10 were held in the Southern region of the country, 41 in the Southeast, 40 in the Northeast, 16 in the Centre-West and 10 in the North (compiled from ABGLT (Associação Brasileira de Gays, Lésbicas e Travestis), n/a). They have thus brought increasing visibility to sexual diversity issues to all corners of Brazil.

These Pride Parades vary enormously in size, from a few thousand to a few million. One of the best examples of their rapid growth is the São Paulo LGBT Pride Parade, which, since its inception in 1997, has grown exponentially to establish itself as the largest Pride Parade in the world, and perhaps the largest recurring public demonstration in Brazil (table 5.1).

Table 5.1: Attendance at the São Paulo LGBT Pride Parade (1997-2010)[155]

Year	Attendance
1997	2,000
1998	7,000
1999	35,000
2000	120,000
2001	250,000
2002	500,000
2003	1,050,000
2004	1,650,000
2005	2,150,000
2006	2,750,000
2007	3,500,000
2008	3,400,000
2009	3,100,000
2010	3,000,000

Sources: (Uma história em 7 capítulos, 2004; Parada Gay paulistana, 2004; Parada Gay reúne 1,5 milhão, 2004; Capiglione, 2005; Muniz, 2006; Parada Gay bate recorde, 2007; Público da Parada Gay caiu, 2008; Organizadores afirmam, 2009; Vilicic and Sampaio, 2010)

One issue that may affect the type of visibility these parades promote is the kind of image they convey to the public and to the LGBT community itself. Parades in cities such as Rio de Janeiro and São Paulo have been criticized for having lost their political focus and become a party, a "*carnaval fora de época*" ("off-season Carnival"). Others have raised the question of whether the display of sexuality is not counterproductive to the objective of achieving greater toleration and acceptance of gays and lesbians in society (see, for example Sampaio, 2005).

Some data are available on the meaning Pride Parades have for those attending them, providing an indication of how participants see these events and what kind of visibility they feel parades help advance. Surveys conducted during Pride Parades in Rio de Janeiro, São Paulo and Recife indicate that at least half of those attending said their main motive for going to the parade was related to seeking or supporting greater visibility and rights for sexual minorities. Responses

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[155] Where attendance estimates from organizers of the Parade and from the Military Police were available (2003-2006), an average is listed. These numbers have become increasingly politicized, with claims of exaggeration by opponents being fuelled by technical difficulties among organizers to establish a more rigorous assessment. Since 2010, activists have gradually given less emphasis to attendance, as many consider it to be a pointless obsession. The general point of a rapid and massive growth remains, however.

underlined a desire to show solidarity with homosexual friends or relatives; to show that "we, homosexuals, exist;" to push for rights for homosexuals in Brazil; or to come out publicly (Carrara *et al.*, 2003; Carrara and Ramos, 2005; Carrara *et al.*, 2006; Facchini *et al.*, 2007, 45; Carrara *et al.*, 2007, 35). While these same surveys indicate that for about thirty percent of attendants entertainment or curiosity was the main reason for being at the event, the political nature of Pride Parades remains important. It seems, then, that Pride Parades are primarily a *carnavalesque* way of doing politics.[156]

Drawing on data from surveys conducted in LGBT Pride Parades in Rio de Janeiro (2003 and 2004), São Paulo (2005 and 2006) and Recife (2006) (Carrara *et al.*, 2003; Carrara and Ramos, 2005; Carrara *et al.*, 2006; Facchini *et al.*, 2007; Carrara *et al.*, 2007), some interesting patterns emerge. While most of the participants and spectators of these Pride Parades were male—60 percent on average—a remarkable proportion of women also participated in the parades.[157] In addition, these parades tended to reflect the racial distribution in the general population. In the Rio de Janeiro and São Paulo events, on average, 56 percent of participants were white, while 37 percent self-identified as *pardo* or black. This racial distribution roughly reflects the racial profile of the population of the metropolitan regions of these two cities, where, in 2007, on average, according to the Brazilian Geography and Statistics Institute, 57.5 percent of the population identified as white and 41.3 percent as either *pardo* or black (IBGE (Instituto Brasileiro de Geografia e Estatística), 2008, table 8.1). In the Recife Parade, the racial profile of participants reflected approximately the local racial distribution: 34.5 percent identified themselves as white, and 53.1 percent as either *pardo* or black, compared to the racial distribution in the general population of 38.6 percent white and 60.9 percent *pardo* or black

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[156] As will be explored in greater detail in chapter 6, one of the main sources of funding for Pride Parades has been the National Program on Sexually Transmitted Diseases and HIV/AIDS of the Ministry of Health. More recently, other government agencies have also started contributing to these events, namely the Ministry of Culture. In many locations, municipal governments provide financial and logistical support to parade organizers. While all of these resources are extremely important for the movement, and indeed crucial for parades in smaller cities, the costs of larger events have accompanied their growth in size. Consequently, organizers increasingly seek support from the private sector, which is not always forthcoming (Fernandes and Rolli, 2005).

[157] While female participation at the parade may be significant, this does not necessarily translate into an equally balanced media visibility for women. In addition, the participation of women in the broader LGBT Pride Parades has not prevented lesbian activists from organizing more specific events to highlight their struggle: since 2003 in São Paulo, and since 2009 in Rio de Janeiro, Lesbian Marches have been held as well.

(IBGE (Instituto Brasileiro de Geografia e Estatística), 2008, table 8.1). The participation of women and Afro-Brazilians in these events points to a significant achievement of the movement in regard to inclusivity and visibility. Reflecting the mobilization of women since the early days of the movement, and the mobilization of racial identity within the LGBT movement, as analyzed in the previous chapter, Pride Parades have, to a great extent, generated a more diverse visibility for the LGBT community in terms of gender and race.[158]

A more skewed picture emerges, however, if we turn to socio-economic class. The survey data indicate that Pride Parade participants tend to be very highly educated.[159] In Rio de Janeiro and São Paulo, 48 percent of respondents, and in Recife, 36 percent possessed at least some post-secondary education. These proportions stand in sharp contrast to the overall population: in 2007, in Rio de Janeiro and São Paulo metropolitan areas, only 19 percent of the population over 25 had 12 years of education or more, while in Recife that number was 12.7 percent (IBGE (Instituto Brasileiro de Geografia e Estatística), 2008, table 2.14).[160]

Unfortunately, no similar data are available on participants in the dozens of Pride Parades being held in smaller towns in the poorer interior of the country, so it is hard to guess the extent to which the above characteristics hold in those regions. The larger LGBT Pride Parades in the main urban centres such as Rio de Janeiro and São Paulo, however, are the ones that receive the greatest degree of media attention and have the strongest impact on visibility in relation to the general population. In the interior of the country or in the peripheries of larger cities, parades can also play a broader role of community organizing, as LGBT groups tend to involve the local community more heavily in the organization of the events. Many parades in poorer neighourhoods include, on the days prior to the main event, temporary beauty salons at

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[158] The same may be said in regard to gender identity, since the participation of *travestis* in these events is also significant.

[159] While not perfectly predictive of income, high levels of education are among the best indicators of a high socio-economic status in Brazil, so the educational profile of parade participants gives us a good sense, even if just a snapshot, of whether there is a bias in relation to who joins these types of demonstrations, at least in the larger urban centres.

[160] Since these numbers indicate the education levels of the general population over 25 years of age, the contrast between parade participants and the general population would be even sharper if we included in the latter the entire age range of parade participants—15 and up.

accessible prices and stands to help individuals obtain their documents—*e.g.*, birth certificates—to provide work-related legal assistance, information on HIV/AIDS and medical assistance (Interviews with *travesti* leaders, Rio de Janeiro, RJ, June 24 and September 13, 2003).[161]

3   Media and visibility

The media play an important role in the construction of cultural attitudes towards sexual minorities, both reflecting mainstream views and helping shape and change them. In Brazil, the media are key actors in the cultural arena, being influential in the processes of public opinion formation and diffusion of societal attitudes (Kottak, 1991, 81-82).[162] Television has a much more significant penetration in society than printed media, and positive depictions and treatment of the LGBT community are not only important in bringing an inclusive kind of visibility to the public sphere, but also provide cultural referents to members of these communities that can affect their process of identity building.

The media have helped shape the visibility of sexual minorities in Brazil in two ways. First, the development of independent gay and lesbian media—magazines, newspapers, newsletters—provided an important element for the development of what Nancy Fraser has called a subaltern counterpublic—an alternative public generated by the marginalized group itself—helping construct and disseminate collective identities that structure the gay and lesbian community and that provide the basis for the formation of a collective political actor. Second, the increasing gaze of the mainstream media—print media and television—has played a key role in the rise of visibility of LGBTs in society at large. While part of this attention has perpetuated negative stereotypes, the treatment of issues related to homosexuality has become increasingly positive since the mid-1990s, contributing to a more tolerant attitude toward gays and lesbians. There is no doubt that this mainstream visibility has limits, portraying as acceptable and respectable primarily gays and lesbians of a higher socio-economic status who refrain from flamboyant

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[161] Also, more recently, some parades in larger cities such as Rio de Janeiro have also included stands from government agencies that provide services such as emission of documents or registration in professionalizing courses (Teixeira, 2012).

[162] According to the 2007 Brazilian National Household Survey, over 96 percent of urban households in the country had a television (IBGE (Instituto Brasileiro de Geografia e Estatística), 2008, table 3.8).

displays of their sexuality, do not significantly transgress gender lines and conform to the dominant norms around relationships. There is no question, however, that this "contained visilibility" has generated increased public discussion of LGBT marginalization.

The first inroads in the media were made by the emergence of independent gay and lesbian publications, which experienced a flourishing with the democratic transition of the late 1970s and early 1980s. This development had its roots in the rise of alternative gay media in the decades prior to the organization of the more politicized LGBT movement, when small-scale publications such as *O Snob* contributed to the expansion of homosexual social networks in the main cities in the country (Green, 1999a). These publications played an important role in providing information about LGBT issues to members of the community that would not have had access to it otherwise, due to discrimination or isolation. In the late 1970s, publications more closely attuned to the LGBT movement started appearing, helping raise awareness of LGBT issues and involve more people in the movement, as well as increasing visibility about sexual diversity by its mere presence in newsstands. The best example is *Lampião da Esquina*, a publication with national distribution launched in 1978. As seen in the preceding chapter, *Lampião* was intimately related to the creation of the first gay and lesbian organization in the country, *Somos*, in São Paulo (Trevisan, 2000; Facchini, 2005; MacRae, 1990). Coming out at the height of the democratic transition period, *Lampião* followed a "gay liberation" editorial line, going head-to-head with the censorship and the conservative and authoritarian elements of Brazilian culture and society prevalent at the time. It thus went beyond the call for a democratization of political life, focusing on the need for the liberalization of sexual norms.[163]

In the 1990s, some more commercially viable magazines geared towards a gay public started emerging. A notable example was *Sui Generis*, a magazine launched in 1995 that achieved a sizeable success. The magazine included a mix of articles about social and political issues, as well as gay and lesbian culture, entertainment, lifestyle and fashion. Despite its success and quality, *Sui Generis* ceased publication in 2000. Several other similar publications have emerged since, overwhelmingly focused on entertainment and consumer-related issues, with very limited

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[163] While *Lampião* played a key role in raising visibility of LGBT issues and of the gay and lesbian movement, it ceased publication after only three years. The reasons for this early demise include its increasing financial difficulties, and its gradual loss of ideological and political direction (Trevisan, 2000, 360-63).

coverage of social or political issues affecting the LGBT population. Most have been short lived. Among the magazines aimed at a gay public that have managed to last longer—from 1997 until 2013—was *G Magazine*, a publication focusing on homoerotic material, following a model pioneered by *Playboy*, whereby celebrities—*e.g.*, actors, soccer players—are invited to pose nude for the magazine, thus helping to boost sales. Other articles about health, lifestyle, entertainment and fashion are also included, but the erotic material is the main focus of the magazine. The challenge of securing advertisers, who in general are still wary of having their brands associated with the LGBT population, remains one of the main challenges for all of these publications (Nunan, 2003, 183-87). Also importantly, the focus on erotic material and consumer-related issues, in addition to only providing a very superficial treatment of social and political questions, shape the kind of visibility these publications promote to the public-at-large. At worst, they can exacerbate the view of gay men as a highly sexualized niche market to be exploited, while the demands for rights and more substantive inclusion of all gays, lesbians, bisexuals and transgender people go practically unnoticed.[164]

As the gay and lesbian movement grew in visibility from the early 1980s on, increasing attention started being paid by the mainstream media as well. With creativity from media outlets and some flexibility from the authoritarian regime, interviews with gay celebrities and other information about gay life managed to get around government censors, with some positive and informative depictions of the growing gay life in cities like Rio de Janeiro and São Paulo (Green, 1999a, 262-66). In general, however, in the 1970s and 1980s, journalistic coverage of issues related to sexual minorities tended to be stereotypical and negative, a pattern that was significantly fuelled by the onset of the AIDS crisis and its early treatment by the media as a "*peste gay*" (Galvão, 2000, 182-83; Trindade, 2004, 180). Another common practice was the portrayal of homosexuals as

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[164] Also important among alternative gay media are publications by LGBT organizations themselves, in the format of newsletters or small newspapers. These tend to be very small-scale publications, for local distribution in LGBT spaces. They can play an important function in mobilizing the LGBT population, and bringing greater visibility to the diversity of LGBT organizations. An excellent example is the *Jornal do nuances*—a small newspaper from *nuances*, a group from Porto Alegre—that develops a highly politicized editorial line. It provides a forum for *nuances* activists to criticize much of the rest of the Brazilian LGBT movement—which they see as mainly assimilationist—as well as consumerist strategies associated with the development of the gay market (Barroso, 2009). Moreover, since the beginning of the 2000s, electronic media have boomed and to a great extent taken the place of LGBT print media. In general, however, similar patterns as the ones highlighted above seem to predominate.

belonging to an underworld of violence and marginality, a view disseminated in sensationalist reporting and a focus on crime and violence involving sexual minorities (Nunan, 2003, 100).

Gradually, starting in the mid-1990s, as a more inclusive and non-discriminatory governmental and non-governmental response to AIDS started solidifying, and as the LGBT movement gained strength and greater visibility with its actions, a more objective coverage in the news media started emerging. The rise in the number and size of Pride Parades and the growth of the gay market also helped push news media to pay greater attention to the LGBT community and its demands and claims, shifting the focus away from crime and marginality.[165] Newspapers such as *Folha de S. Paulo* and *O Globo*—two of the largest newspapers in the country—have regular columns dealing with diverse issues of interest to the LGBT community. More and more, homophobic statements by public figures tend to be presented in a negative light; and news reports about LGBT issues and events often include the point of view of LGBT activists.

These changes are, at least in part, directly related to the activity of the LGBT movement. Since the media are, as mentioned above, an important player in the contestation over meaning and culture, they are a point of reference for social movement activity (della Porta and Diani, 2006, 220-21). Many gay and lesbian activists in Brazil see the use of the media as a key strategy in their struggle to raise visibility and to diffuse information regarding sexual diversity issues. In their view, media coverage of public lectures by movement activists, demonstrations and other activities helps raise awareness about sexual diversity in society, contributing to dispelling commonly-held prejudices, misunderstandings and myths about the LGBT population. One example of how the media can be used to further the goals of the LGBT movement comes from Rio de Janeiro. In the late 1990s, as a wave of homophobic attacks took place in an area with several gay bars, activists from *Grupo Arco-Íris* made effective use of mainstream news media to generate pressure on the local government to take action. Despite various attempts by activists to pressure officials, it was only after media reporting brought public attention to the issue that measures were put in place to deal with the problem (Andrade, 2002, 126-27).

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[165] Some critics still point out that the coverage of events like Pride Parades is often superficial, focusing on the *carnavalesque* elements of the demonstration rather than on its political elements (gay activist Julian Rodrigues, e-mail to GLBTS mailing list, May 30, 2005).

The media are not only a tool for furthering social movements' goals, they can also be the target of its actions. While media outlets, particularly the larger ones, have increasingly taken a more impartial and non-discriminatory attitude towards LGBT issues, prejudice and negative depictions of homosexuality are far from absent. In the mid-1980s, *Grupo Triângulo Rosa* from Rio de Janeiro successfully worked with state-level and national journalist unions to amend the Journalists' Ethics Code to include the prohibition of discrimination based on sexual orientation (Câmara, 2002, 85-93). Within a year of this reform, the *Grupo Gay da Bahia* filed a complaint with the Ethics Commission of the Bahia Union of Professional Journalists against two local newspapers for their use of pejorative language in referring to homosexuals. As a result, the newspapers received warnings from the Ethics Commission (Câmara, 2002, 92). More recently, in 2003, activists worked with the Human Rights Committee of the Chamber of Deputies to launch a campaign called "*Quem financia a baixaria é contra a cidadania*" ("Those who finance trash are against citizenship") aimed at bringing attention to the frequent discriminatory attitude and violation of rights in television programming (Brasil. Câmara dos Deputados. Comissão de Direitos Humanos, 2003). LGBT activists assisted public officials in receiving complaints, monitoring, negotiating with and publicly denouncing television stations whose programs consistently violated the rights of sexual minorities by depicting them in a negative light.

The LGBT movement has also made use of direct legal action against media outlets. In November 2005, following a lawsuit put forward by the *Ministério Público* and a group of LGBT organizations from São Paulo state, a federal judge ordered RedeTV!—one of the top five TV stations in the country—to stop broadcasting a program that systematically made fun of and ridiculed sexual minorities. Since the television station failed to comply, its signal was blocked for 25 hours until it agreed to remove the homophobic show from its regular schedule for 60 days, replacing it during that period with educational material produced by LGBT organizations and the *Ministério Público* (Marques, 2005; Tosi, 2005; Neves, 2005; Rede TV! continua, 2005).[166]

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[166] In July 2009, RedeTV! was once again accused of discrimination. A lesbian couple invited by producers of a varieties show called *Superpop* to discuss same-sex unions were subjected to humiliation and ridicule when the debate descended to an inappropriate level, with personal offenses and swearing. The couple, who presented themselves as activists and defenders of LGBT rights, filed a lawsuit against the television station and a lawyer who was invited to the debate by the program producers for "moral damages"; a judge in the state of São Paulo ordered the accused to pay the equivalent of 80 minimum salaries (R$ 37,200, or approximately CDN$ 22,000) (Milício,

Depictions of gays and lesbians in entertainment media are also very influential in shaping the predominant views of homosexuality in popular culture. Stereotypical and flamboyantly effeminate gay characters, for example, have been common in comedic programs in Brazilian television (Trevisan, 2000, 305-13). One of the formats in entertainment of greatest popularity and influence in Brazil are the *telenovelas*, which often address controversial social issues through its characters and storylines. *Rede Globo* has established itself as the largest and most powerful media company in Brazil, and is among the largest in the world.[167] *Globo telenovelas* are among the network's main products, and often capture over sixty percent of television sets tuned in. They at times go beyond mere entertainment by bringing social and political issues to the public sphere, inciting public debate and raising awareness and visibility about them (La Pastina, 2002, 83). LGBT characters started appearing in *telenovelas* in the 1970s; until the 1990s, they were overwhelmingly depicted in a negative or stereotypical light, either as frivolous and effeminate or associated with an underworld of crime and violence (La Pastina, 2002; Colling, 2007; Peret, 2005).

Starting in the mid 1990s, *A Próxima Vítima* signaled a new way of addressing the issue of homosexuality in *telenovelas*, where the gay couple Sandro and Jefferson was depicted more naturally, without a pejorative or stereotypical treatment of the subject.[168] Since then, other *telenovelas* have depicted gay, lesbian, bisexual and transsexual characters in a more positive light, touching on and raising visibility for issues such as youth and homosexuality, and adoption by same-sex partners.

2009). While the decision could be appealed, it is a clear example of this kind of legal action to counter discriminatory behaviour in the media. More recently, in 2011, varieties show presenter Ratinho and SBT—the channel that broadcast his show—were forced to pay R\$150,000 (approx. CDN\$ 88,800) to the pastor of a pro-LGBT evangelical church for pejorative and defamatory coverage of the congregation (Porfírio, 2011b).

[167] According to some estimates, *Globo* network's signal covers 98 percent of the Brazilian territory (La Pastina, 2002, 86).

[168] Moreover, the inter-racial element in the relationship between the two gay characters brought greater attention to the characters. Interestingly, and highlighting the ways in which such visibility may be received in society, André Gonçalves, the straight actor who played Sandro, the white gay man in the story, was at one point the victim of homophobic violence in São Paulo when the *telenovela* was being aired. This *telenovela* often reached over two-thirds of television sets (Novelas: as tramas, 2009).

While these changes have without a doubt a significant impact in raising a positive visibility for gays and lesbians, change has been rather gradual, and serious limitations remain in place. While some popular *telenovelas* have changed the way they treat gay and lesbian characters, stereotypical and effeminate gay characters are still common, especially in more comedic *telenovelas*. Moreover, LGBT characters are consistently treated in superficial terms, without a more careful exploration of their personal problems and dilemmas, as is the case with most other characters (La Pastina, 2002, 90). Many LGBT characters do not have a concrete love interest and, when they do, the relationship is virtually devoid of verbal and especially physical intimacy, in sharp contrast with opposite-sex relationships among other characters (La Pastina, 2002; Colling, 2007). This "asexuality" of gay and lesbian characters has an impact on the way they are perceived: for example, early in the storyline of *A Próxima Vítima*, before Sandro and Jefferson's relationship had been revealed to the audience, it had become clear to the public in larger cities like São Paulo that they formed a gay couple, while in a small town in the interior of the Northeast audience members were oblivious to that aspect of the story (La Pastina, 2002, 93). Other critics have also pointed out that a "heteronormativity" is becoming evident in the more positive portrayal of gay and lesbian characters, who work hard to look and behave "just like" heterosexuals (Colling, 2007). In other words, only those gays and lesbians who do not transgress sexual and gender norms, and remain acceptable and respectable are presented in a more favourable light, engendering a rather narrow kind of positive visibility.

Finally, other biases that plague characters in most *telenovelas* also shape the way these characters are presented: they are beautiful, well-off, with a sophisticated lifestyle, and with good taste in clothes, art and food (Colling, 2007). Therefore, while these *telenovela* LGBT characters play a significant role in raising visibility about sexual diversity, these limitations mean that only those that fit or at least approximate a specific—and unrealistic—mould are shown in a positive light. Similarly to the effects of the gay market, the entertainment media tend to only cast a more favourable light on those gays and lesbians of a higher socio-economic status.

The LGBT movement, conscious of the impact of *telenovelas* on popular culture, has often voiced its opinion about various LGBT characters, denouncing negative portrayals, praising careful and sympathetic characterizations and demanding displays of affection between same-sex couples, as seen in the public debates around the possibility of a gay kiss in a prime-time *telenovela* (see, for example Mattos, 2005). The movement's pressure, however, is only one

among many others that often overpower it. Commercial pressure from advertisers, conservative opinions from the audience, and the influence of conservative and religious groups have at times contributed to taming more open depictions of same-sex relationships or censoring greater exposure of LGBT issues (La Pastina, 2002). Thus, in response to these kinds of pressure, in *Torre de Babel*, the non-stereotypical and successful lesbian couple in the story was killed early on in the storyline, when the shopping mall in which they worked blew up; and in the last chapter of *America*, a gay kiss which had already been taped, in a last-minute decision by *Rede Globo* officials, was not included in the final version that was aired (Colling, 2007; Mattos, 2005).[169] In 2011, following the recognition of same-sex "stable unions" by the Supreme Court, a lesbian kiss was aired for the first time, in the *telenovela Amor e Revolução* (broadcast by SBT) and, in 2014, *Amor à Vida* (broadcast by *Rede Globo*) ended with a gay kiss, causing tremendous repercussion among activists, politicians, and in social media (Oliveira, 2015, 29-30).[170]

Each step toward visibility continues to produce opposition. The persistent politicization of these issues became evident once again in 2015, when members of the Evangelical Parliamentary Front called for a boycott of *Babilônia*, a prime-time *telenovela* aired by *Rede Globo* that, in its first episode, aired a lesbian kiss between two characters in their eighties. According to them, such depictions were immoral and an insult to Brazilian families (Por conta de beijo lésbico, 2015). Following a marked drop in audience numbers, Rede Globo decided to make a few changes to the *telenovela* storyline, including scratching a second potential gay relationship (Pereira and Castro, 2015). However, consultation with focus groups indicated that audience members were unhappy with the depictions of corruption, money laundering, and impunity in the story; their evaluation of the lesbian couple was in fact positive, given the stability and longevity of their (model) relationship (Almeida, 2015). These factors seem to point to a weak impact of the Evangelical boycott.[171] Overall, then, the impact of *telenovela* engagement with LGBT

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[169] The last episode of this *telenovela*, when the gay kiss was expected to happen, reached peaks of audience of around 80 percent of television sets tuned in ("América" bate recorde, 2005).

[170] In contrast, Argentinian *telenovelas* have shown kisses between two men and two women on several occasions since 2009 (Oliveira, 2015, 29).

[171] In July 2016, a scene of sexual intimacy between two male characters in *Liberdade, Liberdade*, a late-night Globo *telenovela*, put the issue again on the spotlight (Padiglione, 2016). Evangelical legislators called for protests and a boycott of the television station, but seemingly to little avail (Martins, 2016b; Falcheti, 2016).

issues has been positive, but we should not ignore the limitedness of their portrayals, and the opposition remaining even to these limited depictions.

4   Public opinion

While it is virtually impossible to rigorously establish that the activity of the LGBT movement is the direct cause of changes in attitudes in society-at-large, the increase in visibility of LGBTs discussed above correlates with a significant shift in public opinion in Brazil toward greater acceptance of homosexuality.

Statistics from World Values surveys provide valuable data regarding public opinion toward homosexuality in countries in Latin America. Table 5.1 highlights how, since the early 1990s, we have witnessed an improvement in the general attitudes toward homosexuality in the region, coinciding with the rapid increase in visibility in commercial establishments, Pride Parades, and the media. While Brazil still remained with relatively higher levels of intolerance when compared to other Latin American countries at similar levels of development, such as Argentina and Chile, the reduction in the levels of disapproval are dramatic.[172] Recent data from the Pew Research Center's 2013 Global Attitudes survey point to a similar regional trend (Table 5.2).

Table 5.2: World Values Survey - Disapproval of homosexuality (percentage of respondents disapproving of homosexuality)[173]

Country	1989-1993 wave	2005-2009 wave	2010-2014 wave
Brazil	78	48	42

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[172] A noteworthy change in attitudes according to the World Value Surveys can be seen in Chile. This significant change came during a period when mobilization around gender issues in Chilean society has reached high levels and the women's movement had a growing presence in the State and impact on public policy (Baldez, 2002; Schild, 1998; Franceschet, 2005). While public pressure following the brutal murder of a gay youth contributed to the passage of an anti-discrimination law focused on the LGBT population in Chile in May 2012 (Vergara, 2012), the shift in public opinion highlighted above has not (yet) translated in more substantial and widespread pro-LGBT policy change in that country (see Díez, 2015, ch. 6). Nevertheless, in 2015, same-sex civil unions were legalized, potentially indicating a broadening and deepening of the gains made by the LGBT movement.

[173] Percentage of respondents on the negative end of the spectrum (1-4 out of 10, where 1 is "never justifiable" and 10 is "always justifiable") in response to the question: Please tell me for each of the following actions whether you think it can always be justified, never be justified, or something in between: Homosexuality.

Argentina	67	34	30
Chile	87	39	28
Mexico	75	45	50
United States	66	41	34

Source: http://www.worldvaluessurvey.org/WVSOnline.jsp

Table 5.3: Pew Research Center 2013 Global Attitudes survey – Moral acceptability of homosexuality (percentage of respondents)[174]

Country	Unacceptable	Acceptable	Not a moral issue
Brazil	39	44	14
Argentina	27	49	20
Mexico	40	36	15
Chile	32	45	13
Canada	15	30	50
United States	37	23	35

Source: http://www.pewglobal.org/2014/04/15/global-morality/table/homosexuality/

These numbers underline an increasing level of toleration of sexual minorities in Brazil and other large Latin American countries. Unfortunately, available data do not allow us to fine-tune the information about public opinion of the LGBT community and more precisely measure some of the dynamics of intersectionality discussed above. Whether individuals are only selectively more tolerant, *i.e.*, accepting whiter, more middle-class and less flamboyant gays and lesbians, cannot

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[174] Response to the question: "Do you personally believe that homosexuality is morally acceptable, morally unacceptable, or is it not a moral issue?"

be discerned by these data. Nevertheless, the patterns of visibility examined in this chapter, and the intersectional patterns of marginalization discussed in chapter 3 lend credence to the argument that indeed there is a certain bias in the toleration and acceptance of sexual minorities, despite the significant gains already mentioned.

5 Conclusion

The importance of the politics of visibility is made clear by Míriam Martinho, a long-time lesbian leader in São Paulo: "None of this [a series of legal victories protecting the rights of gays and lesbians] would have been possible without the visibility strategy. Without it, there would be no social subjects for which to demand rights, there would be no legal recognition of the existence of homosexual relationships, there would be no demonstration like the one at the last LGBT Pride Parade in São Paulo, which brought a million people to the streets" (Martinho, 2003). Promoting positive visibility of the LGBT population in the public sphere through actions that extend beyond the State is thus part and parcel of the broader struggle for inclusion waged by the LGBT movement. It is not only part of the process of development of the autonomous agency of that political actor, it is central to the pursuit of public recognition, another key element in assessing the democratizing impact of social movements.

The examples of the rise of the "gay market," LGBT Pride Parades, and the increase in visibility of LGBT issues in the media show the rapid and tremendous changes taking place in Brazil since the 1980s. While only two-and-a-half decades ago most of the public attention on homosexuality was clouded by the stigmatized and discriminatory discourses linked to the emergence of the AIDS epidemic, from the mid-1990s onward, as the LGBT movement started gaining strength, a different kind of visibility started taking root in the soft public sphere. As suggested by Martinho, this visibility plays an important role in the fight for rights and measures to promote LGBT citizenship by creating a more propitious cultural context for those advancements; at the same time, it cannot escape the broader socio-economic context in which it exists. As all three cases discussed above made clear, the growing visibility of homosexuality in Brazil is shaped by dynamics of class and, to a lesser extent, race and gender, promoting more strongly the acceptance of a particular subgroup of the LGBT population: gay men of higher socio-economic class who are able to enjoy higher levels of consumption. A fuller picture of how far the LGBT

movement's struggle for inclusion has gone, however, can only be composed once we consider its engagement with State institutions, a task to be undertaken in the following chapters.

Chapter 6
AIDS and beyond: the LGBT movement and the federal executive

An examination of the relationship between the LGBT movement and the federal executive[175] provides another important piece in the puzzle of the movement's democratizing impact. It sheds light on how the movement has had increasing opportunities in the last couple of decades for greater participation and for shaping public policies around LGBT issues. It also underlines the continued obstacles to reaching concrete and universal gains for the LGBT community.

The fight against HIV/AIDS has strengthened the LGBT movement considerably and, despite a dependence on AIDS-related resources from State agencies, movement organizations have been able to push the State to make inroads in areas other than health policy. These advancements included gains in access to and influence over policy-makers to push forward pro-LGBT policies, as well as the increasing presence of LGBTs in relevant institutional spaces vested with the responsibility of making and/or monitoring public policies. In other words, we have also witnessed a marked increase in participation of LGBTs in decision-making spaces.

When it comes to the concreteness and universality of policy gains, we have a more mixed bag, and clearer indications of the limits of democratic inclusion. In the policy area of AIDS, we have seen the greatest inroads where, despite continued difficulties and challenges, an effective response was built by the cooperation between civil society and the state in the areas of prevention and treatment, reaching some of the most marginalized groups. While AIDS, in some senses, is a unique case, its successes also help explain the gains made in other policy areas related to civil, social, and cultural rights. It is in these other areas that we see more markedly the problems that typically plague the democratic inclusion of the LGBT population. Despite some important intiatives in areas such as education, public security and social security, serious limitations regarding the implementation and sustainability of those policies point to shortcomings in the concreteness and universality of gains.

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[175] While a narrower, more strict understanding of the executive branch in the Brazilian presidential system may refer to the president, her office, and ministers, I am using a more expansive understanding of the executive branch, which also includes the federal bureaucracy (*i.e.*, those offices, agencies and officials that are involved in the execution of public policy).

As will be seen in this chapter, moreover, the dominant regime of interest mediation in place and the institutional framework faced by the LGBT movement are key factors in explaining why these characteristics of incomplete democratic inclusion have taken shape. The dominant regime of interest mediation sheds light on the opportunities opened for the increased participation of the LGBT movement in decision-making spaces. The period of democratic transition in the 1980s, the move to a more clearly neoliberal regime in the 1990s, and the later shift to a neo-developmentalist one in the mid-2000s engendered different kinds of opportunities for LGBT activists to access decision-makers in policy-making forums and to occupy spaces within the State apparatus. These opportunities were amplified by international factors, including the inflow of World Bank loans starting in the mid-1990s aimed at combating the AIDS epidemic, and the preparations for United Nations Conferences in the 1990s and 2000s. These conditions made possible the increasing dialogue between LGBT activists and state officials, the creation of decision-making spaces that included members of the LGBT movement as experts and service deliverers, and the use by activists of those spaces to push for change.

The institutional framework faced by activists further explains the advancements in terms of increased participation and pro-LGBT policies, but it also sheds light on some of the instability of those gains and their lack of sustainability. The predominance of personalism opened up opportunities for greater participation of activists in decision-making spaces. And while these inroads in participation contributed to some policy gains, weak State capacity and other institutional obstacles ultimately eroded their concreteness by leading to limited or uneven policy implementation.

In the first section, I will explore the development of the response to the AIDS epidemic in Brazil, particularly in relation to the gay movement's insertion in that process. The second main section will outline the gradual process by which the LGBT movement has occupied spaces in the bureaucracy and made policy gains around other human rights issues, in areas such as educational policy and public security. It will also examine the reasons why the democratic inclusion of LGBTs remains incomplete, underlining the ways in which increases in participation in decision-making spaces have not necessarily translated into more robust concrete and universal gains for the LGBT population.

1 AIDS: the development of a concerted response to the epidemic

The development of the response to the AIDS epidemic in Brazil involved both State and civil society, in a cooperative relationship that has been internationally lauded as a model to be followed by other countries in the Global South (Smallman, 2007, 67-112).[176] The onset of a global health crisis, and its coincidence with the process of democratic transition in Brazil, engendered opportunities for the LGBT movement. The State response to the epidemic buttressed the agency of gay groups and fostered the participation of activists in the development of AIDS policy. At first based on personalism, whereby specific officials engaged with LGBT organizations and helped open spaces for greater participation, the relationship became more entrenched and institutionalized as State agencies started working with gay and lesbian groups as experts in reaching target populations and as prevention service deliverers—a relationship typical of a neoliberal regime of interest mediation (see table 2.1). And while gay groups were increasingly dependent on AIDS-related funds, their autonomy was not deeply compromised, given the general compatibility of their needs in relation to fighting the epidemic with the State's goals of tackling AIDS among men who have sex with men (MSM). AIDS policy, therefore, represents an example of the potential the LGBT movement has to generate greater democratic inclusion even in the face of challenges stemming from the effects of the historical structures of marginalization in which these developments are embedded.

1.1 AIDS: the early response

The first reported cases of HIV in Brazil in the early 1980s were concentrated among middle- and upper-class gay men who had travelled abroad, but soon the virus spread among other MSM in the larger Brazilian cities such as São Paulo and Rio de Janeiro. The initial reactions were reflected in media characterization of a mysterious "gay cancer" that was affecting the affluent

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[176] After reaching a peak of around 15,000 AIDS-related deaths a year in the mid-1990s, the numbers have gradually fallen to close to 11,000 a year in 2007 (Brasil. Ministério da Saúde. Programa Nacional de DST/AIDS, 2008, 17), and has stabilized at that level since then. After a sharp increase in the number of new cases per year throughout the late 1980s and early 1990s, the rate of increase of new cases has diminished drastically since the late 1990s (Brasil. Ministério da Saúde. Programa Nacional de DST/AIDS, 2008, 6). Statistics like these, especially when contrasted with the devastating effects of the epidemic in other regions of the developing world, such as Sub-Saharan Africa, have made of the Brazilian AIDS Program a poster child for international donors and many AIDS activists.

gay community in the main urban centres (Galvão, 2000, 48-55). By 1983, growing concern with the infections led gay groups such as *Somos* and *Outra Coisa* in São Paulo to pressure health officials and agencies to put in place some sort of response. This took place in a context of democratic transition, since, for the first time since the beginning of the military regime in 1964, direct elections for governor were held in 1982. At the state level, a party in opposition to the military regime was elected, with Franco Montoro of the PMDB as governor. As a result, local public officials were more willing to meet with and listen to the demands of social movement activists. Importantly, many doctors in the São Paulo Health Secretariat had been associated with the *movimento sanitarista*, a social movement that gained force during the democratic transition and that sought to bring health care to marginalized communities and groups in society. These *sanitarista* activists had a history of dealing with leprosy, and had thus become sensitized to the social aspects of diseases, particularly the discrimination and stigma that accompanied many of them (Teixeira, 1997).

These particular conditions, coupled with the early and forceful participation of the gay movement, set the tone of the response to HIV/AIDS in São Paulo, a progressive approach that would later be used as a model for other states and the federal government (Teixeira, 1997, 48). The more open-minded attitude of public health officials toward marginalized groups (*e.g.*, sex workers, intravenous drug users, sexual minorities), and the close collaboration between the State and civil society (AIDS non-governmental organizations [NGOs], gay groups, and other kinds of organizations dealing with the epidemic) would be later replicated and expanded as the governmental response to AIDS developed from the late 1980s onward.

It was not until 1986 that the federal Ministry of Health started responding more strongly to an increasingly critical situation. That year, the *Programa Nacional de DSTs/AIDS* (National Program on Sexually Transmitted Diseases and AIDS, PN DST/AIDS)[177] was created, and the institutional infrastructure to coordinate the national response to the epidemic started being erected. Importantly, it was put under the direction of Lair Guerra de Macedo Rodrigues, a

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[177] I will refer to this agency interchangeably as PN DST/AIDS or National AIDS Program. While it has changed names to *Coordenação Nacional de DST/AIDS* and then back to PN DST/AIDS, I will use the latter for clarity's sake. In 2009, the National Program became a Department in the Health Monitoring Secretariat (*Secretaria de Vigilância Sanitária*) in the Ministry of Health, changing its name (and responsibilities) to Department of Sexually Transmitted Diseases, AIDS and Viral Hepatitis (*Departamento de DST, AIDS e Hepatites Virais*).

biologist who, in the early 1980s, had held an internship at the Centre for Disease Control in Atlanta, and had, since 1983 been involved in work related to sexually transmitted infections in the Ministry of Health (Laurindo-Teodorescu and Teixeira, 2015ch. 7). Her research interests, personal connections to international agencies,[178] and openness to dialogue with civil society boded well for the strengthening of the National AIDS Program and of its relationship with the LGBT movement. By 1988, some clear moves towards including civil society actors in the determination of AIDS policy were becoming evident. That year, for example, the National AIDS Commission (CNAIDS) included Luiz Mott, the president of *Grupo Gay da Bahia*, as a member (Teixeira, 1997, 58).

While initially bureaucrats and officials at the federal level were following the steps taken at the more local level in São Paulo, from about 1988 onwards, the PN DST/AIDS started centralizing the decision-making and the governmental response to AIDS across the country (Teixeira, 1997, 60). This centralization of the National AIDS Program—as well as its pragmatism and technocratic character—predominated well into the 2000s (Interview with technocrat from the PN DST/AIDS, Prevention Unit, Brasília, DF, August 28, 2003).

Highlighting the still fragile nature of the governmental response and dependence on specific individuals for the maintenance of sustained State action, the period of 1990-92, during the mandate of president Fernando Collor de Mello, witnessed a sudden halt to the advancement of the National AIDS Program, and a reversal in a number of fronts in the fight against the epidemic (Parker, 1997; Teixeira, 1997; Galvão, 2000, 123-24). Ironically, it is during this period that the basis for what was to become one of the most important pillars of the Brazilian response to AIDS was laid out: the distribution of anti-retroviral medication through the public health system (Teixeira, 1997, 63-64).[179] It was in 1996, when more effective anti-retroviral

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[178] In particular, officials in the Ministry of Health who invited Rodrigues to join the AIDS Program were aware of her personal connections to officials in the Pan-American Health Organization and the World Health Organization, which might facilitate negotiations for international funds to develop a governamental response to the AIDS epidemic (Laurindo-Teodorescu and Teixeira, 2015, 140).

[179] Initially intended to improve the notification of cases of AIDS in public hospitals (Camargo Jr., 1999, 234), this policy was later maintained and expanded, despite criticism from international bodies such as the World Bank for its costliness. Mobilization of AIDS NGOs and other affected groups has also been important in keeping it afloat and functioning despite its increasing cost.

drugs became available, that the government, under Fernando Henrique Cardoso, signed a law for the free and widespread distribution of these drugs to HIV-positive individuals through the public health system (Galvão, 2002; Laurindo-Teodorescu and Teixeira, 2015, 423-28). Despite the rising cost to fulfill this new law, persistent pressure and struggle by civil society actors and their allies in government has ensured the overall maintenance of this program.(Galvão, 2002, 1862).

Following the departure of the Minister of Health under allegations of corruption in 1992, the PN DST/AIDS was again in the hands of its original director, Lair Guerra de Macedo Rodrigues, who remained at the helm of the agency until 1996, and deepened the dialogue and interaction between the agency and NGOs working with AIDS (Galvão, 2000, 125-26). With the return of Lair Guerra, bureaucrats in the Brazilian government began negotiations with the World Bank, which had started investing in HIV/AIDS prevention in the late 1980s, for assistance in building a stronger program to combat the epidemic (Galvão, 1997, 99). Out of these negotiations came a turning point in the fight against AIDS in Brazil.

1.2 The World Bank loans

Starting in 1993, a series of loans from the World Bank were negotiated with the Brazilian government, aimed at supporting the prevention of the spread of HIV/AIDS, as well as improving diagnosis and the treatment of people living with HIV/AIDS. By 2014, four such loans had been approved, and the Bank had invested—or agreed to invest—close to US$500 million, matched by a similar amount from the Brazilian government.[180] This injection of resources represented a turning point in the fight against AIDS in Brazil, affecting deeply both the governmental and non-governmental responses to the epidemic (Villela, 1999).

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[180] The first loan—dubbed AIDS 1—was approved in 1993 and was effective from 1994 until 1998. The World Bank's US$160 million was matched with US$90 million from the Brazilian government for a total of US$250 million. AIDS 2 was negotiated in 1998, bringing in a total of US$296.5 million for HIV/AIDS programs—US$161.5 million from the World Bank and US$135 million from the Brazilian government—from 1999 until 2003 (World Bank, 2004). In June 2003, a third loan of US$100 million was approved by the Bank, which, together with another US$100 million from the government, raised another US$200 million for AIDS prevention for the 2003-07 period (World Bank, 2003b). Finally, in 2010, the Brazilian government signed the so-called AIDS-SUS loan with the World Bank, committing US$133 million to match the Bank's US$67 million for a total of US$200 million for the 2010-2014 period, and aiming more specifically at harmonizing the implementation of AIDS policies with the decentralized public health system (SUS, *Sistema Único de Saúde*) (World Bank, n/a).

These loans were consistent with a neoliberal regime of interest mediation, whereby professionalized and "NGOized" civil society organizations play a key role in the implementation of public policy. According to this view, the best and cheapest way of delivering prevention programs and other services, especially to hard-to-reach and stigmatized populations, is to enlist civil society groups, and promote their institutional development and capacity so they can more effectively do that job. The participation of these groups was especially focused on policy implementation, as State agencies engaged with them as experts in reaching particular target populations. The growth and deepening of this kind of relationship between the State and the LGBT movement since the mid-1990s helped not only strengthen the movement, but also stabilize a pattern of cooperation between the two that went beyond narrow personalism. This has resulted in a push for LGBT groups to professionalize and institutionalize themselves in order to meet the technical criteria needed to gain access to these State resources for AIDS-related projects.

Strengthening LGBT movement organizations and increasing their participation in and cooperation with State institutions was something made explicit in the objectives of World Bank officials in the third AIDS loan in 2003, which included the goal of fighting against discrimination of people living with HIV/AIDS and other vulnerable populations by training organizations in advocacy activities targeting the legislative and judiciary branches (World Bank, 2003b, 2, 15, 52). The cooperative relationship between the National AIDS Program and groups in civil society not only made the latter a key element in the implementation of AIDS policy in the country, but also increased the opportunities for those groups to actually have some input in the formulation of those policies, especially as we moved into the mid-2000s and greater participation was fostered by a shift to a neo-developmentalist regime of interest mediation.

1.3   AIDS politics and the strengthening of the LGBT movement

The World Bank loans and the strong focus on a cooperative relationship between the PN DST/AIDS and non-governmental organizations meant that, since the mid 1990s, a significant flow of resources has benefited AIDS NGOs as well as LGBT organizations. While a large portion of the funds made available to fight the epidemic has gone to financing the significant costs of guaranteeing access to medication, considerable amounts have been dedicated to prevention and care projects by civil society organizations.

One of the most emblematic projects of this close relationship between the PN DST/AIDS and the gay movement was Project SOMOS, which was jointly implemented by the National AIDS Program and the ABGLT.[181] Following negotiations that started in 1995 at the meeting of the International Lesbian and Gay Association (ILGA) in Rio de Janeiro, Project SOMOS was finally approved by the PN DST/AIDS in August 1998 (ABGLT (Associação Brasileira de Gays, Lésbicas e Travestis), 2003, 21-23). This project was one of the main drivers of the rapid spread of LGBT organization across the country from 1999 onwards. This was key to more effectively deliver prevention campaigns and to generate a more propitious environment to fight against homophobia.

Project SOMOS aimed primarily at institutional development and capacity building of organizations that work with gay men and other MSM in order to make the delivery of prevention campaigns more effective, and to help create the conditions for a more successful struggle to curb the spread of HIV and other STIs in those communities. It reflected the broad approach characteristic of the governmental response to the epidemic outlined earlier, focusing not only on prevention measures *per se*. It also addressed the social and political environment in which those initiatives were implemented, emphasizing the need to fight against stigmatization and marginalization of affected populations by improving organizations' institutional capacity and assisting activists in their advocacy and lobbying efforts with other branches of government.[182]

Regional training centres were set up to train potential and incipient leaders from the surrounding states—not only from major cities, but also from smaller towns in the interior—so that they could formalize and institutionalize their organizations. In Rio de Janeiro, for example, activists

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[181] The project was named after the first political gay and lesbian group in the country, *Grupo Somos* from São Paulo (see chapter 4).

[182] The four main areas of activity guiding the project underline this approach: 1) Intervention in STDs/HIV/AIDS prevention activities; 2) Creation of favourable environments, by forming partnerships with other organizations, seeking greater media contact to foster more positive coverage, and holding visibility events—*e.g.*, LGBT Pride Parades—that would aid in raising a more positive public opinion towards MSM; 3) Advocacy activities, pressuring the State for protective legislation, pushing for services aimed at monitoring homophobic discrimination, and promoting the human rights of sexual minorities; and 4) Institutional development, building NGO administrative capacity in regard to the preparation, implementation and assessment of projects, promoting activities to build self-esteem, developing new leaders and promoting organizational sustainability (ABGLT (Associação Brasileira de Gays, Lésbicas e Travestis), 2003, 30).

from towns around the capital and in the interior of the state—such as Nova Iguaçu, Petrópolis and Natividade—participated in the project, helping spur new groups in those cities. In the poorer Northeastern region, activists who took part in training came not only from capital cities, but also small towns in the interior—some as small as Itororó, in the state of Bahia, with a population of under 20,000 in 2010 (ABGLT (Associação Brasileira de Gays, Lésbicas e Travestis), 2003, 68-74; IBGE (Instituto Brasileiro de Geografia e Estatística), 2011).[183] This training involved information on how to deal with the bureaucratic hurdles involved in creating a non-governmental organization, as well as practical advice on how to run it and obtain funds from State agencies, private groups or international institutions (Brasil. Ministério da Saúde. Programa Nacional de DST/AIDS, 2005).

As the relationship between the National AIDS Program and the LGBT movement strengthened, and as more spaces for participation in decision-making were opened with the gradual shift to a neo-developmentalist regime of interest mediation in the mid-2000s, opportunities for a broadening of the inclusion of sexual minorities emerged. Persistent pressure and input from the LGBT movement following the success of Project SOMOS led the National AIDS Program to launch Project Tulipa in 2004, in collaboration with the national *travesti* group, ANTRA.[184] This project was modeled after SOMOS, and aimed at empowering and training *travesti* leaders to start and strengthen *travesti* organizations across the country (Bochicchio, 2004; Talento, 2004). Project Tulipa was also an important factor behind the rapid expansion and increasing profile of *travesti* activists in the movement as a whole since the mid-2000s. After this first wave of financing for "network projects" such as SOMOS and *Tulipa* in the early part of the 2000s, another round of such initiatives was put in place in the late 2000s, aimed at not solely gay men and MSM, but also *travestis*, sex workers, women living with HIV/AIDS, drug users, and street youth. One example is *Projeto Interagir*, which was put in place in 2009 and sought to promote education and capacity building of non-governmental organizations working with gay men and

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[183] During the first phase of the project—1999-2000—four regional centres trained 43 new groups. During the second phase—2001-02—six regional centres trained 87 groups. In the second half of 2002, another training session aimed at the Northern region trained 13 organizations. By the end of the second phase, LGBT organizations could be found in every state of the federation (ABGLT (Associação Brasileira de Gays, Lésbicas e Travestis), 2003).

[184] The name *Tulipa*, which means "Tulip," is an acronym for "*Travestis Unidas Lutando Incansavelmente pela Prevenção da AIDS*" ("United *travestis* fighting tirelessly for AIDS prevention") and was chosen in honour of a pioneer of *travesti* activism from São Paulo, Adriana Tulipa, who ran a group with the same name.

other MSM in various regions of the country, thus building on and deepening the work done by Project SOMOS (Interview with Ivo Brito, Brasília, DF, December 15, 2011).[185]

A consequence of the AIDS-related strengthening of the LGBT movement and its growing participation in decision-making spaces in the National AIDS Program has been a gradual diversification and universalization in the design of responses to the epidemic. For example, this is evident in the growing attention to the specific needs of *travestis* in a recent document from the National AIDS Program outlining the goals for prevention among gays, MSM and *travestis* (*Plano de Enfrentamento da Epidemia de AIDS e das DST entre a população de gays, HSH e travestis*, Plan for Confronting the AIDS Epidemic and STIs among Gays, MSM and *Travestis*) (Brasil. Ministério da Saúde. Programa Nacional de DST/AIDS, 2007b).

The growing demand for funding, and its disbursement, for AIDS prevention projects by gay and *travesti* organizations has dominated the relationship between the government LGBT groups (Galvão, 1997, 2000, 111). With the paucity of alternative sources of funding, for most groups the AIDS resources from the PN DST/AIDS have become their main lifeline and a key source of sustainability of their activities.[186] While this has generated an over-dependence on governmental AIDS funds, [187] such funding has enabled significant autonomous action by LGBT movement activists. This is made evident by the participation of LGBT activists in decision-making spaces in the National AIDS Program, by the wider focus of governmental AIDS-related

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[185] While this has been the case for groups dealing primarily with gay men and MSM—and, to a lesser degree, *travestis*—lesbians have not benefitted nearly as much from the inflow of AIDS-related resources. Even though recent documents on AIDS policy have made some passing reference to the need to take into account the reality faced by lesbians (Brasil. Ministério da Saúde. Programa Nacional de DST/AIDS, 2007a), no significant attention or concrete action has been geared toward them. In 2007, a much smaller lesbian version of SOMOS was launched—called SOMOS Lés—but it was done in partnership with the National Human Rights Secretariat, rather than the National AIDS Program, and counted with fewer resources.

[186] It should also be noted that, since the mid-2000s, LGBT groups have faced an increasing diversification of funding sources beyond the Ministry of Health, as other government agencies in the Ministry of Culture, Ministry of Education and Human Rights Secretariat, for example, started providing some funding to organizations. Nevertheless, the importance of AIDS-related projects is still high, and the overall focus on public funding remains (Interviews with Luiz Mott, Salvador, BA, April 14, 2010, and Ivo Brito, Brasília, DF, December 15, 2011).

[187] The extent of the dependence on AIDS became evident during the course of my field research when I asked numerous individuals—activists and State officials—the hypothetical question of what would happen to the LGBT movement if AIDS money were to suddenly disappear. Their answers ranged from the view that the movement would suffer a terrible, albeit not fatal, blow to the impression that the movement would practically vanish.

resources—which includes, as seen above, advocacy and visibility activities by LGBT groups—and by the creativity of groups in using their technocratic linkage to the National AIDS Program to expand the boundaries of LGBT citizenship (de la Dehesa, 2010, ch. 6). Furthermore, the general compatibility of the needs and demands of the LGBT movement around HIV/AIDS with the goals of the National AIDS Program does not entail that the movement is being controlled by the State in defining their demands.

1.4   Persistent challenges and limitations of AIDS policy

While rightly lauded as one of the success stories around AIDS prevention in the developing world, the challenges of more substantially and consistently reducing the spread of HIV among gay men and other MSM remain in place. The persistent and gradual rise in HIV incidence since the early 2000s among, in particular, young MSM, highlights the continued challenges of reaching those populations, despite efforts by State officials and gay activists (Brasil. Ministério da Saúde. Departamento de DST, AIDS, e Hepatites Virais, 2013, 18).[188]

In addition, the intersection of multiple axes of marginalization undergird epidemiological trends, contributing to limiting the impact of AIDS prevention, especially on those sectors of the population most marginalized. The increasing HIV prevalence among the poor and in the interior and more remote parts of the country add class and geographic challenges to the fight against HIV/AIDS, with significant increases in HIV prevalence in the (poorer) regions of the North and Northeast since the early 2000s (Brasil. Ministério da Saúde. Programa Nacional de DST/AIDS, 2004, Tables I and II; Fonseca *et al.*, 2000; Szwarcwald *et al.*, 2000; Parker and Camargo Jr., 2000; Brasil. Ministério da Saúde. Departamento de DST, AIDS, e Hepatites Virais, 2013, 5).[189] While projects such as SOMOS and Tulipa are essential in confronting this difficult task and in fact have been shaped by these trends, guaranteeing access to treatment and care for the poorest remains very difficult (Biehl, 2007). *Travestis*, who face multiple types of discrimination, stigma

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[188] Similar challenges are also evident in countries like the United States and Canada (see, for example, Valleroy *et al.*, 2000; Canada. Public Health Agency of Canada, 2010).

[189] Another important epidemiological trend of the AIDS epidemic in Brazil is its increasing feminization, which has accompanied the growing prevalence of the spread of HIV among heterosexuals. Class, racial and geographical issues crisscross the gender factor, as poorer and non-white women and those in the less developed interior of the country are increasingly vulnerable (Brasil. Ministério da Saúde. Programa Nacional de DST/AIDS, 2007a).

and marginalization, are among the groups whose access to AIDS-related services remains deficient (Brasil. Ministério da Saúde. Programa Nacional de DST/AIDS, 2007b, 14; Peres, 2004).

The implementation of AIDS treatment policies is also shaped and affected by racial inequalities. The AIDS epidemic in Brazil initially affected disproportionately wealthier and white sectors of society (Fry *et al.*, 2007, 499). Gradually, over the course of the last three decades, the epidemic has started to, in the words of an activist, "look more like Brazil" (Fry *et al.*, 2007, 497).[190] Even though the number of AIDS-related deaths among men gradually declined since the late 1990s, black and brown men accounted for 34.5 percent of those deaths in 1998 and 54.3 percent in 2012. Similarly, significantly higher mortality rates due to AIDS persist for black men and women when compared to their white counterparts (Brasil. Ministério da Saúde. Programa Nacional de DST/AIDS, 2008, 18; Brasil. Ministério da Saúde. Departamento de DST, AIDS, e Hepatites Virais, 2013, 48, Table 19).[191] In the context of a policy of universal free distribution of anti-retroviral treatment, these numbers indicate that problems persist in the implementation of treatment policies for the poor and non-white population, and other marginalized sectors of society.

Finally, the attempt to harmonize the response to the AIDS epidemic with the federal decentralized public health system, *Sistema Único de Saúde* (SUS, Single Health System), has shed light on implementation challenges stemming from weaknesses in State capacity. These erode the concreteness and universality of inclusion of the LGBT population by generating obstacles to the deepening or sustainability of AIDS policies.

Since the late 1990s, efforts have been put in place—encouraged by the terms of the successive World Bank loans discussed above—to harmonize the National AIDS Program with the

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[190] While in 2001, 37.3 percent of cases of AIDS among men affected black and brown men, in 2013, that number climbed to 52.4, going beyond their proportion in the general population (49.7 percent). During this same period, the proportion affecting white men fell from 61.8 to 46.6 percent (Brasil. Ministério da Saúde. Departamento de DST, AIDS, e Hepatites Virais, 2013, 42, Table 13).

[191] Research has also identified significantly higher mortality rates for injecting drug users, when compared with MSM in Brazil, highlighting their tremendous levels of marginalization. Importantly, these risks were even more pronounced for the non-white population (Malta *et al.*, 2009).

decentralized public health system. The aim has been to transfer decision-making, funding and implementation power to state- and municipal level secretariats of health, bringing those bureaucracies closer to the target populations. In the early 2000s, many feared that decentralization would affect the cooperative and efficient relationship that had been built between bureaucrats in the centralized National AIDS Program in the federal Ministry of Health and LGBT organizations (Parker, 2002). As the decentralization process has deepened, some activists and bureaucrats have been expressing concern over this issue. An experienced *travesti* activist from Bahia, for example, expressed concern over the inefficiencies of local bureaucracies when it came to transfer of funds and other resources to organizations—a problem affecting not only LGBT groups, but civil society as a whole (Interview with Keila Simpson, Salvador, BA, April 13, 2010). Some activists have also highlighted the continued difficulty in sustaining the level of resources needed to fight AIDS among gay men and other MSM in particular (Interview with Luiz Mott, Salvador, BA, April 14, 2010). The inability of local level bureaucracies to effectively transfer funds and monitor their use has negatively affected the sustainability of projects and, in some instances, of organizations themselves. These inefficiencies have resulted in significant levels of resources intended for NGOs sitting unused—an estimated R$ 45 million (approximately CDN$ 25 million) between 2002 and 2011 (Interview with Ivo Brito, Brasília, DF, December 15, 2011). In addition, some sub-national agencies have traditionally been a central element in clientelistic networks in the country, making them prone to personalistic, particularistic, non-accountable, and non-democratic practices.[192]

2   Beyond AIDS[193]

Strengthened by the response to the AIDS epidemic, the LGBT movement was able to take advantage of opportunities in other policy areas beyond AIDS. Starting in the late 1990s activists made significant gains in terms of participation and, to a lesser extent, pro-LGBT policies in other areas related to civil, social, and cultural rights.

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[192] These problems have been more marked in some regions. As indicated by Ivo Brito, a coordinator of the National AIDS Program, these problems have been less evident in states that have reached a greater "maturity" in the functioning of their health bureaucracies (Interview, Brasília, DF, December 15, 2011).

[193] Some passages of this section are drawn from Marsiaj (2011).

This section will trace this gradual increase in participation achieved by the LGBT movement. As will be seen, the increased access, influence, and presence in decision-making spaces led to an inclusion of many issues and demands of the LGBT movement in the policy agenda of successive governments, embodied in an expanding body of plans of action, declarations and programs. While most of the inclusion of LGBT issues in the policy agenda beyond AIDS remains mainly symbolic, out of these governmental commitments have emerged some pro-LGBT policy initiatives (in areas such as public security, education, health, social security, and culture) that have had some limited effect. Overall, however, implementation challenges stemming from weak State capacity, low levels of political commitment by public officials, and other institutional obstacles have eroded the concreteness of those policy gains. In addition, while more marginalized sectors of the LGBT population have been increasingly included in that agenda, concrete policies that have an impact in improving the wellbeing of those sectors have been less forthcoming.

These gains have been strongly shaped by characteristics of the institutional framework and the changes in the regime of interest mediation (see table 2.1). Similarly to the response to the AIDS epidemic, the international sphere—in this case, United Nations conferences—helped amplify these domestic dynamics, pushing open opportunities for greater participation of the LGBT movement in decision-making spaces. Building on opportunities stemming from the transition to democratic rule in the 1980s, and heavily reliant on personalism, LGBT activists and their allies gradually placed LGBT rights on the policy agenda of successive governments. The presence of LGBT activists in decision-making spaces in the State apparatus was to some extent stabilized by the shift toward a more strongly participatory neo-developmentalist regime of interest mediation in the mid-2000s.

2.1   First steps: gaining access and influence over allies

In the first decade of the movement, in the 1980s, some groups attempted to establish contact with officials in charge of human rights policies in the Ministry of Justice, but received only non-

committal support or acknowledgement.[194] The first steps toward gaining access to and influence over allies in the federal bureaucracy came in the mid- to late-1990s, as a result of opportunities stemming from institutional changes, which were amplified by the international sphere and an increasing attention by the government to human rights issues. As highlighted above, these opportunities were exploited by an LGBT movement that was in a process of growth and strengthening, thanks to the development of a response to the AIDS epidemic.

The democratic transition of the 1980s, and the democratic 1988 Federal Constitution provide a backdrop to the changes that made possible the more open discussion of LGBT issues in the federal bureaucracy (Silva, 2000, 36-38). In addition, under the presidency of Fernando Collor de Mello and his successor Itamar Franco in the first half of the 1990s, the Brazilian government sought to align itself more strongly with international human rights norms and to take a more active stance in the promotion of human rights in the international arena.[195] These developments were further amplified by the national and international attention to a series of highly publicized cases of human rights violations involving the military police in the first half of the 1990s.[196]

Heeding the call in the 1993 United Nations World Conference on Human Rights Program of Action for governments to formulate national human rights plans, Fernando Henrique Cardoso's government started drafting, in 1995, a *Programa Nacional de Direitos Humanos* (National Human Rights Plan, PNDH). Led by the Ministry of Justice and the University of São Paulo's Centre for the Study of Violence—presided by Prof. Paulo Sérgio Pinheiro—the PNDH was based on consultation with civil society organizations through regional seminars in 1995 and

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[194] This pattern is clear in the numerous occasions the *Grupo Gay da Bahia* contacted the Ministry to denounce the discrimination and violence faced by LGBTs (Grupo Gay da Bahia, 1983b, 1986, 1987, 1990a, 1992a, 1992b, 1993a, 1993b).

[195] Under the Collor administration in 1990-92, a number of important international human rights documents were ratified by Congress, opening up the possibility for civil society and other actors to appeal to international norms and mechanisms (Lindgren Alves, 1997). These included the International Convention on the Rights of the Child, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and the American Convention on Human Rights. Moreover, during the preparatory meetings for the 1993 United Nations Human Rights Conference in Vienna, the Brazilian government—particularly the diplomats leading the negotiations—took a very active position in the process (Lindgren Alves, 1994, ch. 2).

[196] These cases include the massacre of 111 prisoners in the São Paulo Carandiru prison in 1992, the murder of street children in front of the Candelária Church and the killing of 23 residents in the Vigário Geral *favela* in Rio de Janeiro in 1993, the murder of 11 landless people in Corumbiara in Rondônia state in 1995, and the massacre of 19 landless demonstrators in Eldorado dos Carajás in Pará state in 1996 (Pereira, 2000, 229-30).

1996 and the organization of a National Human Rights Conference in 1996, providing important opportunities for participation of LGBT activists (Silva, 2000, 46-47).

Despite this participatory model, the LGBT movement failed to gain access to the drafting process of the PNDH. This was due mainly to inadequate communication between public officials and gay and lesbian activists regarding the details about how activists should participate in these events, as well as organizational weaknesses of gay and lesbian organizations at the time.[197] As a result, LGBTs were left out of the main body of the plan (Brasil. Ministério da Justiça, 1996).

Following that missed opportunity, the movement's participation was significantly stronger at the Second National Human Rights Conference (Interview with aide to Federal District deputy, Brasília, DF, April 03, 2003). At that event, Luiz Mott delivered a speech calling attention to the high levels of homophobia in Brazilian society and the disregard for the issue by legislators and politicians. He presented some of the main demands of the LGBT movement and suggested additions to the PNDH that would contemplate sexual minorities (Brasil. Câmara dos Deputados. Comissão de Direitos Humanos, 1998, 123-26).

Responding to demands by human rights organizations, the federal government created, in April 1997, an agency responsible for working with other State institutions to implement and monitor the execution of the PNDH: the Human Rights Secretariat (Silva, 2000, 54-55).[198] This new institutional space opened new opportunities for the LGBT movement to seek allies and generate pressure for more concrete change.

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[197] Last-minute efforts were made, such as an improvised participation in the 1996 National Human Rights Conference by gay activists from Brasília (Interview with aide to Federal District deputy, Brasília, DF, April 03, 2003), and an exchange of letters between Luiz Mott, the leader of the *Grupo Gay da Bahia* and Paulo Sérgio Pinheiro, one of the main coordinators of the PNDH (Silva, 2000, 85-93).

[198] The Secretariat went through a variety of names over time, oftentimes accompanied by changes in institutional standing and budgetary support. When it was created in 1997, it was called the *Secretaria Nacional de Direitos Humanos* (National Human Rights Secretariat, SNDH), and was placed under the Ministry of Justice. In 1998, when it was raised in importance in the bureaucracy, its name was changed to *Secretaria de Estado de Direitos Humanos* (State Human Rights Secretariat, SEDH). In 2003, under the PT government, it was renamed *Secretaria Especial de Direitos Humanos* (Special Human Rights Secretariat, SEDH). Finally, in 2010, it became the *Secretaria de Direitos Humanos* (Human Rights Secretariat, SDH). For greater clarity, and to underline the elements of institutional continuity, despite changes to its status, I will refer to it as simply Human Rights Secretariat for the entire period under study.

It is during this period, in 1997-98, that LGBT activists started making greater inroads in regard to gaining access and influence over allies in the State apparatus. Allies such as Ivair Augusto Alves dos Santos, an assistant to the Human Rights Secretariat, provided a key entry point into important decision-making spaces. Drawing on his work on issues of racial discrimination, and the visibility created by the public debate around same-sex civil unions in early 1997, when a bill came close to being voted in Congress, dos Santos spotted an opportunity to bring greater attention to the issue of homophobic discrimination and violence in the Human Rights Secretariat and in the Ministry of Justice (Interview with Ivair Augusto Alves dos Santos, Brasília, DF, March 28, 2003).

The strong reliance, at least for this initial period, on specific individuals as allies stresses the importance of personalism as a mechanism for marginalized groups to gain access to decision-making spaces. While these personal linkages do represent important points and sources of access, their power often remains unstable, since the ally in question may leave his or her position, and limited, since the chances of real change are small with the existence of only one or very few allies. These difficulties became clear to the movement and to dos Santos, when his initial attempts to raise the issue were met with significant opposition and disdain from many within the Ministry, and it became clear that, if any advancement was to be achieved, the agenda would have to be initially a restricted one, concentrating on basic human rights of LGBTs—issues such as the right to life and bodily integrity and basic freedoms of expression and movement, leaving aside questions such as same-sex relationship recognition. As dos Santos explained to me:

> I noticed there was a bigger problem than I thought to touch on this issue [sexual orientation]. First, [...] people wouldn't treat it very seriously. They thought it was a bit of a joke, right? And then [...] I had to find a way so that there would be unanimity from the government to deal with this issue. [...] So, for example, I couldn't bring up civil partnership because then I would go up against the Church, so I couldn't... it seemed there was [...] [one issue] on which everyone agreed: [homophobic] violence.

> So I decided I would focus on that. On the other hand, I had to find an interlocutor inside the gay movement who would be in tune with this [narrower] discourse, so I could bring him in. If he came with another discourse, there would be no space for him in here. I had already realized that in that case there would be difficulties (Interview with Ivair Augusto Alves dos Santos, Brasília, DF, March 28, 2003).

Very slowly, a broadening of the LGBT agenda beyond AIDS started to emerge within human rights agencies, with persistent and careful pressure from activists. This was aided by institutional changes made to the Human Rights Secretariat that granted it more power, at the beginning of Fernando Henrique Cardoso's second term in office (1998-2002). It was elevated in status within the bureaucracy, acquiring ministerial status and gaining greater budgetary autonomy (Silva, 2000, 56). In addition, following a logic of engagement with civil society groups similar to the one set by the National AIDS Program, the Human Rights Secretariat, started to fund or co-fund a few small projects carried out by LGBT organizations from mid-2000 onward. These included the establishment of telephone services for victims of homophobic discrimination and violence in cities like Brasília and Goiânia; provision of psychological and legal counseling services for victims of discrimination in various cities; financial help for the organization of national and international LGBT events; projects aiming at the training of education professionals; and financing the publication of booklets outlining legal tools available to gays, lesbians and *travestis* to fight for their rights.[199]

The broadening of the LGBT policy agenda was also seen in other fronts. In 1998, at the III National Human Rights Conference, a few allied government officials recognized that the issue of sexual orientation should be dealt with more directly and extensively in the revision of the National Human Rights Plan, already being discussed at that time (Brasil. Câmara dos Deputados. Comissão de Direitos Humanos, 2000, 42). Following debate at the IV National Human Rights Conference the following year, the Human Rights Secretariat agreed to expand the focus of the Second National Human Rights Plan, moving beyond the emphasis on civil and political rights and liberties to include economic, social and cultural rights, stressing the indivisibility and multidimensionality of human rights. Similarly to the first Plan, preparatory regional workshops were held, as well as an Internet consultation process to help incorporate civil society's demands into the drafting of the Second Plan (Brasil. Ministério da Justiça, 2002).

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[199] During this same period, in the late 1990s, the Human Rights Secretariat also started engaging in other activities to increase the visibility of LGBT issues, such as the organization of public workshops and meetings. One of the first such meetings took place in 1999, and was entitled "Human Rights and homosexual citizenship", and was co-organized by the Human Rights Secretariat and the Human Rights Committee of the Chamber of Deputies (Brasil. Câmara dos Deputados. Comissão de Direitos Humanos, 2000). Several movement leaders, public officials, members of the *Ministério Público* and federal deputies discussed legal issues and public policies related to gays, lesbians and *travestis*, helping bring this debate further into other State institutions. As with many other initiatives, the role of allies such as dos Santos was key in bringing about this event.

2.2   From access and influence to presence

The 2001 United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) held in Durban, South Africa represented an important moment in the expansion of the participation of the LGBT movement in institutional spaces in the federal executive[200]

In 2000, the Ministries of Justice and Foreign Affairs, in conjunction with the Human Rights Secretariat, organized a series of preparatory meetings for the Durban Conference, which opened the opportunity for gay and lesbian activists to bring issues of homophobic discrimination and LGBT rights to the attention of a broader range of State officials (Interview with Special Human Rights Secretariat official, Brasília, DF, March 28, 2003). In this instance again, the openness, willingness and interest in providing a more welcoming environment for the discussion of those issues was heavily shaped by particular allies involved in organizing the Brazilian participation in Durban. At the time, the presidency of the Human Rights Secretariat was in the hands of Ambassador Gilberto Vergne Sabóia, a diplomat from the Ministry of Foreign Affairs with significant experience in international human rights politics. His personal progressive views on the matter, as well as the active participation of an openly gay aide in organizing these preparatory meetings, were crucial in creating spaces of visibility that LGBT activists could exploit (Interviews with a Special Human Rights Secretariat official and with a top official in the *Procuradoria Geral da República*, Brasília, DF, March 28 and April 11, 2003).

Given the focus of the discussions in the preparatory meetings not only on race relations, but also on other forms of intolerance, officials started discussing the inclusion of Cláudio Nascimento, then president of *Grupo Arco-Íris* in Rio de Janeiro, and himself an Afro-Brazilian, in the official Brazilian delegation to Durban (Interview with a top official in the *Procuradoria Geral da República*, Brasília, DF, April 11, 2003). This idea was a result of previous interactions between Nascimento and human rights officials such as Ivair Augusto Alves dos Santos, as well as his

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[200] The abandonment of the Conference by the American and Israeli delegations and other political rifts diluted its final resolutions and political weight (Htun, 2004, 82). Nevertheless, it managed to give rise to a fair degree of domestic impact in Brazil. While this was mostly felt by the Afro-Brazilian movement (Htun, 2004; Brasil. Presidência da República. Secretaria de Estado de Comunicação de Governo, 2002, 72-74), the preparatory stages and the aftermath of the Conference created some opportunities for the LGBT movement as well.

close personal connections to key leaders in the Afro-Brazilian movement who were taking a leading position in the organization of the governmental participation in the Conference (Interview with Ivair Augusto Alves dos Santos, Brasília, DF, March 28, 2003; conversations with gay leaders, Rio de Janeiro, May 2003, and Brasília, DF, June 2004).[201]

The presence of an LGBT activist as an official member of the Brazilian delegation seemed to amplify the influence of the LGBT movement. Nascimento's visible and outspoken participation in Durban was key in not only raising the issue of sexual orientation at the WCAR, but also in indirectly pressuring the Brazilian government by publicly announcing its support for the rights of sexual minorities in an international venue (Interview with leader of LGBT movement, Rio de Janeiro, RJ, May 30, 2003).

In accordance with recommendations from the Durban Conference, President Fernando Henrique Cardoso created, in late 2001, the *Conselho Nacional de Combate à Discriminação* (National Council for the Combat Against Discrimination, CNCD). The CNCD only had powers to propose, monitor and evaluate affirmative policies aimed at promoting the equality of groups that were the target of discrimination, thus lacking stronger powers to create and implement human rights policies. Nevertheless, its creation allowed the LGBT movement to use this space within the State bureaucracy effectively. Initially, one seat out of eleven reserved for members of civil society organizations in the council was allocated to the LGBT community. This position gave LGBT leaders a chance to access other areas of the bureaucracy, deepen their relationship with allies and pressure the State for more concrete pro-LGBT policies.

This increasing activity of gays and lesbians in human rights institutions had a noticeable impact on the Second National Human Rights Plan (PNDH II) launched in 2002—an extensive document with 518 proposals for actions in the area of human rights—establishing sexual diversity issues more firmly in the political discourse and agenda of human rights in Brazil.

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[201] Reflecting some of the tensions stemming from the internal diversity of the LGBT movement and demands for a broader representation of sexual minorities in the delegation, Nascimento's nomination as a representative to Durban generated controversy among activists. Many LGBT leaders demanded a greater number of representatives—for example, including a lesbian and a *travesti* in the delegation—and questioned the transparency of the process that selected Nascimento as the sole representative of sexual minorities in the Brazilian delegation (Interviews with leaders of the LGBT movement, Brasília, DF, April 23, 2003 and Rio de Janeiro, RJ, May 30, 2003, and with a senior official of the Ministry of Foreign Affairs, Brasília, DF, April 28, 2003).

Compared to six years earlier, when the First Human Rights Plan was written, the LGBT movement was more familiar with the process, had gained some presence within the State human rights bureaucracy and had deepened their connections with officials in the human rights apparatus—such as Ivair dos Santos. As a result, the Second National Human Rights Plan included five actions specific to sexual minorities under the title of "Guarantee of the Right to Freedom" (actions 114-118) and ten actions under "Guarantee of the Right to Equality" (actions 240-249). These actions reflected the diversity of demands from LGBT organizations; they included pushing for Constitutional and Criminal Code amendments addressing the issue of homophobic violence and discrimination; supporting legislation legalizing same-sex civil unions and legalizing the civil registration of transsexuals; promoting studies on the socio-demographics of sexual minorities as well as on the level of homophobic discrimination and violence; implementing programs to combat violence against sexual minorities; raising awareness and training professionals in the police forces, in education and in the justice system on issues related to sexual orientation; and raising awareness of the reality of sexual minorities among health officials and in the media (Brasil. Ministério da Justiça, 2002).

Here, though, we see clearly the limitations in LGBT influence. The two National Plans included a long list of intended policies and actions to be taken by government bodies, but depended on political will, institutional capacity and budgets to come to fruition. Implementation of the National Human Rights Plan more broadly, and the actions aimed at the LGBT population more specifically, has been, in the words of a non-governmental organization focusing on participatory governance, "more intention than action" (INESC (Instituto de Estudos Socioeconômicos), 2006).[202]

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[202] The failure to move more quickly toward concrete policies generated some frustration among some LGBT activists. This view came to the surface around an incident that took place during the launch of the Second National Human Rights Plan that was captured in an image widely diffused by the news media: Welton Trindade, then president of *Grupo Estruturação* of Brasília, holding a rainbow flag with President Fernando Henrique Cardoso (Suwwan, 2002b; Vannuchi, C. *et al.*, 2002). Trindade's action was strongly rejected by many gay and lesbian activists, who saw the public dissemination of the picture as a symbolic legitimation of a government that was reluctant to provide much space for the concrete advancement of LGBT rights (Interview with gay leader, Brasília, DF, August 28, 2002). Some individuals, including Marta Suplicy—who, as a federal deputy for the PT authored a bill for the recognition of same-sex civil unions in 1995—speculated that Cardoso's move was opportunistic and aimed at garnering support for his party in the presidential elections scheduled for late 2002 (Vannuchi, C. *et al.*, 2002). Interestingly, Cardoso's action also sparked some heated reaction from certain conservative deputies, with one of them even calling for evangelicals to withdraw their support from José Serra, the presidential candidate from Cardoso's party in the 2002 presidential election (Suwwan, 2002a). This reaction was already an indication that, as

By the end of Fernando Henrique Cardoso's terms in office in 2002, the LGBT movement had taken the initial steps in solidifying its participation in decision-making spaces, by deepening their access and influence over allies and carving out spaces within the State bureaucracy. The gains secured in the process, however, remained mainly symbolic, amounting primarily to official declarations of intent and plans of action.

2.3   The expansion of gains under PT governments

With the election of Luiz Inácio Lula da Silva from the PT to the presidency in 2002,[203] hopes for the advancement of LGBT rights were high among many activists. This was not only due to the party's historical openness to questions of sexual diversity and the close relationship many activist leaders had with the party,[204] but also the shift from a neoliberal to a neo-developmentalist regime of interest mediation a PT government represented. In particular, the opportunities for greater participation by civil society in decision-making spaces boded well for an expansion of the gains made up to that point. By the time the fourth consecutive PT government came to power in 2015 under Dilma Rousseff, further inroads had been made in developing a broad agenda for LGBT policies, expanding institutional spaces for LGBT activists and their allies. Tables 6.1, 6.2, 6.3, and 6.4 outline this expansion in formal inclusion since 2003, providing lists of different decision-making spaces (outside of AIDS) in the State apparatus that were gradually occupied by LGBT activists (6.1), State-sanctioned institutional spaces for discussion and deliberation of LGBT policies and issues (6.2), governmental plans of action and programs aimed at addressing issues related to the LGBT population (6.3), and policy initiatives in a variety of policy areas (6.4).

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the LGBT movement's penetration of the State apparatus became more visible, the religious opposition to LGBT rights was likely to become more vocal.

[203] In 2006, Lula was re-elected for a second mandate, from 2007 until 2010. That year, Dilma Rouseff, the PT candidate, won the presidential election and was re-elected in 2014. In August 2016, Rouseff was removed from office in an impeachment process that many critics have deemed a parliamentary *coup d'état*. Her vice president, Michel Temer, from the PMDB, has assumed the presidency.

[204] Skepticism, however, remained strong among many other activists, given the limitations to the support for LGBTs that remained alive in the PT, and in the Left in general (Green, 1994, 1999a, 2000; Trevisan, 2000). Chapter 7 will examine in greater detail the ambiguous relationship between the LGBT movement and leftist political parties.

Table 6.1: LGBT presence in decision-making spaces in the State apparatus (beyond AIDS)

Institutional space	Year of creation
National Council for the Combat Against Discrimination, CNCD – Human Rights Secretariat	2001
Technical committee on the health of the LGBT population – Ministry of Health	2004
Working groups on LGBT citizenship – Ministries of Culture, Education, Health and Justice (National Public Security Secretariat)	Late 2000s
General Coordinator for the Promotion of the Rights of Lesbians, Gays, Bisexuals, *Travestis* and Transsexuals – Human Rights Secretariat	2009
National Council for the Combat Against Discrimination and Promotion of Rights of Lesbians, Gays, Bisexuals, *Travestis* and Transsexuals, CNCD/LGBT – Human Rights Secretariat	2010
National System for the Promotion of Rights and Tackling of the Violence Against Lesbians, Gays, Bisexuals, *Travestis* and Transsexuals – Human Rights Secretariat	2013
National Committee for LGBT Public Policies – Human Rights Secretariat	2013

Table 6.2: State-sanctioned spaces for discussion and deliberation of LGBT policies and issues

Institutional space	Year
Preparatory meetings for the United Nations World Conference on Human Rights (Vienna)	1992-1993
National Human Rights Conferences – National Congress	1996-
Preparatory meetings for the United Nations World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban)	2000-2001
First National LGBT Conference	2008
Seminars on public security, education, social security, and culture	Late 2000s

Second National LGBT Conference	2011
Third National LGBT Conference	2016

Table 6.3: Plans of action and Programs (wholly or partially) aimed at the LGBT population

Document	Year
Second National Human Rights Plan, PNDH II	2002
Brazil Without Homophobia Program	2004
National Plan for the Promotion of Citizenship and Human Rights of Lesbians, Gays, Bisexuals, *Travestis* and Transsexuals, PNLGBT	2009
Third National Human Rights Plan, PNDH III	2009
National Policy for Integral Health of LGBTs	2010
Update on the National Plan for the Promotion of Citizenship and Human Rights of Lesbians, Gays, Bisexuals, *Travestis* and Transsexuals, PNLGBT	2011

Table 6.4: Pro-LGBT policy initiatives (selected list)

Policy	Year
Public security	
Reference Centres for LGBT Human Rights	2004-2006
Training of police officers in sexual diversity issues	mid 2000s-
Phone hotline to denounce human rights violations	2009
Education	
Health and Prevention in Schools	2006
Gender and Diversity in Schoool	2006

Publication of studies and reports	2007-
Training of teachers in sexual diversity issues	2010-
Social Security	
Training of social workers in sexual diversity issues	2012-
Inclusion of sexual orientation and gender identity in the functioning of social assistance offices	2012-
Culture	
Support and funding for cultural projects, spaces and publications promoting the history and culture of the LGBT population	2010
Health	
Inclusion of sexual reassignment surgery in the public health system (SUS)	2008
Allowing *travestis* to use "social name" in health card	2013
Training of health officials in sexual diversity issues	mid-2010s

The progression and expansion of gains by the LGBT movement rested on the participation in the State apparatus. Nevertheless, the period under the PT governments also made evident the limits to democratic inclusion imposed by institutional factors, particularly the weakness of State capacity.[205] The concrete and effective implementation of policies hinged on the difficult process of turning symbolic gains—governmental promises—into reality, and it encountered substantial obstacles in the lack of State capacity to implement policies that would more universally enhance the wellbeing of the marginalized population. This has been the result of multiple problems: precarious training of public agents or individuals who ultimately have to make the policy a reality—*e.g.*, teachers, police officers, health care providers; irregular, episodic, insufficient and/or inexistent funding; no systematic or structural change in the institutions responsible for implementing pro-LGBT policies, thwarting efforts to effect concrete change; no real inclusion

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[205] Other factors also played a role in thwarting the implementation of pro-LGBT policies, such as the influence of religious conservatism. Since that pressure worked itself mainly via Evangelical presence in Congress, I will examine it more closely in the next chapter.

of LGBT issues into the functioning of other broader governmental programs, relying instead on occasional, narrow initiatives that do not have much follow-up and continuity. As a result, those policies remained overwhelmingly characterized by a lack of sustainability, a certain shallowness in their impact, and heavy dependence on individuals—specific bureaucrats, ministers, or other kinds of officials. As aptly stated by Luiz Mello *et al.*: when it comes to public policies from the Federal Executive aimed at the LGBT population, "we have never seen so much before, but what we have is almost nothing" (Mello *et al.*, 2012b, 403).[206]

2.3.1   Expansion of gains: presence, plans, policies

Soon after the beginning of Lula's government in 2003, the Human Rights Secretariat retained the ministerial status it had acquired under Cardoso, but was de-linked from the structure of the Ministry of Justice and put directly under the Presidential Office. With this move, the Secretariat gained in symbolic standing and had greater financial and political autonomy.[207] These moves seemed to dovetail with the historical commitment to the struggle for human rights among many in the party, and the belief among many LGBT activists that the new government would lead to a significant expansion of the gains made in the preceding years. However, the priorities of the new government and the lack of a forceful commitment by officials meant that the implementation of more concrete action on human rights and, more specifically, LGBT rights, did not materialize easily. Continued pressure from below was still necessary for more substantial change to occur, and after a year of Lula being in power, frustration started surfacing in the LGBT movement.[208]

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[206] My translation.

[207] In a demonstration of the vulnerability of the Human Rights Secretariat, in July 2005, amidst a growing corruption scandal, Lula implemented a ministerial reform package, in which the Special Human Rights Secretariat lost its ministerial status. This sparked an intense reaction by civil society groups, which gained the support of a PT deputy who amended the presidential decree that instituted the changes. As a result, the Secretariat managed to regain its ministerial status in December 2005.

[208] At the 11th National Meeting of Gays, Lesbians and *Travestis* held in Manaus in November 2003, activists' frustration with the lack of attention the Lula government and, more specifically, the Human Rights Secretariat, was giving to their demands became evident. After a speech by Ivair Augusto Alves dos Santos from the Human Rights Secretariat, a group of activists called on him to make their dissatisfaction known to higher officials in the government, stressing the need to meet and discuss key policy initiatives. These activists also demanded that the government start implementing policies and legislation more effectively. Interestingly, most of the interventions in this exchange acknowledged dos Santos' personal efforts in furthering the causes of the movement, but at the same time put strong pressure on him to push for more substantive change in the Secretariat.

One of the turning points in this process was the launch of the Brazil Without Homophobia Program in 2004. Late in the previous year, the number of seats for representatives of the LGBT movement in the National Council for the Combat Against Discrimination—created following the Durban Conference and headed by Ivair dos Santos—was expanded to three—one representative each for gays, lesbians and transgender persons.[209] Following that, a technical commission was established in the same Council to receive reports of the violation of human rights of sexual minorities. The growing presence and relentless pressure by LGBT activists with access to these spaces in the bureaucracy was key in bringing about the creation of a working group to outline the "Brazilian Program for the Combat Against Violence and Discrimination Against GLTB People and the Promotion of Homosexual Citizenship" (Brasil. Conselho Nacional de Combate à Discriminação, 2004).

This working group, in which many of the top LGBT activists sat, together with the Human Rights Secretariat, crafted in December 2003 the Brazil Without Homophobia Program, which was officially launched on May 25, 2004 (Oliveto, 2004).[210] This program seeks to meet its main objective of fighting violence and discrimination, and relies on the joint participation of various federal agencies and movement organizations, hoping for the cooperative approach established in the 1980s and 1990s in regard to AIDS. The Program in principlefurther attempts to coordinate various government bodies and aims at incorporating the issue of sexual diversity across the State structure. It proposes specific actions in the federal legislature, in the justice system, at the international level, in public security, education, health, labour and culture. Finally, it includes some attention to the multidimensional aspects of marginalization at play in Brazilian society, proposing the inclusion of sexual orientation in policies towards youth, women and Afro-Brazilians (Brasil. Conselho Nacional de Combate à Discriminação, 2004).

The shift to a neo-developmental regime of interest mediation under the PT also represented an opening of opportunities for participation of civil society in decision-making. Building on the

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[209] This was the formalization of an expansion—through Resolution no. 16 from November 19, 2003—that had *de facto* happened earlier, in August 2003, but that was previously contingent on invitations by the Council.

[210] Since the mid 2000s, in a few states—*e.g.*, São Paulo and Rio de Janeiro—LGBT activists have also managed to get the support of the state government to launch state-level—and in some instances municipal-level—"versions" of the Program, in a sense "federalizing" it.

experience of participatory spaces at the sub-national level, the incoming PT government sought to create spaces at the federal level that would encourage the participation of civil society actors and seek their input in developing a policy agenda. One of the key mechanisms used by the PT governments for scaling up participatory spaces to the national level were the National Public Policy Conferences (Progrebinschi and Samuels, 2014, 317-21; Progrebinschi and Santos, 2011; Avritzer, 2012; Souza, 2012).[211] Since 2003, National Conferences have been held on a much wider range of issues than in previous governments, including women's rights, racial equality, youth, urban development, environment, health, education, public security, culture, among many other themes (Progrebinschi and Samuels, 2014, 320; Souza, 2012, 15-17). According to a number of authors, these National Conferences played a key role in strengthening participation of civil society actors in the shaping, creation and monitoring of public policies at the national level (Progrebinschi and Samuels, 2014; Progrebinschi and Santos, 2011; Avritzer, 2012; Souza, 2012).[212]

In this context, LGBT activists were successful in getting president Lula to call the First National LGBT Conference in Brasília in June 2008. Preparatory state-level meetings were held across the country for the selection of delegates for the meeting in Brasília, thus expanding the participation of the LGBT movement. The main objectives of this Conference were the discussion and assessment of the implementation of the Brazil Without Homophobia Program and the proposal of public policies for the establishment of a National Plan for the Promotion of Citizenship and Human Rights of GLBTs. A speech delivered by president Lula himself at the opening of the event added to its importance and visibility (Silva, 2010).

The First National LGBT Conference was another important landmark in this period and expanded even more the scope of official promises and public commitments to the rights of

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[211] It should be noted that these National Public Policy Conferences were not an invention of the PT, but rather have a history that goes back to the Vargas era (Progrebinschi and Samuels, 2014, 318). They have been expanded, deepened and strengthened since 2003, as their participatory nature was consistent with the general governing values of the PT.

[212] This did not of course mean that many social movement activists were not critical of the successive PT governments in general and of the National Conferences in particular (Hochstetler, 2008, 44-49). In the eyes of some of them, the political project of the PT was at odds with their objectives and these participatory spaces simply legitimized the government while not leading to concrete results.

LGBTs. As a result of the deliberations at the Conference, the Human Rights Secretariat prepared in 2009 the First National Plan for the Promotion of Citizenship and Human Rights of Lesbians, Gays, Bisexuals, *Travestis* and Transsexuals. Of impressive breadth, this document outlines 180 actions to be taken by the government in the short and medium term, engaging 18 ministries in the process and aiming at a more systemic approach to promote the citizenship of the LGBT population.[213] It has a especially strong focus on education, health, justice and public security (Mello *et al.*, 2012a, 302), but also covers proposals for policies in the areas of human rights more broadly, tourism, social welfare, communications, work and employment, culture, and cities (Brasil. Presidência da República. Secretaria Especial dos Direitos Humanos, 2008).[214]

That same year, in the context of these developments and informed by the debates in the 11th National Human Rights Conference held in 2008, the PT government launched the Third National Human Rights Plan (PNDH III) (Brasil. Presidência da República. Secretaria Especial dos Direitos Humanos, 2010). This edition of the Plan continued to sharpen the attention given to LGBT rights, following the trend set by the previous PNDHs discussed earlier. It included 22 actions aimed at the LGBT population, in areas such as education, health, public security, and employment, among others. Almost a quarter of the actions outlined in the PNDH were specific to *travestis* and transsexuals, in contrast with previous editions of the plan, where they did not receive that kind of attention (Mello *et al.*, 2012a, 305-06).[215] Through these developments, the

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[213] The participation of LGBT activists in National Conferences extend beyond that aimed specifically at that population. Activists brought many demands related to education to the 2008 National LGBT Conference, and also took part in the National Conference on Basic Education in 2008, and the National Conference on Education in 2010. They managed to include the theme of sexual diversity in the final declarations from both events, outlining actions aimed at, for example, including the discussion of sexual diversity in schools and classrooms, removing discriminatory language and bias from school material, training teachers on issues of gender and sexuality, and pushing the Ministry of Education to guarantee budgetary resources for the implementation of the actions outlined in the National LGBT Plan (Mello *et al.*, 2012c, 110-12).

[214] A Second LGBT Conference was held in December 2011, and produced an equally broad and extensive set of proposals, resulting in an updating of the National LGBT Plan. In April 2016, the Third Conference took place in Brasilia, focusing on issues related to combatting violence and discrimination against the LGBT population, and producing over 190 proposals for policies aimed at dealing with that issue. During the Conference, president Rouseff also signed a decree allowing trans and *travesti* individuals to use their "social name" in the realm of the federal public administration. While not fully solving identification issues for those populations, it was seen as a positive step by activists.

[215] Tellingly, though, the actions aimed at the trans community did not address directly some of the key issues affecting that population, such as the need to regularize procedures for the proper identification of individuals according to their sex and gender identity (Mello *et al.*, 2012a, 306).

LGBT movement increased its presence in the State apparatus, especially from the late 2000s onward.

Finally, especially since the launch of the Brazil Without Homophobia Program in 2004 (INESC (Instituto de Estudos Socioeconômicos), 2006, 13), the developments outlined above have resulted in pro-LGBT public policies in a variety of areas (Table 6.4). In education, programs for providing training for teachers in the public school sector around discrimination based on sexual orientation and gender identity have been put in place, and the topic of homosexuality has been included in youth-oriented educational material produced by the Ministry of Education, integrating sexual health and HIV prevention (Mello *et al.*, 2012c, 106-07). In health (beyond issues related to AIDS), a 2008 ministerial directive included sexual reassignment surgery and post-surgical care for transsexuals in the public health system (2011, 19). In public security, by 2006, the Human Rights Secretariat had moved to create over 45 Reference Centres for GLBT Human Rights across the country that aimed at providing general guidance in relation to human rights and discrimination to the LGBT population, as well as psychological and legal counseling to victims of abuse (Brasil. Presidência da República. Secretaria Especial dos Direitos Humanos, n/a; Llistó, 2005; Mello *et al.*, 2012a, 297).[216] In addition, as in the case of the Public Security Without Homophobia Program set up by the National Public Security Secretariat in the Ministry of Justice, some attempt has been made to provide training in sexual diversity issues to police officers, sensitizing them to the dynamics of homophobic violence in order to improve investigation of such incidents, and to help generate reliable data that would assist in the development of public policies to deal with the problem (Avelar *et al.*, n/a, 326, 340; Mello *et al.*, 2012b, 419-20). Finally, a few gains have also been made in the area of labour, welfare and social security. Ministries in this area have put in place a job training program for the LGBT population, provided training for social workers on sexual diversity issues, and started including sexual orientation and gender identity issues in the functioning of social assistance offices.[217]

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[216] In some cases, these Centres also provide support for families of victims, have social workers available for those in need, and extend their services to assist the LGBT population in issues related to employment, or documentation—by, for example, providing *travestis* with an alternative identity card with their social name to help prevent harassment and discrimination (Oliveira, 2006, 41-45).

[217] Given the federalist distribution of powers, responsibility for a variety of issues relevant to the LGBT population falls on the hands of state and municipal governments. Other important developments have taken place at those

2.3.2   Incomplete democratic inclusion: shallow gains and limitations

While impressive, the gains outlined above have only gone so far, as their concreteness and universality continue to be plagued by implementation challenges related to the institutional framework faced by LGBT activists. These various challenges are embedded in a broader context of weakness of State capacity, essential to the implementation of policies and actions inclusive of the most marginalized in society. However, State weakness "is rooted in history and in the deep fragmentation of society" (Teichman, 2016, 22) and is thus not easily solved by mere institutional (re)design.

In addition, the multiple and deep historical patterns of marginalization that characterize Brazilian society contribute to the perpetuation of governing coalitions that protect the interests of elite groups, usually failing to strengthen the State capacity aimed at promoting deeper and broader inclusion. Importantly, though, States are not monolithically or homogeneously strong or weak (Teichman, 2016, 21). As different authors have emphasized, the Brazilian State has proven capable of effectively promoting state-led development, such as during the period of rapid industrialization and economic growth during the Economic Miracle (1968-1973) (Evans, 1995; Kohli, 2004; Schneider, 1991). To a certain extent in the field of AIDS, such an "island of excellence" also emerged (Marsiaj, 2011). State capacity, however, is "patchy," particularly around issues having to do more exclusively with the needs and demands of marginalized groups, or policy areas that may clash with the dominant model of economic development. Research has indicated, for example, that generally greater levels of human rights abuses tend to

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levels in the areas discussed. In education, in various states and municipalities, *travesti* activists have managed to put in place measures aimed at reducing dropout rates for young *travestis* in schools by, for example, allowing students to use their social name in school documents, rather than their birth certificate name, which would constantly expose them to ridicule and taunting by others. In public security, in order to deal with the fact that homophobic crimes are oftentimes ignored or taken lightly by police officers, some states—such as São Paulo, Rio Grande do Sul and Piauí—have seen the creation of police stations focusing on crimes of discrimination and intolerance, including homophobic crimes (Avelar *et al.*, n/a, 328). In health, other initiatives have been put in place in a few cities, such as special clinics aimed at providing accessible medical treatment to *travestis* and transsexuals in São Paulo and Rio de Janeiro. And in regard to employment, welfare and social security, in São Paulo, thanks to the activity of the municipal-level Coordinator of Sexual Diversity Issues (*Coordenadoria de Assuntos de Diversidade Sexual*, CADS), the LGBT population was included in a broader welfare program (*Programa Operação de Trabalho*) (Mello *et al.*, 2013, 146). In another example, a few municipalities, such as Campinas, in São Paulo state, have created welfare centres focusing on gays, lesbians and *travestis* (*Centros de Referência Especializada de Assistência Social* LGBT, CREAS LGBT) (Mello *et al.*, 2013, 149).

happen in relatively low-capacity States (Englehart, 2009). Similarly, effective environmental protection in Brazil has been plagued by weaknesses in State capacity (Pinto and Oliveira, 2008, 345-46; Barbosa *et al.*, 2016).

Quite apart from the limitation in state capacity, and reflective of the low level of commitment among public officials, the Brazil Without Homophobia Program was never enacted as a presidential decree, nor was it ever a ministerial directive, or any other kind of formal initiative that would help solidify it as a more concrete public policy (Mello *et al.*, 2012a, 296). Consequently, implementation has remained weak, depending, once again, on the goodwill and whims of public officials (2012a, 293, 297). Similarly, the First National LGBT Plan was not formalized in the form of a directive or decree; neither was it widely publicized and distributed by the government to the general public, blunting its potential impact (2012a, 301). Not surprisingly, many activists see these documents as empty shells, leading some like Luiz Mott, from the *Grupo Gay da Bahia*, to state that the Brazil Without Homophobia Program seems to have been mostly a move by then president Lula to build political support for his government among activists and other progressive sectors (Interview with Luiz Mott, Salvador, BA, April 14, 2010).

Then, there is a lack of resources for the implementation of programs (Mello *et al.*, 2012b, 418).[218] Even relatively more successful policies have had to face this reality. The Health and Prevention in Schools Program, for example, had resources allocated for its implementation limited enough to have a a very modest reach (Mello *et al.*, 2012c, 105-06; Mountian, 2014, 11-12). In some cases, the funding for initiatives has been only episodic, for example in the training and capacity-building programs for teachers, and the support for publications dealing with sexual diversity in education (Mello *et al.*, 2012c, 110). Similar dynamics have also affected initiatives in public security, making many of them expressions of intent rather than concrete governmental action. The Reference Centre Against Violence and Discrimination Against Homosexuals in Rio de Janeiro, for example, has continuously faced a very precarious bureaucratic and budgetary situation, depending on verbal agreements between specific individuals for its institutional

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[218] This challenge has been amplified by the sharp economic downturn since 2013, brought about by the decline in commodity prices that sustained the economic growth of the 2003-2013 period.

sustainability (Oliveira, 2006, 27-28). And activists have also pointed out that the few police stations focusing on crimes of discrimination and intolerance that have been created in the country are oftentimes underfunded and under-publicized, significantly reducing their potential impact (Avelar *et al.*, n/a, 329). Staffing and human resources are also a problem: there is a very small number of public employees with the needed training and knowledge to effectively develop, implement, monitor and evaluate policies aimed at the LGBT population (Mello *et al.*, 2012b, 418).

Design flaws also hinder the ability of bureaucracies to effectively implement policies and for officials and civil society to monitor their implementation. Ambiguities and lack of clarity regarding how specific policies will be implemented often result in their failure (Mello *et al.*, 2012a, 298). In the welfare, employment and social security area, training programs aimed at helping insert *travestis* and other LGBT into the labour force have been criticized by some activists and bureaucrats as too limited in their impact, not dealing with some of the more systemic problems that keep those groups marginalized in the labour force (Mello *et al.*, 2013, 148). Moreover, administrative barriers seriously hinder better coordination of action across State agencies at the federal, state and municipal levels, and make it difficult to effectively work in conjunction with civil society actors (Mello *et al.*, 2012b, 418). Informed by this situation, the First National LGBT Plan proposed innovations for the implementation of its actions by including the creation of an inter-ministerial working group with monitoring and evaluation responsibilities that would also provide opportunities for civil society input. However, it remains unclear how or whether this working group will be able to enforce corrective measures in case of deviations from the plan, or whether it will be able to ensure proper budgetary resources for making the plan a reality. In addition, the working group did not move to hold actual regular meetings after the Plan was launched (Mello *et al.*, 2012a, 302-04). In other instances, precarious monitoring mechanisms have made it difficult for federal officials to know how or whether policies are being implemented on the ground, at the municipal level, and what real impact they

may or may not be having.[219] In other words, despite some positive aspects of its design, the First National LGBT Plan lacks teeth, making its concretization a challenge.

Finally, State agencies often lack the capacity to implement policies at the needed scale. Training programs in the area of education and public security are examples with resources that pale in significance when one considers the scale at which they would be needed to have a more substantial impact on the LGBT population (Mello *et al.*, 2012b, 419-20). Some of the training programs for police officers, for example, tend to be quite limited in duration and lacking in depth (Oliveira, 2006, 50-1, 75). The federal system also imposes some particular challenges, dividing responsibility in key areas. Consequently, while at times more progress is achieved in the capital cities, where there tends to be greater activity and pressure from LGBT groups, in the interior of the country and in smaller towns, the picture is much more dire, limiting the scale of change (2013, 152).

All of this translates into serious limitations on the impact these policies have on the lives of the LGBT population.[220] Concreteness suffers, since failure to implement policies for health, education, public security, labour and social assistance means that the LGBT population continues to face a difficult, if not dangerous situation in the household, workplace, and in accessing public services. Universality also is eroded, since these limitations affect especially strongly more vulnerable individuals such as *travestis* and transsexuals (Mello *et al.*, 2012b, 421).

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[219] A related problem of a lack of coordination among various levels of government is also reflected in the gains made by *travestis* in various parts of the country in the area of education, for example, which remain decentralized and dependent on local conditions for their passage and effective implementation (Mello *et al.*, 2012c, 113).

[220] Difficulties in the actual implementation of pro-LGBT education policy are reflected in discursive strategies of some public officials, as highlighted by Junqueira (2009a). The author underlines how, on the ground, those responsible for implementing these policies justify their lack of action, leading to a lack of concrete results. These officials resort to "fruitless agreement"—where individuals agree with the interlocutor, but take no real measures to change the situation; denial—by denying, for example, that there is a problem, or saying that there are no LGBT students in their schools; hierarchization—by stressing the need to deal first with more pressing problems, such as illiteracy, poverty, dropout rates, racism; diversionism—by introducing other issues and questions into the discussion, shifting attention away from sexual diversity; appeal to a sense of opportunity—by highlighting that this may not be the best time (yet) to tackle these issues or that, with time, things will get better; and fatalism—by indicating that interventions will not solve anything, or that it will create more problems by giving rise to a homophobic backlash.

3   Conclusion

Undoubtedly the level of debate around LGBT issues in the federal government has increased over the last 20 years, and a broad framework of action has been established in the federal executive, as the progression from the inroads in AIDS policy to gains in other policy areas make clear. Taking the development of the relationship between the LGBT movement and the federal executive from the 1980s until the present as a whole, however, the limits to those gains also become clearer, underlining the ways in which the democratic inclusion of LGBTs remains incomplete.

The relationship between the LGBT movement and the National AIDS Program represents, in many ways, the most successful case in this struggle. While it is largely shaped by the peculiarities of the AIDS epidemic in Brazil—the fact that it is part of an acute global crisis; the availability of resources to fight its spread; the coincidence of its onset with the democratic transition process; and the development of an open, technically expert and effective agency to coordinate the governmental response to the epidemic—it does provide a clear case of strong cooperation between the State and civil society. Moreover, it indicates how engagement with the State—and even a fairly strong degree of dependence—*per se* need not entail a loss of autonomous agency. The gains made by the LGBT movement described in this chapter also underline the ability of activists to "grab the money and run," managing to both get resources from State agencies and pressure them for further gains.

The response to AIDS also highlights how, despite the narrowness of personalism and of a neoliberal engagement between State and civil society organizations, the gains made in that area led to the opportunity for a strengthened LGBT movement to take advantage of openings brought about by the shift to a neo-developmentalist regime of interest mediation in the mid-2000s, increasing the movement's participation in decision-making spaces. The rise in participation was key in bringing about gains in terms of government plans, commitments and a few public policies addressing a wide range of demands of the LGBT movement. Institutional factors, however, meant that the concreteness and universality of those gains was limited. Policies aimed at that population remain unstable and precarious, political will to ensure a more sustainable and sufficient flow of resources to make those policies a reality is elusive, and the impact of the few policies that see the light of day is deeply affected by a myriad of implementation challenges.

And, as will be seen in the next chapter, these obstacles are compounded by the persistence and pervasiveness of institutionalized homophobia and religious conservatism. Especially due to the efforts of Evangelical legislators in Congress, activists and allied State officials continue to meet stiff resistance to strengthening the citizenship rights of the LGBT population.

Chapter 7
Ambiguous allies and the struggle for inclusion: the LGBT movement, political parties, and the federal Congress

During the period of democratic transition in the late 1970s when the LGBT movement emerged in Brazil, the military regime set in place a liberalization of the political party system. As civilian rule was re-established, parties started regaining a prominent role in the political sphere, and became increasingly relevant to the struggles marginalized groups have waged since the 1980s. As Mainwaring highlights (Mainwaring, 1999), even when parties are weak, as he believes to be the case in Brazil, their study is important for a proper analysis of the prospects for democratization in a polity. Even in cases where these institutions are rife with personalism, patronage and clientelism, parties are significant to State-society relations.[221] Access to decision-making spaces that define public policy, legislation, as well as the allocation of budgetary resources is influenced by election outcomes, and parties are in turn central to determining who gains that access.[222]

As this chapter will show, on the one hand LGBT activists have made inroads in terms of participation in the federal legislature, especially by increasing their presence within the PT. By gradually increasing access to allied legislators, LGBT issues have frequently been the focus of debate around legislation and the budget. On the other hand, this has not translated into many concrete gains. To date, no pro-LGBT piece of legislation has been enacted in Congress and, while some funding for pro-LGBT public policies—discussed in the previous chapter—has been secured in the federal budget, it remains insufficient and unstable.

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[221] The Brazilian political party system is often characterized as weakly institutionalized, inchoate, fragmented, fragile, undisciplined and clientelistic (Mainwaring, 1995, 1999; Lamounier and Meneguello, 1986; Ames, 2001), even though some dissenting voices have pointed to cohesive party behaviour in Congress, as well as to the increasing solidification and institutionalization of fewer and more disciplined parties (Figueiredo and Limongi, 2001, 2003; Rodrigues, 2002; Amorim Neto, 2002b). Despite the intense debate among these scholars, most agree that leftist parties—particularly the PT—do not easily or strongly fit the negative portrait of the weak, inchoate and clientelistic parties to the same extent as centrist and right-wing parties. However, as the PT attained national power with the election of Luis Inácio Lula da Silva in 2002, serious questions have been raised about the party's exceptionalism (Hunter and Power, 2007; Hunter, 2007, 2008, 2010).

[222] In more established democracies in Western Europe, for example, studies have shown that the relationship between political parties and social movements is very significant to the latter's chances of success (della Porta and Rucht, 1995; Kriesi, 1995).

The pervasiveness of personalism, the internal institutional structure of the Chamber of Deputies, the reality of permanent "coalitional presidentialism"[223] and the strength of homophobia, especially that rooted in religious conservatism, help explain both the opportunities for greater participation of the LGBT movement in Congress, and the strong limitations on their impact.

The first section underlines the historical sources of the support for LGBT rights within the PT, one of the main partisan allies of the LGBT movement. It also demonstrates how the historical presence of elements of the Catholic Church, the persistence of homophobic views in sectors of the party, and more traditional understandings of leftism that give primacy to the class struggle over identity issues have contributed to imposing limits on how far partisan support will go. The remaining sections in this chapter shift the gaze toward the legislature, arguing that the institutional framework of Congress has, on the one hand, opened up some opportunities for greater participation of LGBTs and for a few limited inroads in relation to the federal budget. On the other, it has amplified the political power of opponents to LGBT rights, particularly those linked to Evangelical Churches, who have managed to block legislative change and even derail some policies from the executive branch.

1   The PT and sexual diversity politics[224]

The strong linkages between the LGBT movement and the PT have been built on the gradual construction of institutional spaces for sexual minorities within the party, in the form of LGBT sectoral groups. This development emerged out of continuous struggle by activists within the party, exploring openings and opportunities within it in the context of democratization of the political system. This was at a time when the PT itself was increasing its electoral and legislative strength (Table 7.1). While this has led to a rise in the access these activists have within party

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[223] This problem, not uncommon in multiparty presidential systems, is particularly acute in post-transition Brazil. Presidents have consistently had at best a small plurality of members of Congress from their own party, pushing them into having to put together and maintain a coalition among a large number of parties to ensure governability (Power, 2010).

[224] Some passages of this section are drawn from Marsiaj (2006).

ranks, it also highlights the personalistic basis of support, as many within the party remain more reluctant to fully support LGBT rights.[225]

Table 7.1: Seats held by the PT in the Chamber of Deputies (number of seats, percentage)

Election year	No. of seats	Percentage of seats
1982	8	1.7
1986	16	3.3
1990	35	7
1994	49	9.6
1998	58	11.3
2002	91	17.7
2006	83	16.2
2010	88	17.1
2014	69	13.4

Source: Hunter (2010, 204), DIAP (Departamento Intersindical de Assessoria Parlamentar) (2014, 26)

During the period of democratic transition in the late 1970s in São Paulo, a diverse group of social movements joined other groups in the left—including unionized workers, the Catholic Left, and leftist intellectuals—to form the PT. Given its roots among progressive elements of civil society, from early on some sectors of the party expressed their openness to the struggle of sexual minorities, as demonstrated by the speech of the party leader, Luiz Inácio Lula da Silva, at the First National Convention of the PT in 1981. In his words, "we will not accept that homosexualism [*sic*] be treated as a disease or a matter for the police […] [and we] will defend the respect that these people deserve, calling them to the greater mission of constructing a new society" (Diretório Nacional do PT. Secretaria Nacional de Formação Política and Fundação Perseu Abramo. Projeto Memória, 1998, 111).

This early support created a propitious environment for a widening of the institutional space available for the debate of sexual diversity issues within the party. In 1992, a group of PT activists formed the Group of Gays and Lesbians of the PT in São Paulo (Interview with PT gay

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[225] In addition to increasing their number of seats, the PT has increased its share of the leftist bloc of deputies in the lower house, from 26.1 percent in 1982 to 54.7 percent in 2002, and down to 45 percent in 2006 (Hunter, 2010, 48).

activist, Brasília, DF, February 13, 2003), which then pressured PT parliamentarians across the country to push for pro-LGBT legislation. Slowly, PT LGBT groups started emerging at the state level across the country. By 2001 these various regional LGBT groups managed to organize at the national level, convening a National Plenary Meetings of Gays, Lesbians, *Travestis* and Transsexuals of the PT. At each of these National Plenary Meetings, activists drafted resolutions with policy proposals for the party platform. Moreover, these PT LGBT groups have provided an internal party mechanism for activists to access and pressure PT politicians and governments.[226]

Parcitipation of LGBTs in the PT contributed to the inclusion of LGBT issues on some of the democratizing and participatory innovations that local-level PT governments put in place since the late 1980s. One of the best examples is the Participatory Budget, first implemented in Porto Alegre in 1989 (see, for example, Abers, 2000; Baiocchi, 2005; Nylen, 2003; Avritzer, 2010). In a few cities where the participatory budget has been implemented, such as Campinas, São Paulo and Porto Alegre, gays, lesbians and *travestis* joined other organized groups in society to take part in this process (Wampler, 2004, 379). Some concrete successes emerged from this experience, such as the creation of the Homosexual Reference Centre in Campinas. The Reference Centre is an official agency and is part of the administrative structure of the municipality. Its function is to promote and protect the participation of LGBTs, promote greater acceptance and understanding of sexual diversity in other parts of the municipal administration, as well as propose and guarantee the implementation of public policies geared toward that community, such as the provision of legal, psychological and social counselling for victims of

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[226] A number of official party documents since the early 1980s have included the fight against discrimination based on sexual orientation as part of the party's general struggle for the inclusion of minorities. Among these documents are: the national electoral platform in 1982, the organizational and political action plan for 1986-1988, the political resolution on the strategic objectives of the party from the 1987 National Meeting, the resolution on socialism from the First National Congress in 1991, the resolution for a popular-democratic government from the 1993 National Meeting, the political resolutions from the 1997 National Meeting, the directives for the government program from the 1998 extraordinary National Meeting, the 2001 party statute, the directives for the government program from the 2001 National Meeting, the directives for the government program presented in the 2002 electoral campaign, and the proposal for a National Public Security policy for Lula's government, also presented during the 2002 campaign (Diretório Nacional do PT. Secretaria Nacional de Formação Política and Fundação Perseu Abramo. Projeto Memória, 1998, 111, 123, 248-285, 317, 507, 562, 653, 680; Diretório Municipal do PT de Campinas, 2003; Partido dos Trabalhadores, n/a; Instituto Cidadania, 2002, 74-76). In April 2006, at the XIII National Meeting, a resolution on measures to promote LGBT citizenship was passed, calling on party members to take actions in support of the struggle of the LGBT movement (personal electronic communication with PT gay activist, May 9, 2006). And in 2008, at the I National LGBT Conference, then president Lula gave a speech strongly denouncing homophobia (Silva, 2010).

homophobic discrimination (Campinas: Centro de Referência, 2003; Campinas cria Centro, 2004).

That said, the party's openness to and support for LGBTs has been limited by the influence of the Catholic Left within the party. Many of the social movement activists and workers who founded the PT were also closely involved with the Catholic Church (Follmann, 2000; Keck, 1992). The strong historical presence of the Catholic Left in the PT has naturally been a source of tension in regard to gender and sexuality issues. In a telling example, as Lula trailed behind PSDB candidate Fernando Henrique Cardoso in the 1994 presidential campaign, the PT sought to strengthen support for the party among some key constituencies where it felt it was losing ground—notably those active in the Catholic Church. In order to accommodate its numerous potential Catholic voters, the party dropped support for abortion from its platform in that campaign (Burdick, 2004, 88). For similar reasons, support for full rights for LGBTs was put on the back burner (Green, 2000, 66). More recently, during the 2010 presidential campaign—won by the PT candidate, Dilma Rousseff—a similar situation emerged, with pressure emerging not only from the Catholic Church, but also from Evangelical Pentecostal denominations outside the party. Important names in the party have publicly cited their religious beliefs in expressing their opposition to the demands of the LGBT movement. One such example is Hélio Bicudo, one of the historic figures in the struggle for human rights in the country, who served as vice-mayor of São Paulo to Marta Suplicy, the author of a same-sex partnership bill presented in 1995, when she was a federal deputy (Lideranças gays, 2000).[227]

For a variety of reasons other than religious conviction, many individuals in the PT have also had difficulty fully incorporating the LGBT cause into their actions. Lula's public endorsement of gays and lesbians, for example, has not been fully consistent over the years and has been marred by some blunders. More significantly, during the 1989 presidential campaign, homophobia played a role in the rejection of the nomination of Fernando Gabeira as the vice-presidential

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[227] The strong presence of the Catholic Church in the PT should not be taken as an insurmountable barrier, however. Some cases indicate that political support from the Church or even strong religious beliefs and the defense of rights for LGBTs can be reconciled. Federal deputy Maria José Maninha (PT/DF) and Bahia state deputy Yulo Oiticica (PT/BA) fall into this category. Interestingly, given the important role of the Catholic Left in the human rights movement, a discourse based on the notion of human rights is often used to defuse this tension (interviews with Maria José Maninha, Brasília, DF, March 17, 2003, and with state deputy, Salvador, BA, October 21, 2003).

candidate on Lula's ticket. Gabeira had been active in the clandestine Left during the military dictatorship and had participated in the kidnapping of the American ambassador in 1969. Upon his return to the country in 1979 following the amnesty granted by the military government to exiled leftist activists, his progressive public stance on a number of issues, including lesbian and gay rights, did not sit well within certain leftist circles. Moreover, his flamboyant style contributed to rumors that he was gay. Upon Gabeira's nomination as Lula's running mate, his "alternative sexual behaviour" was deemed unpalatable by certain PT members and other allied leftist parties. This internal campaign was ultimately successful in preventing Gabeira's nomination (Green, 2000, 64-65; Arruda, 2001, 100-10).

Finally, gay and lesbian rights are still seen as secondary and unimportant by many PT activists and politicians (Interview with PT activist and two PT federal deputies, Brasília, DF, February 13 and March 17, 2003, Rio de Janeiro, RJ, September 01, 2003, respectively). According to a Socialist Party state deputy in Bahia, the Left in general often has difficulty understanding and accepting identity politics—"the struggle of minorities"—since the class struggle—"the struggle of the majority"—is seen as primary (Interview with Bahia state deputy, Salvador, BA, October 30, 2003). More openly homophobic attitudes also have a place in the history of the left in Brazil and Latin America. In some traditional Marxist circles in the 1960s and 1970s, for example, homosexuality was treated as a vice or illness, if not a sign of "capitalist decadence and a bourgeois form of sexuality" (de la Dehesa, 2010, 64).[228] Consequently, discussion of gay rights within the party has at times been stifled. A deeper incorporation of sexual diversity concerns into the PT's political agenda is thus made difficult by persistent homophobia within the party and the traditional difficulty of leftist ideology in dealing with the issue.[229]

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[228] It was only with shifts in values and attitudes toward gender and sexuality among the youth in the 1960s and 1970s, combined with changes in international Marxism, and the unleashing of new power dynamics within the leftist partisan field by the process of democratic transition in the 1970s, that space was opened within the left for some currents—such as Trotskyist groups like the *Convergência Socialista*—to incorporate the struggle for sexual minorities within a leftist framework (de la Dehesa, 2010, ch. 2). The multiplicity of voices and tendencies within the leftist ideological field, thus, results in an ambiguous attitude toward the struggle of LGBTs.

[229] While the focus of this section has been the PT, it should be noted that LGBT activists have also found support in other leftist parties. In the failed attempt to include a reference to sexual orientation in the Federal Constitution being drafted in the late 1980s, legislators from leftist parties—the PT, the *Partido Comunista do Brasil* (Communist Party of Brazil, PC do B), the *Partido Comunista Brasileiro* (Brazilian Communist Party, PCB), the *Partido Socialista Brasileiro* (Brazilian Socialist Party, PSB), and the *Partido Democrático Trabalhista* (Democratic Labour Party, PDT)—voted in favour of the amendment.

2 The internal institutional characteristics of Congress: ambiguous opportunities

Gay and lesbian activists have built a growing base of support among legislators since the late 1980s. The use of committees and parliamentary fronts have facilitated the increase in the participation of LGBTs, especially in terms of gaining access to allies, and led to some limited gains in terms of securing budgetary resources. However, the limitations imposed by the internal concentration of power in Congress have weighed heavily, blocking the passage of pro-LGBT legislation. Moreover, the situation of permanent "coalitional presidentialism" has opened the door to a growth in the political power of politicians linked to Churches, particularly Evangelical Pentecostal denominations, who are vocally opposed to LGBT rights.

2.1 Chamber of Deputies' Committees

Gay and lesbian activists have used committees of the Chamber of Deputies to increase their participation in Congress and bring attention to LGBT issues. The institutional structure of committees has opened up opportunities for allies of the movement to generate debate around sexual diversity issues in the legislature, but that mainly resulted in small, limited, and symbolic gains by LGBT activists, with very limited concreteness.

Congressional committees are often considered powerless and unimportant by legislators (Samuels, 2003, 44-45; Pereira and Mueller, 2000). Nevertheless, congressional committees can

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More recently, one example of support from the left is the *Partido Socialista dos Trabalhadores Unificado* (Unified Socialist Party of Workers, PSTU), where an LGBT National Secretariat has been formed. The Secretariat is the heir to the gay and lesbian group of the *Convergência Socialista*, active in the late 1970s and early 1980s. The group works within the party, as well as with the main constituencies of the PSTU, unions and students organizations, raising issues related to sexual diversity and discrimination against sexual minorities (Green, 2000). The founding program of the *Partido Socialismo e Liberdade* (Socialism and Liberty Party, PSOL), a radical left party formed in 2004 by dissidents from the PT, explicitly includes the fight against the discrimination of gays, lesbians, bisexuals, *travestis* and transsexuals among the party's main causes (Partido Socialismo e Liberdade, 2004). The first openly gay activist elected to Congress in 2010, Jean Wyllys, is a member of this party.

In addition, while it is limited, support is at times forthcoming from right-wing parties as well. In fact, electoral success of openly LGBT candidates in Brazil (mostly at the municipal level) is overwhelmingly found among right-wing candidates. Importantly, however, these LGBT politicians tend not to be committed to the agenda of the LGBT movement, nor do they politicize sexual diversity issues. Moreover, they also tend to adapt well to the traditional personalistic and clientelistic behaviour of those parties (for a more detailed discussion, see Marsiaj, 2006).

still approve, amend, reject or present substitutes for bills presented to them, before they are sent to the floor of the Chamber for a vote (Amorim Neto *et al.*, 2003, 557-58). In addition, committees can play an important informational role in Congress (Pereira and Mueller, 2000). For the LGBT movement, this informational role is closely associated with providing spaces— through public meetings and other kinds of events—to discuss general issues and specific legislative bills related to the rights of sexual minorities, as well as helping dispel myths and misconceptions about gays, lesbians and *travestis* that might cloud the judgment of certain members of Congress in relation to pro-LGBT legislative bills.

The Human Rights Committee of the Chamber of Deputies has been one of the most successful channels to bring greater attention to the struggle of the LGBT movement in Congress. By receiving denunciations of human rights violations, forwarding cases to relevant institutions, pushing for their proper investigation, and organizing public seminars and workshops, the Human Rights Committee has provided some space for LGBT activists to press demands, increase their visibility and create dialogue with elected officials. The Human Rights and other committees in the Chamber of Deputies have also, since 2003, organized LGBT National Seminars, where activists, intellectuals, bureaucrats and parliamentarians engage in day-long debates around issues affecting the LGBT community.[230] These seminars have played an

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[230] The First National Seminar was held in June 2003, and was organized by the Human Rights Committee and the Chamber of Deputies' *Ouvidoria*. The Second Seminar was held in June 2005, and was organized by the Human Rights, the Participatory Legislation, and the Education and Culture Committees, in addition to the Parliamentary Front for the Freedom of Sexual Expression and the ABGLT (Congresso Nacional fará II Seminário, 2005). The Third Seminar was held in July 2006, and was organized by the Human Rights and Minorities, the Participatory Legislation, and the Education and Culture Committees, with support from the Parliamentary Front for the Freedom of Sexual Expression, the ABGLT, the Human Rights Secretariat, and the PN DST/AIDS (Neves, 2006). The Fourth Seminar, held in May 2007, was organized by the Human Rights and Minorities, the Participatory Legislation, and the Social Security and Family Committees; again, it received support from the Parliamentary Front for LGBT Citizenship, the ABGLT, the Human Rights Secretariat, and the PN DST/AIDS (Neves and Miranda, 2007). The Fifth Seminar was held in November 2008 in the Senate, and was organized by the Human Rights and Minorities, and the Participatory Legislation Committees, with support from the Parliamentary Front for LGBT Citizenship and the ABGLT (Parlamentares debatem homofobia, 2008). The Sixth Seminar was held in 2009, and was organized by the Human Rights and Minorities, the Participatory Legislation, and the Education and Culture Committees (Brasil. Câmara dos Deputados. Comissão de Legislação Participativa, 2010). The Seventh Seminar held in 2010, was organized by the Human Rights and Minorities, the Participatory Legislation, and the Education and Culture Committees, in conjunction with the Parliamentary Front for LGBT Citizenship and the ABGLT (Brasil. Câmara dos Deputados, 2010). The Eighth Seminar held in 2011, was organized by the Human Rights and Minorities, the Participatory Legislation, and the Education and Culture Committees (Brasil. Câmara dos Deputados, 2011). The Ninth Seminar was held in May 2012, and was co-organized by the Human Rights and Minorities and the Education and Culture Committees, as well as the Parliamentary Front for LGBT Citizenship and the Parliamentary Front for the Human Rights of Children and Adolescents, given its focus on issues such as homophobic bullying in schools

important function in expanding and solidifying the alliances the LGBT movement has built with elected officials, especially with the organization in October 2003 of a Parliamentary Front for LGBT Citizenship.[231]

Beyond their role in providing the basis for greater participation of the LGBT movement in the Chamber of Deputies, Congressional committees such as the Human Rights Committee can also play a part in the fight to retain greater resources for the implementation of pro-LGBT policies. Despite their limitations, committees are able to submit amendments to the federal budget bill introduced by the executive (Samuels, 2002). While only a very small part of those amendments are actually approved without changes, LGBT activists have garnered support for accessing budgetary resources in committees such as the Human Rights and Minorities Committee, and the Participatory Legislation Committee. Still, on balance, these alliances have not yet translated into sustained funding for programs and services aimed at that population.

2.2 Mobilizing allies: personalism and the rise and fall of the LGBT Parliamentary Front

Following the rise in the presence of leftist parties (particularly the PT) in the Chamber of Deputies in 2003, activists intensified their efforts to build alliances with members of Congress. Activists in the ABGLT started making effective use of the federal reach of their umbrella organization, seeking the support of federal deputies and senators from their particular states, raising the number of supporters of sexual minorities in the ranks of Congress. As this section

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(Seminário Nacional LGBT, 2012). The Tenth Seminar was held in 2013, and was organized by the Culture, the Education, and the Participatory Legislation Committees, as well as the Parliamentary Front for the Defense of Human Rights (Seminário LGBT aborda, 2013). The Eleventh Seminar was held in June 2014, and was co-organized by the Human Rights and Minorities , Participatory Legislation, and the Social Security and Family Committees of the Chamber of Deputies, as well as the Human Rights and the Participatory Legislation Committees of the Senate (Seminário LGBT discutirá, 2014). The Twelfth Seminar was held in May 2015, and was co-organized by the Participatory Legislation, the Culture, and the Science and Technology, Communication and Information Technology Committees, given its focus on issues such as discrimination in social media (Seminário LGBT discute, 2015). This progression attests to the gradual expansion of visibility and—at least symbolic—support for LGBT rights in different committees in Congress.

[231] This Parliamentary Front was originally named the Parliamentary Front for the Freedom of Sexual Expression, but was renamed the Parliamentary Front for LGBT Citizenship in 2007. I will refer to it as the LGBT Parliamentary Front .

will indicate, however, despite these important efforts, activists' access to members of Congress remains strongly shaped by personalism.

Deputies often organize themselves in informal *bancadas*—groups of deputies representing a specific group's interest—and parliamentary fronts.[232] These kinds of groups have been formed to push forward the interests of landowners, Evangelical Churches, environmentalists, and other group interests as well as to fight against racial discrimination and defend the interests of cancer patients and consumers. The size and level of coordination and organization among these groups is quite varied, but they can be very important actors in the parliamentary game.[233]

In mid-2003, following the First LGBT National Seminar, held in the Chamber of Deputies, LGBT activists and their allies raised the idea of creating a parliamentary front. Such a front would then be able to propose pro-LGBT legislation, broaden support for those bills, and fight for the effective implementation and continued funding of existing policies. In October 2003, a LGBT Parliamentary Front was launched, and it was active in helping solidify the movement's political visibility.

Two years after its creation, in 2005, the Parliamentary Front already counted 85 members—76 federal deputies and 9 senators, out of a total of 513 deputies and 81 senators.[234] By May 2007, after the elections held in 2006 for all seats in the Chamber of Deputies and a third of the senate, the total number of members had risen to 215—199 deputies and 16 senators (ABGLT (Associação Brasileira de Gays, Lésbicas e Travestis), 2007). In other words, four years after its creation, 39 percent of the Chamber of Deputies and 20 percent of the Senate had joined the LGBT Parliamentary Front.

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[232] While the term *bancada* is often used to refer to a party's contingent in Congress, the term is also used to refer to a state delegation or to an informal grouping of deputies representing a specific set of interests.

[233] One example of a strong and effective grouping is the *União Democrática Ruralista* (Democratic Rural Union, UDR), which in the late 1980s successfully blocked attempts by landless activists and their supporters to push for land reform in the 1988 Constitution.

[234] Information as of early August 2005 (Source: Julian Rodrigues, e-mail to GLBTS mailing list, August 9, 2005).

Not surprisingly, the greatest share of participation in the LGBT Parliamentary Front came from leftist parties, even if partisan support gradually became more diverse, as table 7.2 indicates.[235]

Table 7.2: Distribution of participation in LGBT Parliamentary Front, according to ideological bloc (percentage of Front members)

	2003 (85 members)	2007 (215 members)
Leftist parties	81	61
Centrist and right-wing parties	19	39

It should be noted that, while on paper the size of the LGBT Parliamentary Front reached significant levels, strong and active support remained limited to few allies..

This became clear with the effective dissolution of the Front after it reached its peak in the late 2000s. Following the 2010 elections, a more reduced group of strongly allied legislators took the lead in pushing LGBT issues in Congress, both individually and via other spaces, such as the Parliamentary Front for the Defense of Human Rights (Personal electronic communication with gay leader, June 27, 2016).

There have been few out politicians in Congress.[236] The first openly gay member of Congress was Clodovil Hernandez, a well-known fashion designer and television celebrity who was

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[235] Some leftist parties have demonstrated a high level of "discipline" in regard to joining the LGBT Parliamentary Front: for example, in early 2007, all PSOL federal deputies, 84 percent of PC do B deputies, and 80 percent of PT deputies had joined it. Gender is another factor that emerges from a closer look at the membership of the Parliamentary Front. A disproportionate number of Congresswomen have joined the Front, indicating the affinity many of them have for the struggle against homophobia. While not all women are supportive of LGBT rights—or feminist demands—and gender is not the strongest predictor of possessing a progressive stance on gender issues among legislators (Htun and Power, 2006), female members of Congress have been disproportionately represented in the LGBT Parliamentary Front. In 2005, 30 percent of Front members were women, which meant that slightly less than half of all Congresswomen had joined it. By 2007, almost 60 percent of all Congresswomen had become members—compared to only 34 percent of Congress*men*. The reasons for support of the LGBT cause among female members of Congress are also varied. In many of these cases, personal involvement with women's movements and feminist struggles was an important factor. Since most of these feminist politicians have tended to belong to leftist parties, the high proportion of left-wing women among female members of the Parliamentary Front—92 percent in 2005 and 67 percent in 2007—is not surprising.

elected to the Chamber of Deputies under the right-wing *Partido Trabalhista Cristão* (Christian Labour Party, PTC) in 2006.[237] However, prior to and following his election to the Chamber of Deputies, Hernandez strongly dissociated himself from the LGBT movement and was openly critical of LGBT Pride Parades, as well as demands for the legalization of gay marriage (Llistó, 2006a; Llistó, 2006b).[238] It was only in 2010 that an openly gay candidate with stronger links to the LGBT movement was elected to Congress. Jean Wyllys, from the left-wing PSOL, won a seat in the Chamber of Deputies and has since become one of the most vocal defenders of LGBT rights in Congress, though in some instances taking the lead and diverting energy from more collective efforts such as the LGBT Parliamentary Front (Personal electronic communication with gay leader, June 27, 2016). This increased reliance on individuals (whether Wyllys or other allies) has made the struggle for more concrete gains around LGBT rights in Congress harder, particularly in the context of the rise of a concerted opposition by religious conservatives (Personal electronic communication with gay leader, June 29, 2016), to be discussed below.

2.3   The struggle around the federal budget

LGBT activists have managed to secure the allocation of some budgetary resources for the implementation of policies aimed at promoting the greater acceptance of sexual diversity. These funds, however, still fall far short of what is needed to implement the plans, and are precariously dependent on particular individuals rather than a firm programmatic government plan. They are also mostly geared toward specific, more narrow and temporary projects.

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[236] Most LGBT successful candidatures have been at the municipal level, and even there, they represent a very small number of cases. Interestingly, most of those elected officials ran under right-wing parties, with little to no connection to the LGBT movement, and were reliant on personalistic and clientelistic networks at the local level (Marsiaj, 2006, 180-83).

[237] In 2007, Clodovil Hernandez switched parties to the right-wing *Partido Republicano* (Republican Party, PR). In March 2009, he died of complications following a stroke.

[238] Once in office, Hernandez tabled a bill for the recognition of civil unions of same-sex couples (Clodovil apresenta projeto, 2007). The bill, however, was very limited in scope, and he remained openly opposed to gay marriage.

Key developments in the relationship with the Executive, such as the launch of the Brazil
Without Homophobia Program in late 2004 facilitated the work of activists pressuring deputies
to assist in the guarantee of an "LGBT Budget," by providing a clearer list of commitments and
promises made by the government. Allied legislators in the LGBT Parliamentary Front
introduced individual amendments and acted together in Committees such as the Human Rights
and Minorities and the Participatory Legislation Committees to try and secure budgetary
allocations for LGBT programs.[239] After the dissolution of the Front, allies in Congress and in
the Executive fought to gain access to funds to implement some of the policies outlined in the
various plans of action approved by the Executive.[240] For example, funds have been allocated for
the implementation of some of the pro-LGBT policies in Education discussed in the previous
chapter. From 2005 until 2009, R$ 7,250,000 (approximately CDN$ 4 million) were spent on
programs for training teachers of the public sector on issues related to sexual diversity. In 2008-
2009, R$14,000,000 (CDN$ 8.1 million) were dedicated to the Gender and Diversity in School
program, aimed at providing teachers with better knowledge of the complexity of gender and
sexual diversity in the school environment. Finally, in the late 2000s, the *Escola Sem Homofobia*
Project, focused on combating homophobic bullying in schools, was allocated R$ 2,000,000
(approx. CDN$ 1.1 million) (Brasil. Presidência da República. Secretaria de Direitos Humanos,
2010).

These amounts, though, have come far short of what is needed for a more substantial
implementation of the policies outlined in the Brazil Without Homophobia Program. In 2007, for
example, Cláudio Nascimento, from the ABGLT and *Grupo Arco-Íris* estimated that the
Program would need the backing of about R$ 50 million (CDN$ 27.6 million) for its more
substantive and effective implementation (quoted in Melo, 2007). In other areas, such as those

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[239] Similarly to the partisan patterns discussed earlier, support from leftist legislators is also evident in the tabling of
pro-LGBT individual amendments to the budgetary law by members of Congress. For example, all 22 individual
amendments aimed at LGBT programs presented by federal deputies from 2005 to 2008 came from politicians from
leftist parties—15 amendments coming from PT deputies alone (author's compilation from Brasil. Senado Federal,
n/a). Not enough information is available to determine what proportion of the funds aimed at LGBT programs
approved in the federal budget since the mid-2000s originated from proposals from allies in the executive branch or
in Congress.

[240] In 2010, for example, close to R$ 7.5 million (CDN$ 4.4 million) were approved in amendments for LGBT-
related programs, primarily for projects aimed at fighting homophobia (Toni Reis, e-mail to ABGLT Afiliadas
mailing list, March 11, 2010).

related to public security, some money has been allocated for the establishment of *Centros de Referência* (Reference Centres providing psychological and legal assistance for victims of discrimination and violence), but the funding is episodic, raising questions about the sustainability and viability of those centres (Mello *et al.*, 2012a, 297).

The budgetary process itself imposes further challenges. In Brazil, the federal executive has exclusive powers to introduce the annual budget bill to Congress, where members of Congress submit thousands of amendments either individually or in groups—*e.g.*, state delegations, parties, regional delegations, or Congressional Committees (Samuels, 2002).[241] These amendments are then analyzed and approved or rejected —partially or entirely—at two different rounds before the modified bill is signed into a final annual budget law. At each stage, the monetary values of the amendments can be modified.[242] The intense political negotiation that takes place at this stage—which is vulnerable to multidimensional political calculations and economic performance—often means that there is a significant gap between the total funds in proposed amendments and the amount that actually gets approved.

After approval of the budget law comes the next challenge: budgetary execution. Funds assigned in the budget law have to be approved and then allocated for specific projects. Revisions and changes to the revenues of the State—due, for example, to unexpected economic downturns or changes in State revenues—can affect the amount of resources actually available to be spent by the government. Once money has been allocated, contracts have to be signed with organizations or agencies for the delivery of the service in question. It is only then that funds are paid.[243] The

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[241] Until 1993, there were no restrictions on the number of amendments an individual legislator could submit. That year, the number was reduced to 50 and, in 1995, to 20. For the period under study here, a ceiling of R$ 2 million per legislator was also imposed for individual amendments, forcing them to either present small amendments or combine them among different members of Congress. The reform introduced in 1995 also reduced the number of amendments per Committee to five. All amendments, moreover, have to respect the Budgetary Directives Law established in the preceding year, as well as the five-year Multi-Year Plan (*Plano Pluiranual*) put in place by the executive (for more information, see Pereira and Mueller, 2004, 786-90).

[242] In 2004, for example, allied deputies in the Human Rights Committee presented a proposal for the allocation of R$ 10 million (approximately CDN$ 4.5 million at the time) to finance projects in the Brazil Without Homophobia Program (Azevedo, 2004). Revisions presented to those amendments and the attrition of the budgetary process mean that approximately a fifth of that amount (R$ 2 million; CDN$ 1 million) was allocated in the 2005 Federal Budget.

[243] Fully understanding the implementation and effect of policies, of course, would require further investigation into how those funds are then used in the provision of the services. For the case under study, however, that detailed information is unavailable.

road between the signing of the budget law and the execution of that budget, therefore, is long. At times significant amounts are never spent, and delays are frequent. This situation translates into insufficient and unstable funds, hampering the implementation of pro-LGBT policies outlined in government plans, resulting in unfinished and underfunded projects spread around the country and an erosion of the concreteness of the gains made by the movement.

The LGBT movement has thus made inroads into Congress by strengthening its alliances with members of Congress, managing to secure some budgetary funds for the implementation of pro-LGBT policies. Those funds, however, remain insufficient and unstable (Mello *et al.*, 2012b, 418). Moreover, these gains remain closely associated with particular individuals, highlighting the importance of personalistic political connections. Specific bureaucrats, public officials, or activists are involved with specific programs or projects, undermining the establishment of more long-lasting State policies, backed by more sustainable budgetary commitment (Mello *et al.*, 2012c, 115-16). These limitations stem from the institutional factors that shape the kind of access activists have to allies in Congress, and the kind of opportunities opened by the budgetary process.

2.4   The challenges of securing legislation

Gay and lesbian activists face an uphill battle in trying to get pro-LGBT legislation passed in Congress. To a great extent, this is due to the way in which power is concentrated in the Chamber of Deputies and Senate. The Chamber of Deputies' *Mesa Diretora*—a "directing board"—presided over by the Chamber president, and assisted by the *Colégio de Líderes*—a group formed by the leaders of parties commanding at least 1.0 percent of seats in the Chamber—controls the agenda-setting process in the House. So bills need the support of Congressional leaders to have a chance of reaching the top of the Chamber's legislative agenda. The likelihood of the advancement of demands from groups in society, therefore, is affected by the extent to which leaders of larger Congressional parties are willing to push those demands forward. As discussed earlier, support for LGBT rights tends to be concentrated among leftist parties, which only in 2006 attained a plurality of seats (about 34 percent) in the Chamber of Deputies. As we have seen, too, there are major limitations on the support given to LGBT issues among politicians from leftist parties. This concentration of power also makes sexual minorities vulnerable to the emergence of sudden roadblocks once new presidents of each house of

Congress are elected, especially if they are personally indifferent or opposed to the advancement of LGBT rights (Direitos civis gays, 2009).

The Chamber of Deputies' approval in 2006 of the bill that established sanctions for homophobic behaviour illustrates these points well.[244] In 2001, deputy Iara Bernardi—a PT deputy from São Paulo—presented a bill that would modify Law 7716/89, which establishes the crime of racial prejudice, to include protection based on sexual orientation. The bill languished in the legislative process of the Chamber for years, but gay and lesbian leaders started, in 2004, to pressure party leaders to bring the bill to a vote. Activists also sought public support from successive presidents of the Chamber to increase their chances of moving the bill up the agenda (Llistó, 2006d). By April 2006, the bill was already on the Chamber of Deputies' agenda, ready to be voted on, but the fact that the legislature's agenda was dominated by executive decrees and other urgent bills delayed voting for a few more months. Finally, in November 2006, after deputies managed to "clear" the agenda of the House, an opportunity opened up to bring the anti-discrimination bill to a vote (Câmara aprova projeto, 2006). Gay activists, in conjunction with their allies in the Chamber of Deputies, then managed to strike an agreement with key right-wing deputies, particularly Rodrigo Maia of the *Partido da Frente Liberal* (Liberal Front Party; PFL), to deem the bill an urgent matter, which would push it to the top of the agenda (Personal electronic communication with gay leader, November 23, 2006). In addition, as Maia himself later indicated, the fact that this happened on a Thursday, a day with typically low attendance in the House, facilitated its approval (Llistó, 2006c).

After the long wait and approval of the bill in the lower house, it proceeded to the Senate, where activists faced a similar concentration of power in the hands of the Senate president and party leaders. Movement leaders immediately started a new effort of mobilization of allied senators to fight for its approval—first in committees and then on the floor of the Senate (Llistó, 2006c). With the increased visibility brought about by the lower-house approval, the opposition, particularly from members of Congress linked to Evangelical Churches and religious organizations, gained force and imposed insurmountable roadblocks to approval. The opposition

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[244] To date, this is the only legislative initiative aimed at LGBTs to have been approved by the Chamber of Deputies.

made use of a wide repertoire of action, including delaying mechanisms and tactics in Senate committees, letter and e-mail writing campaigns, as well as loud protest rallies (Guerreiro and Giraldi, 2008; Adiada votação, 2007; Senador Crivella discursa, 2007; Evangélicos prometem protesto, 2007; Lei anti-homofobia, 2007; Manobra no Senado, 2007). One of the foci of discussion was the fear by many deputies linked to Churches—especially Pentecostal Churches—that such legislation would criminalize religious preaching that did not see homosexuality in a good light.[245] After eight years of debate in the Senate, not enough support could be garnered to keep the bill alive.[246]

2.5 "Coalitional presidentialism" and religious opposition in Congress

Despite the fact that the 1988 Constitution awarded significant powers to the president, relegating Congress to a mainly "reactive" role in the political process (Power, 1998; Mainwaring, 1997; Figueiredo and Limongi, 2003; Pereira *et al.*, 2005; Morgenstern, 2002), presidents cannot rule without constraint, independent of support from the legislature.[247] Many

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[245] In the legislature elected in 2010, Senator Marta Suplicy, then from the PT—who, in 1995, as a federal deputy presented the civil union bill—was active in trying to push this bill through the upper house. Having met with significant resistance from religious conservatives, she embarked on negotiations to craft an amended bill that would address the concerns of the religious opposition, but nothing concrete emerged from those negotiations, and many LGBT activists feared the bill would be considerably watered down if an agreement was ever reached (Conversations with gay activists at the Second National LGBT Conference, December 15-18, 2011, Brasília, DF).

[246] Having met with these barriers in the federal legislature, activists and allies have turned to the judiciary in their attempts to criminalize homophobia. Paulo Iotti, of the *Grupo de Advogados pela Diversidade Sexual e de Gênero* (Group of Lawyers for Sexual and Gender Diversity, GADvS) is directly involved in two different legal actions being analyzed by the Constitutional Supreme Court at the time of this writing. The first is a *mandado de injunção* filed by the ABGLT (a legal tool requesting the court to push the responsible branch of government to regulate a constitutional norm by, for example, passing enabling legislation). The second is a *Ação Direta de Insconstitucionalidade por Omissão* (Direct Action of Inconstitutionality by Omission) filed by the *Partido Popular Socialista* (Popular Socialist Party, PPS), which similarly to the *mandado de injunção*, asks the Court to assess whether the responsible branch of government has been negligent in making a constitutional norm effective (Martins, 2016a).

[247] Benefitting from very ambiguous wording in the Constitution and loose control by other institutions, Brazilian presidents since the mid 1980s—José Sarney (1985-90), Fernando Collor (1990-92), Itamar Franco (1992-94), Fernando Henrique Cardoso (1995-2002), Luis Inácio Lula da Silva (2003-2010), and Dilma Rousseff (2011-)—have used their decree power as an important tool to deal with politically controversial issues or difficulties in building a supporting coalition in Congress, even after a legislative reform approved in 2001 tried to address the problem. More recent scholarship has highlighted an evolving legal framework around executive decrees that shows that, especially since some changes were introduced by the president of the Chamber of Deputies in 2009, the balance of power between the President and Congress has shifted somewhat on this issue, with the latter having gained more power to set its own agenda (Paula, 2015; Rennó, 2010).

executive initiatives never actually reach Congress, if the president feels there will be significant opposition among legislators. Among those decrees that do arrive in Congress, many are never voted on and face very long delays; and "[little] gets through Congress without substantive concessions to individuals, to narrow economic interests, or to the states" (Ames, 2002, 190). Second, even though the executive wields tremendous power and dominates the legislative agenda, Congress can, and often does, amend executive bills and decrees, at times significantly (Samuels, 2002).

The executive, in other words, needs support from legislators, especially if it wants to implement more substantial reforms that require constitutional amendments. Given the high party fragmentation and the resulting proliferation of parties in Congress (Melo, 2015, 106-07; Power, 2010, 25), the executive is constantly seeking to build and maintain a governing coalition in order to ensure a minimum level of governability. As no president since the return to electoral democracy in the 1980s has secured a majority in Congress from his or her own party, this has entailed a permanent state of "minority presidentialism" or, as Sérgio Abranches has called it (1988), "coalitional presidentialism." Presidents, particularly since the 1990s, have made use of a broad toolkit to weave together and keep the support of a broad voting coalition in Congress, from carefully distributing ministries among allied parties to outright bribing allied legislators to vote with the government (Amorim Neto, 2002a; Hunter, 2010, 163). The reality of coalitional presidentialism oftentimes gives disproportionate power to groups of politicians who act as "kingmakers" by threatening to derail the government's agenda. Given the internal structure of the Chamber of Deputies discussed earlier, this has oftentimes meant empowering specific *bancadas*. It is in this context that religious conservatives opposed to advances in LGBT rights have mounted an increasingly fierce opposition to pro-LGBT policies and legislation.

Until the last quarter of the twentieth century, the Catholic Church maintained a virtual monopoly in the religious realm going back to colonial times, establishing at times a close relationship with the State (Serbin, 2000). During the military dictatorship (1964-1985), following changes in the Vatican in the late 1960s that gave rise to Liberation Theology, clergy and other members of the Church started paying increasing attention to social justice issues, becoming involved in the struggle for the defense of human rights, in a context of heavy repression by the authoritarian regime in power (Levine and Mainwaring, 2001; Hewitt, 1991). With the papacy of John Paul II, however, the Church embarked on a conservative reversal back

to a focus on spirituality, launching a "new evangelization" and moving away from more radical leftist political stances. The National Council of Bishops of Brazil (CNBB) still speaks out on issues related to social justice and human rights (Serbin, 2000, 149-52; Smith, 1998, 52-56), but the Church's official involvement with politics has been more distanced, assuming what some have called the role of a "moral watchdog" (Serbin, 2000). Nevertheless, a number of Catholic politicians have marshalled their faith in defense of traditional family values (Interview with federal deputy, Brasília, DF, March 17, 2003). In such cases, some Catholic groups have openly organized and mobilized supporters, breaking with the subtler, indirect influence the Catholic Church often has on politicians.

Opposition to LGBT rights has been most strongly expressed by politicians linked to Evangelical Churches. Since the 1950s, Protestant Churches have witnessed significant growth, a trend that has accelerated since the 1970s across the country. According to some estimates, currently, 24 percent of Brazilians are Protestant (Stark and Smith, 2012, 41), of which approximately two thirds are Pentecostals (Freston, 2004, 33).[248] Pentecostalism in Brazil is growing rapidly, especially among the poor and popular sectors. Moreover, most of these Churches do not depend on foreign missionaries and have been largely nationalized. Some of the main denominations currently active, such as the United Church of the Kingdom of God, were founded in Brazil and have later expanded abroad (Freston, 1994, 2001).

The turning point for the political activism of Protestant Churches and, especially, Pentecostal ones was the return to civilian rule and the 1986 elections for the federal Congress, which functioned as a Constituent Assembly, charged with drafting a new Federal Constitution. A number of Pentecostal Churches endorsed "their" candidates, effectively campaigning for them within their congregations. Following this model, for example, candidates of the United Church of the Kingdom of God have experienced growing electoral success in the 1990s. This strategy has had a "mimetic effect" on other churches, who seek to imitate it in order to elect a larger

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[248] There is, however, significant diversity among Protestant Churches in Brazil. Lutherans have been present in the South of the country since the nineteenth century, and Protestant Churches organized in the 1930s and 1940s to resist the advances of the Catholic Church, which at the time was closely allied with the Vargas regime. Until the 1970s and 1980s, the "historical" denominations (Lutherans, Methodists, Presbyterians, and Baptists) were stronger, especially in political terms, electing a few deputies to the federal Congress from the mid-1940s onwards (Freston, 1994).

number of their candidates to public office at all levels of government (Oro, 2003). Despite some important variation among these Churches in their attitudes towards direct and open involvement in politics, it is clear that they are much more open to participation in electoral politics than the Catholic Church.

Given their rapid rise in Brazilian politics since the late 1980s, politicians linked to Evangelical Churches have become an important political group with a strong presence in Congress, and regularly courted by major parties during electoral campaigns (Table 7.3).

Table 7.3: Number and percentage of seats of Evangelical federal deputies and senators elected (1982-2014)

Election year	Federal deputies (number; percentage of seats)	Senators (number; percentage of seats)[249]
1982	12 (2.3)	-
1986	33 (6.4)	-
1990	23 (4.5)	1 (3.7)
1994	32 (6.2)	5 (9.2)
1998	49 (9.6)	2 (7.4)
2002	59 (11.5)	4 (7.4)
2006	30 (5.9)	2 (7.4)
2010	63 (12.3)	3 (5.6)

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[249] Senators are elected to an eight-year term, as opposed to a four-year one for members of the Chamber of Deputies. Elections for the Senate alternate between replacing one-third (27) and two-thirds (54) of the seats. In the table above, in 1990, 1998, 2006, and 2014, one-third of Senate seats were being contested. In 1994, 2002, and 2010, two-thirds of the seats were open. The percentages shown are in relation to the number of senators elected in the specific election year.

2014	67 (13)	3 (11.1)

Source: Tadvald (2015, 262-63)

Not surprisingly, then, the opposition from religious conservatives has seriously hampered the opportunities for the LGBT movement to make inroads through Congress. Especially since the early 2000s, as the gay and lesbian movement made a few more noticeable gains in policy and public visibility, organized politicians linked to Evangelical churches (especially Pentecostal and neo-Pentecostal denominations) have turned their attention to sexual diversity issues, raising their voices and deploying their political power to impose serious roadblocks to a fuller inclusion of sexual minorities (Freston, 1994, 2001).[250]

Since the late 1990s, but especially from the mid-2000s onward, as the LGBT movement gained increased visibility and made more noticeable inroads in some policy areas via the Executive, Evangelical politicians (and, increasingly, Catholic politicians working together with them) have staged a strong opposition to the advancement of LGBT rights. As was the case with the LGBT movement, they have adapted their actions to the institutional framework of the federal legislature, forming a variety of parliamentary fronts (such as the Evangelical Parliamentary Front, the Catholic Parliamentary Pastoral, the Parliamentary Front in Defense of the Family, and the Parliamentary Front in Defense of Life and Against Abortion), and using their significant

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[250] While Pentecostal Churches and, to a lesser extent, other Protestant Churches are very vocally opposed to the extension of rights to LGBTs, there are a few examples of Protestant politicians who have openly supported the struggle of gays and lesbians by voting in favour of bills protecting sexual minorities and also initiating, at times successfully, legislation to fight against discrimination of sexual minorities. Benedita da Silva from the PT/RJ is one such example. Coming from a poor background, she was Brazil's first black female Senator and was involved with the fight against racism from an early stage in her political career. At the time of the Constituent Assembly, Benedita da Silva was one of the two Protestant members of Congress to support the amendment including sexual orientation in the Constitution, the other being Lysâneas Maciel, a Presbyterian from the PDT/RJ. At the time, she was part of the Assembly of God, one of the largest Pentecostal denominations in Brazil, and received a significant amount of criticism from her Church for her position on LGBT rights (Freston, 1994). Nevertheless, she has remained a key supporter of the movement, including during the period she was Rio de Janeiro's vice-governor and interim governor in 2002. At the more local level, in Rio de Janeiro, Jurema Batista, from a Pentecostal denomination, and Methodist Rose de Souza have also been important allies of the local gay and lesbian movement (interview with gay leader, Rio de Janeiro, RJ, August 29, 2003). Interestingly, while Jurema Batista played an important role in supporting the movement when she was a city councilor in the mid-1990s, she seems to have distanced herself from these issues as her links to her Church grew stronger. In general, however, the room for maneuver for Protestant politicians seems to be restricted to issues of basic human rights, such as the fight against homophobic discrimination and violence, similarly to pro-LGBT politicians whose main bases of support are within the Catholic Church.

clout to limit concessions to the LGBT movement in exchange for political support needed by the government to maintain governability.

Coalitional presidentialism has amplified the growing electoral power of Evangelicals in the federal legislature, allowing religious conservatism to derail pro-LGBT initiatives at different policy stages, from policy making to implementation (Mello *et al.*, 2013, 137). Already in 2003, when the PT ran Lula's first successful presidential campaign, the party built an alliance with parties such as the Liberal Party (*Partido Liberal* – PL), which had many Evangelical politicians. The influence of religious conservatives over Dilma Rousseff's 2010 campaign was more marked. Some clergy and religious organizations (both Catholic and Evangelical) started a campaign targeting her alleged progressive position on issues such as abortion, same-sex marriage, and criminalization of homophobia (Ramos, 2012; Vital and Lopes, 2012). This pressure led the PT candidate to issue a public "Open letter to the people of God" in which she committed herself to letting Congress debate and decide on issues that involved ethical values, such as abortion, formation of families, stable unions, and other minority issues (Machado, 2012, 30). For the many reasons discussed above, putting these issues in the hands of Congress would virtually ensure they were neutralized and no decision would be made on them.

Early into Rousseff's first mandate, the influence of Evangelical deputies was made clear by a controversy around a government project aimed at combating homophobic bullying in schools (Vital and Lopes, 2012, ch. 4). In early 2011, in the context of a decision by the Supreme Court recognizing same-sex *de facto* unions,[251] conservative members of Congress, including those linked to Evangelical Churches, and right-wing deputies such as Jair Bolsonaro from Rio de Janeiro state, mounted an offensive against an innovative project to distribute educational material to help combat homophobia in schools. The "anti-homophobia kit," which included written materials for educators and students, as well as three educational videos dealing with homosexuality and gender identity, was labeled "*kit gay*" by the opposition, which claimed that it amounted to homosexual propaganda aimed at transforming children as young as six into homosexuals, that it was inappropriate and pornographic, and that it promoted pedophilia (Vital and Lopes, 2012, 126). This project was part of a broader Ministry of Education program entitled

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[251] To be discussed in the next chapter.

"School Without Homophobia Program," initially developed by the previous PT government, and aimed at putting in place some of the policy plans outlined in the Brazil Without Homophobia Program launched in 2004. Following a failed attempt to pressure the Minister of Education to stop distribution of the kit, Evangelical leaders in Congress threatened to go against the government and vote in favour of investigating Rousseff's Chief of Staff Antonio Palocci for allegations of corruption. The president, confronted with the need to maintain a basis of support in Congress, caved in and personally shelved the project, saying that the anti-homophobia kit did not provide an effective tool against homophobic practices, and that the government would not engage in propaganda for any "sexual option," thus going over the head of the Minister of Education and putting an end to the initiative.[252]

Since 2011, setbacks have also become evident in other areas previously more protected from this kind of politicization, making clear the impact and influence of Evangelical legislators. Giving in to pressure from religious conservative members of Congress, the Rousseff government has significantly eroded HIV/AIDS prevention work with marginalized groups such as sex workers and injecting drug users (Malta and Beyrer, 2013). In 2012, the Ministry of Health's canceled a prevention video campaign aimed at young gay men for the Carnival season. (Beloqui and Terto Jr., n/a).

The political power of the Evangelical opponents to LGBT rights was again made evident in early 2013, when Pastor Marco Feliciano, a deputy from the Christian Social Party, was elected president of the Human Rights and Minorities Committee of the Chamber of Deputies (Watts, 2013). Despite the fact that Feliciano was accused of having publicly expressed homophobic and racist comments, internal negotiations and horse-trading in the lower house of Congress had put him in the presidency of the Committee, and giving opponents of LGBT rights an official platform to express anti-gay views and entrench a larger institutional obstacle to the advancement of pro-LGBT initiatives. Despite significant protest from deputies allied to the

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[252] Unsurprisingly, such move led to a strong reaction by many LGBT activists, who, at the Second National LGBT Conference, held in December 2011, chanted: "Dilma, what a shame, you shouldn't govern guided by religion!" ("*Ô Dilma, que papelão, não se governa com religião*!" (opening ceremony at the Second National LGBT Conference, December 15, 2011, Brasília, DF). Many participants also pointed out in private conversations that the LGBT Conference was the only one in the series of National Public Policy Conferences held in 2011 where civil society members more forcefully voiced their discontentment with the government.

LGBT movement and many civil society organizations, Feliciano retained his position until the end of this term in December 2013.

3   Conclusion

The analysis in this chapter highlights the limits to LGBT influence in the federal legislature, despite considerable gains in access and support. While activists have gained greater participation in Congress, particularly via allies in leftist parties, and have even made some piecemeal gains in securing budgetary resources for programs aimed at the LGBT population, the movement's democratizing impact via the legislature has remained shallow. To date, Congress has not approved any pro-LGBT laws.

Activists have invested a significant amount of energy in trying to construct stronger support among deputies and senators, particularly from the PT. This strategy has benefitted from the political rise of the left in the last couple of decades. These efforts, though, have borne sparse fruits, due to the institutional framework activists face, and the pervasiveness of homophobia and religious conservativeness. The high degree of personalism in the linkages between the LGBT movement and members of Congress means that more concrete gains are unlikely, given the concrentration of power in the hands of the presidents of each house. Moreover, the persistence of coalitional presidentialism has helped amplify the influence and power of religious conservatives in Congress, particularly Evangelical legislators, who have successfully blocked gains in Congress and even derailed some policy gains stemming from the Executive. Given these roadblocks, it is not surprising it was in the judiciary instead where the LGBT movement has found an avenue for some of its most significant and concrete gains, as the next chapter will examine.

Chapter 8
The justice system and the struggle for LGBT rights

In recent years in Latin America, courts have increasingly become sites where the struggle for inclusion of the marginalized plays itself out, making the justice system an important actor in the struggle to expand citizenship rights and establish stronger mechanisms of vertical accountability (Vianna *et al.*, 1999; Sieder *et al.*, 2005; Cavalcanti, 2006; Smulovitz, 2006). Individuals and civil society organizations have increasingly made use of the judiciary to seek redress for violation of rights and to make concrete rights around consumption, relationships, property, non-discrimination, as well as health and education (Biehl, 2013; Biehl *et al.*, 2009; Gauri and Brinks, 2008b; Hoffmann and Bentes, 2008).

Elements of the institutional framework and the weight of the historical patterns of marginalization help explain this pattern of gains and limitations on democratic inclusion. Institutional changes aimed at increasing access and responsiveness of the judiciary brought about by the 1988 Constitution opened up opportunities for marginalized groups to make claims and seek redress via the courts. This has opened up opportunities for the deeper inclusion of LGBTs in a variety of areas, including family law, consumer rights, and health. Limits on the universality of this inclusion are also evident, particularly around the protection of gays and lesbians against discrimination. Even more marked limitations on the impact of the justice system are discernible when we focus on criminal law. Despite some important initiatives and efforts to address homophobic violence via the justice system, the weakenesses of the criminal justice system help perpetuate impunity. And given the greater vulnerability to crime and violence of individuals more strongly marginalized along their sexual identity, race and class, these failings of the justice system impose significant limitations on the gains made via the courts for the LGBT population.[253]

As indicated in chapter 3, one of the aspects of the historical marginalization of the LGBT population, and especially those most strongly marginalized within it—along sexual identity,

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[253] At the same time, many observers highlight that very serious challenges to the effective inclusion of marginalized groups remain in place in justice systems across the region, especially around issues related to the police and criminal justice (Méndez *et al.*, 1999; Ungar, 2002; Frühling, 1998).

class, and race, for example—is its vunerability to societal and State violence. The shortcomings in the criminal justice system, which include homophobic attitudes by judges, translate into high levels of impunity, eroding basic human rights and obstructing a fuller democratic inclusion.

In the first section, I will explore some of the ways in which the LGBT movement has engaged the justice system, either by providing services to aid individuals in their legal travails, or by directly launching legal cases around LGBT rights. The following section will examine the path to the legalization of same-sex marriage in Brazil, making evident the potential for democratic inclusion that courts represent. Some other opportunities for inclusion will be discussed in the third section, where I examine the use of the justice system to address homophobic discrimination. These cases also shed light on some of the limitations to the reach of the justice system, as most of the successful anti-discrimination cases are related to consumer rights. Finally, the last section explores the situation in regard to the criminal justice system, encompassing not only courts but also the police. The overall picture that emerges in this section is much less encouraging, with the persistence of high levels of impunity and the continued marginalization and victimization of the LGBT population, particularly of *travestis* and those who are poorer and non-white.

1 Promoting democratic inclusion via the courts

Since the 1990s, LGBTs have sought to use the justice system as a path toward democratic inclusion. This process is not isolated, as other marginalized groups and individuals have taken their demands to courts in order to attempt and make more concrete their rights. These opportunities stem mainly from the institutional framework set up by the 1988 Constitution, which laid the basis for changes that promoted greater openness and access of the justice system to civil society.

1.1 Institutional openings

An important landmark in the process of democratization in Brazil, the so-called "Citizen Constitution" enacted in 1988 included a number of reforms to the structure of the judiciary that aimed at a more effective delivery of justice. Among these were changes that would increase the independence of the judiciary *vis-à-vis* other branches of government; increase the access to justice for individual citizens and organized groups; and promote the efficiency of courts by

creating parallel court systems and decentralizing the structure of the judiciary (Prillaman, 2000, 80-83). These reforms made it easier for political issues and battles—including those regarding the struggles put forward by marginalized groups—to be played out in courts and in the justice system more broadly.

Among the various institutional changes, new responsibilities were assigned to the *Ministério Público*, a body independent from both executive and judiciary powers, which was charged with the defense of constitutional rights awarded to the citizenry, as well as the oversight of public administration, ensuring that it follow its constitutional obligations (Sadek and Cavalcanti, 2003; Cavalcanti, 2006). Among other attributions, the *Ministério Público* is able to launch investigations and *ações civis públicas* (class action suits) in the defense of "diffuse and collective interests." These class action suits may be initiated by the *Ministério Público* itself or civil society organizations.[254]

Another institution aimed at improving access to justice envisioned by the constitution was the *Defensoria Pública*—an office of public defenders that provides legal representation for the underprivileged who are not able to afford a private lawyer (Marona, 2013). While many of the *Defensoria Públicas* across the various states face a paucity of resources, making their work challenging (Interviews with public defenders, Brasília, DF, April 16, 2003 and Salvador, BA, November 04, 2003), public defenders have increasingly provided an avenue for the marginalized to fight for their rights (Biehl, 2013).[255]

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[254] In places such as Rio de Janeiro, civil society organizations have made increasing use of class action suits, especially since the second half of the 1990s (Vianna and Burgos, 2002). In other regions as well, this tool has been used for the protection of the rights of children and adolescents, for guaranteeing delivery of health services, and for the protection of the environment (Cavalcanti, 2006).

[255] In addition, small claims courts and "special civil and criminal courts" were established in different parts of the country with the objective of increasing the level of accessibility of the legal system (Vianna *et al.*, 1999). One such example is the increasing number of people resorting to courts for compensation for "moral damages," often successfully. Many cases are related to consumer issues, a trend fuelled by the creation of the Code of Defense of Consumers in the 1990s and the spread of small claims courts. The impact of these institutional innovations, however, is circumscribed. As will be seen below, when it comes to criminal law, the picture is less positive. The ability of small claims courts and the "special criminal courts" to effectively deal with issues such as gender-based violence has been strongly questioned by many analysts (see, for exampleSantos, 2005; Macaulay, 2005). In dealing with domestic violence, for example, they oftentimes see incidents as a one-off case and assume equality between partners. They thus stress conciliation, leaving the gendered power imbalance at the root of the problem unaddressed, effectively perpetuating impunity (Macaulay, 2006b, 110). The passage of the Maria da Penha Law in 2006 aimed at combatting gender-based violence, and the creation of specialized courts to deal with domestic

While these institutional changes have generated important opportunities for marginalized groups, a series of structural and institutional limitations weaken their positive impact. This is particularly the case in regard to criminal justice, as will be seen below (Brinks, 2012). Even in regard to other areas of law, accessibility is still limited. The excessive formalism of the justice system and the high cost of lawyers and legal procedures create a bias in the access to justice in favour of those with greater levels of education and income (Almeida and Fauvrelle, 2013; França *et al.*, 2014; Gloppen, 2006, 48). Those individuals are also more likely to have knowledge about their rights, and thus be more aware of them and inclined to seek redress once those rights have been violated (Interview with gay activist, São Paulo, SP, June 19, 2003). Such unequal access to justice constitutes a threat to the guarantee of equality under the law (Raupp Rios, 2001, ch. 6), oftentimes feeding fear and mistrust of the justice system.

In addition, the institutional changes brought about by democratization did not immediately solve problems of efficiency in the justice system. For example, higher courts have often wasted resources by ensuring top officials received hefty salaries, depriving lower-level courts of funding and other basic resources necessary for their proper functioning (Prillaman, 2000, 83-88). Coupled with the concentration of power and resources in the hands of a judicial elite is a shortage of judges, improper training, and a paucity of resources for institutions such as the *Defensoria Pública*, especially in poorer states (Macaulay, 2003; Ramos and Francisco, 2004; Francisco, 2004; Ramos, 2004; Hoffmann and Bentes, 2008). Consequently, the backlog of cases at all levels of the system is enormous, leading to delays that at times extend for almost a decade (Arantes, 2005, 250).

More recent reforms have attempted to remedy some of these shortcomings. Throughout the 1990s, heated debate around judicial reform emerged in Brazil (Macaulay, 2003). Finally, in 2004, Congress approved a package of changes aimed at improving the efficiency of the court

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violence have opened up many opportunities for increasing access and responsiveness of the justice system to domestic violence. Hailed as a model piece of legislation by many activists and public officials, the law met with a lot of resistance and opposition by conservative sectors of society and of the judiciary itself. Ensuring the effective implementation of the law and avoiding continued leniency and impunity of perpetrators of violence remains a challenge (Rifiotis, 2015; Meneghel *et al.*, 2013; Brandão *et al.*, 2015).

system and strengthening external control of the judiciary. The reform package included items such as the possibility of the Supreme Court issuing a "*súmula vinculante,*" a tool to establish binding precedent on certain issues, forcing lower courts to follow the Supreme Court's decision on similar cases. Also significantly, a *Conselho Nacional de Justiça* (National Council of Justice, CNJ) was created—with two of fifteen seats given to members of civil society—to oversee the judiciary and monitor judges and courts regarding corruption, negligence and budgetary issues.[256] The existence of this external body to monitor the judiciary and the implementation of reforms aimed at improving the accessibility and efficiency of the justice system was an important step toward increasing the chances of concretely improving access to justice by marginalized groups (Ribeiro, 2008, 479-81).

1.2   The justice system and marginalized groups

The growing visibility of gays, lesbians and *travestis* in society and in politics, and, more markedly, the onset of the AIDS crisis in the 1980s, gradually contributed to the emergence of LGBT issues as legal issues. As many gay men in established relationships died of AIDS, for example, homosexual relationships were thrust upon the justice system, as surviving partners often engaged in long legal battles over property with the family of the deceased.

The provision of anti-retroviral treatment to people living with HIV and AIDS was also solidified by right-to-health litigation (Nunn *et al.*, 2009, 1106; Galvão, 2005). Many individuals living with HIV and AIDS NGOs have sought access to life-prolonging anti-retroviral treatment via the courts since the late 1980s. From early on, many judges sided with the argument that these individuals' right to health included access to medication. As mentioned in chapter 6, this struggle culminated in the passage of legislation in 1996 that guaranteed free and widespread distribution of anti-retrovirals in the public health system (Ferraz, 2009, 35; Galvão, 2005; Nunn *et al.*, 2009; Hoffmann and Bentes, 2008, 113-14).

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[256] In addition, the reform established the possibility of the "federalization" of human rights violations, according to which gross human rights violations may be tried at a federal court to prevent the corrupting effects of undue interference of local elites. While many reformers approved of the changes, important figures, including the original proponent of the reforms, Hélio Bicudo, considered them too timid. According to these critics, many of the key problems of the justice system, such as its slowness, lack of access and inefficiency, were left unchanged (Freitas, 2004; Westin and Machado, 2004; Machado, 2004).

Cases regarding LGBT rights were brought to the courts by both individuals and LGBT organizations [257] Many of the key gains made via the justice system, in fact, arose out of a combination of "individual activism" and actions of movement organizations. An example of the latter is the class action suit against the National Social Security Institute launched by *nuances* in Rio Grande do Sul in 2000, or the suit regarding same-sex *uniões estáveis* (stable unions) filed with the Constitutional Supreme Court (STF) by the São Paulo LGBT Pride Parade Association in 2006.[258]

Beyond being more directly involved in legal challenges, LGBT organizations have attempted to promote broader access to the justice system. By trying to provide gays, lesbians and *travestis* with the tools necessary to access and navigate the complex justice system, social movement organizations have sought to promote broad access. Groups such as *Grupo Arco-Íris* in Rio de Janeiro, *Grupo Gay da Bahia* in Salvador, and *Grupo de Resistência Asa Branca* in Fortaleza, in Ceará state, have produced booklets and pamphlets enumerating the various laws that protect LGBTs against discrimination as well as providing contact information for organizations and agencies that should be contacted in the event someone's rights have been violated. More importantly, in some cities, groups have started providing legal counseling and assistance. For example, in 2001 in São Paulo, gay activists opened, with funding from the Ministry of Justice, a *Defensoria Homossexual*, a "public defender" office providing legal assistance for the LGBT population in defense of their rights.[259] In Rio de Janeiro, *Grupo Arco-Íris* started providing legal

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[257] Following the understanding of social movements outlined in chapter 2, I believe we can consider both actions taken by individuals and by LGBT groups as part of the activity of a broader LGBT movement for a number of reasons. First, especially in a context where homosexuality is still, to a great extent, negatively valued in the dominant culture, and where fear of exposure of one's homosexuality is not uncommon, we may see individual initiatives to fight for LGBT rights in court as instances of "individual activism." Even in cases where those involved shy away from associating themselves with any activist organization, from an outsider's perspective, their actions may have similar effects as those of a more organized and politicized activist. Second, in a number of cases, individuals have sought the assistance of LGBT organizations—by seeking information about what protective mechanisms or legislation are available, or by using legal advice or assistance provided by the organization.

[258] This was, more precisely, a Direct Action of Unconstitutionality filed by the LGBT Pride Parade Association. See fn. 270 for an explanation of this legal tool.

[259] In 2007, the *Defensoria Pública* of São Paulo state—a "public defender" that provides legal services to those who cannot otherwise afford it—signed an agreement with the Secretariat of Justice and the Special Secretariat for Participation and Partnership of the city of São Paulo to provide judicial assistance in cases involving homophobic discrimination. It was also agreed that all cases reaching the Reference Centre in Human Rights and Prevention in the Fight Against Homophobia—a municipal body that provides counseling and assistance to victims of

assistance services in early 2002. Relying on voluntary work by two activist lawyers, the group has provided a tool for individuals to seek advice and, in some cases, take legal action (Interview with gay activist lawyers, Rio de Janeiro, RJ, July 04, 2003).[260]

A growing network of legal professionals with expertise in LGBT issues—as well as activists and individuals fighting for their rights—was also able to take advantage of a culture of "social activism" by some judges in the country.[261] In a survey of the characteristics and values of Brazilian judges, Vianna *et al* (1997, 258-59) point out that almost a third of judges espouse a highly interventionist role of the judiciary in society (1997, 262).[262] Judges who hold a highly interventionist view also tend to give higher priority to the innovative exercise of law on new and emerging social questions not yet contemplated by legislation (Vianna *et al.*, 1997, 275). While this does not necessarily mean that "activist judges" are progressive in relation to sexual diversity issues—since opponents of LGBT rights can also score high on all of these measures— these data highlight some elements of Brazilian political and legal culture that can contribute to the expansion of rights of sexual minorities.[263]

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homophobia—would be forwarded to the Secretariat of Justice for the launch of legal proceedings (Defensoria Pública advogará, 2007).

[260] While these initiatives aim at a crucial element in the fight to broaden the access to justice among marginalized groups, and have generated positive outcomes in some instances, for many groups the cost associated with providing quality legal assistance is prohibitive, making these initiatives episodic and precarious (Interview with gay activist, Salvador, BA, October 15, 2003).

[261] A number of legal scholars, lawyers and prosecutors have written on same-sex partnership and the discrimination against sexual minorities more broadly, contributing to the development of a nuanced defense of LGBT rights in the Brazilian legal community and influencing the expansion of LGBT rights in the justice system (see, for example Dias, 2001, 2003; Amaral, 2003; Golin *et al.*, 2003; Leivas, 2002; Raupp Rios, 2001, 2002a, 2002b; Raupp Rios *et al.*, 2011).

[262] These categories were composite indices of judges' views on the neutrality of the judiciary, on the possible roles of the judiciary (an ethical-moral role in society, a mediator of conflicts, or a promoter of the rule of law), and on the role of the judiciary in the consolidation of democracy in Brazil (a pedagogical role to promote citizenship, a guardian of liberties, an interpreter of the laws, or an active role in the reduction of social inequalities).

[263] Regional variation in the prevailing political and legal culture among judges helps account for the differing levels at which courts have been successfully used for the guarantee and advancement of LGBT rights in different states, with Rio Grande do Sul being among the most progressive. In that state, 51.7 percent of judges hold a highly interventionist view of the judiciary, the highest percentage in the country. Vianna *et al.* attribute these numbers to the fact that, historically, the public sector—the State—has had significantly more preponderance over the private sector in Rio Grande do Sul in guiding that state's capitalist development. Since magistrates are mainly recruited

Recent research has highlighted the increasing use of the justice system to guarantee social and economic rights in Brazil and other countries in the Global South (Gauri and Brinks, 2008a). Members of marginalized groups have used litigation to protect their right to health and education, for example, both of which are constitutionally guaranteed in Brazil (Hoffmann and Bentes, 2008). According to some, this increased litigation benefits more directly the middle-classes, who have more access to private lawyers, thus leading to a diversion of scarce resources from the State to the middle class by securing them free access to expensive medication (Ferraz, 2009, 2011). Also, judicially addressing individual demands for particular medications can strain scarce State resources, making it difficult to guarantee more collectively, holistically and universally the right to health (Biehl *et al.*, 2009, 2183-84; Prado, 2013, 126). Other studies, however, indicate that, at least in some parts of the country, the poor and marginalized are directly and significantly benefitting from this increased access to the justice system to protect their right to health, by using public defenders and other available assistance to launch legal cases to gain access to needed medication and treatment (Biehl, 2013, 426). The main point is that, despite limitations on the universality of access to the justice system, and the narrow focus of much of the litigation, there have been some gains through the judiciary even for marginalized populations (Wang and Ferraz, 2013; Lopes, 2006, 206; Santos and Carlet, 2010; Arantes, 2005; Carlet, 2015; Hoffmann and Bentes, 2008). Much of this progress stems from the institutional changes put in place by the 1988 Constitution discussed above.

2 Same-sex relationship recognition

Of the various issues regarding the rights of the gay and lesbian population that have been brought to the attention of and been addressed by courts, same-sex relationship recognition has gone the farthest, culminating in the *de facto* legalization of same-sex marriage in 2013. This is one of the most significant victories of the LGBT movement in Brazil, as the right to marriage, by its very nature, once made available, is universally accessible to those couples that wish to officialize their relationship in that manner. In other words, it is a concrete and universal gain.

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from social elites, and a large proportion of them come from families with background in the public service, their attitudes around judicial interventionism parallel the stronger local culture of State preponderance over society and interventionism (1997, 308).

The legalization of marriage between two people of the same sex, furthermore, represents a significant challenge to the hegemonic heteronormativity that has deep historical roots in Brazil and in the rest of the region (Díez, 2015, 29-38). In addition, "calls to have the state recognize same-sex relationships often stem from very concrete needs to access socioeconomic benefits" (Díez, 2015, 45) such as pensions and health coverage.

A debate exists among activists and scholars regarding the struggle for the recognition of same-sex marriage. Some see marriage as relevant primarily for middle- and upper-class individuals, who use it to protect their patrimonial interests (Bell and Binnie, 2000, 57-61; Warner, 2000). This class-based criticism also stresses that for the poor, whose basic civil and social rights are not guaranteed, other issues are more of a political priority (Interview with gay leader, Salvador, BA, October 31, 2003).[264]

It would be incorrect and unfair to reduce the struggle for the recognition of same-sex relationship to patrimonial issues, just as it would be a mischaracterization to say that same-sex couples only get married to protect and guarantee material benefits. Love, symbolic recognition, and social status obviously are very important for many couples, as is the need to protect children with same-sex parents, especially in cases where a biological parent is incapacitated or dies. While the basis on which these rights were expanded in Brazil rested on addressing patrimonial issues and the needs that were primarily relevant to couples of middle- and upper-classes, the legal recognition of same-sex relationships has a concrete impact that goes beyond the elite. A rough indication of the broad appeal of this gain can be seen in marriage statistics following the legalization of same-sex marriage in Brazil. In 2014, 4,854 same-sex marriages were celebrated across the entire country, from the wealthier Southeastern region to the poorer

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[264] Another argument, stemming from feminist and queer theories, views the struggle for same-sex marriage as a misguided fight for inclusion in a patriarchal, oppressive institution, that promotes the normalization and domestication of homosexuality. Marriage thus blunts the more radical, liberationist, and emancipatory impetus of LGBT politics and excludes other, non-couplist kinds of relationship (Warner, 2000; Mulé, 2010; Bell and Binnie, 2000). While not widespread, this critique has also been brought forward by some Brazilian queer theorists (Miskolci, 2007, 2011; Seffner, 2011; Costa and Nardi, 2015). The queer critique does raise a valid point regarding the privileging of a particular kind of relationship, however, the struggle for same-sex marriage strongly asserts claims related to the citizenship of gays and lesbians, and its recognition has a powerful symbolic impact on traditional understandings of the family (Rayside, 2008, 16; Díez, 2015, 46).

Northeastern and Northern states (IBGE (Instituto Brasileiro de Geografia e Estatística), 2014).[265]

While legislation recognizing and regularizing same-sex unions in Brazil has failed to pass in the federal Congress, the gradual deepening of the recognition of same-sex relationships by courts throughout the country, from the subnational to the federal level, have made same-sex marriage a reality in the country. In the late 1990s pioneer pro-LGBT decisions started emerging in states like Rio Grande do Sul, and gradually spread to other regions and the Federal Supreme Courts (Table 8.1).[266]

Key to understanding legal progress on this front is the distinction between a *sociedade de fato* and a *união estável*. The former is a legal category akin to a business partnership, addressing the co-ownership of assets and patrimony. *Uniões estáveis*, or "stable unions," in contrast, identifies and recognizes a bond of affection at the core of the relationship, and are linked to the legal understanding of a family unit. Legally speaking, the rights stemming from a *união estável* are similar to those married couples have. Therefore, the distinction between a *sociedade de fato* and a *união estável* has very important implications for, among other things, the granting of inheritance rights, as well as the division of property at the end of a relationship, due to death or separation (Amaral, 2003).

Traditionally, when a same-sex union was recognized as a *sociedade de fato*, legal cases regarding those unions fell under the jurisdiction of civil courts, focusing solely on patrimonial questions akin to those involving a business contract. In 1999, a judge in Rio Grande do Sul decided that, in a case of separation of a lesbian couple, family courts were the appropriate forums to decide the conflict. This shift indicated the recognition of same-sex unions not merely

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[265] Approximately 61 percent of these same-sex marriages were celebrated in the more populous Southeastern region, 15 percent in the South, 14 percent in the Northeast, 7 percent in the Centre-West, and 3 percent in the North. This distribution is not radically diferent from that for opposite-sex unions: 48 percent in the Southeast, 13 percent in the South, 24 percent in the Northeast, 8 percent in the Centre-West, and 7 percent in the North. The distribution of the population roughly reflects those numbers: 42 percent of the national population lives in the Southeast, 15 percent in the South, 28 percent in the Northeast, 7 percent in the Centre-West, and 7 percent in the North (IBGE (Instituto Brasileiro de Geografia e Estatística), 2014).

[266] The Brazilian judiciary has two supreme courts: the *Supremo Tribunal Federal* (STF) is a constitutional Supreme Court that rules on the constitutionality of laws, and the *Superior Tribunal de Justiça* (STJ) functions as the uppermost appellate court in the legal system.

as co-ownership of property, and set an important precedent in the recognition of affection as the basis for these unions (Dias, 2003, 21-32). Another important precedent was set by judges in Rio Grande do Sul state, in decisions from 1999 and 2001, explicitly recognizing same-sex partnerships as a *união estável* and not simply as a *sociedade de fato* (Dias, 2001, 148, 2003). As Table 8.1 indicates, these changes took place initially at the subnational level, but started spreading across the country in the 2000s, gradually leading to a shift in the understanding of upper-level courts.

As mentioned above, many of the pioneering decisions are concentrated in the southernmost state of Rio Grande do Sul.[267] Institutional factors seem to play an important role in explaining this innovativeness, as indicated by Dias (2003, 21-22). Unlike other states, in Rio Grande do Sul the separation of courts along different branches is not limited to the lower levels of the judiciary, but reach the higher courts in the state. So, for example, specific sections of the state-level judiciary specialize in issues related to family, successions, *união estável*, and children and youth. This structure allows for a greater level of self-selection and specialization among judges, creating the opportunity for greater levels of innovation. Not surprisingly, some of the main figures in the pro-LGBT legal community come from that state—*e.g.*, Maria Berenice Dias, Paulo Leivas, and Roger Raupp Rios.

It is also in Rio Grande do Sul that another important step toward the recognition of same-sex relationship in 2000 was taken. Following the initiative of *nuances*, a LGBT organization from Porto Alegre, the *Ministério Público* launched a successful class action suit (*ação civil pública*) against the National Social Security Institute (*Instituto Nacional do Seguro Social*, INSS) requesting the recognition of same-sex partners for the purposes of granting pensions for surviving partners and individuals whose partners were incarcerated (*auxílio-reclusão*) (Leivas, 2003).[268] The decision had an impact across the country, as the INSS was forced to issue a "normative instruction" effectively changing its practice in regard to granting pensions to same-sex partners (Leivas, 2003; Varella and Varella, 2000). More recently, in mid-2006, the Ministry

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[267] It is no accident that, as mentioned earlier (fn. 263), the level of activism among judges from that state is among the highest in the country.

[268] In 2009, 52 percent of the economically active population were contributors to pension plans (Rofman and Oliveri, 2012, 62).

of *Previdência Social*—the national pensions and retirement benefits system—made the process more straightforward by ruling that same-sex partners may request pensions to the INSS by presenting standard documentation that proves cohabitation, rather than forcing individuals to go to court in order to access those benefits (Previdência passa a conceder pensão, 2006).

At the federal-level justice system, in a very gradual and stop-and-go pattern across different Tribunals, same-sex relationships have also gained firmer recognition since the late 1990s, as Table 8.1 indicates.[269] Crucial steps in this process were taken in 2008 and 2009. Initiatives by Sérgio Cabral, governor of Rio de Janeiro, who filed an *Arguição de Descumprimento de Preceito Fundamental* (Arguments of Noncompliance with Fundamental Precept, ADPF), and Deborah Duprat, from the *Procuradoria Geral da República* (Federal Prosecutor Office), who filed an *Ação Direta de Inconstitucionalidade* (Direct Action of Unconstitutionality, ADI),[270] brought the issue of same-sex *uniões estáveis* to the table of the *Supremo Tribunal Federal* (STF) (Sérgio Cabral quer equiparar, 2008; AGU defende reconhecimento, 2008; PGR volta a defender, 2009). In May 2011, the STF voted unanimously to recognize same-sex *uniões estáveis* (*uniões estáveis homoafetivas*). Moreover, making use of the *súmula vinculante*, a tool created by the 2004 legal reforms, the decision established a precedent, effectively legalizing same-sex *uniões estáveis* across the country.[271]

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[269] By the early 2000s, some federal State agencies had already recognized same-sex partners in granting benefits to their employees—by, for example, including them as dependents in health care plans or registering them as partners for pension purposes. These include: the Ministry of Agrarian Development, the National Bank of Economic and Social Development (*Banco Nacional de Desenvolvimento Econômico e Social*, BNDES), and *Radiobrás – Empresa Brasileira de Comunicação* (Brazilian government communications firm) (Ministério reconhece união, 2005). More recently, since 2007, the pension fund of *Petrobrás*, the national oil company, as well as the constitutional Supreme Court (*Supremo Tribunal Federal*) and the National Council of Justice (*Conselho Nacional de Justiça*) have granted benefits to same-sex partners of their employees (Petrobrás: fundo de pensão reconhece, 2007; Direitos iguais, 2009).

[270] These are two institutional innovations of the 1988 Constitution. The *Ações Diretas de Inconstitucionalidade* (Direct Actions of Unconstitutionality, ADIs) have increased significantly the activity of the *Supremo Tribunal Federal* (STF)—the Constitutional Supreme Court in charge of adjudicating on the constitutionality of laws. Various actors can bring these direct actions to the court, ranging from "state governors to public prosecutors, to political parties and even, significantly, civil society organizations such as trade unions, professional groups and the Bar Association" (Macaulay, 2003, 88). A similar legal tool are the *Arguições de Descumprimento de Preceito Fundamental* (Arguments of Noncompliance with Fundamental Precept, ADPFs), which seek to prevent or repair the failure to follow fundamental constitutional precepts due to State action.

[271] A few tentative signs emerged earlier from the Constitutional Supreme Court, the *Supremo Tribunal Federal* (STF) that same-sex relationships went beyond business ventures and should be considered as affective bonds constitutive of families. As early as 1998, Minister Celso de Mello, then president of the *Supremo Tribunal Federal*

Once same-sex *uniões estáveis* were legalized, many couples proceeded to seek the conversion of their *união estável* into civil marriage. The Constitution clearly indicates that the State should facilitate this conversion, so once the former was legalized, the latter was a matter of time. Finally, in 2013, a ruling by the National Council of Justice (*Conselho Nacional de Justiça*) normalized this decision and made it universally and directly accessible by mandating that notary publics could not refuse to perform same-sex marriages or reject requests to convert same-sex *uniões estáveis* into marriage. So, *de facto*, via an administrative ruling, same-sex marriage was legalized in Brazil, despite the absence of legislative change to the country's Civil Code.[272]

Table 8.1: Significant decisions regarding recognition of same-sex relationships in Brazil (selected list)[273]

Year	Place/Court	Decision
1998	*Supremo Tribunal de Justiça*	*Sociedade de fato* recognized between gay couple from the state of Minas Gerais, after one partner died of AIDS in the late 1980s, putting an end to a legal battle between the surviving partner and the family of the deceased partner over half of the patrimony they had built together
1999 onward	Rio Grande do Sul courts	A series of cases at the state level establishing *family courts* as the appropriate forum to adjudicate on cases regarding same-sex relationships (involving, *e.g.*, benefits, parenting rights, or division of assets and property following separation or death)[274]
2000 onward	Rio Grande do Sul courts	A series of cases at the state level recognizing same-sex relationships as a family, equivalent to an opposite-sex *união estável*[275]

openly supported a number of demands of the LGBT movement, including the approval of legislation recognizing same-sex unions (Macedo, 1998). And in 2006, in response to an ADI filed by lawyers from the organization in charge of the São Paulo LGBT Pride Parade, the same Supreme Court judge indicated more explicitly that same-sex unions should be seen legally as a "family unit"—*i.e.*, they would constitute a *união estável*—and not merely as a *sociedade de fato* (Aguiar, 2006). Even though this decision did not have a more concrete effect, since the law in question (against which the ADI was filed) had already been changed, Celso de Mello felt it was an important question, requiring his analysis and positioning.

[272] Garnering the needed support in Congress to pass an amendment to the Civil Code would be virtually impossible in the current political climate, as seen in the discussion in chapter 7.

[273] Author's compilation.

[274] Over the following decade, a similar practice was established in other states such as: Espírito Santo, Goiás, Maranhão, Mato Grosso, Mato Grosso do Sul, Minas Gerais, Paraná, Piauí, São Paulo, and Santa Catarina.

[275] Over the following decade, a similar understanding of same-sex relationships gradually started spreading to other states, such as: Alagoas, Bahia, Ceará, Goiás, Maranhão, Mato Grosso, Mato Grosso do Sul, Minas Gerais, Pará, Paraná, Pernambuco, Rio de Janeiro, Rio Grande do Norte, Rondônia, São Paulo, and Santa Catarina.

2000	Rio Grande do Sul	Class action suit (*ação civil pública*) against the National Social Security Institute (INSS) demanding recognition of same-sex relationships for the purpose of granting pensions for surviving partners and individuals whose partners were incarcerated. *National* impact[276]
2004	*Supremo Tribunal de Justiça*	Overturned decision from Rio Grande do Sul Justice Tribunal that recognized a same-sex relationship as a *união estável* and family court as the appropriate court for the ruling. Instead, the STJ deemed the relationship should be treated as a *sociedade de fato*
2004	*Tribunal Superior Eleitoral* (Superior Electoral Tribunal)	Recognized a same-sex relationship as a *união estável* when it ruled that the female partner of the incumbent mayor in a city in the state of Pará was ineligible to run in local elections since her partner did not resign from her post within six-months of the elections, as stipulated by the rules regarding eligibility of partners of elected officials
2005	*Supremo Tribunal de Justiça*	Recognition of same-sex relationship as *sociedade de fato*, assigning these cases to obligational rather than family law
2006	*Supremo Tribunal de Justiça*	Recognition of same-sex couple as *sociedade de fato*, and not as *união estável* in case regarding division of property following end of relationship, overturning decision from Rio Grande do Sul
2008	*Supremo Tribunal de Justiça*	Court indicates that case of bi-national couple that sought an extension of an immigration visa for the Canadian partner—couple had previously gotten married in Canada—should be analyzed by family court, underlining an understanding of that relationship as a *união estável*
2010	*Supremo Tribunal de Justiça*	Recognition of same-sex *união estável* in case involving granting of pension following death of partner
2011	*Supremo Tribunal Federal*	Unanimous recognition of *união estável homoafetiva* (homoaffective stable union), establishing binding precedent to lower level courts
2011	*Supremo Tribunal de Justiça*	Recognition of right of same-sex couple to contract civil marriage, indicating that this was not explicitly prohibited by the Civil Code. This decision, however, only affected the plaintiffs
2013	*Conselho Nacional de Justiça* (National Council of Justice)	Resolution mandating that notary publics could not refuse to perform same-sex marriages or reject requests to convert same-sex *uniões estáveis* into civil marriage

3   Combating homophobic discrimination

A variety of cases involving homophobic discrimination have also been addressed successfully by the courts, particularly when they involve obstacles to consumption. This focus on consumption underlines certain limitations, privileging mainly those in the middle- and upper-classes. It also, however, broadens the justice system's acceptance of LGBT rights.

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[276] The ruling from the INSS was temporarily nullified by an STJ decision in 2009 that determined that the *Ministério Púbico* of Rio Grande do Sul state, which initiated the class action suit, did not have the authority to do so. It was only with the issuing of a new ruling by the Social Insurance Ministry (*Ministério da Previdência Social*) in December of 2010 that same-sex couples could resume receiving the benefits in question (Mello *et al.*, 2013, 136).

While no anti-discrimination law has passed in the federal Congress, nearly a dozen states have passed this type of legislation, and dozens of municipalities formally include sexual orientation in their laws as one of the grounds on which discrimination is prohibited.[277] In many of these cases, anti-discrimination laws protect LGBTs from discrimination suffered in their interactions with State agencies as well as commercial establishments. In many cases, refusal of service by businesses due to a person's sexual orientation has led some gay and lesbian couples to bring commercial establishments to justice, most often on the basis of "moral damages." Other cases have involved an infringement on freedom of movement, usually related to the use of commercial spaces such as shopping centres, thus being closely associated with the use of areas of consumption. At times, managers have been mandated to provide financial compensation, or have reached an alternative agreement with the plaintiffs. For example, in July 2003, a gay couple was asked to leave Shopping Frei Caneca, a shopping mall in downtown São Paulo, by a security guard after they exchanged a kiss on the lips. In response to the incident, LGBT organizations in the city organized a "kiss-in" at the mall bringing significant public and media attention to the issue. Following a warning issued by the Secretariat of Justice and Defense of Citizenship of the state of São Paulo, Shopping Frei Caneca was ordered to pay the equivalent of one hundred monthly miminum salaries to the couple in early 2005—at the time approximately R$ 260,000 (approximately CDN$ 130,000) (Shopping Frei Caneca, 2006; Nanci, 2005).[278]

There is a strong class dimension to the consumer rights secured by LGBT advocates, however. A sobering reminder comes from events in São Paulo in early 2014, when owners of some high-

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[277] A more detailed list can be accessed at the site for the Brazilian Association of Lesbians, Gays, Bisexuals, *Travestis* and Transexuals (ABGLT, http://www.abglt.org.br/port/leis_os.php).

[278] More recently, in the state of Rio Grande do Sul, a motel was ordered to pay compensation to a lesbian couple for denying them entrance. The couple was encouraged to file a lawsuit by *nuances*, a LGBT organization from Porto Alegre (Motel no RS condenado, 2006). In another example, in 2008, a judge in São Paulo ruled that supermarket chain Carrefour would have to pay an indemnification to a gay man and two transsexuals after they suffered discrimination at one of their stores two years earlier. The victims in this case sought the assistance of the Secretariat of Justice and Defense of Citizenship of São Paulo and had the support of other municipal bodies in charge of protecting the rights of sexual minorities (Filho, 2008). Not all cases are strictly related to consumption rights, however. For example, in late 2005, the Secretariat of Justice and Defense of Citizenship of São Paulo issued a warning to the administration of a condominium that had sent a letter to a resident with complaints from neighbours about parties where same-sex couples had been seen kissing (Fuhrmann, 2005). And in 2011, the São Paulo Justice Tribunal ruled that the state government had to pay R$ 50,000 (approx.. CDN$29,600) to a homosexual student who attended a public school and was subject to homophobic statements during a lecture delivered by a urologist invited by the school to discuss sexuality issues with the student body (Porfirio, 2011a).

end malls in the city got court orders allowing their private security guards to bar entrance of suspicious individuals, particularly young people from the poor periphery, who had in the preceding weeks organized via social media a series of *rolezinhos*, or "little strolls," where hundreds or even thousands of poorer, often darker-skinned youth would gather at a specific mall to hang out (Romero, 2014).

A broader, and more universal use of the justice system to protect sexual minorities from discrimination faces other obstacles. The implementation of protective legislation for sexual minorities is made more difficult by the fact that cases of discrimination are very hard to document and prove in court. As pointed out by activists and legal practitioners in interviews, assembling the necessary evidence—including witnesses—often proves too difficult, leading most victims of homophobic discrimination to give up taking their offender to court (Interviews with gay activist lawyers, Rio de Janeiro, RJ, July 04, 2003 and with public defender, Salvador, BA, November 04, 2003). Penalties for these cases are often seen as quite light, contributing to the view that pursuing legal action is a waste of time, especially given the long delays and high financial cost involved in doing so (Interview with gay activist lawyers, Rio de Janeiro, RJ, July 04, 2003). Furthermore, the persistence of *machista* and homophobic attitudes among some magistrates and other actors in the justice system—especially at the more local levels in more traditional regions of the country—can interfere with the defense of LGBT rights against discrimination, even where legislation and other policies aimed at protecting sexual minorities exist (Interview with member of the Human Rights Commission of the Brazilian Bar Association, Rio de Janeiro, RJ, September 12, 2003).[279]

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[279] This homophobia in the legal system manifests itself in other ways as well. In some cases, it is made evident in the legal decisions that depict homosexuality in a negative and discriminatory light (Raupp Rios, 2001, ch. 6; Carrara and Vianna, 2004). At other times, judges or public prosecutors that openly defend the rights of LGBTs are the target of jokes and innuendoes from their peers (Interviews with members of the federal *Ministério Público*, Brasília, DF, April 11, 2003 and Rio de Janeiro, RJ, August 06, 2003). And in the Brazilian Bar Association, a similar situation exists, with the degree of openness to sexual diversity issues varying across regions (Interviews with members of the Human Rights Commission of the Brazilian Bar Association, Rio de Janeiro, RJ, September 12, 2003 and Salvador, BA, October 30, 2003).

4 The criminal justice system and the incompleteness of democratic inclusion

The limitations on the use of the justice system for furthering the inclusion of LGBTs become most obvious and glaring once we shift our gaze to the criminal justice system. As discussed in chapter 3, sexual minorities face a violent reality, from both societal actors and the police. And as mentioned in that earlier discussion, homophobic crimes are most often met with impunity. In only about one quarter of the murders of LGBTs in 2012, for example, was a suspect identified (Itaborahy, 2014, 28).

Impunity is the outcome of a variety of barriers to fuller inclusion, and it highlights the institutional weaknesses that prevent the criminal justice system from functioning more effectively to tackle the greater vulnerability of certain groups to crime and violence.[280] One example are the murders in Paturis Park in São Paulo that took place between July 2007 and August 2008, when 13 gay men were found dead in a park in Carapicuíba, in the outskirts of São Paulo. In December 2008, Jairo de Francisco Franco, a former police officer, was arrested under suspicion of having committed the crimes, but was released a month later. In March 2009, another gay man was killed in the same park. A few months later, in August 2009, Franco was arrested for a second time, and in August 2011 he was absolved (Caramante and Benites, 2009; Jozino, 2011). At the time of this writing no additional headway has been made in finding a solution to the 14 murders.[281]

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[280] Biases that permeate the justice system can contribute to the erosion of the impartiality of institutions. In one of the few systematic examinations of homophobic bias, Sérgio Carrara and Adrianna Vianna closely analyzed homophobic crimes that took place from the 1970s until the 1990s in Rio de Janeiro and that were brought to justice. In an examination of 23 court decisions in cases involving the murder of gay men in Rio de Janeiro in the 1980s, the authors (Carrara and Vianna, 2004) uncover an interesting pattern in the prosecution of individuals accused of theft followed by death of their victims. Of the 23 cases analyzed, nearly two-thirds (15) were filed away, and only 8 reached the court, with an outcome of 10 guilty sentences, 3 acquittals, and 5 defendants gone missing (Carrara and Vianna, 2004, 372). In court deliberations, homosexuality was most often portrayed negatively by lawyers and judges, as a weakness, as abnormal, or as an ethical-sexual degeneration. Tellingly, in some cases, most noticeably in those involving victims of higher socioeconomic status, this view was in fact an aggravating factor, contributing to a harshening of the sentence, as the accused was portrayed as having taken advantage of a sick and defenseless person (Carrara and Vianna, 2004).

[281] As discussed in chapter 5, the media have played an important role in the struggle for LGBT inclusion. Movement pressure, media attention, and the associated public outcry over some homophobic crimes have in some cases helped break away from the pattern of impunity—at least partly. On February 6, 2000, individuals linked to an extreme right-wing group known as *Carecas do ABC* attacked Edson Neris da Silva and his boyfriend Dario Pereira

Many critics highlight the shoddy investigation of crimes such as the Paturis Park murders (Pagnan and Caramante, 2008). Investigation of penal infractions is the responsibility of the *polícia civil*—which plays the role of judicial police in Brazil. The *polícia civil*, as other branches of the police, often faces serious resource constraints. The fact that the investigation is frequently performed by underpaid, understaffed, overburdened and improperly trained police affects the general efficiency and quality of a crucial element of the judicial process (Pinheiro, 1996b). Consequently, lack of evidence is one of the main reasons why many cases of violence against marginalized groups never reach the courts. In addition, indifference in regard to cases involving gays, lesbians and *travestis* makes it even less likely that the police and the justice system will promptly deal with the violation of rights of sexual minorities (Carrara and Vianna, 2006; Arruda, 2001; Prado *et al.*, 2014, 70-73).[282]

The elements behind the persistence of impunity are made worse in the case of groups that are more marginalized, such as *travestis*, as a study analyzing crimes committed against that group indicates (Carrara and Vianna, 2006). While gay men were the majority among the victims of "profit crimes"—those involving theft followed by murder—which tended to take place in residences, *travestis* were overwhelmingly represented among the victims of "executions," which tended to take place in the street (Carrara and Vianna, 2006, 235). These crimes against *travestis*

Neto as the couple was walking holding hands, at the Praça da República, a downtown square in São Paulo known as a meeting point for gay men. Dario Pereira Neto managed to escape, but Edson Neris was beaten to death. A group of 18 individuals was arrested that same night at a nearby bar, following descriptions given to police by witnesses (Meio minuto para morrer, 2000). The public outcry that followed the incident was also significant, with wide coverage by the mainstream press and organization of vigils by gay and lesbian groups. For the next two and half years, in several court appearances, seven of those involved in the crime were sent to prison, for charges ranging from "gang formation" (*formação de quadrilha*) to murder, with sentences varying from one and a half to 21 years in prison. For lack of evidence, most of the other 18 people involved were acquitted (Greenhalgh, L. *et al.*, 2001; Fernando, 2002; Nicoletti, 2002; Skinhead acusado de morte de Edson Neris, 2002; Assassino de Edson Neris, 2002). Other less notorious cases in other parts of the country also help illustrate that violence against gays and *travestis* does not always go unpunished (SP: Assassino de gay é condenado, 2006; Homem que matou travesti condenado, 2006; Gomes, 2008; Justiceira - Defensoria paulista condena, 2009). Nevertheless, these cases, while symbolically important—and obviously significant for the victims and their families and communities—are more of an exception that proves the rule.

[282] Generating data on the violence against *travestis*, for example, is also affected by the way in which the police approach and investigate those cases. In cases of murder, police reports do not indicate that the victim was a *travesti*. Instead, sex is recorded as male and, where known, only the *travesti*'s male name is used (Interview with *travesti* leader, Rio de Janeiro, RJ, June 24, 2003).

were also filed away—78 percent—at a higher rate than crimes against gay men. Moreover, discrimination and a negative view of *travestis* and their lifestyles were evident in the discourse of legal agents—lawyers and judges. In addition to a strong prejudice against *travestis* in the justice system, these cases also made clear that, despite the efforts of some legal actors, very little is done to attempt to investigate their murders (Carrara and Vianna, 2006, 245).

These cases highlight the ways in which class, sexuality and race oftentimes reinforce each other to delineate groups for whom the justice system represents another realm of exclusion, rather than a tool for fighting for their inclusion. Not surprisingly, reporting of cases of violation of rights is very low among marginalized groups, imposing an obstacle to the very activation of the justice system (Carrara and Ramos, 2005, 95; Carrara *et al.*, 2006, 56). Research done on the low-income LGBT population in Rio de Janeiro, for example, indicates that not only are they more vulnerable to police and societal violence, they are also less likely than the general population to report homophobic violence to the police for fear of further victimization (Itaborahy, 2014, 22-23).

Importantly, these serious shortcomings are a reflection of larger problems with the criminal justice system in Brazil, which has contributed to the systematic violation of rights of individuals marginalized by their class, gender, race or ethnicity (Benevides and Ferreira, 1991; Pinheiro, 1996b, 1996a; Mitchell and Wood, 1998; Plant, 1999; Dudley, 1998). Not only is the criminal justice system virtually inaccessible to marginalized groups, the police themselves often violate the rights of individuals from these groups.

The level of arbitrary violence meted out by the police forces in Brazil stands out (Brinks, 2012, 43-47; Macaulay, 2012, 823-24; Pinheiro, 1991; Wacquant, 2003, 199). In 2014, 3,009 people were killed in police interventions in Brazil, up from 2,202 the previous year, which corresponds to police homicide rates of 1.5 per 100,000 and 1.1, respectively (Fórum Brasileiro de Segurança Pública, 2015, 27).[283] This violence is also primarily aimed at individuals marginalized by their

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[283] For comparison purposes, an estimate from 2015 indicated that an average of 25 people are killed by gunshot by police in Canada per year, which amounts to a police homicide rate of 0.07 per 100,000 (Lartey, 2015). This is part of a wider pattern of violence. The general homocide rate in Brazil went up to 28.8 per 100,000 in 2014, from 27.8 in 2013 (Fórum Brasileiro de Segurança Pública, 2015, 17). The homicide rate in Canada in 2014 was 1.45 per 100,000 (Miladinovic and Mulligan, 2015).

skin colour and social class, with young non-white men from *favelas* (shantytowns) being over-represented among the victims (Brinks, 2012, 49-52). As reported by Amnesty International, of the 1,275 fatal victims of police intervention in Rio de Janeiro between 2010 and 2013, 99.5 percent were men, 79 percent were black and 75 percent were between 15 and 29 (Anistia Internacional, 2015, 5). Off-duty police officers have also been implicated in other kinds of para-State violence, for example committed by death squads (Brinks, 2012, 74-76; Wacquant, 2003, 200). Furthermore, State, para-State and societal violence are also distributed unequally geographically, with significantly higher levels of crime in poorer states and in the poorer areas of the larger cities (Campos *et al.*, 2003).

The justice system has been virtually unable to deal with this police violence, perpetuating the impunity. Conviction rates for police officers who kill are extremely low in Brazil, especially in cities where the police are most violent (Brinks, 2012, 57-61). The constant and continued violation of rights by police officers, and the failure of the judiciary to tackle the persistent impunity of crimes committed by State agents seriously erode their legitimacy in the eyes of the population, particularly among those that bear the brunt of that violence (Azevedo, 2013; Pereira, 1996, 3-5; Grynszpan, 1999). Part of the difficulty in addressing impunity lies in the lack of access marginalized groups have to the criminal justice system (Fingermann, 2013; Pinheiro, 2000, 130-31; Wacquant, 2003, 200). In contrast to the opportunities and potentialities for democratic inclusion around the fight for the right to health discussed above, when it comes to criminal justice, institutions such as the *Ministério Público* and Public Defenders face much greater odds in bringing justice to the marginalized (Brinks, 2012, 71-72; Hudson, 2014, 295-98; Anistia Internacional, 2015, 69-70). In some instances, a culture of acceptance of impunity when the victims are "disposable" (poor, or perceived to be violent criminals) permeates the justice system (Brinks, 2012, 82-87). Shoddy investigation also contributes to a pattern of exclusion (Brinks, 2012, ch. 5 and 8; Anistia Internacional, 2015, 70-74).

The powerless in society face a reality where, despite the formal guarantee of rights against arbitrary police violence, they lack the concrete resources needed to make those rights effective (Brinks, 2012, 3-5). The embeddedness of the criminal justice system in the inequalities of society replicate and perpetuate the historical structures of marginalization, eroding the concreteness and universality of rights, particularly those of historically marginalized groups.

The higher levels of marginalization faced by poorer and darker LGBTs in this area are thus embedded in this context of an exclusionary criminal justice system. This provides a counterweight to the opportunities opened by courts for the inclusion of the LGBT population discussed in previous sections, strongly limiting the overall impact the justice system as a whole has on the inclusion of gays, lesbians and *travestis*. The weakness of the basic legal protection from the arbitrary violence from State and societal agents is a strong sign not only of deficiencies in the justice system, but also, more broadly, of the incompleteness of the process of democratic inclusion.

5 Conclusion

The engagement of the LGBT community and movement with the justice system in Brazil as part of their struggle for greater inclusion sheds light on other key opportunities and obstacles for democratic inclusion.

As seen in the discussion above, we have witnessed a growing number of gays and lesbians—at the individual level and through organizations—accessing the legal system to fight for their rights. The institutional openings brought about by the 1988 Constitution made it possible for more and more cases regarding LGBT issues to reach the courts. This has led to significant gains, most notably the legalization of same-sex marriage in 2013. This has substantial symbolic weight, breaking with a long-standing hegemony of heteronormativity in the legal understandings of what constitutes a family unit. It also makes accessible concrete gains, regarding benefits and rights reserved to couples whose relationship is recognized and sanctioned by the State. A broader examination of the justice system reveals some important gains in other areas as well, such as the fight against homophobic discrimination.

At the same time, this broader look also highlights important limitations in the universality and concreteness of rights gains. When discrimination is more effectively addressed by the justice system, it tends to be associated with protecting consumption rights from homophobic discrimination, thus protecting rights more directly relevant for middle- and upper-class gays and lesbians. An even starker picture emerges when one focuses on the struggle against homophobic violence. While violence affects individuals from all classes, lower-class LGBTs, and especially *travestis*, are disproportionately vulnerable to homophobic and more general crime and violence (Pochmann and Amorim, 2003; Campos *et al.*, 2003; Campos *et al.*, 2004; Caldeira, 2000;

Marsiaj, 2003, 142-43). The weaknesses in the criminal justice system underline the perpetuation of impunity and injustice for LGBT individuals most strongly marginalized along racial and class lines, stressing how incomplete the fuller inclusion of LGBTs remains. This is in fact part of a wider trend. While the judicialization of issues relating to the market and to patrimonial questions has seen a significant rise in Brazil in the past decade, the picture is not as positive in the realm of criminal law and procedure (O'Donnell, 2005).

Chapter 9
Conclusion: Assessing the democratizing impact of social movements in Brazil

As the previous chapters have indicated, a great deal of change has taken place in Brazil since the 1980s in regard to the rights of the LGBT population. Tremendous gains in visibility have helped establish the LGBT community as a valid social and political actor representing legitimate interests and have contributed to a high level of public recognition of sexual minorities.[284] Activists have also ingeniously and creatively gained increasing access to and influence over policy-makers to push for the creation of pro-LGBT policies. By the mid-2000s, the LGBT movement had managed to carve out a political space and started to see some important policy gains being made, as explored in chapter 6. More serious challenges started becoming more evident soon afterward, underlining the structural and institutional obstacles that limited the implementation of those policy initiatives and the impact they were able to generate.

This general pattern is typical of what I have called an incomplete process of democratic inclusion. Marginalized groups are able to organize and assert themselves as autonomous political agents, gain public recognition and increasing participation in decision-making spaces, as well as some policy intitiatives aimed at countering their marginalization. At the same time, these gains do not translate into a concrete and universal improvement of their wellbeing. In the first section of this conclusion, I will re-state the central argument of this dissertation, revisiting some of the elements of the central analytical framework outlined in chapter 2. The following section will examine the question of whether the patterns observed for the LGBT movement extend to the reality faced by other marginalized groups in Brazil. As will be seen, a comparison with the women's, Afro-Brazilian and landless peasant movements indicates that while some similarities exist in the kind of democratizing impact these movements have had, the LGBT movement is, to a certain extent, a special case. A concluding section will outline an additional factor shaping social movements' democratizing impact to which this comparison points, namely the compatibility of the nature of a movement's demands with the dominant model of economic

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[284] While in some corners conservative and religious opponents question the morality of the very existence of the movement, in the mainstream of society and the political sphere toleration has taken firm root.

development. I will also briefly delineate some potentially fruitful areas of further research these conclusions suggest.

1 Incomplete democratic inclusion and the LGBT movement

The emergence and development of the LGBT movement in Brazil since the early 1980s provide a clear indication of the rise of a vibrant and diverse social movement. In order to assess the extent to which the movement has had a democratizing impact on the Brazilian polity, we must break down the analysis into the main criteria for democratic inclusion: autonomous agency, public recognition, participation, concreteness, and universality.

The LGBT movement has exhibited a remarkable degree of autonomous agency. We do not see in the Brazilian case something similar to what happened in some Eastern European countries, where, under the strong influence of the European Union, "[many] of the important advances for gay and lesbian rights have been imported from the West, *without* local gay and lesbian participation" (Long, 1999, 255, emphasis in the original). In other words, change in Brazil has been generated from the bottom up. As others have pointed out (Díez, 2015; Encarnación, 2016), this bottom-up pressure by LGBT activists has been key in explaining the gains around same-sex marriage in countries such as Mexico and Argentina. The movement has been able to make itself visible, define some of its main interests and put forward its demands; this has been done, to a great degree, independently from outside actors, such as political parties and governmental agencies, even in the context of the movement's heavy reliance on State AIDS-related resources, as chapter 6 demonstrated. As highlighted in that discussion, we should not discount the ability of activists to use resources and funding creatively to sustain a critical engagement with the State.

This vibrant and assertive activism has made significant inroads in the public recognition of the LGBT population in the public sphere. As the discussion of the impact in the "soft" public sphere indicated, the growing visibility of sexual minorities promoted by the LGBT movement contributed to a growing toleration of sexual diversity in society in the period under study, made evident in the increasingly positive attitudes measured by public opinion polls.

Significantly for the deepening of democratic inclusion, the LGBT movement has also made notable headway in increasing its participation in decision-making spaces by gaining access and influence over allies, as well as increasing presence in a few State agencies. As chapters 6 and 7 showed, since the 1980s, initially around the construction of the response to the AIDS epidemic, and later extending to other areas, LGBT activists have reached out and made effective use of the support lent to them by allies in the federal bureaucracy, (especially leftist) political parties, and Congress. In some instances, LGBT activists and openly out bureaucrats and elected officials have also helped put LGBT rights on the political agenda and, in some cases, successfully push for pro-LGBT public policies. These inroads in participation have been over-reliant on personalism, and thus unstable and vulnerable to sudden changes, but they have still expanded their alliances.

This activism has led to some concrete impact that has been felt by the majority of the LGBT population. The legalization of same-sex marriage and the response to the AIDS epidemic in the gay community are significant in that sense. It is when we carry out a broader and more careful assessment of the gains made by the LGBT movement that incompleteness makes itself most evident. Despite these important advances, a series of shortcomings erode the concreteness of the gains made by activists. The challenges of sustaining and deepening the struggle against the HIV/AIDS epidemic are in that sense telling, as they point to the difficulties of making policy gains concrete and universal. Furthermore, many of the gains in other areas have remained symbolic, as chapters 6 and 7 indicate. This is made clear by the proliferation of documents, government plans of action, and State sponsored events, which have all contributed to maintaining the discussion of LGBT on the political agenda, but have only led to a limited list of actual pro-LGBT policies. In addition, a complex array of institutional weaknesses hinders the effective implementation of policies that are approved, eroding their concreteness.

The universality of other gains made by the LGBT movement has also remained limited. Some do not reach the sectors of the population more strongly marginalized. In addition, as chapter 8 showed, the limited reach and accessibility of the justice system, particularly for the more marginalized within the LGBT population, and especially in regard to criminal law, means that the benefits of anti-homophobic legal action are concentrated among an elite. This lack of universality also extends to some of the gains made in the soft public sphere. For instance, the greater acceptance and consumption opportunities the increased visibility in the public sphere

brings about benefits most directly middle- and upper-class gay men. This minority can likewise enjoy "safe spaces" that provide greater—often privatized—security and, in case their rights are violated, they have the knowledge, connections, time and resources needed to access government services that have been created by pro-LGBT policies and LGBT groups, or to make use of a justice system that has seen some openness to the defense of LGBT rights. *Travestis*, lesbians, and poorer gay men, on the other hand, have not seen the same kind or degree of benefits. In many cases, and especially in poorer regions of the country or in poor neighbourhoods of the large metropolitan centres, little has changed. Even though LGBTs have become more visible even in poorer regions and neighbourhoods, these individuals remain victims of recurring homophobic discrimination and oftentimes-lethal violence, from their own families, individuals or groups in society, as well as State agents.

The LGBT movement's struggle for inclusion has thus led to an incomplete process of democratic inclusion. The LGBT movement has shown a remarkable level of autonomous agency, has gained substantive public recognition, and made significant inroads in regard to increasing their participation (direct and indirect) in decision-making spaces, such as the federal bureaucracy and Congress. The process of democratic inclusion is truncated, however, since these gains have not translated into concrete and universal gains that substantially improve the wellbeing of the majority of the LGBT population. As shown in chapters 4 to 8, three key sets of factors help explain that outcome: the historical structures of marginalization, the institutional framework social movements face, and the regime of interest mediation in place.

In chapter 3, I explored the various elements of the historical structures of marginalization that shape inequalities in Brazilian society, focusing my attention on class, race, gender and sexuality. LGBTs are marginalized parimarily along the latter axis, but are also intersectionally affected by the other axes of marginalization. Chapters 4-8 highlight some of the ways in which these structures shape the democratizing impact the LGBT movement is able to have. These structures affect the diversity of interests and demands various activists and communities bring to the table in building a heterogeneous movement. They also structure the vulnerability of different sections of the LGBT population to police violence and their access to justice. Furthermore, the cultural elements of structures of marginalization also impinge on the ability of the movement to deepen its democratizing impact. In the case of sexual minorities in particular, the weight and pervasiveness of homophobia, especially as it permeates State institutions, is an

important piece of the puzzle. This is perhaps most strongly and clearly seen in the case of the outspoken and increasingly organized opposition to LGBT rights by politicians linked to Evangelical (mostly Pentecostal) Churches in Congress, discussed in chapter 7.

The institutional framework activists face also shapes the democratizing impact the LGBT movement is able to generate by affecting the opportunity structure activists face, shaping openings and obstacles to increasing participation and making policy gains that are concrete and universal. For example, personalism played an important part in opening spaces for activists to bring LGBT issues to the table and gain access and influence over allies in the State bureaucracy and legislature. It also made those gains somewhat unstable, since they were very strongly dependent on the permanence of particular individual allies in positions of power. Also, as seen in chapter 8, reforms made to the judiciary with the 1988 Constitution and later reform packages helped create openings that led to an increased use of courts to fight for the rights of LGBTs and paved the road to the legalization of same-sex marriage in 2013. Certain aspects of the institutional framework, however, worked against a deepening of democratic inclusion. The factors contributing to implementation obstacles highlighted in chapter 6 seriously erode the concreteness and universality of the gains made by the movement; and as chapter 7 showed, the internal structure of Congress and the coalitional presidentialism on the power of religious conservatives limited or eliminated the prospects of significant legislative change.

Finally, the democratizing impact of the LGBT movement was strongly shaped by the regime of interest mediation. This was particularly evident in regard to the relationship between the movement and the federal executive examined in chapter 6. The shift from a neoliberal to a neo-developmentalist regime of interest mediation with Lula's second term starting in the mid-2000s signified an important shift in the opportunities for participation. As that chapter showed, the neoliberal regime opened particular kinds of opportunities for cooperation between the State apparatus and the LGBT movement, particularly around responding to the HIV/AIDS epidemic. The shift to a neo-developmentalist regime allowed activists to increase their participation in decision-making spaces and to achieve some impressive policy gains. In addition, as chapter 4 indicated, social movement networks, a type of civil society organization dominant under the neoliberal and, to a great extent, neo-developmentalist regimes, are key in explaining the rise of a unified but diverse LGBT movement.

2 Assessing the democratizing impact of social movements: is the LGBT movement a special case?

To what extent are the patterns of gains and democratizing impact of the LGBT movement characteristic of other contemporary social movements in Brazil? Is there something unique about the LGBT movement that makes it able to have a deeper impact than other movements fighting for the rights of marginalized groups in Brazil? What does such as comparison reveal about our understanding of social movements' democratizing impact more broadly? An examination of the women's, Afro-Brazilian and landless peasant movements highlights how, while some similarities emerge in the struggle of those groups, an important pattern of differences can be identified. Even though all of these movements have demonstrated a good level of autonomous agency evident in their vibrancy, and we can see some degree of similarity in the democratizing impact of the LGBT, women's and Afro-Brazilian movements, the challenges and obstacles faced by the landless peasant movement in trying to deepen the democratic inclusion of the landless and rural poor are revealing. The comparison thus reveals a factor shaping the democratizing impact of social movements that warrants further study: the compatibility of the nature of movement demands with the model of development in place. Movements whose demands have been more compatible with and less directly threatening to the model of development have found more space to make inroads. To varying degrees, they have managed to gain public recognition for their claims, have increased their participation in decision-making spaces, and secured policy aiming at reducing their marginalization. Despite important limitations on the concreteness and universality of those policies, they have improved the wellbeing of at least part of the marginalized group in question. The struggle of the landless highlights a somewhat different pattern. While we may identify the public recognition of the general plight of the landless, that of the movement's strategies and goals is less forthcoming. Participation has been much more limited, in part due to the choice of more direct, non-institutionalized action by the *Movimento dos Trabalhadores Rurais Sem Terra* (Landless Peasant Movement, MST) epitomized in the form of land occupations. And while the last couple of decades has seen historically significant levels of land (re)distribution, that process has been strongly limited by the dominant model of (agrarian) development.

This comparison builds on the idea of a spectrum of injustices ranging from recognition to redistribution issues, borrowing from the work of Fraser (1997). As discussed in chapter 2, we

may conceptualize some marginalized groups as experiencing injustices rooted in the cultural sphere more strongly than those rooted in the economic sphere. In this sense, the LGBT movement would be closer to the recognition pole of the spectrum, while a movement like the landless peasant movement would fall closer to the redistribution end. In between would be women and Afro-Brazilians, having a more "balanced" mix of recognition and redistribution issues defining their struggles. These characteristics allow us to underline a final element of the pattern of democratizing impact across different social movements. Both within and across movements, redistribution issues hinder the deepening of democratic inclusion, especially as they impinge on the universality of gains made by social movements. As seen in earlier chapters, in the case of the LGBT movement, this has meant the persistent marginalization of poorer and non-white gays, lesbians and especially *travestis*. And for movements such as the landless peasant movement, whose core demands are redistributive, the obstacles to a democratizing impact are correspondingly higher.

2.1   Women's movement

Political organizing and activism among women in Brazil since the 1980s have been vibrant and internally diversified.[285] The women's movement has exhibited considerable autonomous agency. To a greater extent than the LGBT movement, the women's movement has witnessed a high degree of professionalization and institutionalization—especially, but not solely among more middle-class feminist groups. Activists have also constructed strong linkages with State institutions (Alvarez, 1999). Despite concerns by scholars and activists that this process would weaken movement organizations, turning them into mere service providers and policy consultants for the State (see, for example, the discussion in Alvarez, 1999; Schild, 1998), other analyses have indicated the greater creativity and flexibility of activists in determining their own agenda and pursuing their own interest (Alvarez, 2009). In other words, similarly to what was

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[285] As is the case with many social movements, it is very hard, if not misleading, to talk about *a* or *the* "women's movement," given the extreme diversity of social positionings, interests and demands different women have, as well as the variety of ways and places where they mobilize and act collectively. Keeping in mind the fact that these lines are in fact blurry, an analytical distinction should be drawn between a feminine and a feminist movement (Alvarez, 1990). The former focuses its attention on practical gender needs stemming from and not necessarily questioning women's subordinate position in the dominant gender system, while the latter directly confronts and seeks to combat patriarchal gender norms (Molyneux, 1985). While cognizant of this important distinction, the discussion presented here is concerned with broader patterns and will consider the development and impact of women's movements (both feminine and feminist) as a whole.

seen in the case of the LGBT movement, the increasing process of "NGOization" is not necessarily a death blow to the assertion of autonomy by the movement.[286]

Through their struggle, organized women have brought attention to a variety of issues, including gender-based socio-economic inequalities, access to health-care and education, availability of day-care facilities, violence against women, descriptive representation, and sexual and reproductive rights (Alvarez, 1990; Macaulay, 2002, 2005, 2006a; Htun, 2002, 2003a; Santos, 2005). Moreover, they have managed to increase participation in decision-making spaces by gaining access to the State and decision-makers through a variety of channels: State agencies aimed at addressing women's issues, political parties, Congress, elected officials and the justice system (Macaulay, 2002, 2005; Macaulay, 2006a; Alvarez, 1990; Htun, 2002; Borba *et al.*, 1998; Friedman, 2009; Piovesan, 2009). Through women activists' presence in the State, and the continued pressure on allies, demands from the women's movement have been put on the political agenda, in some cases resulting in the passage of important legislation and public policies aimed at, among other things, improving women's educational level, raising their participation in the job market, addressing violence against women and sexual harassment, increasing descriptive representation through gender quotas, and bringing about gender equality in the family and in marriage (Htun, 2003a; Macaulay, 2006a). The shift to a neo-developmentalist regime of interest mediation opened important opportunities for increased participation for the women's movement, through, for example, National Public Policy Conferences on Women's Rights held under PT governemnts. This participation contributed to passing policies that more directly addressed key movement demands (Progrebinschi and Samuels, 2014).

A more careful look at these gains uncovers serious limitations to their concreteness, however. A number of examples can illustrate this point. Women remain concentrated in the more precarious and low-paying sectors of the economy, and many have moved into the informal economy as a

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[286] While the growing transnational links formed around gender rights since the 1980s (Alvarez, 1998; Alvarez *et al.*, 2002; Friedman *et al.*, 2001; Marques-Pereira and Raes, 2005; Piovesan, 2009; Chinchilla and Haas, 2006; Keck and Sikkink, 1998, ch. 5) has contributed to making governments more open to debate on gender issues, that attention has not always translated into increased flows of funds and material resources (Jaquette, 2009b). Women's organizations have also, to a certain extent, managed to diversify their funding sources, as many have received increased assistance from international organizations and foundations (Chinchilla and Haas, 2006).

way of making ends meet. Even though women's educational levels have improved and income disparity between women and men has been reduced since the early 1990s, the persistence of gender discrimination still meant that the average total labour income for women amounted to only 66 percent of men's in 2002, the same as ten years later (Damián and Boltvinik, 2006, 164-65; Lovell, 2000; Economic Commission for Latin America and the Caribbean (ECLAC), 2008, 163-64, 2014, 183).[287] Furthermore, while women have become more active in the labour force, their added responsibilities in the household and in the community have not diminished, resulting in an exacerbation of the double- or triple-workload many of them face.

Another interesting example is the case of the women's police stations created in the state of São Paulo in the 1980s, as highlighted by Santos (2005). While these police stations represented a significant step in the direction of providing female victims of violence with mechanisms to bring violent offenders to justice—particularly those women who normally would not have access to the justice system due to their class or race—in reality the effectiveness and impact of these stations came significantly short of their intended goals. A variety of factors conspired to undermine the functioning of these police stations: the persistence of a *machista* culture among women police officers; a lack of training in gender sensitivity; a paucity of resources to carry out the job; a narrow approach to and understanding of the problem of violence against women; and class, racial and sexual orientation biases in the attitudes of police officers. The latter is made evident in the way these officers register complaints, favouring a narrow understanding of their mandate—to protect women from gender violence— and of the problem of violence against women that ends up excluding complaints regarding racial or homophobic discrimination (Santos, 2005). Institutional factors combined with the structures of marginalization faced by women to erode the concreteness of these gains.

Despite progressive and innovative programs and policies to tackle violence against women (IPEA (Instituto de Pesquisa Econômica Aplicada), 2015, 507-14), the problem remains enormous. Lethal violence has worsened over the years: while in 1980, the homicide rate was 2.3 per 100,000 women, by 2012 it had risen to 4.8 per 100,000 (4,719 women were killed that

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[287] Since these changes in female work and education levels have taken place during times of negative or slow economic growth, indicators pointing to improvements in women's situation vis-à-vis men should be qualified, since part of that improvement had to do with the decline in income and economic opportunities for men.

year).[288] This problem also has a racial element: in 2013, while the homicide rate among white women was 3.2 per 100,000, among non-white women it was 5.4 (Waiselfisz, 2015, 36). In 2013, 50,617 cases of rape were registered—a rate of 26.1 per 100,000 inhabitants, and an 18 percent increase from 2011. This statistic is even more troubling due to the fact that, according to some estimates, only 10 percent of cases of rape are reported, underscoring the worsening of a violent reality faced by women in Brazil (IPEA (Instituto de Pesquisa Econômica Aplicada), 2015, 504-05).

The inability of successive governments to effectively implement public policy, especially in the context of fiscal constraints that characterized most of the period since the 1980s, has also had a strong limiting effect on the concreteness of the gains made by the women's movement. Factors similar to those that imposed barriers on the advancement of LGBT rights, such as the institutional characteristics of Congress, have at times affected the efforts of the women's movement to generate legislative change in Brazil (Htun, 2003a, 123-32). Support from leftist parties has also been stronger than from other parts of the political spectrum, despite some limitations around issues such as abortion (Htun and Power, 2006; Macaulay, 2006a). Nevertheless, some important pieces of legislation, such as the Maria da Penha Law to combat domestic violence have been enacted, even if cultural and institutional obstacles persist in interfering with its effective implementation (Meneghel *et al.*, 2013; Pasinato, 2015; Sardenberg and Grossi, 2015; Campos, 2015). Similarly, as mentioned in chapter 3, the gender quota law for legislative elections at all three levels of government passed in 1997 was diluted to such a point in Congress that it was made toothless. Implementation challenges have thus made Brazilian gender quotas almost totally ineffective, especially when compared to countries such as Argentina, where the 1991 quota law has led to concrete changes in the number of women elected to office (Marx *et al.*, 2009; Htun, 2002; Htun and Jones, 2002). Furthermore, personalism also contributed to the precariousness of some of the gains made by the women's movement. For example, governmental support for women's agencies, at both the federal and

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[288] Around the same time, some countries in region facing high levels of generalized violence had higher rates of female homicide rates: El Salvador (8.9 per 100,000), Colombia (6.3), and Guatemala (6.2). Other countries at a similar level of development, however, scored lower: Mexico (4.4) and Argentina (1.4). Canada, for comparison purposes, had a female homicide rate in 2011 of 0.9 per 100,000 (Waiselfisz, 2015, 28). As was the case with the violence faced by LGBTs, this is embedded in a broader problem of high levels of lethal violence in Brazilian society in general.

local level, remained unstable. Consequently, the capacity of women's State agencies to generate a more substantive policy impact was strongly shaped by personal attitudes and by the willingness of political leaders to push forward women's issues (Macaulay, 2006a, 48-49; Friedman, 2009; Santos, 2005).

And as was the case in the struggle of the LGBT movement, religious conservatism and sexism still represent a persistent obstacle to more substantive changes. Nowhere is this more evident than in the area of sexual and reproductive rights, particularly in regard to the struggle for the liberalization or decriminalization of abortion (Htun, 2003a, ch. 6; Htun and Power, 2006; IPEA (Instituto de Pesquisa Econômica Aplicada), 2015, 553).[289] The factors that explained the rise in power of religious conservatives and their impact on the struggle for LGBT rights also affect the (feminist) demands made by the women's movement.

Finally, the universality of those gains has also been deeply affected by the intersection of racial and class marginalizations. Despite notable improvements, the difficult reality of the majority of women in Brazil has not changed significantly. The intersection of race and gender, for example, places *parda* and *negra* women in a disadvantaged position in regard to income, education, and health (Lovell, 2000, 2006; Lebon, 2007). This group of women is also more precariously inserted into the labour market, when compared to white women (IPEA (Instituto de Pesquisa Econômica Aplicada), 2014, 602). A number of services are available, rights and legislation have been established, and legal mechanisms have been put in place, but class, racial and sexual orientation biases still keep many women excluded, effectively blocking their access to these gains.[290] In other words, the gains of the women's movement are seriously limited by structural oppression (Stephen quoted in Oxhorn, 1999). This seems to play out even in cases where mainly marginalized women have been the target of progressive policies. In a telling example, Brauw *et al.* (2014) have indicated a differential impact of the conditional cash transfer program *Bolsa Família* on women in urban and rural areas. In urban areas the program has had a marked

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[289] Currently, abortion is only legal in order to save the mother's life, in cases where the pregnancy is the result of rape, or, following a recent Supreme Court decision, in cases where the fetus is anencephalic.

[290] Furthermore, black feminist activists have stressed the particular ways in which race and gender intersect in the specificity of the violence and harassment non-white women face in encounters with police forces, as made evident by a couple of notorious incidents in Rio de Janeiro in 2014 (IPEA (Instituto de Pesquisa Econômica Aplicada), 2015, 512).

positive impact on women's decision-making power in the household regarding contraception, children's school attendance and health expenses, as well as expenses on durable goods for the household. Beneficiaries in rural areas, however, have not seen these benefits materialize, and may have seen their decision-making power within the household erode further. Similarly, while women may have directly benefitted from the reduction in poverty brought about by the *Bolsa Família* program, the limitations that apply to the conditional cash transfer more generally (Saad-Filho, 2015, 1237-40; Lavinas *et al.*, 2012, 51), apply to women as well. Moreover, as feminist critics have pointed out, by targeting women and their roles as mothers, the program reinforces traditional understandings of gender and gender relations (Mariano and Carloto, 2009; Lavinas *et al.*, 2012).

2.2 Afro-Brazilian movement

Similarly to the women's movement, the Afro-Brazilian movement has a long history, going back to the first half of the twentieth century (Andrews, 1992), and it saw a revival and rise in mobilization with the return to civilian rule in the 1980s. As is the case with the women's movement, we have seen a considerable level of autonomous agency in the activity of the Afro-Brazilian movement in the past few decades. Since the 1980s, a wide range of groups have emerged to fight against discrimination in society-at-large, in the justice system, and in labour and legislative arenas; to provide legal assistance to victims of racism; to produce knowledge and data on racial discrimination and inequality; to help Afro-Brazilian youth gain access to higher levels of education; and to work with more specific constituencies, such as lower-class communities, or Afro-Brazilian women (Burdick, 1998; Telles, 2004; Rodrigues and Prado, 2013). Much of the gains made by it stem from the activity and pressure of a relatively small movement, however. Many activists have had difficulty in their attempts to tap into the movement's potential mass base in the popular sectors, where one finds little knowledge of or participation in movement organizations and very weak identification with racial identities promoted by activists (Burdick, 1998; Bailey, 2009, ch. 3).

This movement has focused a lot of attention in achieving greater public recognition of the legitimacy of racial categories in political discourse, and of the existence and pervasiveness of racism in Brazil. Gains in those areas are significant, and go against a long history of denial of those issues. While some headway has been made in refuting the idea that Brazilian society is a

racial democracy, devoid of racial tension and race-based discrimination, that view remains powerful among mainstream circles and still shapes racial politics in the country (Da Costa, 2014).[291] According to the myth of racial democracy, the inequalities that persist in Brazil can be traced back to the inequalities created by the slavery system, but the problems of discrimination that exist in Brazil nowadays are socio-economic in nature, not racial (Hanchard, 1994; Marx, 1998; Reichmann, 1995; Skidmore, 1985; Fry, 2000).

In ways that resonate with the LGBT movement, many of the actions of the Afro-Brazilian movement in the "soft" public sphere revolve around the promotion of Afro-Brazilian culture—in music, dance, and syncretic Afro-Brazilian religions. In the eyes of some critics and activists, this cultural focus of many groups is seen as limited or as somewhat apolitical. However, many of these cultural manifestations, while not overtly political, do play a role in the development of an Afro-Brazilian consciousness and raise the visibility of Afro-Brazilians, and in some cases may also contribute to improvements in the living conditions, as in the case of Afro-Brazilian youth in music and artistic groups (Colvin, 1996; Cunha, 1998).

The research of sympathetic economists, intellectuals and bureaucrats working for government agencies such as the Institute for Applied Economic Research (*Instituto de Pesquisa Econômica Aplicada*, IPEA) has had a significant impact in producing credible, rigorous research that has served as key supporting evidence in the advocacy work of activists (Htun, 2004, 76-77). In addition, starting in the 1980s, and intensifying in the 1990s, the Afro-Brazilian movement has also received significant financial support for its activities from American foundations, particularly the Ford Foundation (Telles, 2003).

The public debate around race relations promoted by the movement opened the door for the insertion of questions related to racial discrimination and inequality, as well as the rights of Afro-Brazilians, in the national political agenda (Santos, 2006). Furthermore, participation in preparatory meetings for international conferences, particularly the World Conference Against Racism, held in Durban, South Africa, in 2001, further fuelled public debate, raising public

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[291] Closely linked to nation-building processes, and espoused by thinkers such as Gilberto Freyre in the 1930s, the myth of racial democracy rests on the view that Brazil experienced a less harsh and violent slavery—when compared to countries like the United States—and that the high degree of miscegenation between Europeans and African slaves gave rise to a mixed-race population where dichotomous racial identification makes little sense.

awareness of a variety of issues related to racial discrimination, strengthening the movement's work in the "soft" public sphere to build support for tackling racism (Htun, 2004; Telles, 2004; Paschel and Sawyer, 2008, 202) and increasing pressure on allies in decision-making spaces.[292]

Armed with evidence from academic work, activists used alliances with and mobilized pressure on elected officials, political parties, Congress, and the judiciary to increase their participation in policy-making institutional spaces. These gains started being achieved at the more local level, but have gradually expanded to the national level. During the 1980s, in states such as Rio de Janeiro, São Paulo, Minas Gerais, Bahia and Rio Grande do Sul, institutional spaces focusing on the situation of Afro-Brazilians were created, often in the form of advisory bodies, councils and secretariats, with other important initiatives being established more recently (Jaccoud and Beghin, 2002; Htun, 2004, 66-67; Heringer, 2001). At the federal level, since the 1980s, institutional spaces dealing with race, Afro-Brazilian culture and the conditions of Afro-Brazilians in society have also been set up, such as the *Fundação Palmares* in the late 1980s, an Interministerial Working Group for the Valorization of the Black Population created by president Fernando Henrique Cardoso in the mid-1990s, the National Council for Combat Against Discrimination following the World Conference Against Racism held in Durban, South Africa, in 2001, culminating in the creation of the Special Secretariat for Policies of Promotion of Racial Equality (*Secretaria Especial de Políticas de Promoção da Igualdade Racial*, SEPPIR) by the Lula government in 2003 (Jaccoud and Beghin, 2002; Htun, 2004; Heringer, 2006). The demands of the Afro-Brazilian movement were also channeled via National Public Policy Conferences during the PT governments, following the pattern under neo-developmentalism seen for the women's and LGBT movements (Progrebinschi and Samuels, 2014, 320).

This gradual increase in participation in decision-making spaces played an important role in generating policy change in a variety of areas, including constitutional provisions prohibiting unequal treatment on the basis of race, establishing the criminalization of racism, and recognizing land rights for communities of descendants of members of *quilombos* (runaway

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[292] This process became increasingly evident from the mid-1990s onwards, as made clear in the inclusion of issues related to race in the National Human Rights Plans of 1996 and 2002, as well as the impact of the Durban Conference (Telles, 2004, ch. 3; Htun, 2004; Heringer, 2006; Jaccoud and Beghin, 2002; Paschel and Sawyer, 2008, 202-04).

slave communities); anti-discrimination legislation at the state level; creation of specialized police stations for race-related crimes; programs to increase access to higher-level education, particularly post-secondary, for Afro-Brazilian youth; and, since 2001, implementation of quotas for Afro-Brazilians and for poorer students or students from the public school system, for entry into public universities and for public employment in government agencies (Jaccoud and Beghin, 2002; Htun, 2004; Heringer, 2001, 2006; Santos and Lobato, 2003; Telles, 2004, ch. 3).[293]

Personalism has also played a role in generating policy change in the case of the Afro-Brazilian movement. Personal connections within a fairly restricted network of reformers played an important part in many of the gains discussed above. In many cases, key decisions and initiatives, such as the creation of racial quotas in many universities, were the result of discussions among a restricted number of actors, namely a few leading activists and allies in these institutional spaces (Heringer, 2006). Perhaps the best example is the personal initiative of president Fernando Henrique Cardoso, whose interest in questions of race can be traced back to his doctoral dissertation and early academic work in the 1950s (Htun, 2004; Telles, 2004).

These gains made by the Afro-Brazilian movement, in many senses, have been remarkable. The growing official recognition of racism facilitated the passage of policies that, both directly and indirectly, engendered improvement to the lives and wellbeing of part of the Afro-Brazilian population. For example, starting in the early 2000s and gradually spreading across the country, quotas for marginalized groups started being put in place in many universities—at most places, these were aimed at Afro-Brazilians, and students graduating from public schools, which are more heavily attended by the poor, but in some regions indigenous groups were also included. A basic indication of the impact of affirmative action policies in universities can be seen in the rise in enrollment in university among Afro-Brazilians: from 2000 to 2012, the percentage of Afro-Brazilian 18-24 year-old students in tertiary education rose from 10 to 36 percent (Heringer, 2014, 20).

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[293] The creation and implementation of quotas in public universities was not initially guided by a clear policy from the federal government, but rather emerged in a decentralized fashion, stemming from debates and decisions internal to various universities across the country (Jaccoud, 2008, 145-50). The criminalization of racism, made more explicit with the passage of the Caó Law in 1989, represented a toughening of anti-discrimination measures already in place. One of the main differences with this new law was that, instead of considering racist discrimination as a simple misdemeanor, as the 1951 Alfonso Arinos Law did, it made racism a criminal offense for which bail may not be posted (*inafiançável*) (Htun, 2004, 66).

In addition, other economic and social policies aimed at reducing poverty or improving education and health for poorer sectors of society have also had a positive effect, improving the living conditions of many Afro-Brazilians, who are over-represented among the poorer sectors of society. The poverty-reducing effects of the end of hyperinflation with the introduction of the Real Plan in the mid-1990s by president Cardoso, the improvements in basic education under his two terms in office, and the positive impact of social policies under the Lula administration—*Fome Zero* and most notably the conditional cash transfer program, *Bolsa Família*[294]—have had a positive impact on sectors of society where Afro-Brazilians are the majority (Jaccoud and Beghin, 2002, ch. 2; Soares, 2008). For example, between 2001 and 2012, policies addressing a variety of issues related to poverty and social marginalization have contributed to improvements in the wellbeing of the non-white population in many areas, such as income, education, employment and housing (IPEA (Instituto de Pesquisa Econômica Aplicada) and SEPPIR (Secretaria de Políticas de Promoção da Igualdade Racial), 2014).

These policies do have limitations. Institutional factors, for example, have blunted the impact of the gains made by activists and their allies. Many State institutions dealing with racial issues do not have a clearly defined responsibility, are mostly symbolic or have very little power to create or implement policy; and they are usually plagued by a paucity of resources, limiting their ability to generate concrete change (Jaccoud and Beghin, 2002, 16; Heringer, 2006, 89; Htun, 2004, 67).

In addition, and especially relevant for the discussion of the struggle of Afro-Brazilians is the fact that, while the lives of a large number of brown and black Brazilians have improved in the last decade and a half, high levels of inequality *vis-à-vis* white Brazilians remain in place (Jaccoud and Beghin, 2002; Soares, 2008; Lovell, 2006; Telles, 2004; IPEA (Instituto de Pesquisa Econômica Aplicada) and SEPPIR (Secretaria de Políticas de Promoção da Igualdade Racial), 2014, 30-31). For example, in 2003, 13.8 percent of the white population was considered poor or extremely poor, while 33 percent of the black population was in that situation. By 2014, the rates of poverty had improved significantly, but the gap between whites and non-whites remained: 3.5 percent of whites were poor or extremely poor, but 8.9 percent of blacks remained

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[294] *Fome Zero* substitutes the *Programa Comunidade Solidária* implemented under Fernando Henrique Cardoso and encompasses a number of initiatives aimed at tackling both the immediate and more structural causes of hunger (Wood and Felker-Kantor, 2013, 305)

in that position.[295] A recent study stresses that non-whites suffer significantly higher rates of moderate and severe food insecurity (Wood and Felker-Kantor, 2013).[296] Furthermore, given the close correlation between class and racial marginalization in Brazil, the limitations of the anti-poverty policies under the neo-developmentalist model of the PT also affect the depth of the inclusion of the Afro-Brazilian population.

The change generated by the implementation of racial quotas for admission to universities is somewhat tempered by the fact that the structural inequality *vis-à-vis* whites remained for the most part in place: from 2000 to 2012, the number of non-white students who were enrolled in tertiary education increased by 26 percent, but so did that of white students, which increased from 40 and 66 percent (Heringer, 2014, 20).[297] Moreover, the concreteness of the impact of these measures is dampened by weak State capacity, and the fact that serious challenges remain in place to effectively implement policies that will help keep those students in university (*e.g.*, scholarships and other subsidies), as well as improve the structural conditions to increase the number of Afro-Brazilian and poorer high-school graduates who will consider pursuing university-level studies (Heringer, 2006, 2014, 24-31; Htun, 2016, 132-33).

The persistent marginalization of Afro-Brazilians has been highlighted by scholars in a variety of areas, such as income levels, educational attainment, employment structure, spatial segregation, availability of adequate housing, vulnerability to crime and violence, abuse by police and government officials, availability of basic infrastructural services, and levels of child mortality (Hasenbalg, 1985; Reichmann, 1995; Dwyer and Webster, 1988; Caldeira, 1996; Lovell and Wood, 1992; Silva, 1985; Telles, 1994, 1995, 2004). Perhaps one of the most glaring indications of the marginalization of the Afro-Brazilian population is its vulnerability to violence. In 2007,

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[295] Data available at http://www.ipea.gov.br/retrato/tabelas/bloco_10/Tabela_10.10.xlsx (accessed on August 17, 2016). This in fact represents an increase in the ratio of poverty rates among blacks and whites, from 2.39 to 2.54.

[296] According to the authors, "net of statistical controls for region, urban residence, age, monthly per capita household income and gender of the head of household, the odds of moderate and severe food insecurity are, respectively, 31 percent and 45 percent higher among brown compared to white households. Among black households, the odds of moderate and severe food insecurity are 50 percent and 73 percent higher, respectively, compared to households headed by a person who declares themselves white" (Wood and Felker-Kantor, 2013, 304).

[297] This expansion of enrolment in universities is also a product of increased public investment in tertiary education during this period, increasing the number of courses, spaces, and accessibility (from 2003 to 2013, for example, 18 new federal universities were created across the country) (Heringer, 2014, 21).

for example, the homicide rate for the Afro-Brazilian population was 60.5 per 100,000 non-whites, while the rate for white Brazilians was 26.1 per 100,000 whites. By 2012, the situation had worsened to rates of 71 per 100,000 non-whites, and 27.7 per 100,000 whites (Brasil. Secretaria Geral da Presidência da República. Secretaria Nacional da Juventude. Ministério da Justiça and Fórum Brasileiro de Segurança Pública, 2015, 29).

The persistence of marginalization of Afro-Brazilians and the intractability of the inequalities *vis-à-vis* whites is closely related to the limitations on the universality of the gains made by the Afro-Brazilian movement. For instance, in education, an area where some of the most impressive policy gains have been made, a lot of the advancement has been in tertiary education—thanks in large part to the quotas for Afro-descendants and other marginalized groups. While this has obvious positive consequences for increasing access to higher education for Afro-Brazilians, in addition to the symbolic impact of increasing the numbers of non-white university students, particularly in traditionally elite courses, it diverts attention and investment from much needed improvement in public primary and secondary education. The basic educational status of the Afro-Brazilian population is still in dire need of improvement (Castro, 2009; IPEA (Instituto de Pesquisa Econômica Aplicada), 2010). In other words, while measures have been taken to improve the conditions for a minority that can access post-secondary education, a lot of work still needs to be done to improve access and quality of the basic education and to put in place the social and economic policies that will more strongly contribute to reversing the historical racial inequalities in the country.

2.3   Landless peasant movement

The landless peasant movement has demonstrated a very high degree of autonomous agency in the last few decades. It has engaged in more direct, non-institutionalized actions, pursuing more radical tactics and strategies than the LGBT, women's or Afro-Brazilian movements. Its repertoire of action, for example, has focused more on land occupations, marches, hunger strikes, vigils, public demonstrations, and occupations of government buildings (Santos and Carlet, 2010). This radicalization and more antagonistic stance *vis-à-vis* the State is closely related to the kinds of demands made by the movement and sheds light on some key differences in the democratizing impact the landless peasant movement has had, compared to the other movements under discussion. The fight for substantive land reform aims at a more structural transformation

of the agrarian sector and a radical shift in redistribution. This has effectively limited the ability of the movement to deepen its impact.

That said, the landless movement has managed to bring a lot of attention from politicians and public opinion to land reform as a central issue in the struggle against marginalization in Brazil, and has succeeded in improving the living conditions of a large number of families by pushing for the acquisition of land through land settlements and by securing technical assistance to develop family farming. Nevertheless, marginalization in the rural sector remains quite high. Moreover, the structures of inequality that undergird the "land question" in Brazil have remained in place despite these gains, in great part by the pursuit of broader agrarian development policies that support and promote landed elites in charge of large agro-businesses producing for the global market. In other words, while the landless peasant movement has been able to bring about some improvement to the lives of landless peasants, these gains have been strongly constrained and limited by the overall lines of economic (agrarian) development and the power and desire of landed/business interests to maintain that economic model.

The organization and mobilization of landless peasants in Brazil was not a novelty when it resurfaced in the late 1970s and early 1980s during the democratic transition. This kind of movement has a long history, with a clear and more recent antecedent in the Peasant Leagues active in the 1960s (Pereira, 1997; Galdino, 2005). While many organizations have become active in the struggle for land across the country since the return to civilian rule in the 1980s, the main actor in the rural areas in the past couple of decades has been the *Movimento dos Trabalhadores Rurais Sem Terra* (Landless Peasant Movement, MST). Significant attention, both domestic and international, has been given to the MST (Veltmeyer and Petras, 2002; Carvalho, 2002a; Comparato, 2003; Ondetti, 2008a; Wolford, 2006, 2010; Carter, 2010, 2015a; Robles and Veltmeyer, 2015).

In developing its agenda and strategies, the MST has demonstrated a significant degree of autonomy, not only from the State, but also from allies in civil society. For example, as the movement's pressure increased in the mid-1990s, and as the neoliberal economic reforms being implemented under president Cardoso deepened, the MST started radicalizing its actions, increasing its occupation of government buildings and broadening the organization's target beyond land reform, trying to construct a broader front against neoliberalism (Martins, 2000;

Ondetti, 2008a, 160-63). This radicalization created a strong backlash from public opinion, with the support for the MST among the urban population dropping precipitously in the late 1990s. This also generated strong disagreement with some of its traditional allies, such as sectors of the Catholic Church, the PT, and the Unified Workers' Central (*Central Única dos Trabalhadores*, CUT) (Galdino, 2005).[298] Similarly, since 2003, when the PT came to power, even though the movement and the party had historical affinities and the MST lent its support during electoral campaigns, its leadership did not shy away from being openly critical and increasing direct pressure on the government as Lula, and later Dilma Rousseff, did not respond forcefully enough to the movement's pressure, in the eyes of its leaders (Ondetti, 2008a, 2008b; Galdino, 2005; Hochstetler, 2008, 47).

The actions of the MST were key in triggering the largest redistribution of land in Brazilian history, underlining the fact that direct, non-institutionalized actions can also bear fruit in terms of outcome. It was mainly through the use of the strategy of occupying idle (public and private) landholdings that the MST pushed successive governments into settling landless families.[299] The establishment of these settlements has been the largest and most significant policy achievement of the movement. The numbers of settled landless peasants remained very modest during the Sarney, Collor and Franco administrations (1985-1994). It was under president Cardoso (1995-2002) that the number of settled families rose rapidly. In fact, in the eight years he was in power, Cardoso settled more peasants than all other Brazilian presidents before him combined (Ondetti, 2007, 16). After a slow start when he took power in 2003, Lula's government further increased the numbers of settlements created, surpassing, by the end of his two mandates in 2010, the

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[298] The MST's strength and cohesiveness is related to its choice of strategies of mobilization. This choice helped the organization avoid the free-rider problem, since only those directly involved in land occupation would have access to land settlements. This contributed to the development of a strong ideological commitment to the cause among members. Movement strength was also linked to the increased access to education for settlers through the creation of land settlement schools, and to leaders' attention to issues such as the renewal of leadership, manifested in the emphasis given to the training of young leaders (Ondetti, 2008a, 98-139; Almeida and Sánchez, 2000; Carvalho, 2002a).

[299] According to the 1988 Constitution, unproductive farmland fails to fulfill its social function and hence can be expropriated by the government for the purpose of land reform. Moreover, some institutional changes put in place by Cardoso—*e.g.*, the passage of the *rito sumário*, which facilitates the expropriation of unproductive land, and the creation of a Ministry for Land Policy (Ondetti, 2008a, 153)—made it easier to implement land reform.

number of land settlements created under Cardoso. Then, under Dilma Rousseff's first mandate, the pace of land reform slowed down considerably (see Table 9.1).[300]

Table 9.1: Number of landless families settled (1995-2014)

President	Period	No. of families
Cardoso I	1995-98	287,994
Cardoso II	1999-2002	252,710
Lula I	2003-06	381,419
Lula II	2007-10	232,669
Rousseff I	2011-14	107,354

Source: (INCRA, as reported in Madeiro, 2015).

Other policy gains accompanied and supported the settlement of landless peasants. In the mid-1990s, under Cardoso, the credit program for land reform settlers was expanded, and a technical assistance program was put in place (Galdino, 2005, 139; Ondetti, 2008b, 524). Between 1995-98, 25 percent of settler families received a PROCERA (a subsidized credit program) loan each year (Ondetti, 2008a, 232). In addition, under Cardoso, a more progressive tax on unproductive land was created, legal reform making it easier to expropriate land was passed (*rito sumário*) and new legislation protecting the rights of evicted peasants was approved (Pereira, 2003, 54). Under Lula, many of these policy gains were maintained, and the provision of credit for small farmers was improved (Ondetti, 2008a). Given the shift toward a neo-developmentalist model, under

[300] Activists regularly claim that these official numbers are inflated, as they tend to include older settlements and families who were already using the land when their possession was regularized. For other (lower) estimates, see data presented in Carter (2010, 193). Furthermore, while the numbers of settled families and distributed land under Lula have kept up with Cardoso's numbers, the majority of the land used for the creation of settlements since 2003 was public or unused land—much of it in the Amazon region—a politically cheaper option since it does not antagonize landholders' interests through expropriation of land (Ondetti, 2008b, 527). Also under Lula, budget funding for INCRA—the government agency in charge of land reform—was reduced significantly, and the government has stalled on putting in place executive and technical changes in regulations that would make it easier to expropriate land for land reform (Ondetti, 2008a, 2008b).

Lula settler families saw an improvement in the level of support and assistance. After 1998, PROCERA was replaced by PRONAF (National Program for the Strengthening of Family Agriculture), which was expanded under PT governemnts. After much improvement, in 2013, PRONAF investment loans reached 36 percent of the eligible farming families (IPEA (Instituto de Pesquisa Econômica Aplicada), 2015, 398). Moreover, under Lula, about half of the settler population was reached by technical assistance programs in 2004 and 2005 (Ondetti, 2008a, 232). From 2007 onward, greater emphasis has been given to strengthening land titling and providing the necessary infrastructure and assistance for families in land settlements, which, according to the official statements regarding this issue, helps explain the noticeable drop in numbers of land settlements. As the Rousseff government indicated, the focus was on quality rather than quantity (Madeiro, 2015; IPEA (Instituto de Pesquisa Econômica Aplicada), 2015, 385). Moreover, as highlighted by a 2002 survey of settlers, the overwhelming majority pointed out that their overall life conditions had improved after gaining land (Ondetti, 2008a, 235; Ondetti, 2007, 19). And between 1985 and 2006, "the creation of these rural settlements has enabled 5.1 million people living in extreme poverty to gain access to a reliable source of employment, income, and nutrition" (Carter and Carvalho, 2015, 241).

Rural poverty more broadly, under PT governments, has been partly addressed by the extension of *Bolsa Família* to the rural areas, reaching many families who are directly involved with the struggle for land. The conditional cash transfer program has provided much needed help in improving the livelihoods of beneficiaries, as seen in earlier discussions.[301]

The MST has managed to generate public recognition of the need to address rural poverty, but recognition of its specific kind of struggle (and strategies) has been shallower. The movement has, since the 1980s, managed to bring increasing attention to the plight of landless peasants, playing a key role in placing the issue on the political agenda and eliciting support from many sectors in society. However, sympathy for the MST's struggle and strategies among the general public has varied over time. Support for the movement reached its high point in the two years following some of the most serious and publicized massacres of landless peasants in the 1990s—

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[301] As mentioned earlier, some of the broader impact of the program, such as the empowerment of women within the household and labour market participation has been weaker in rural than in urban areas (Brauw *et al.*, 2014, 496; Robles and Veltmeyer, 2015, 131).

namely the 1995 Corumbiara and the 1996 Eldorado dos Carajás massacres—which helped push land reform to a high point in the country's political agenda.[302] In the following years (1998-2000), as the movement radicalized further, public opinion and media coverage took a sharp negative turn, with its leaders often depicted as socialist radicals who threatened Brazilian democracy. Since then, while the MST and the land issue have remained highly visible, that public attention has rarely been positive (Comparato, 2003; Gohn, 2000; Ondetti, 2008a). The years under PT governments have seen the rise of a strong animosity toward the landless peasant struggle and the MST in particular (Carter, 2015c, 419).

In the late 2000s, for example, the view of the MST as a threat to Brazilian democracy was increasingly popular, not only in the media, but also among some intellectuals and State actors. This led to measures vying to effectively criminalize the organization, leading some to call for the State to strongly restrain, if not eliminate it (Carter, 2010, 188). At the same time, rural violence and impunity have persisted under the Cardoso, Lula and Rousseff governments (Pereira, 2003, 58; CPT (Comissão Pastoral da Terra), 2014, 19).[303] From 1985 to 2014, the Pastoral Land Commission has recorded 1,934 homicides due to conflict in the rural area—over land, water, and workers' rights—which amounts to an yearly average of 65 homicides, highlighting a violent reality facing the marginalized in the rural sector (Matos *et al.*, 2014, 71).

In part due to the greater focus on non-institutionalized actions, such as land occupations, demonstrations, road blockades, and building occupations, the MST has not achieved significant levels of more direct participation in decision-making spaces. In other words, their policy impact, such as it is, stems from direct pressure on the government. Allies in Congress and in other parts of the State bureaucracy have made a few contributions to making gains in the struggle for land. This has been the case especially since the arrival in power of the PT, which has traditionally been closer to the landless peasant movement, allowing it to establish a relationship with rural social movements as it shifted the regime of interest mediation toward one that is more open to consulation and input from civil society. Some of these rural social movements managed to have

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[302] This peak in visibility was further fuelled by the popular *telenovela O Rei do Gado* (The King of the Cattle), which presented landless peasants in a very positive light.

[303] Under PT governments, rural conflicts have persisted, and the numbers of homicides due to rural conflict remain troubling: an average of approximately 33 per year from 2005-2014 (Canuto *et al.*, 2014).

some influence, for example, in the appointments made to the Ministry of Agrarian Development and the National Agrarian Reform and Colonization Institute (INCRA) (Carter and Carvalho, 2015, 238). Overall, however, the ability of these allies to pursue a more radical program of agrarian reform was neutralized by the general lines of the agrarian development model pursued by successive governments since the 1990s—to be discussed below—and by the overwhelming political power of landed elites opposed to change. These elites have maintained political control in rural and more remote parts of the country, which has awarded them tremendous levels of political leverage and a large presence in Congress (Carter, 2015d, 25-26). This political power is most obviously seen in the actions of the *bancada ruralista* (ruralist caucus), which represents the interests of the landed elite and large agro-businesses. Their pressure not only blocked attempts at improving the chances of land reform during the drafting of the 1988 Constitution, but have also been one of the key elements of the defaulting of promises made to landless peasants by their historical allies in the PT (Carter, 2015b, 405). Similarly to what was seen in regard to the Evangelical caucus' opposition to LGBT rights, the PT government's need to maintain a governing coalition created an opportunity for the powerful *bancada ruralista* to exert their pressure and defend their interests.

Based on the broader and deeper understanding of inclusion being analyzed here, the level of concreteness of the landless peasant movement's impact has faced strong limitations. Some studies highlight that for many peasants involved with the MST who receive the monthly benefit, *Bolsa Família* is seen as a transient temporary assistance, as opposed to a more permanent deepening of citizenship rights, reflecting some of the limitations of the cash transfer program highlighted in chapter 3 (Morton, 2015). Coupled with these limitations, other observers also stress how the program ends up blunting the struggle for agrarian reform and more structural change, since it addresses some of the more immediate needs of many of the rural poor (Robles and Veltmeyer, 2015, 130-31).[304]

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[304] In a comparison of the PT platforms on land reform in 1989 and 2002, when the party won the elections, Engelmann and Gil (2012) point out the shift in the way land reform is framed. In the earlier party documents, land reform was seen as key to a democratization of land ownership, involving a more direct confrontation with large landowners, and as key to a restructuring of agrarian development. In 2002, in contrast, land reform was seen more as a tool in the fight against poverty, focusing on land settlements from idle lands and illegally occupied plots, significantly dampening the more radical redistributive character of the reform. By 2013, land reform had been effectively subsumed under other *assistencialista* social policies—characterized by more limited handouts that do not tackle structural problems (IPEA (Instituto de Pesquisa Econômica Aplicada), 2015, 388).

As was the case with the other movements under discussion, the persistence of weak State capacity and other institutional factors also affected the effectiveness of the implementation of policy gains. As mentioned above, president Cardoso implemented a series of legal and administrative measures that facilitated the expropriation of land and settlement of landless families, but their enforcement and implementation remained problematic (Pereira, 2003, 55). And while coverage of policies of technical assistance and financial support for family farming has improved under PT governments, they remain limited, tied up in red tape, and inadequately funded (IPEA (Instituto de Pesquisa Econômica Aplicada), 2013, 357; Carter and Carvalho, 2015, 241; Carter, 2015c, 420).

More significantly, a more contextualized look at the issue sheds light on limitations that underline how restricted and how universally applicable these gains have actually been. While in a sense the level of land (re)distribution achieved by the landless peasants movement is indeed impressive, it only benefitted a small part of the rural poor population, and barely dented the highly unequal structures of marginalization in the rural sector in Brazil. For example, according to Miguel Carter, "weighed against sixteen other Latin American countries that undertook comparable reforms, Brazil actually ranks last in the percentage of beneficiary families (at 5 percent of the nation's agricultural workforce) and twelfth in land allocation (based on the distribution of 11.6 percent of the nation's farmland)" (2010, 191-92).[305] The same author has also ranked 17 Latin American countries who experienced land reform processes in the twentieth century according to a land reform index that measures the scope and intensity of land reform by adding the percentage of farmland distributed and peasant beneficiaries, and dividing it by the number of reform years. Brazil comes in last (Carter, 2015d, 16). The end result, from a more macro perspective relevant for a more holistic assessment of democratic inclusion, is that the highly unequal structure of land ownership and use in Brazil remains in place, as indicated in chapter 3. According to the 2006 Agricultural Census, for example, the skewed land distribution has gradually worsened in the last 40 years: the Gini coefficient for land concentration

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[305] Other scholars have provided slightly different estimates, but the problem remains the same. Ondetti, for example, indicates that the total number of land settlements created between 1985 and 2005, *i.e.*, since the return to civilian rule, represents 16 percent of total farmland, and 11 percent of total farming families (2008a, 230).

progressed from 0.855 in 1975, to 0.857 in 1985, to 0.856 in 1995, rising to 0.872 in 2006 (Reydon *et al.*, 2015, 509).

In addition, while the lives of landless peasants who benefitted from land settlements improved, the reality in these settlements provides a clearer indication of the persistent precariousness of the living conditions of the poor in the rural areas of Brazil. In general, these settlements have significantly lower levels of access to electric power, sewage, bathrooms, telephone and trash collection, even when compared to the already low averages of rural Brazil (Ondetti, 2008a, 231). While some MST settlements have emphasized the need to provide education to the families involved, the reality of rural Brazil is one of very high inequality *vis-à-vis* urban areas, with much lower levels of schooling, school attendance, and literacy (IPEA (Instituto de Pesquisa Econômica Aplicada), 2010).

The power and influence of large landowners still ensures that concrete gains for small and landless peasants will be limited and the general lines of policy implementation will protect their core interests. So, for instance, land titling remains a difficult, costly and highly politicized process, benefiting large landowners, who have access to substantial resources, and marginalizing small, poorer farmers (Pereira, 2003, 55-56). Tax evasion by large landholders is also rampant, dampening the effect of the implementation of a more progressive land tax system (Pereira, 2003, 57). Furthermore, many observers point to governmental overcompensation for expropriated land, a practice that ended up benefitting those who already profited disproportionately from the agrarian economy, namely large landholders, (Pereira, 2003, 58).[306] Since credit and technical assistance to develop family farming benefits mostly those settled families that are more strongly integrated into the market (IPEA (Instituto de Pesquisa Econômica Aplicada), 2015, 423), the settled families that are the poorest and in most need of assistance remain forgotten. In fact, agricultural credit tended to benefit disproportionately large landholders, who also had much higher rates of default in the repayment of their loans (Pereira, 2003, 57).

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[306] Governmental support for exporting agro-business continued under Lula. During his first mandate, for example, "state support for the rural elite was seven times greater than that offered to the nation's family farmers, even though the latter represent 87 percent of Brazil's rural labor force and produce the bulk of the food its inhabitants consume" (Carter, 2010, 197).

At its core, the strong limitations in universality point to the fact that Cardoso, Lula and Rousseff maintained a model of agrarian development based on supporting and promoting large exporting agro-businesses. This aspect of the dominant model of economic development meant that the basic structures of inequality in the rural sector have been left unchanged. This reality has not only perpetuated poverty and inequality in the rural sector, but kept large numbers of people in a situation of landlessness. The end result is stagnation in the process of democratic inclusion of landless peasants. Already in the 1980s and 1990s we witnessed an increasing shift to a market-based neoliberal model of agricultural development, emphasizing agricultural commodities for export as an engine of economic growth.[307] While this approach did indeed lead to a rise in productivity in large landholdings, it also pushed out smaller farmers who could not compete (Pereira, 2003, 45-46). Furthermore, even though over a quarter of the country's territory is comprised of unproductive farmland—*i.e.*, constitutionally not fulfilling its social function and thus suitable for expropriation—the estimates of the numbers of landless people in Brazil remain very high, between 3.3 and 6.1 million families (Carter, 2010, 189).

3   Conclusion and further avenues of research

The cases discussed above highlight the incompleteness of the process of democratic inclusion across different marginalized groups in Brazil. This discussion also points to some of the ways in which different social movements fighting for the inclusion of these groups have different kinds of democratizing impact; in other words, it points to some of the ways in which the incompleteness of democratic inclusion varies across different groups.

As mentioned earlier, these differences may be mapped along a spectrum ranging from issues of recognition to redistribution, stressing the different types of injustice these marginalized groups face. As already seen, claims based on demands of recognition of identities, and that seek a

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[307] This model rested on shielding the interests of the landed elites. As Carter explains: "Throughout the process [of repayment of foreign debt in the 1980s], the state continued to protect large landholders through assorted measures, such as negligible taxation on rural properties; state acquiescence to the fraudulent appropriation of vast tracks of the nation's territory (especially in the Amazon); lax enforcement of environmental, labor, and agrarian reform laws; judicial favoritism toward the agrarian elite; and highly inflated compensations for most land expropriations. Trade liberalization policies established in the 1990s gave rise to an influential agribusiness sector, which operates in close partnership with the world's leading agro-food conglomerates that control global markets for seeds, chemical fertilizers and pesticides, and agricultural trading" (2010, 190).

cultural/symbolic revaluation of particular groups, have been met with greater openness and have been addressed to a greater degree than redistribution issues. The latter stem from injustices rooted in the socioeconomic realm, and have been tackled to a much smaller degree by the State. This pattern is seen both within and across marginalized groups, as highlighted by the use of an intersectional lens to evaluate the impact of the LGBT movement. As seen in this study, while the benefits of inclusionary gains have benefitted most stongly white gay men and those of a higher socioeconomic class, lower-class and non-white LGBTs, particularly *travestis*, have failed to see as many gains from this struggle and continue to face significant levels of marginalization. What this situation underlines is the importance of the shortcomings in universality, one of the key criteria for democratic inclusion, as discussion in chapter 2. The comparison across movements also indicates the fact that limited universality is particularly salient for those movements most strongly focused on redistribution issues. In particular, class is a central structuring factor of marginalization in Brazil. Thus, not only are poorer *travestis* more vulnerable to lethal violence than other sectors of the LGBT population, but also are lower-class women and the large mass of poor Afro-Brazilians still living with precarious citizenship rights. Even more starkly, for a movement focused mainly on redistribution issues, such as the landless peasant movement, the lack of universality is clear. While limited land reform has resulted in concrete changes to the lives of some landless families, the structures of marginalization in the rural sector have changed very little, as made evident by the persistence of a very large contingent of landless peasants who are not included in the gains made by the movement.

The comparison developed in this conclusion points to another factor shaping the democratizing impact of social movements, namely the degree of compatibility of the movement's demands with the development model in place. For movements, like the LGBT movement, for which the main demands were not directly antitethical to neoliberal or neo-developmentalist projects, more space and opportunities were open for gains to be made, mediated by the other factors examined in the previous chapters. Gains in visibility, the advances around the struggle against the HIV/AIDS epidemic, and the legalization of same-sex marriage, for example, were compatible with neoliberalism, and when further space for participation was opened by the shift to a neo-developmentalist model, policy gains were deepened, even if important limitations remained in place. In these ways, the LGBT movement may be a somewhat unique case among social

movements in Brazil, despite some important similarities with the women's and Afro-Brazilian movements highlighted in the discussion above.

On the other end of the spectrum, the landless peasant movement faced much higher obstacles, as its demands were directly opposed not only to neoliberal policies, but also to the model of agrarian development being pursued by the neo-developmentalist model under PT governments. This lack of compatibility is also associated with the non-institutionalized actions that characterized the repertoire of action of the MST, and the anti-systemic and radical tone of many of its demands. This did not necessarily mean a total lack of concrete progress, but formidable constraint on how far those gains could go.

Between those two extremes are the women's and Afro-Brazilian movements. While the neoliberal regime of interest mediation allowed for some gains stemming from the technocratic relationship between the State and NGOs, the associated neoliberal economic development model imposed limitations when it came to addressing redistributive issues more substantially for women and the Afro-Brazilian population. And while the neo-developmentalist model opened up greater opportunities, and the social policies under that model have had a noticeable impact in reducing poverty across marginalized populations, obstacles remain in place to building stronger and deeper citizenship rights for those groups. This can be seen in the continued marginalization of poor and non-white women and the persistence of racial inequality, despite the general advances in poverty reduction. In other words, the compatibility of the nature of the demands of the movement in question with the model of economic development in place shapes the opportunity structure and hence the democratizing impact of that movement.

These considerations and insights stemming from a broader look at the activity of other contemporary social movements in Brazil call for further study to identify more precisely the links between economic development models and social movement democratizing impact. They point to two main avenues of further research that can help further test some of the conclusions presented here. First, we need to examine the extent to which the main case studied here is a "Brazilian" story. This study invites a closer comparison with other countries, particularly with those in the region. As outlined in the introduction, a growing literature on the politics of sexual diversity in Latin America has highlighted the tremendous and, to many, surprising gains in LGBT rights in many of these countries. The in-depth examination of the gains and obstacles to

the inclusion of gays, lesbians, and *travestis* indicates that we should look beyond narrow institutional factors to try and explain the passage of pro-LGBT policies. By more seriously considering the impact of structural factors (including cultural ones), the wider institutional framework (including informal institutions), the regime of interest mediation in place, and the associated model of economic development, a more nuanced and careful picture will emerge. We can then more carefully compare Brazil to other cases that have received increasing attention, such as Argentina, Mexico, Uruguay, and Chile, to identify common patterns and those that are unique to the local/national context.

Second, this study and the comparisons developed in this chapter call for further research to refine and perhaps develop a fuller typology of processes of democratic inclusion. Based on the analytical framework developed here, which outlines different criteria for assessing the depth of the democratizing impact of social movements, different cases can help map out different patterns of incompleteness. This question is particularly interesting in the context of the so-called Pink Wave in Latin America. However, it could also be of use in analyzing other regions of the Global South. Furthermore, given the open-ended nature of democratization, as described in chapter 2, and the persistence of multiple axes of marginalization in all countries, the same questions apply to more "established" democracies in the Global North. While the prior histories of processes of democratic inclusion will differ among cases, it still is necessary to map patterns of incompleteness in those polities.

Finally, the analysis developed in this study would be further enriched by a careful examination of the subnational level. While I have, elsewhere, briefly discussed some of these questions (2012), given the decentralization of the Brazilian federal system and the diverse relationships between LGBT groups and state- and municipal-level governments, a close and systematic analysis of variation at these levels of government would help enrich and refine my investigation.

These comparisons and additional research would help carry forward one of the central motivating concerns of this study, that is, the normative concern with the struggle for a deeper, more radical, and more concrete democracy. This preoccupation forces us to strive beyond the (necessary but insufficient) passage of progressive public policy, and push for the establishment of the real conditions for emancipation of marginalized groups in society. Moreover, this study

has underlined that key to more emancipatory and inclusionary democracy is the tackling of class inequalities, but not based on a deterministic sense that resolving the contradictions of capitalism would bring about an end to all other sources of oppression. The multiple dynamics of marginalization explored here are different and need to be addressed separately, but can be done so simultaneously. Some of the insights developed here point to the need of a more inclusive kind of development project, that requires strong State capacity, a focus on progressive social policies and the deepening of the democratization of the State, by creating spaces that are open to real participation of civil society. We can then start laying the bases for the autonomous agents of civil society to effect greater recognition of diversity as well as concrete redistributive change that will engender a broader and more universal expansion of citizenship rights. We would then be on track to a deeper, more substantive and inclusionary process of democratization. We would be on track to fulfilling the demands of the inspiring and incredibly tenacious activists who, even against incredible odds, have managed to continuously chip away at the edifice of inequality.

Bibliography

2005. ""América" bate recorde e veta beijo gay." *Folha Online*, November 04, http://www1.folha.uol.com.br/folha/ilustrada/ult90u54943.shtml (accessed August 24, 2011).

2003. "29 de Agosto: Dia Nacional da Visibilidade Lésbica." *Jornal do nuances*, September, 6-7.

Abers, Rebecca. 2000. *Inventing Local Democracy: Grassroots Politics in Brazil*. Boulder, CO: Lynne Rienner.

ABGLT (Associação Brasileira de Gays, Lésbicas e Travestis). 2003. *Juntos Somos Mais Fortes*. Curitiba, PR: ABGLT (Associação Brasileira de Gays, Lésbicas e Travestis).

———. 2006a. *Anais do II Congresso da ABGLT 2006*. Maceió, AL: ABGLT. http://www.abglt.org.br/docs/anais_congresso2006.zip (accessed August 19, 2011).

———. 2006b. *Resoluções do I Congresso da ABGLT: avanços e perspectivas*. Curitiba, PR: ABGLT. http://www.abglt.org.br/docs/resolucoesIcongressoABGLT.zip (accessed August 19, 2011).

———. 2007. "Frente Parlamentar pela Cidadania GLBT - Legislatura 2007-2010." http://www.abglt.org.br/port/aliadas.php (accessed August 22, 2008).

———. 2009. "III Congresso da ABGLT: Carta de Belém." ABGLT. http://www.abglt.org/port/IIIcongresso.php (accessed April 7, 2010).

———. n/a. "Paradas 2006." http://www.abglt.org.br/port/paradas2006.php (accessed September 17, 2009).

Abranches, Sérgio. 1988. "Presidencialismo de coalizão: o dilema institucional brasileiro." *Dados - Revista de Ciências Sociais* 31 5–38.

Adam, Barry. 1995. *The Rise of a Gay and Lesbian Movement*. 2nd. New York, NY: Twayne Publishers.

Adam, Barry, Jan Duyvendak, and André Krouwel, eds. 1999. *The Global Emergence of Gay and Lesbian Politics: National Imprints of a Worldwide Movement*. Philadelphia, PA: Temple University Press.

2007. "Adiada votação do projeto de lei cotra discriminação no Senado." *Mix Brasil*, March 15, http://mixbrasil.uol.com.br/mp/upload/noticia/4_62_58591.shtml (accessed March 15, 2007).

Aggege, Soraya. 2003. "Grupos de extermínio atuam em 14 estados brasileiros." *O Globo*, May 27.

2008. "AGU defende reconhecimento de união homoafetiva." *Consultor Jurídico*, June 09, http://www.conjur.com.br/2008-jun-09/agu_defende_reconhecimento_uniao_homoafetiva (accessed March 20, 2009).

Aguiar, Adriana. 2006. "União gay pode ser reconhecida como entidade familiar." *Consultor Jurídico*, February 03, http://conjur.estadao.com.br/static/text/41583,1 (accessed May 05, 2006).

Almeida, Aléssio, and Thiago Fauvrelle. 2013. "Determinantes do não-acesso à justiça no Brasil: algumas evidências." *Economic Analysis of Law Review* 4 (1): 120–48.

Almeida, Giselle de. 2015. "Corrupção em 'Babilônia' é rejeitada; autor relaciona aos escândalos reais." *UOL TV e Famosos*, April 13, http://televisao.uol.com.br/noticias/redacao/2015/04/13/corrupcao-em-babilonia-e-rejeitada-autor-relaciona-aos-escandalos-reais.htm (accessed June 8, 2016).

Almeida, Lúcio Flávio de, and Félix Ruiz Sánchez. 2000. "The Landless Workers' Movement and Social Struggles Against Neoliberalism." *Latin American Perspectives* 27 (5): 11–32.

Alvarez, Sonia. 1990. *Engendering Democracy in Brazil: Women's Movements in Transition Politics*. Princeton, NJ: Princeton University Press.

———. 1997. "Reweaving the Fabric of Collective Action: Social Movements and Challenges to "Actually Existing Democracy" in Brazil." In *Between Resistance and Revolution: Cultural Politics and Social Protest*, edited by Richard Fox, and Orin Starn, 83–117. New Brunswick, NJ: Rutgers University Press.

———. 1998. "Latin American Feminisms "Go Global": Trends of the 1990s and Challenges for the New Millenium." In *Cultures of Politics/Politics of Cultures: Re-Visioning Latin American Social Movements*, edited by Sonia Alvarez, Evelina Dagnino, and Arturo Escobar, 293–324. Boulder, CO: Westview Press.

———. 1999. "Advocating Feminism: The Latin American Feminist NGO 'Boom'." *International Feminist Journal of Politics* 1 (2): 181–209.

———. 2009. "Beyond NGO-ization? Reflections from Latin America." *Development* 52 (2): 175–84.

Alvarez, Sonia, Evelina Dagnino, and Arturo Escobar, eds. 1998. *Cultures of Politics/Politics of Cultures: Re-Visioning Latin American Social Movements*. Boulder, CO: Westview Press.

Alvarez, Sonia, Elizabeth Jay Friedman, Ericka Beckman, Maylei Blackwell, Norma Stoltz Chinchilla, Nathalie Lebon, Marysa Navarro, and Marcela Ríos Tobar. 2002. "Encountering Latin American and Caribbean Feminisms." *Signs: Journal of Women in Culture and Society* 28 (2): 537–79.

Alves, Maria Helena Moreira. 1985. *State and Opposition in Military Brazil*. Austin, TX: University of Texas Press.

Amaral, Aline Diniz, Peter Kingstone, and Jonathan Krieckhaus. 2008. "The Limits of Economic Reform in Brazil." In *Democratic Brazil Revisited*, edited by Peter Kingstone, and Timothy Power, 137–60. Pittsburgh, PA: University of Pittsburgh Press.

Amaral, Sylvia Mendonça do. 2003. *Manual Prático dos Direitos de Homossexuais e Transexuais*. São Paulo, SP: Edições Inteligentes.

Amenta, Edwin. 2014. "How to Analyze the Influence of Movements." *Contemporary Sociology* 43 (1): 16–29.

Amenta, Edwin, and Neal Caren. 2004. "The Legislative, Organizational, and Beneficiary Consequences of State-Oriented Challengers." In *The Blackwell Companion to Social*

Movements, edited by David Snow, Sarah Anne Soule, and Hanspeter Kriesi, 481–508. Malden, MA: Balckwell Publishing.

Ames, Barry. 2001. *The Deadlock of Democracy in Brazil*. Ann Arbor, MI: University of Michigan Press.

———. 2002. "Party Discipline in the Chamber of Deputies." In *Legislative Politics in Latin America*, edited by Scott Morgenstern, and Benito Nacif, 185–221. New York, NY: Cambridge University Press.

Amorim Neto, Octavio. 2002a. "Presidential Cabinets, Electoral Cycles, and Coalition Discipline in Brazil." In *Legislative Politics in Latin America*, edited by Scott Morgenstern, and Benito Nacif, 48–78. New York, NY: Cambridge University Press.

———. 2002b. "The Puzzle of Party Discipline in Brazil." *Latin American Politics and Society* 44 (1): 127–44.

Amorim Neto, Octavio, Gary W. Cox, and Mathew D. McCubbins. 2003. "Agenda Power in Brazil's Câmara dos Deputados, 1989-1998." *World Politics* 55 (4): 550–78.

Andrade, Augusto José de Abreu Andrade. 2002. "Visibilidade Gay, Cotidiano e Mídia: Grupo Arco-Íris - Consolidação de uma estratégia. Um estudo de caso." Master's thesis, Universidade de Brasília.

Andrews, George Reid. 1991. *Blacks and Whites in São Paulo, Brazil, 1888-1988*. Madison, WI: University of Wisconsin Press.

———. 1992. "Black Political Protest in São Paulo, 1888-1988." *Journal of Latin American Studies* 24 147–71.

———. 2004. *Afro-Latin America, 1800-2000*. New York, NY: Oxford University Press.

Anistia Internacional. 2015. *Você matou meu filho!: homicídios cometidos pela polícia militar na cidade do Rio de Janeiro*. Rio de Janeiro, RJ: Anistia Internacional.

Arantes, Rogério. 2005. "Constitutionalism, the Expansion of Justice and the Judicialization of Politics in Brazil." In *The Judicializaion of Politics in Latin America*, edited by Rachel Sieder, Line Schjolden, and Alan Angell, 231–62. New York: Palgrave Macmillan.

Arruda, Roldão. 2001. *Dias de Ira: Uma história verídica de assassinatos autorizados*. São Paulo, SP: Editora Globo.

2002. "Assassino de Edson Neris pega 19 anos de prisão." *Mix Brasil*, September 24, http://mixbrasil.uol.com.br/mp/upload/noticia/11_101_36944.shtml (accessed November 27, 2006).

Assies, Willem. 2006. "Neoliberalism and the Re-Emergence of Ethnopolitics in Bolivia." In *Multiculturalism and the Welfare State: Recognition and Redistribution in Contemporary Democracies*, edited by Keith Banting, and Will Kymlicka, 297–319. New York, NY: Oxford University Press.

Athayde, Phydia de. 2003. "Homo: O mercado oculto." *Carta Capital*, November 5, 10-15.

ATRAS (Associação de Travestis de Salvador). 2002. "Princesa - Boletim da Associação de Travestis e Transexuais de Salvador no. 6." May/June.

———. 2003. "Princesa - Informativo da ATRAS no 7." September/October.

Avelar, Rezende Bruno de, Walderes Brito, and Luiz Mello. n/a. *A (in)segurança pública que o Estado brasileiro oferece à população LGBT: Mapeamento crítico preliminar de políticas públicas*. Políticas Públicas para a População LGBT no Brasil: Um Mapeamento Crítico Preliminar. Goiânia, GO: UFG. http://portais.ufg.br/uploads/16/original_Texto_8_-_Seguranca_-_versao_final.pdf.pdf (accessed July 15, 2014).

Avritzer, Leonardo. 2002. *Democracy and the Public Space in Latin America*. Princeton, NJ: Princeton University Press.

Avritzer, Leonardo, ed. 2004. *A Participação em São Paulo*. São Paulo, SP: Editora UNESP.

———. 2010. "Living Under a Democracy: Participation and Its Impact on the Living Conditions of the Poor." *Latin American Research Review* 45 (Special Issue): 166–85.

———. 2012. *Conferências Nacionais: Ampliando e redefinindo os padrões de participação social no Brasil*. Rio de Janeiro: IPEA.

Avritzer, Leonardo, and Zander Navarro, eds. 2003. *A Inovação Democrática no Brasil*. São Paulo, SP: Cortez Editora.

Azevedo, Rodrigo. 2013. "Jurisdição penal." In *Dimensões Políticas da Justiça*, edited by Leonardo Avritzer, Newton Bignotto, Fernando Filgueiras, Juarez Guimarães, and Heloísa Starling, 327–36. Rio de Janeiro, RJ: Civilização Brasileira.

Azevedo, Tatiana. 2004. "Comunidade gay poderá ter recursos no Orçamento." *Agência Câmara*, December 01, http://www2.camara.gov.br/internet/agenciacamara (accessed March 03, 2005).

Badget, M.V. Lee. 2001. *Money, Myths and Change: The Economic Lives of Lesbians and Gay Men*. Chicago, IL: The University of Chicago Press.

Baer, Werner, and Cláudio Paiva. 1998. "Brazil's Drifting Economy: Stagnation and Inflation During 1987-1996." In *What Kind of Democracy? What Kind of Market? Latin America in the Age of Neoliberalism*, edited by Philip Oxhorn, and Graciela Ducatenzeiler, 89–126. University Park, PA: Penn State University Press.

Bailey, Stanley. 2009. *Legacies of Race: Identities, Attitudes, and Politics in Brazil*. Stanford, CA: Stanford University Press.

Baiocchi, Gianpaolo, ed. 2003. *Radicals in Power: The Worker's Party (PT) and Experiments in Urban Democracy in Brazil*. New York, NY: Zed Books.

———. 2005. *Militants and Citizens: the Politics of Participatory Democracy in Porto Alegre*. Palo Alto, CA: Stanford University Press.

Baldez, Lisa. 2002. *Why Women Protest: Women's Movements in Chile*. New York, NY: Cambridge University Press.

Ban, Cornel. 2013. "Brazil's Liberal Neo-Developmentalism: New Paradigm of Edited Orthodoxy?" *Review of International Political Economy* 20 (2): 298–331.

Barbosa, Marina Costa, Khorshed Alam, and Shahbaz Mushtaq. 2016. "Water Policy Implementation in the State of São Paulo, Brazil: Key Challenges and Opportunities." *Environmental Science and Policy* 60 11–18.

Barrientos, Jaime, Patricio Meza, Fabiola Gómez, Susan Catalán, Jimena Longueira, and Jimena Silva. 2008. *Política, Derechos, Violencia y Diversidad Sexual: Primera Encuesta, Marcha del Orgullo y Diversidad Sexual, Santiago de Chile 2007*. Santiago: CLAM.

Barroso, Fernando Luiz Alves. 2009. "*Jornal do Nuances*: análise da construção de um periódico gay." *Bagoas* 2 (3): 179–204.

Barsted, Leila Linhares. 1999. "Breve Panorama dos Direitos Sexuais e Reprodutivos no Brasil." In *As Mulheres e os Direitos Civis*, edited by Leila Linhares Barsted, and Jacqueline Hermann, 43–63. Rio de Janeiro, RJ: CEPIA.

Baviskar, Siddhartha, and Mary Fran Malone. 2004. "What Democracy Means to Citizens - and Why It Matters." *European Review of Latin American and Caribbean Studies* (76): 3–23.

Bell, David, and Jon Binnie. 2000. *The Sexual Citizen: Queer Politics and Beyond*. Cambridge: Polity Press.

Beloqui, Jorge, and Veriano Terto Jr. n/a. "A prevenção à AIDS no governo Dilma e a censura dos vídeos da campanha do Carnaval de 2012." http://www.clam.org.br/uploads/conteudo/ArtigoVeriano.pdf (accessed May 28, 2013).

Ben, Pablo. 2010. "Male Same-Sex Sexuality and the Argentine State, 1880-1930." In *The Politics of Sexuality in Latin America: A Reader on LEsbian, Gay, Bisexual, and Transgender Rights*, edited by Javier Corrales, and Mario Pecheny, 33–43. Pittsburgh, PA: University of Pittsburgh Press.

Benevides, Maria Victoria, and Rosa Maria Fischer Ferreira. 1991. "Popular Responses and Urban Violence: Lynching in Brazil." In *Vigilantism and the State in Modern Latin America: Essays on Extralegal Violence*, edited by Martha Huggins, 33–46. New York, NY: Praeger.

Besse, Susan K. 1996. *Restructuring Patriarchy: The Modernization of Gender Inequality in Brazil, 1914-1940*. Chapel Hill, NC: University of North Carolina Press.

Biehl, João. 2007. *Will to Live: AIDS Therapies and the Politics of Survival*. Princeton, NJ: Princeton University Press.

———. 2013. "The Judicialization of Biopolitics: Claiming the Right to Pharmaceuticals in Brazilian Courts." *American Ethnologist* 40 (3): 419–36.

Biehl, João, Adriana Petryna, Alex Gertner, Joseph Amon, and Paulo Picon. 2009. "Judicialization of the Right to Health in Brazil." *Lancet* 373 2182–84.

Blasius, Mark. 1992. "An Ethos of Lesbian and Gay Existence." *Political Theory* 20 (4): 642–71.

Blee, Kathleen, and Verta Taylor. 2002. "Semi-Structured Interviewing in Social Movement Research." In *Methods of Social Movement Research*, edited by Bert Klandermans, and Suzanne Staggenborg, 92–117. Minneapolis, MN: University of Minnesota Press.

Bochicchio, Regina. 2004. "Travestis de seis estados reforçam luta em Salvador." *A Tarde (BA)*, April 01, http://www.aids.gov.br/imprensa/Noticias.asp?NOTCod=55411 (accessed November 18, 2004).

Boito, Armando. 1998. "Neoliberal Hegemony and Unionism in Brazil." *Latin American Perspectives* 25 (1): 71–93.

Boito, Armando, and Paula Marcelino. 2011. "Decline in Unionism? An Analysis of the New Wave of Strikes in Brazil." *Latin American Perspectives* 38 (5): 62–73.

Bonner, Michelle D. 2007. *Sustaining Human Rights: Women and Argentine Human Rights Organizations*. University Park, PA: Pennsylvania State University Press.

Borba, Ângela, Nalu Faria, and Tatau Godinho, eds. 1998. *Mulher e Política: Gênero e feminismo no Partido dos Trabalhadores*. São Paulo, SP: Fundação Perseu Abramo.

Brachet-Marquez, Viviane. 1997. "Democratic Transition and Consolidation in Latin America: Steps Toward a New Theory of Democratization." *Current Sociology* 45 (1): 15–53.

Brandão, Cristiane, Clara Lima, Danielle Tavares, Juliana Azevedo, Luiza Dias, Renan Saueia, and Renato Trindade. 2015. "Notas sobre os juizados de violência doméstica e familiar contra a mulher." *Revista de Estudos Empíricos em Direito* 2 (2): 110–27.

Brasil. Câmara dos Deputados. 2010. "Câmara promove VII Seminário LGBT." Câmara dos Deputados. http://www2.camara.gov.br/atividade-legislativa/comissoes/comissoes-permanentes/clp/noticias/clp-promove-o-vii-seminario-lgbt-no-congresso-nacional (accessed August 30, 2011).

———. 2011. "Seminário LGBT vai defender a PEC fo casamento civil entre homossexuais." Câmara dos Deputados. http://www2.camara.gov.br/atividade-legislativa/comissoes/comissoes-permanentes/cec/noticias/seminario-lgbt-vai-defender-a-pec-do-casamento-civil-entre-homossexuais (accessed August 30, 2011).

Brasil. Câmara dos Deputados. Comissão de Direitos Humanos. 1998. *Relatório da II Conferência Nacional de Direitos Humanos: Semeando Educação e Cidadania*. Brasília, DF: Câmara dos Deputados.

———. 2000. *Direitos Humanos e Cidadania Homossexual*. Brasília, DF: Câmara dos Deputados.

———. 2003. *Quem Financia a Baixaria é contra a Cidadania: uma campanha pela valorização dos direitos humanos na televisão*. Brasília, DF: Câmara dos Deputados.

Brasil. Câmara dos Deputados. Comissão de Legislação Participativa. 2010. *VI Seminário pela Cidadania LGBT*. Brasília, DF: Câmara dos Deputados, Edições Câmara.

Brasil. Conselho Nacional de Combate à Discriminação. 2004. *Brasil sem Homofobia: Programa de combate à violência e à discriminação contra GLBT e promoção da cidadania homossexual*. Brasília, DF: Ministério da Justiça. http://www.mj.gov.br/sedh/documentos/004_1_3.pdf (accessed September 9, 2010).

Brasil. Ministério da Justiça. 1996. *Plano Nacional de Direitos Humanos*. Brasília, DF: Ministério da Justiça.

———. 2002. *Plano Nacional de Direitos Humanos II*. Brasília, DF: Ministério da Justiça.

Brasil. Ministério da Saúde. Departamento de DST, AIDS, e Hepatites Virais. 2013. *Boletim Epidemiológico 2013*. Brasília, DF: Ministério da Saúde. http://www.aids.gov.br/sites/default/files/anexos/publicacao/2013/55559/_p_boletim_2013_internet_pdf_p__51315.pdf (accessed August 18, 2015).

Brasil. Ministério da Saúde. Programa Nacional de DST/AIDS. 2004. *Boletim Epidemiológico - AIDS e DST*. Brasília, DF: Ministério da Saúde.

———. 2005. *Projeto Somos: Desenvolvimento Organizacional, Advocacy e Intervenção para ONGs que trabalham com gays e outros HSH*. Brasília, DF: Ministério da Saúde. http://www.abglt.org.br/docs/projeto_somos.zip (accessed.

———. 2007a. *Plano Integrado de Enfrentamento à Feminização da Epidemia de Aids e outras DST*. Brasília, DF: Ministério da Saúde.

———. 2007b. *Plano Nacional de Enfrentamento da Epidemia de AIDS e das DST entre gays, HSH e travestis*. Brasília, DF: Ministério da Saúde.

———. 2008. *Boletim Epidemiológico - AIDS e DST*. Brasília, DF: Ministério da Saúde. http://www.aids.gov.br/sites/default/files/Boletim2008_versao1_6_0.pdf (accessed September 10, 2010).

Brasil. Ministério do Desenvolvimento Agrário, and INCRA (Instituto Nacional de Colonização e Reforma Agrária). 2005. *II Plano Nacional de Reforma Agrária: Paz, Produção e Qualidade de Vida no Meio Rural*. Brasília, DF: Ministério do Desenvolvimento Agrário/INCRA. http://www.incra.gov.br/index.php/servicos/publicacoes/pnra-plano-nacional-de-reforma-agraria/file/482-ii-pnra (accessed June 11, 2012).

Brasil. Presidência da República. Secretaria de Direitos Humanos. 2010. *Relatório de Monitoramento das Ações do Plano Nacional de Promoção da Cidadania e Direitos Humanos de Lésbicas, Gays, Bissexuais, Travestis e Transexuais*. Brasília, DF: SDH/PR.

———. 2013. *2o. Relatório Sobre Violência Homofóbica*. Brasília, DF: SDH/PR. http://www.sdh.gov.br/assuntos/lgbt/pdf/relatorio-violencia-homofobica-ano-2012 (accessed August 26, 2015).

Brasil. Presidência da República. Secretaria de Estado de Comunicação de Governo. 2002. *Brazil 1994 - 2002: The Era of the Real*. Brasília, DF: SECOM.

Brasil. Presidência da República. Secretaria Especial dos Direitos Humanos. 2008. *Conferência Nacional LGBT: Propostas Aprovadas: Relação Preliminar*. Brasília, DF: SEDH/PR.

———. 2010. *Programa Nacional de Direitos Humanos (PNDH-3)*. Brasília, DF: SEDH/PR. http://portal.mj.gov.br/sedh/pndh3/pndh3.pdf (accessed September 10, 2010).

———. n/a. "Centros de referência." http://www.presidencia.gov.br/estrutura_presidencia/sedh/brasilsem/Id_menu_referencia/ (accessed February 13, 2009).

Brasil. Secretaria Geral da Presidência da República. Secretaria Nacional da Juventude. Ministério da Justiça, and Fórum Brasileiro de Segurança Pública. 2015. *Índice de Vulnerabilidade Juvenil à Violência e Desigualdade Racial 2014*. Brasília, DF: Presidência da República. http://www.forumseguranca.org.br/storage/download//ivj_desigualdaderacial_final2.pdf (accessed July 27, 2015).

Brasil. Senado Federal. n/a. "SIGA Brasil." http://www9.senado.gov.br/portal/page/portal/orcamento_senado/SigaBrasil (accessed March 2009).

Brauw, Alan de, Daniel Gilligan, John Hoddinott, and Shalini Roy. 2014. "The Impact of *Bolsa Família* on Women's Decision-Making Power." *World Development* 59 487–504.

Bresnahan, Rosalind. 2003. "Introduction: Chile Since 1990: The Contradictions of Neoliberal Democratization." *Latin American Perspectives* 30 (5): 3–15.

Bresser-Pereira, Luiz Carlos. 2003. *Desenvolvimento e Crise no Brasil: História, Economia e Política de Getúlio Vargas a Lula*. 5th. São Paulo, SP: Editora 34.

———. 2011. "From Old to New Developmentalism in Latin America." In *The Oxford Handbook of Latin American Economics*, edited by José Antonio Ocampo, and Jaime Ros, 108–29. New York: Oxford University Press.

———. 2013. "Empresários, o governo PT e o desenvolvimentismo." *Revista de Sociologia e Política* 21 (47): 21–29.

Brigeiro, Mauro, Elizabeth Castillo, and Rocío Murad. 2009. *Encuesta LGBT: Sexualidad y derechos: Participantes de la Marcha de la Ciudadanía LGBT Bogotá 2007*. Bogotá: Universidad Nacional de Colombia/Profamilia/CLAM.

Brinks, Daniel. 2012. *The Judicial Response to Police Killings in Latin America: Inequality and the Rule of Law*. New York, NY: Cambridge University Press.

Brown, Stephen. 2002. "'*Con discriminación y represión no hay democracia*': the Lesbian and Gay Movement in Argentina." *Latin American Perspectives* 29 (2): 119–38.

Brusco, Valeria, Marcelo Nazareno, and Susan Stokes. 2004. "Vote Buying in Argentina." *Latin American Research Review* 39 (2): 66–88.

Brysk, Alison. 2000. *From Tribal Village to Global Village: Indian Rights and International Relations in Latin America*. Stanford, CA: Stanford University Press.

Burdick, John. 1993. *Looking for God in Brazil: The Progressive Catholic Church in Urban Brazil's Religious Arena*. Berkeley, CA: University of California Press.

———. 1998. "The Lost Constituency of Brazil's Black Movement." *Latin American Perspectives* 25 (1): 136–55.

———. 2004. *Legacies of Liberation: The Progressive Catholic Church in Brazil at the Start of a New Millennium*. Burlington, VT: Ashgate.

Burdick, John, Philip Oxhorn, and Kenneth Roberts, eds. 2009. *Beyond Neoliberalism in Latin America? Societies and Politics at the Crossroads*. New York, NY: Palgrave Macmillan.

Burstein, Paul, Rachel Einwohner, and Jocelyn Hollander. 1995. "The Success of Political Movements: A Bargaining Perspective." In *The Politics of Social Protest: Comparative Perspectives on States and Social Movements*, edited by J. Craig Jenkins, and Bert Klandermans, 275–95. Minneapolis, MN: University of Minnesota Press.

Caetano, Márcio. 2005. "Os gestos do silêncio para esconder as diferenças." Master's thesis, Universidade Federal Fluminense.

Caldeira, Teresa. 1996. "Crime and Individual Rights: reframing the Question of Violence in Latin America." In *Constructing Democracy: Human Rights, Citizenship and Society in Latin America*, edited by Elizabeth Jelin, and Eric Hershberg, 197–211. Boulder, CO: Westview Press.

———. 2000. *Cidade de Muros: Crime, Segregação e Cidadania em São Paulo*. São Paulo, SP: Editora 34/Edusp.

Caldeira, Teresa, and James Holston. 1999. "Democracy and Violence in Brazil." *Comparative Studies in Society and History* 41 (4): 691–729.

2006. "Câmara aprova projeto que transforma discriminação sexual em crime." *O Globo Online*, November 23, http://oglobo.globo.com/pais/mat/2006/11/23/286769725.asp (accessed November 24, 2006).

Câmara Neto, Alcino Ferreira, and Matías Vernengo. 2007. "Lula's Social Policies: New Wine in Old Bottles?" In *Political Economy of Brazil: Recent Economic Performance*, edited by Philip Arestis, and Alfredo Saad-Filho, 73–93. New York, NY: Palgrave Macmillan.

Câmara, Cristina. 2002. *Cidadania e Orientação Sexual: a trajetória do grupo Triângulo Rosa*. Rio de Janeiro: Academia Avançada.

Camargo Jr., Kenneth Rochel de. 1999. "Políticas Públicas e Prevenção em HIV/AIDS." In *Saúde, Desenvolvimento e Política: Respostas frente à AIDS no Brasil*, edited by Richard Parker, Jane Galvão, and Marcelo Secron Bessa, 227–62. Rio de Janeiro, RJ/São Paulo, SP: ABIA/Editora 34.

Cameron, Maxwell. 2009. "Latin America's Left Turns: Beyond Good and Bad." *Third World Quarterly* 30 (2): 331–48.

Camp, Roderic Ai. 2001. "Democracy Through Latin American Lenses: An Appraisal." In *Citizen Views of Democracy in Latin America*, edited by Roderic Ai Camp, 3–23. Pittsburgh, PA: University of Pittsburgh Press.

2004. "Campinas cria Centro de Referência GLTTB." *GLS Planet*, June 30, www.glsplanet.terra.com.br (accessed.

2003. "Campinas: Centro de Referência Homossexual é criado." *GLS Planet*, August 01, www.glsplanet.terra.com.br (accessed August 01, 2003).

Campos, André, Alexandre Barbosa, Marcio Pochmann, Ricardo Amorim, and Ronnie Silva, eds. 2004. *Atlas da Exclusão Social no Brasil - Volume 3: Os Ricos no Brasil*. São Paulo, SP: Cortez Editora.

Campos, André, Marcio Pochmann, Ricardo Amorim, and Ronnie Silva, eds. 2003. *Atlas da Exclusão Social no Brasil - Volume 2: Dinâmica e Manifestação Territorial*. São Paulo, SP: Cortez Editora.

Campos, Carmen. 2015. "Desafios na implementação da Lei Maria da Penha." *Revista Direito GV* 11 (2): 391–406.

Canada. Public Health Agency of Canada. 2010. "HIV/AIDS Epi Updates - 2010: Chapter 4: HIV/AIDS Among Youth in Canada." Centre for Communicable Diseases and Infection Control. http://www.phac-aspc.gc.ca/aids-sida/publication/epi/2010/pdf/EN_Chapter4_Web.pdf (accessed January 28, 2014).

Canel, Eduardo. 1997. "New Social Movement Theory and Resource Mobilization Theory: The Need for Integration." In *Community Power and Grassroots Democracy: The Transformation of Social Life*, edited by Michael Kaufman, and Haroldo Dilla Afonso, 189–221. London, UK/Ottawa, ON: Zed Books/IDRC.

Cannon, Barry, and Peadar Kirby, eds. 2012. *Civil Society and the State in Left-Led Latin America: Changes and Limitations to Democratization*. London: Zed Books.

Canuto, Antônio, Cássia Regina Luz, and Edmundo Costa, eds. 2014. *Conflitos no Campo - Brasil 2014*. Goiânia, GO: CPT Nacional.

Capiglione, Laura. 2005. "Parada Gay tem ampla presença feminina." *Folha de S. Paulo*, May 30, http://www1.folha.uol.com.br/fsp/cotidian/ff3005200501.htm (accessed May 30, 2005).

Caramante, André, and Afonso Benites. 2009. "Ex-PM acusado de matar gays volta à prisão." *Folha de São Paulo*, August 12.

Cardoso, Eliana, and Ann Helwege. 1991. "Populism, Profligacy, and Redistribution." In *The Macroeconomics of Populism in Latin America*, edited by Rudiger Dornbusch, and Sebastian Edwards, 45–70. Chicago, IL: University of Chicago Press.

Cardoso, Fernando Henrique. 1991. *Capitalismo e Escravidão no Brasil Meridional: O Negro na Sociedade Escravocrata do Rio Grande do Sul*. 3rd. Rio de Janeiro, RJ: Paz e Terra.

Cardoso, Ruth. 1992. "Popular Movements in the Context of the Consolidation of Demoracy in Brazil." In *The Making of Social Movements in Latin America: Identity, Strategy, and Democracy*, edited by Arturo Escobar, and Sonia Alvarez, 291–302. Boulder, CO: Westview Press.

Carlet, Flávia. 2015. "Advocacia Popular: práticas jurídicas contra-hegemônicas no acesso ao direito e à justiça no Brasil." *Direito e Práxis* 6 (10): 377–411.

Carrara, Sérgio, Regina Facchini, Júlio Simões, and Sílvia Ramos. 2006. *Política, Direitos, Violência e Homossexualidade: Pesquisa 9a. Parada do Orgulho GLBT - São Paulo 2005*. Rio de Janeiro, RJ: CEPESC.

Carrara, Sérgio, and Sílvia Ramos. 2005. *Política, Direitos, Violência e Homossexualidade: Pesquisa 9a Parada do Orgulho GLBT - Rio 2004*. Rio de Janeiro, RJ: CEPESC.

Carrara, Sérgio, Sílvia Ramos, and Márcio Caetano, eds. 2003. *Política, Direitos, Violência e Homossexualidade: Pesquisa 8a Parada do Orgulho GLBT - Rio 2003*. Rio de Janeiro, RJ: Pallas.

Carrara, Sérgio, Sílvia Ramos, Paula Lacerda, Benedito Medrado, and Nara Vieira. 2007. *Política, Direitos, Violência e Homossexualidade. Pesquisa 5a. Parada da Diversidade - Pernambuco 2006*. Rio de Janeiro: CEPESC.

Carrara, Sérgio, and Adriana R. B. Vianna. 2004. ""As vítimas do desejo": os tribunais cariocas e a homossexualidade nos anos 1980." In *Sexualidades e Saberes: Convenções e Fronteiras*, edited by Adriana Piscitelli, Maria Filomena Gregori, and Sérgio Carrara, 365–83. Rio de Janeiro, RJ: Garamond.

———. 2006. "'Tá lá o corpo estendido no chão.': a violência letal contra travestis no Município do Rio de Janeiro." *Physis: Revista de Saúde Coletiva* 16 (2): 233–49.

Carrillo, Ian. 2014. "The New Developmentalism and the Challenges to Long-Term Stability in Brazil." *Latin American Perspectives* 41 (5): 59–74.

Carter, Miguel. 2010. "The Landless Rural Workers Movement and Democracy in Brazil." *Latin American Research Review* 45 (Special Issue): 186–217.

Carter, Miguel, ed. 2015a. *Challenging Social Inequality: The Landless Rural Workers Movement and Agrarian Reform in Brazil*. Durham, NC: Duke University Press.

———. 2015b. "Conclusion: Challenging Social Inequality: Contention, Context, and Consequences." In *Challenging Social Inequality: The Landless Rural Workers Movement and Agrarian Reform in Brazil*, edited by Miguel Carter, 391–412. Durham, NC: Duke University Press.

———. 2015c. "Epilogue: Broken Promise: The Land Reform Debacle unde the PT Governments." In *Challenging Social Inequality: The Landless Rural Workers Movement and Agrarian Reform in Brazil*, edited by Miguel Carter, 413–28. Durham, NC: Duke University Press.

———. 2015d. "Social Inequality, Agrarian Reform, and Democracy in Brazil." In *Challenging Social Inequality: The Landless Rural Workers Movement and Agrarian Reform in Brazil*, edited by Miguel Carter, 1–39. Durham, NC: Duke University Press.

Carter, Miguel, and Horácio Martins de Carvalho. 2015. "The Struggle on the Land: Source of Growth, Innovation, and Constant Challenge for the MST." In *Challenging Social Inequality: The Landless Rural Workers Movement and Agrarian Reform in Brazil*, edited by Miguel Carter, 229–73. Durham, NC: Duke University Press.

Carvalho, Horácio Martins de. 2002a. "A emancipação do movimento no movimento de emancipação social continuada (resposta a Zander Navarro)." In *Produzir para viver: Os caminhos da produção não capitalista*, edited by Boaventura de Sousa Santos, 233–60. Rio de Janeiro, RJ: Civilização Brasileira.

Carvalho, José Murilo de. 2002b. *Cidadania no Brasil: O Longo Caminho*. 2nd. Rio de Janeiro, RJ: Civilização Brasileira.

Castells, Manuel. 1983. *The City and the Grassroots*. Berkeley, CA: University of California Press.

Castro, Jorge Abrahão de. 2009. "Evolução e desigualdade na educação brasileira." *Educação e Sociedade* 30 (108): 673–97.

Caulfield, Sueann. 2000. *In Defense of Honor: Sexual Morality, Modernity, and Nation in Early-Twentieth-Century Brazil*. Durham, NC: Duke University Press.

Cavalcanti, Rosângela Batista. 2006. "The Effectiveness of Law: Civil Society and the Public Prosecution in Brazil." In *Enforcing the Rule of Law: Social Accountability in the New Latin American Democracies*, edited by Enrique Peruzzotti, and Catalina Smulovitz, 34–54. Pittsburgh, PA: University of Pittsburgh Press.

Chalmers, Douglas, Scott Martin, and Kerianne Piester. 1997a. "Associative Networks: New Structures of Representation for the Popular Sectors?" In *The New Politics of Inequality in Latin America: Rethinking Participation and Representation*, edited by Douglas Chalmers, Carlos Vilas, Katherine Hite, Scott Martin, Kerianne Piester, and Monique Segarra, 541–82. New York, NY: Oxford University Press.

Chalmers, Douglas, Carlos Vilas, Katherine Hite, Scott Martin, Kerianne Piester, and Monique Segarra, eds. 1997b. *The New Politics of Inequality in Latin America: Rethinking Participation and Representation*. New York, NY: Oxford University Press.

Chinchilla, Norma Stoltz. 1992. "Marxism, Feminism and the Struggle for Democracy in Latin America." In *The Making of Social Movements in Latin America: Identity, Strategy, and*

Democracy, edited by Arturo Escobar, and Sonia Alvarez, 37–51. Boulder, CO: Westview Press.

Chinchilla, Norma Stoltz, and Liesl Haas. 2006. "De Protesta a Propuesta: The Contributions and Challenges of Latin American Feminism." In *Latin America After Neoliberalism: Turning the Tide in the 21st Century?*, edited by Eric Hershberg, and Fred Rosen, 252–75. New York, NY: The New Press/NACLA.

Ciccariello-Maher, George. 2013. "Constituent Moments, Constitutional Processes: Social Movements and the New Latin American Left." *Latin American Perspectives* 40 (3): 126–45. http://lap.sagepub.com/cgi/doi/10.1177/0094582X13476001 (accessed.

Clapham, Christopher. 1985. *Third World Politics: An Introduction*. Madison, WI: University of Wisconsin Press.

2007. "Clodovil apresenta projeto de união homossexual na Câmara." *Mix Brasil*, March 29, http://mixbrasil.uol.com.br/mp/upload/noticia/11_101_58907.shtml (accessed March 30, 2007).

Cohen, Jean. 1985. "Strategy or Identity: New Theoretical Paradigms and Contemporary Social Movements." *Social Research* 52 663–716.

Cohen, Jean, and Andrew Arato. 1992. *Civil Society and Political Theory*. Cambridge, MA: MIT Press.

Cohen, Joshua, and Joel Rogers. 1992. "Secondary Associations and Democratic Governance." *Politics and Society* 20 (4): 393–472.

Collier, Ruth Berins, and David Collier. 1991. *Shaping the Political Arena: Critical Junctures, the Labour Movement and Regime Dynamics in Latin America*. Princeton, NJ: Princeton University Press.

Collier, Ruth Berins, and Samuel Handlin. 2009a. "Introduction: Popular Representation in the Interest Arena." In *Reorganizing Popular Politics: Participation and the New Interest Regime in Latin America*, edited by Ruth Berins Collier, and Samuel Handlin, 3–31. University Park, PA: Pennsylvania State University Press.

———. 2009b. "Logics of Collective Action, State Linkages, and Aggregate Traits: The UP-Hub versus the A-Net." In *Reorganizing Popular Politics: Participation and the New Interest Regime in Latin America*, edited by Ruth Berins Collier, and Samuel Handlin, 61–92. University Park, PA: Pennsylvania State University Press.

Collier, Ruth Berins, and Samuel Handlin, eds. 2009c. *Reorganizing Popular Politics: Participation and the the New Interest Regime in Latin America*. University Park, PA: Pennsylvania State University Press.

———. 2009d. "Situating the Analysis: Analytic Approach, Cases and Historical Context." In *Reorganizing Popular Politics: Participation and the New Interest Regime in Latin America*, edited by Ruth Berins Collier, and Samuel Handlin, 32–60. University Park, PA: Pennsylvania State University Press.

Colling, Leandro. 2007. "Personagens homossexuais nas telenovelas da Rede Globo: criminosos, afetados e heterossexualizados." *Gênero* 8 (1): 207–22.

Colvin, David. 1996. "The Role of Culture in Brazil's Unified Black Movement, Bahia in 1992." *Journal of Black Studies* 27 (1): 39–55.

Comparato, Bruno Konder. 2003. *A ação política do MST*. São Paulo, SP: Editora Expressão Popular.

2005. "Congresso Nacional fará II Seminário Nacional GLBT." *Mix Brasil*, June 7, http://mixbrasil.uol.com.br/mundomix/centralplus/noticia.asp?id=2575 (accessed June 9, 2005).

Cooper, Davina. 1995. *Power in Struggle: Feminism, Sexuality and the State*. New York, NY: New York University Press.

Cooper, Davina, and Surya Monro. 2003. "Governing from the Margins: Queering the State of Local Government?" *Contemporary Politics* 9 (3): 229–55.

Cornelius, Wayne, Ann L. Craig, and Jonathan Fox, eds. 1994. *Transforming State-Society Relations in Mexico: The National Solidarity Strategy*. San Diego, CA: Center for US-Mexico Studies.

Corrales, Javier. 2015. *LGBT Rights and Representation in Latin America and the Caribbean: The Influence of Structure, Movements, Institutions and Culture*. LGBT Representation and Rights Policy Paper. Chapel Hill: University of North Carolina.

Corrales, Javier, and Mario Pecheny, eds. 2010a. *The Politics of Sexuality in Latin America: A Reader on Lesbian, Gay, Bisexual, and Transgender Rights*. Pittsburgh, PA: University of Pittsburgh Press.

———. 2010b. "Six Reasons Why Argentina Legalized Gay Marriage First." *Americas Quarterly* http://americasquarterly.org/node/1753 (accessed.

Costa, Angelo, and Henrique Nardi. 2015. "O casamento 'homoafetivo' e a política da sexualidade: implicações do afeto como justificativa das uniões de pessoas do mesmo sexo." *Estudos Feministas* 23 (1): 137–50.

Costa, Emília Viotti da. 2007. *Da Monarquia à República: Momentos Decisivos*. 8th. São Paulo, SP: Editora Unesp.

Costa, Fernando Braga da. 2004. *Homens Invisíveis: relatos de uma humilhação social*. São Paulo, SP: Editora Globo.

CPT (Comissão Pastoral da Terra). 2014. "Comparação dos Conflitos no Campo." In *Conflitos no Campo - Brasil 2014*, edited by Antônio Canuto, Cássia Regina Luz, and Edmundo Costa, 19. Goiânia, GO: CPT Nacional.

Craske, Nikki. 1999. *Women and Politics in Latin America*. Cambridge, UK: Polity Press.

Cunha, Euclides da. 1968. *Os Sertões*. 27th. Rio de Janeiro, RJ: Livraria Francisco Alves.

Cunha, Lílian. 2006. "O poderoso mercado gay." *Istoé Dinheiro*, June 21, http://www.terra.com.br/istoedinheiro/457/negocios/poderoso_mercado_gay.htm (accessed August 30, 2006).

Cunha, Olivia Maria Gomes da. 1998. "Black Movements and the "Politics of Identity" in Brazil." In *Cultures of Politics/Politics of Cultures: Re-visioning Latin American Social Movements*, edited by Sonia Alvarez, Evelina Dagnino, and Arturo Escobar, 220–51. Boulder, CO: Westview Press.

D'Emilio, John. 1983. "Capitalism and Gay Identity." In *Powers of Desire: The Politics of Sexuality*, edited by Ann Snitow, Christine Stansell, and Sharon Thompson, 100–13. New York, NY: Monthly Review Press.

———. 2000. "Cycles of Change, Questions of Strategy: The Gay and Lesbian Movement After Fifty Years." In *The Politics of Gay Rights*, edited by Craig Rimmerman, Kenneth Wald, and Clyde Wilcox, 31–53. Chicago, IL: University of Chicago Press.

Da Costa, Alexandre. 2014. "Confounding Anti-racism: Mixture, Racial Democracy, and Post-racial Politics in Brazil." *Critical Sociology* Published online January 31, 2014 DOI: 10.1177/0896920513508663 (accessed May 18, 2016).

Dagnino, Evelina. 1994. "Os movimentos sociais e a emergência de uma nova noção de cidadania." In *Anos 90: Política e Sociedade no Brasil*, edited by Evelina Dagnino, 103–15. São Paulo, SP: Editora Brasiliense.

———. 2001. "Os movimentos sociais e a construção da democracia no Brasil: tendências recentes." *Journal of Iberian and Latin American Studies* 7 (1): 75–104.

Dagnino, Evelina, ed. 2002. *Sociedade Civil e Espaços Públicos no Brasil*. São Paulo, SP: Paz e Terra.

Dagnino, Evelina, Alberto Olvera, and Aldo Panfichi, eds. 2006. *A Disputa pela Construção Democrática na América Latina*. São Paulo, SP: Paz e Terra.

Dahl, Robert. 1971. *Polyarchy: Participation and Opposition*. New Haven, CT: Yale University Press.

———. 1989. *Democracy and Its Critics*. New Haven, CT: Yale University Press.

Damián, Araceli, and Julio Boltvinik. 2006. "A Table to Eat On: The Meaning and Measurement of Poverty in Latin America." In *Latin America After Neoliberalism: Turning the Tide in the 21st Century?*, edited by Eric Hershberg, and Fred Rosen, 144–70. New York, NY: The New Press/NACLA.

de la Dehesa, Rafael. 2007. "Global Communities and Hybrid Cultures: Early Gay and Lesbian Electoral Activism in Brazil and Mexico." *Latin American Research Review* 42 (1): 29–51.

———. 2010. *Queering the Public Sphere in Mexico and Brazil: Sexual Rights Movements in Emerging Democracies*. Durham, NC: Duke University Press.

2007. "Defensoria Pública advogará para vítimas de crime de homofobia em SP." *Folha Online*, October 23, http://www1.folha.uol.com.br/folha/cotidiano/ult95u339117.shtml (accessed May 22, 2008).

Degler, Carl. 1971. *Neither Black nor White: Slavery and Race Relations in Brazil and the United States*. Madison, WI: University of Wisconsin Press.

della Porta, Donatella, and Mario Diani. 2006. *Social Movements: An Introduction*. 2nd. Oxford: Blackwell Publishing.

della Porta, Donatella, and Dieter Rucht. 1995. "Left-Libertarian Movements in Context: A Comparison of Italy and West Germany, 1965-1990." In *The Politics of Social Protest: Comparative Perspectives on States and Social Movements*, edited by J. Craig Jenkins, and Bert Klandermans, 229–72. Minneapolis, MN: University of Minnesota Press.

della Porta, Donatella, and Sidney Tarrow, eds. 2005. *Transnational Protest and Global Activism*. Lanham, MD: Rowman & Littlefield.

Diacon, Todd. 1990. "Peasants, Prophets, and the Power of a Millenarian Vision in Twentieth-Century Brazil." *Comparative Studies in Society and History* 32 (3): 488–514.

Diamond, Larry, Marc Plattner, Yun-han Chu, and Hung-mao Tien, eds. 1997. *Consolidating the Third Wave Democracies: Themes and Perspectives*. Baltimore, MD: Johns Hopkins University Press.

DIAP (Departamento Intersindical de Assessoria Parlamentar). 2014. *Radiografia do novo Congresso: Legislatura 2015-2019*. Brasília, DF: DIAP. http://www.diap.org.br/index.php/publicacoes/finish/41-radiografia-do-novo-congresso/2883-radiografia-do-novo-congresso-legislatura-2015-2019-dezembro-de-2014 (accessed July 12, 2016).

Dias, Maria Berenice. 2001. *União Homossexual: O Preconceito e a Justiça*. 2nd. Porto Alegre, RS: Livraria do Advogado Editora.

———. 2003. *Homoafetividade: o que diz a Justiça! As pioneiras decisões do Tribunal de Justiça do Rio Grande do Sul que reconhecem direitos às uniões homossexuais*. Porto Alegre, RS: Livraria do Advogado Editora.

Díez, Jordi. 2015. *The Politics of Gay Marriage in Latin America: Argentina, Chile, and Mexico*. New York: Cambridge University Press.

2009. "Direitos civis gays não devem entrar na pauta de José Sarney, novo presidente do Senado." *Mix Brasil*, February 2, http://mixbrasil.uol.com.br/mp/upload/noticia/4_62_71058.shtml (accessed February 2, 2009).

2009. "Direitos iguais." *Consultor Jurídico*, July 06, http://www.conjur.com.br/2009-jul-06/noticias-justica-direito-jornais-segunda-feira (accessed August 27, 2009).

Diretório Municipal do PT de Campinas. 2003. "Boletim Optei Campinas no. 13." June.

Diretório Nacional do PT. Secretaria Nacional de Formação Política, and Fundação Perseu Abramo. Projeto Memória. 1998. *Partido dos Trabalhadores: Resoluções de Encontros e Congressos*. São Paulo, SP: Editora Fundação Perseu Abramo.

Disney, Jennifer, and Virginia Williams. 2014. "Latin American Social Movements and a New Left Consensus: State and Civil Society Challenges to Neoliberal Globalization." *New Political Science* 36 (1): 1–31.

Dominguez, Jorge, ed. 1994. *Social Movements in Latin America: The Experience of Peasants, Workers, Women, the Urban Poor, and the Middle Sectors*. New York, NY: Garland Publishing.

Domínguez, Jorge, and Abraham Lowenthal, eds. 1996. *Constructing Democratic Governance: Latin America and the Caribbean in the 1990s*. Baltimore, MD: Johns Hopkins University Press.

Drèze, Jean, and Amartya Sen. 2002. "Democratic Practice and Social Inequality in India." *Journal of Asian and African Studies* 37 (2): 6–37.

Drucker, Peter, ed. 2000. *Different Rainbows*. London, UK: Gay Men's Press.

———. 2011. "The Fracturing of LGBT Identities Under Neoliberal Capitalism." *Historical Materialism* 19 (4): 3–32.

Dudley, Steven. 1998. "Deadly Force: Security and Insecurity in Rio." *NACLA - Report on the Americas* 32 (3): 31–36.

Dwyer, Jeffrey, and Peggy Lovell Webster. 1988. "The Cost of Being Nonwhite in Brazil." *Sociology and Social Research* 72 (2): 136–42.

Eade, Deborah. 2007. "Capacity Building: Who Builds Whose Capacity?" *Development in Practice* 17 (4-5): 630–39.

Earl, Jennifer. 2004. "The Cultural Consequences of Social Movements." In *The Balckwell Companion to Social Movements*, edited by David Snow, Sarah Anne Soule, and Hanspeter Kriesi, 528–50. Malden, MA: Blackwell Publishing.

Eckstein, Susan. 2001a. "Poor People Versus the State and Capital: Anatomy of a Successful Community Mobilization for Housing in Mexico City." In *Power and Popular Protest: Latin American Social Movements*, edited by Susan Eckstein, 329–50. Berkeley, CA: University of California Press.

———. 2001b. "Power and Popular Protest in Latin America." In *Power and Popular Protest: Latin American Social Movements*, edited by Susan Eckstein, 1–60. Berkeley, CA: University of California Press.

Eckstein, Susan, ed. 2001c. *Power and Popular Protest: Latin American Social Movements*. 2nd. Berkeley, CA: University of California Press.

Eckstein, Susan, and Timothy Wickham-Crowley, eds. 2003a. *Struggles for Social Rights in Latin America*. New York, NY: Routledge.

Eckstein, Susan, and Timothy Wickham-Crowley, eds. 2003b. *What Justice? Whose Justice? Fighting for Fairness in Latin America*. Berkeley, CA: University of California Press.

Economic Commission for Latin America and the Caribbean (ECLAC). 2007. *Social Panorama of Latin America 2006*. Santiago, Chile: United Nations/ECLAC. http://www.eclac.org/cgi-bin/getProd.asp?xml=/publicaciones/xml/4/27484/P27484.xml&xsl=/dds/tpl-i/p9f.xsl&base=/tpl-i/top-bottom.xslt (accessed July 22, 2011).

———. 2008. *Social Panorama of Latin America 2007*. Santiago, Chile: United Nations/ECLAC.

———. 2014. *Social Panorama of Latin America, 2014*. Santiago, Chile: ECLAC.

Encarnación, Omar. 2011. "Latin America's Gay Rights Revolution." *Journal of Democracy* 22 (2): 104–18.

———. 2013. "International Influence, Domestic Activism, and Gay Rights in Argentina." *Political Science Quarterly* 128 (4): 687–716.

———. 2016. *Out in the Periphery: Latin America's Gay Rights Revolution*. New York: Oxford University Press.

Encontro Brasileiro de Gays, Lésbicas e Transgêneros (EBGLT). 2003. *Relatório Final Narrativo das Atividades do XI Encontro Brasileiro de Gays, Lésbicas e Transgêneros*

(EBGLT). Manaus, AM, Brazil: XI Encontro Brasileiro de Gays, Lésbicas e Transgêneros (EBGLT).

Engelmann, Solange, and Aldo Duran Gil. 2012. "A questão agrária no Brasil: A política agrária do governo Lula e a relação com o MST." *Revista Eletrônica do CEMOP* (2): http://www.memoriaoperaria.org.br/revistaeletronica/solange_e_aldo_duran.pdf (accessed July 29, 2015).

Englehart, Neil. 2009. "State Capacity, State Failure, and Human Rights." *Journal of Peace Research* 46 (2): 163–80.

Escobar, Arturo, and Sonia Alvarez, eds. 1992. *The Making of Social Movements in Latin America: Identity, Strategy and Democracy*. Boulder, CO: Westview Press.

2007. "Evangélicos prometem protesto no Senado contra projeto gay." *Mix Brasil*, October 24, http://mixbrasil.uol.com.br/mp/upload/noticia/11_101_63806.shtml (accessed October 24, 2007).

Evans, Peter. 1995. *Embedded Autonomy: States and Industrial Transformation*. Princeton, NJ: Princeton University Press.

Facchini, Regina. 2003. "Movimento homossexual no Brasil: recompondo um histórico." *Cadernos AEL* 10 (18/19): 79–125.

———. 2005. *Sopa de Letrinhas? Movimento Homossexual e Produção de Identidades Coletivas nos Anos 90*. Rio de Janeiro, RJ: Garamond.

Facchini, Regina, and Isadora Lins França. 2009. "De cores e matizes: sujeitos, conexões e desfaios no Movimento LGBT brasileiro." *Sexualidad, Salud y Sociedad* (3): 54–81.

Facchini, Regina, Isadora Lins França, and Gustavo Venturi. 2007. *Sexualidade, cidadania e homofobia: pesquisa 10a. Parada do Orgulho GLBT de São Paulo - 2006*. São Paulo: APOGLBT.

Falcheti, Fabrício. 2016. "Bancada evangélica organiza passeata contra cena de sexo gay em "Liberdade"." *Na Telinha*, June 11, http://natelinha.uol.com.br/novelas/2016/07/11/bancada-evangelica-organiza-passeata-contra-cena-de-sexo-gay-em-liberdade-100467.php (accessed July 13, 2016).

Faoro, Raymundo. 2001. *Os Donos do Poder: Formação do Patronato Político Brasileiro*. 3rd. São Paulo, SP: Editora Globo.

Fenwick, Tracy Beck. 2009. "Avoiding Governors: The Success of Bolsa Família." *Latin American Research Review* 44 (1): 102–31.

Fernandes, Fátima, and Cláudia Rolli. 2005. "Publicidade ainda resiste à parada gay." *Folha de S. Paulo*, May 22, http://www1.folha.uol.com.br/fsp/dinheiro/fi2205200514.htm (accessed May 22, 2005).

Fernandes, Rubem César. 1994. *Privado Porém Público: O Terceiro Setor na América Latina*. Rio de Janeiro, RJ: Relume Dumará.

Fernandes, Sujatha. 2007. "Barrio Women and Popular Politics in Chávez's Venezuela." *Latin American Politics and Society* 49 (3): 97–127.

Fernández, Josefina. 2010. "Transvestism and Public Space: Transvestism and the Lesbian, Gay, Bisexual, Transvestite, and Transsexual Movement." In *The Politics of Sexuality in Latin*

America: A Reader on Lesbian, Gay, Bisexual and Transgender Rights, edited by Javier Corrales, and Mario Pecheny, 406–20. Pittsburgh, PA: University of Pittsburgh Press.

Fernando, Luis. 2002. "Edson Neris: dois anos de mobilização." *Mix Brasil*, August 27, http://mixbrasil.uol.com.br/mp/upload/noticia/6_77_48925.shtml (accessed November 27, 2006).

Ferraz, Octavio. 2009. "The Right to Health in the Courts of Brazil: Worsening Health Inequities?" *Health and Human Rights* 11 (2): 33–45.

———. 2011. "Harming the Poor Through Social Rights Litigation: Lessons from Brazil." *Texas Law Review* 89 (7): 1643–68.

Figari, Carlos. 2007. *@s Outr@s Cariocas: Interpelações, Experiências e Identidades Homoeróticas no Rio de Janeiro (Séculos XVII ao XX)*. Belo Horizonte/Rio de Janeiro: Ed. UFMG/IUPERJ.

Figari, Carlos, Daniel Jones, Micaela Libson, Hernán Manzelli, Flavio Rapisardi, and Horacio Sívori. 2005. *Sociabilidad, Política, Violencia y Derechos: La Marcha del Orgullo GLTTB de Buenos Aires 2004 - Primera Encuesta*. Buenos Aires: Antropofagia.

Figueiredo, Argelina Cheibub, and Fernando Limongi. 2001. *Executivo e Legislativo na nova ordem constitucional*. 2nd. Rio de Janeiro, RJ/São Paulo, SP: Editora FGV/FAPESP.

———. 2003. "Congress and Decision-Making in Democratic Brazil." In *Brazil since 1985: Economy, Polity and Society*, edited by Maria D'Alva G. Kinzo, and James Dunkerley, 62–83. London, UK: Institute of Latin American Studies.

Figueroa, Meleiza. 2015. "The Workers' Party's Contradictions and the Contours of Crisis in Brazil: A View of National Electoral Politics from Brazil's North and Northeast." *New Politics* 15 (2): 61–66.

Filho, Hélio. 2008. "Carrefuro." *Mix Brasil*, September 5, http://mixbrasil.uol.com.br/mp/upload/noticia/6_76_68767.shtml (accessed September 5, 2008).

Fingermann, Isadora. 2013. "The Challenges of Access to Justice and Enforcement of the Right to Counsel in Brazil." *Criminal Justice Matters* 92 (1): 94–95.

Follmann, José Ivo. 2000. "Progressive Catholicism and Left-Wing Politics in Brazil." In *The Church at the Grassroots in Latin America: Prespectives on Thirty Years of Activism*, edited by John Burdick, and W. E. Hewitt, 53–67. Westport, CT: Praeger.

Fonseca, Maria Goretti, Francisco Inácio Bastos, Monica Derrico, Carla L. Tavares de Andrade, Cláudia Travassos, and Celia Landmann Szwarcwald. 2000. "AIDS e grau de escolaridade no Brasil: evolução temporal de 1986 a 1996." *Cadernos de Saúde Pública* 16 (Sup. 1): 77–887.

Fontaine, Pierre-Michel. 1985. "Introduction." In *Race, Class and Power in Brazil*, edited by Pierre-Michel Fontaine, 1–10. Los Angeles, CA: University of California Press/Centre for Afro-American Studies.

Fórum Brasileiro de Segurança Pública. 2014. *Anuário Brasileiro de Segurança Pública*. São Paulo, SP: Fórum Brasileiro de Segurança Pública.

———. 2015. *Anuário Brasileiro de Segurança Pública 2015*. São Paulo, SP: Fórum Brasileiro de Segurança Pública.

Foweraker, Joe. 1995. *Theorizing Social Movements*. London, UK: Pluto Press.

Fox, Jonathan. 1994. "The Difficult Transition from Clientelism to Citizenship: Lessons from Mexico." *World Politics* 46 (2): 151–84.

França, Isadora Lins. 2006. "'Cada macaco no seu galho?' Poder, identidade e segmentação de mercado no movimento homossexual." *Revista Brasileira de Ciências Sociais* 21 (60): 103–15.

———. 2007. "Identidades coletivas, consumo e política: a aproximação entre mercado GLS e movimento GLBT em São Paulo." *Horizontes Antropológicos* (28): 289–311.

França, Marco, Rogerio Duenhas, and Flávio Gonçalves. 2014. "O acesso ao judiciário é para todos? Uma análise utilizando o índice de oportunidade no acesso para os estados brasileiros." *Economic Analysis of Law Review* 5 (2): 285–95.

Franceschet, Susan. 2003. ""State Feminism" and Women's Movements: The Impact of Chile's Servicio Nacional de la Mujer on Women's Activism." *Latin American Research Review* 38 (1): 9–40.

———. 2005. *Women and Politics in Chile*. Boulder, CO: Lynne Rienner.

Francisco, Luiz. 2004. ""Carregamos água em cesto furado", diz juiz." *Folha de S. Paulo*, June 14, http://www1.folha.uol.com.br/fsp/brasil/fc1406200403.htm (accessed June 14, 2004).

Fraser, Nancy. 1992. "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracies." In *Habermas and the Public Sphere*, edited by Craig Calhoun, 109–42. Cambridge, MA: MIT Press.

———. 1997. *Justice Interruptus: Critical reflections on the "Postsocialist" Condition*. New York, NY: Routledge.

———. 2003. "Rethinking Recognition: Overcoming Displacement and Reification in Cultural Politics." In *Recognition Struggles and Social Movements: Contested Identities, Agency and Power*, edited by Barbara Hobson, 21–32. New York, NY: Cambridge University Press.

Fraser, Nancy, and Axel Honneth. 2003. *Redistribution or Recognition? A Political-Philosophical Exchange*. New York, NY: Verso.

Freitas, Silvana de. 2004. "Congresso aprova reforma do Judiciário após 13 anos." *Folha de S. Paulo*, November 18, http://www1.folha.uol.com.br/fsp/brasil/fc1811200402.htm (accessed November 18, 2004).

Freston, Paul. 1994. *Evangélicos na Política Brasileira: História Ambígua e Desafio Ético*. Curitiba, PR: Encontrão Editora.

———. 2001. *Evangelicals and Politics in Asia, Africa and Latin America*. Cambridge: Cambridge University Press.

———. 2004. "Evangelical Protestantism and Democratization in Contemporary Latin America and Asia." *Democratization* 11 (4): 21–41.

Freyre, Gilberto. 1995. *Casa Grande e Senzala: formação da família brasileira sob o regime da economia patriarcal*. 30th. Rio de Janeiro, RJ: Editora Record.

Frieden, Jeffry A. 1991. *Debt, Development and Democracy: Modern Political Economy and Latin America, 1965-1985*. Princeton, NJ: Princeton University Press.

Friedman, Edward. 1999. "The Painful Gradualness of Democratization: Proceduralism as a Necessarily Discontinuous Revolution." In *Democracy and Its Limits: Lessons from Asia, Latin America, and the Middle East*, edited by Howard Handelman, and Mark Tessler, 321–40. Notre Dame, IN: University of Notre Dame Press.

Friedman, Elisabeth, and Kathryn Hochstetler. 2002. "Assessing the Third Transition in Latin American Democratization: Representational Regimes and Civil Society in Argentina and Brazil." *Comparative Politics* 35 (1): 21–42.

Friedman, Elizabeth Jay. 2009. "Gender, Sexuality and the Latin American Left: Testing the Transformation." *Third World Quarterly* 30 (2): 415–33.

Friedman, Elizabeth Jay, Kathryn Hochstetler, and Ann Marie Clark. 2001. "Sovereign Limits and Regional Opportunities for Global Civil Society in Latin America." *Latin American Research Review* 36 (3): 7–35.

Frühling, Hugo. 1998. "Judicial Reform and Democratization in Latin America." In *Fault Lines of Democracy in Post-Transition Latin America*, edited by Felipe Agüero, and Jeffrey Stark, 237–62. Coral Gables, FL: North-South Center Press.

Fry, Peter. 2000. "Politics, Nationality, and the Meanings of "Race" in Brazil." *Daedalus* 129 (2): 83–118.

Fry, Peter, Simone Monteiro, Marcos Chor Maio, Francisco Inácio Bastos, and Ricardo Ventura Santos. 2007. "AIDS tem cor ou raça? Interpretação de dados e formulação de políticas de saúde no Brasil." *Cadernos de Saúde Pública* 23 (3): 497–523.

Fuhrmann, Leonardo. 2005. "Condomínio é punido por reclamar de festas gays." *Consultor Jurídico*, September 12, http://conjur.estadao.com.br/static/text/37792,1 (accessed November 27, 2006).

Furtado, Celso. 1995. *Formação econômica brasileira*. 25th. São Paulo, SP: Editora Nacional.

Galdino, Maurilio. 2005. "The Return of Radicalism to the Countryside: The Landless Movement." In *Collective Action and Radicalism in Brazil: Women, Urban Housing, and Rural Movements*, edited by Michel Duquette, Maurilio Galdino, Charmain Levy, Bérengère Marques-Pereira, and Florence Raes, 130–55. Toronto, ON: University of Toronto Press.

Galvão, Andréia. 2014. "The Brazilian Labour Movement Under PT Governments." *Latin American Perspectives* 41 (5): 184–99.

Galvão, Jane. 1997. "As respostas das organizações não-governamentais brasileiras frente à epidemia de HIV/AIDS." In *Políticas, Instituições e AIDS: Enfrentando a Epidemia no Brasil*, edited by Richard Parker, 69–108. Rio de Janeiro, RJ: Jorge Zahar Editor/ABIA.

———. 2000. *AIDS no Brasil: A agenda de construção de uma epidemia*. São Paulo, SP/Rio de Janeiro, RJ: Editora 34/ABIA.

———. 2002. "Access to antiretroviral drugs in Brazil." *Lancet* 360 1862–65.

———. 2005. "Brazil and Access to HIV/AIDS Drugs: A Question of Human Rights and Public Health." *American Journal of Public Health* 95 (7): 1110–16.

Gamson, William. 1990. *The Strategy of Social Protest*. 2nd. Belmont, CA: Wadsworth.

Garfield, Seth. 2001. *Indigenous Struggle at the Heart of Brazil: State Policy, Frontier Expansion, and the Xavante Indians, 1937-1988*. Durham, NC: Duke University Press.

Gauri, Varun, and Daniel Brinks, eds. 2008a. *Courting Social Justice: Judicial Enforcement of Social and Economic Rights in the Developing World*. New York: Cambridge University Press.

———. 2008b. "Introduction: The Elements of Legalization and the Triangular Shape of Social and Economic Rights." In *Courting Social Justice: Judicial Enforcement of Social and Economic Rights in the Developing World*, edited by Varun Gauri, and Daniel Brinks, 1–37. New York: Cambridge University Press.

Gay, Robert. 1994. *Popular Organization and Democracy in Rio de Janeiro: A Tale of Two Favelas*. Philadelphia, PA: Temple University Press.

———. 2006. "The Even More Difficult Transition from Clientelism to Citizenship: Lessons from Brazil." In *Out of the Shadows: Political Action and the Informal Economy in Latin America*, edited by Patricia Fernández-Kelly, and Jon Shefner, 195–217. University Park, PA: Pennsylvania State University Press.

George, Alexander, and Andrew Bennett. 2004. *Case Studies and Theory Development in the Social Sciences*. Cambridge: MIT Press.

Giugni, Marco. 1999. "Introduction: How Social Movements Matter: Past Research, Present Problems, Future Developments." In *How Social Movements Matter*, edited by Marco Giugni, Doug McAdam, and Charles Tilly, xiii–xxxiii. Minneapolis, MN: University of Minnesota Press.

Global Rights: Partners for Justice. 2013. *Report on the Human Rights Situation of Afro-Brazilian Trans Women*. Washington, DC: Global Rights: Partners for Justice. http://www.africanafrican.com/folder12/african%20african%20american3/Adam%20Kok/Report_on_Situation_of_Afro-Bazilian_Trans_Women.pdf (accessed August 11, 2015).

Gloppen, Siri. 2006. "Courts and Social Transformation: An Analytical Framework." In *Courts and Social Transformation in New Demoracies: An Institutional Voice for the Poor?*, edited by Roberto Gargarella, Pilar Domingo, and Theunis Roux, 35–60. Aldershot: Ashgate.

Gohn, Maria da Glória. 2000. *Mídia, Terceiro Setor e MST: Impactos sobre o futuro das cidades e do campo*. Petrópolis, RJ: Editora Vozes.

Goldstone, Jack. 2003. "Introduction: Bridging Institutionalized and Noninstitutionalized Politics." In *States, Parties, and Social Movements*, edited by Jack Goldstone, 1–24. New York, NY: Cambridge University Press.

Golin, Célio, Fernando Altair Pocahy, and Roger Raupp Rios, eds. 2003. *A Justiça e os Direitos de Gays e Lésbicas: Jurisprudência Comentada*. Porto Alegre, RS: Editora Sulina.

Gomes, Wagner. 2008. "É crime - Caso de homofobia gera multa de R$ 15 mil no interior de SP." *O Globo Online*, February 20,

http://oglobo.globo.com/sp/mat/2008/02/20/caso_de_homofobia_gera_multa_de_15_mil_no_interior_de_sp-425744615.asp (accessed February 21, 2008).

2006. "Governo destina R$1 milhão a Paradas gays." *O Globo*, February 19, 16.

Graham, Richard. 1990. *Patronage and Politics in Nineteenth-Century Brazil*. Stanford, CA: Stanford University Press.

Green, Duncan. 2003. *Silent Revolution: The Rise and Crisis of Market Economics in Latin America*. 2nd. New York, NY/London, UK: Monthly Review Press/Latin America Bureau.

Green, James N. 1994. "The Emergence of the Brazilian Gay Liberation Movement, 1977-1981." *Latin American Perspectives* 21 (1): 38–55.

———. 1999a. "'More Love and More Desire': The Building of a Brazilian Movement." In *The Global Emergence of Gay and Lesbian Politics: National Imprints of a Worldwide Movement*, edited by Barry Adam, Jan Duyvendak, and André Krouwel, 91–109. Philadelphia: Temple University Press.

———. 1999b. *Beyond Carnival: Male Homosexuality in Twentieth-Century Brazil*. Chicago, IL: The University of Chicago Press.

———. 2000. "Desire and Militancy: Lesbians, Gays, and the Brazilian Workers' Party." In *Different Rainbow: Same-Sex Sexuality and Popular Struggle in the Third World*, edited by Peter Drucker, 57–70. London: Gay Men's Press.

Green, James N., and Florence Babb. 2002. "Introduction." *Latin American Perspectives* 29 (2): 3–23.

Greenhalgh, Laura, João Luiz Vieira, and Lívia Nunes. 2001. "Os punhos da Justiça." *Época*, February 19, 82-88.

Grueso, Libia, Carlos Rosero, and Arturo Escobar. 1998. "The Process of Black Community Organizing in the Southern Pacific Coast Region of Colombia." In *Cultures of Politics/Politics of Cultures: Re-Visioning Latin American Social Movements*, edited by Sonia Alvarez, Evelina Dagnino, and Arturo Escobar, 196–219. Boulder, CO: Westview Press.

Grupo Gay da Bahia. 1983a. "Boletim do Grupo Gay da Bahia no. 3." April.

———. 1983b. "Boletim do Grupo Gay da Bahia no. 6." March.

———. 1984. "Boletim do Grupo Gay da Bahia no. 8." January.

———. 1985. "Boletim do Grupo Gay da Bahia no. 11." June.

———. 1986. "Boletim do Grupo Gay da Bahia no. 12." March.

———. 1987. "Boletim do Grupo Gay da Bahia no. 14." April.

———. 1989a. "Boletim do Grupo Gay da Bahia no. 18." February.

———. 1989b. "Boletim do Grupo Gay da Bahia no. 19." June.

———. 1990a. "Boletim do Grupo Gay da Bahia no. 21." December.

———. 1990b. *Textos do Grupo Gay da Bahia*. Salvador, BA: Editora Grupo Gay da Bahia.

———. 1992a. "Boletim do Grupo Gay da Bahia no. 24." May.

———. 1992b. "Boletim do Grupo Gay da Bahia no. 25." November.

———. 1993a. "Boletim do Grupo Gay da Bahia no. 26." March.

———. 1993b. "Boletim do Grupo Gay da Bahia no. 27." August.

———. 2003. "What is the GGB?" Grupo Gay da Bahia. www.ggb.org.br/ggb-ingles.html (accessed June 15, 2006).

———. n/a. "Assassinato de homossexuais no Brasil: 2010." Grupo Gay da Bahia. http://www.ggb.org.br/imagens/Tabela%20geral%20Assassintos%20de%20Homossexual%20Brasil%202010.pdf (accessed July 29, 2011).

———. n/a. "Estatísticas do ódio: GGB divulga relatório de homossexuais mortos no Brasil em 2011." Grupo Gay da Bahia. http://www.ggb.org.br (accessed June 20, 2012).

———. n/a. "Homossexuais GLBT assassinados no Brasil: 2008." Grupo Gay da Bahia. http://www.ggb.org.br/imagens/Tabelas_COMPLETAS_2008_-_assassinatos.pdf (accessed July 29, 2011).

———. n/a. "Homossexuais GLBT assassinados no Brasil: 2009." Grupo Gay da Bahia. http://www.ggb.org.br/imagens/TABELA_GERAL_2009_assassinatos_de_homossexuais.pdf (accessed July 29, 2011).

———. n/a. "Relatório anual 2005: Assassinato de homossexuais no Brasil." Grupo Gay da Bahia. http://www.ggb.org.br/assassinatos2005c.html (accessed July 29, 2011).

Grynszpan, Mario. 1999. "Acesso e recurso à justiça no Brasil: algumas questões." In *Cidadania, Justiça e Violência*, edited by Dulce Chaves Pandolfi, José Murilo de Carvalho, Leandro Piquet Carneiro, and Mario Grynszpan, 99–113. Rio de Janeiro, RJ: Editora Fundação Getúlio Vargas.

Guerreiro, Gabriela, and Renata Giraldi. 2008. "Evangélicos invadem Congresso contra projeto que criminaliza homofobia." *Folha Online*, June 25, http://www1.folha.uol.com.br/folha/cotidiano/ult95u416125.shtml (accessed June 25, 2008).

Haber, Paul. 2006. *Power From Experience: Urban Popular Movements in Late Twentieth-Century Mexico*. University Park, PA: Penn State University Press.

Habermas, Jürgen. 1987. *The Theory of Communicative Action: Vol. 2: Lifeworld and System: A Critique of Functionalist Reason*. Boston, MA: Beacon Press.

Hagopian, Frances. 1996. *Traditional Politics and Regime Change in Brazil*. New York, NY: Cambridge University Press.

Hahner, June. 1990. *Emancipating the Female Sex: The Struggle for Women's Rights in Brazil, 1850-1940*. Durham, NC: Duke University Press.

Hale, Charles. 2002. "Does Multiculturalism Menace? Governance, Culture Rights and the Politics of Identity in Guatemala." *Journal of Latin American Studies* 34 485–524.

Hall, Anthony. 2008. "Brazil's Bolsa Família: A Double-Edged Sword?" *Development and Change* 39 (5): 799–822.

Hanchard, Michael George. 1994. *Orpheus and Power: The Movimento Negro Unificado of Rio de Janeiro and São Paulo, Brazil, 1945-1988*. Princeton, NJ: Princeton University Press.

Handlin, Samuel, and Diana Kapiszewski. 2009. "Three Forms of Scaling: Embeddedness, Nodal NGOs, and Flexible Fronts." In *Reorganizing Popular Politics: Participation and the New Interest Regime in Latin America*, edited by Ruth Berins Collier, and Samuel Handlin, 230–59. University Park, PA: Pennsylvania State University Press.

Hasenbalg, Carlos. 1985. "Race and Socioeconomic Inequalities in Brazil." In *Race, Class and Power in Brazil*, edited by Pierre-Michel Fontaine, 25–41. Los Angeles, CA: University of California Press/Centre for Afro-American Studies.

Held, David. 1987. *Models of Democracy*. Stanford, CA: Stanford University Press.

Hellman, Judith. 1992. "The Study of New Social Movements in Latin America and the Question of Autonomy." In *The Making of Social Movements in Latin America: Identity, Strategy and Democracy*, edited by Arturo Escobar, and Sonia Alvarez, 52–61. Boulder, CO: Westview Press.

Helmke, Gretchen, and Steven Levitsky. 2006. "Introduction." In *Informal Institutions and Democracy: Lessons from Latin America*, edited by Gretchen Helmke, and Steven Levitsky, 1–30. Baltimore, MD: Johns Hopkins University Press.

Heredia, Blanca. 1994. "Making Economic Reform Politically Viable: The Mexican Experience." In *Democracy, Markets, and Structural Reform in Latin America*, edited by William Smith, Carlos Acuña, and Eduardo Gamarra, Coral Gables, FL: North-South Center Press.

Heringer, Rosana. 2001. "Mapeamento de Ações e Discursos de Combate às Desigualdades Raciais no Brasil." *Estudos Afro-Asiáticos* 23 (2): 291–334.

———. 2006. "Políticas de Promoção da Igualdade Racial no Brasil: Um Balanço do Período 2001-2004." In *Ação Afirmativa e Universidade: Experiências Nacionais Comparadas*, edited by João Feres Júnior, and Jonas Zoninsein, 79–109. Brasília, DF: Editora Universidade de Brasília.

———. 2014. "Um balanço de 10 anos de políticas de ação afirmativa no Brasil." *Revista Tomo* (24): 17–35.

Herman, Didi. 1997. *The Antigay Agenda: Orthodox Vision and the Christian Right*. Chicago, IL: The University of Chicago Press.

Hewitt, W. E. 1991. *Base Christian Communities and Social Change in Brazil*. Lincoln, NE: University of Nebraska Press.

Higgs, David. 2003. "Tales of Two Carmelites: Inquisitorial Narratives from Portugal and Brazil." In *Infamous Desire: Male Homosexuality in Colonial Latin America*, edited by Pete Sigal, 152–67. Chicago, IL: University of Chicago Press.

Hilgers, Tina, ed. 2012. *Clientelism in Everyday Latin American Politics*. New York: Palgrave Macmillan.

Hipsher, Patricia. 1996. "Democratization and the Decline of Urban Social Movements in Chile and Spain." *Comparative Politics* 28 (3): 273–97.

———. 1998. "Democratic Transitions and Social Movement Outcomes: The Chilean Shantytown Dwellers' Movement in Comparative Perspective." In *From Contention to Democracy*, edited by Marco Giugni, Doug McAdam, and Charles Tilly, 149–68. Lanham, MD: Rowman & Littlefield.

Hochstetler, Kathryn. 2008. "Organized Civil Society in Lula's Brazil." In *Democratic Brazil Revisited*, edited by Peter Kingstone, and Timothy Power, 33–53. Pittsburgh, PA: University of Pittsburgh Press.

Hochstetler, Kathryn, and Elisabeth Jay Friedman. 2008. "Can Civil Society Organizations Solve the Crisis of Partisan Representation in Latin America?" *Latin American Politics and Society* 50 (2): 1–32.

Hoffmann, Florian, and Fernando Bentes. 2008. "Accountability for Social and Economic Rights in Brazil." In *Courting Social Justice: Judicial Enforcement of Social and Economic Rights in the Developing World*, edited by Varun Gauri, and Daniel Brinks, 100–45. New York: Cambridge University Press.

Hoffmann, Rodolfo. 2001. "Income Distribution in Brazil and the Regional and Sectoral Contrasts." In *Structure and Structural Change in the Brazilian Economy*, edited by Joaquim Guilhoto, and Geoffrey Hewings, 85–106. Aldershot: Ashgate Publishing.

Holston, James, and Teresa Caldeira. 1998. "Democracy, Law and Violence: Disjunctions of Brazilian Citizenship." In *Fault Lines of Democracy in Post-Transition Latin America*, edited by Felipe Agüero, and Jeffrey Stark, 263–96. Miami, FL: North-South Center Press.

2006. "Homem que matou travesti condenado a 17 anos e 6 meses." *Mix Brasil*, September 28, http://mixbrasil.uol.com.br/mp/upload/noticia/11_101_52771.shtml (accessed September 28, 2006).

Houtzager, Peter P. 2001. "Collective Action and Political Authority: Rural Workers, Church, and State in Brazil." *Theory and Society* 30 (1): 1–45.

Houtzager, Peter P., and Marcus J. Kurtz. 2000. "The Institutional Roots of Popular Mobilization: State Transformation and Rural Politics in Brazil and Chile, 1960-1995." *Comparative Studies in Society and History* 42 (2): 394–442.

Howe, Cymene. 2013. *Intimate Activism: The Struggle for Sexual Rights in Postrevolutionary Nicaragua*. Durham, NC: Duke University Press.

Howes, Robert. 2003. "João Antônio Mascarenhas (1927-1998): Pioneiro do ativismo homossexual no Brasil." *Cadernos AEL* 10 (18/19): 287–311.

Htun, Mala. 2002. "Puzzles of Women's Rights in Brazil." *Social Research* 69 (3): 733–51.

———. 2003a. *Sex and the State: Abortion, Divorce, and the Family Under Latin American Dictatorships and Democracies*. New York, NY: Cambridge University Press.

———. 2003b. "Women and Democracy." In *Constructing Democratic Governance in Latin America*, edited by Jorge Dominguez, and Michael Shifter, 118–36. Baltimore, MD: Johns Hopkins University Press.

———. 2004. "From "Racial Democracy" to Affirmative Action: Changing State Policy on Race in Brazil." *Latin American Research Review* 39 (1): 60–89.

———. 2016. *Inclusion Without Representation in Latin America: Gender Quotas and Ethnic Reservations*. New York: Cambridge University Press.

Htun, Mala, and Mark Jones. 2002. "Engendering the Right to Participate in Decision-making: Electoral Quotas and Women's Leadership in Latin America." In *Gender and the Politics of Rights and Democracy in Latin America*, edited by Nikki Craske, and Maxine Molyneux, 32–56. Basingstoke, UK: Palgrave.

Htun, Mala, and Timothy Power. 2006. "Gender, Parties and Support for Equal Rights in the Brazilian Congress." *Latin American Politics and Society* 48 (4): 83–104.

Hudson, Barbara. 2014. "Regulating Democracy: Justice, Citizenship and Inequality in Brazil." In *Regulation and Criminal Justice: Innovations in Policy and Research*, 283–305. New York: Cambridge University Press.

Hunter, Wendy. 2007. "The Normalization of an Anomaly: The Worker's Party in Brazil." *World Politics* 59 440–75.

———. 2008. "The Partido dos Trabalhadores: Still a Party of the Left?" In *Democratic Brazil Revisited*, edited by Peter Kingstone, and Timothy Power, 15–32. Pittsburgh, PA: University of Pittsburgh Press.

———. 2010. *The Transformation of the Workers' Party in Brazil, 1989-2009*. New York: Cambridge University Press.

Hunter, Wendy, and Timothy Power. 2007. "Rewarding Lula: Executive Power, Social Policy, and the Brazilian Elections of 2006." *Latin American Politics and Society* 49 (1): 1–30.

Hunter, Wendy, and Natasha Sugiyama. 2009. "Democracy and Social Policy in Brazil: Advancing Basic Needs, Preserving Privileged Interests." *Latin American Politics and Society* 51 (2): 29–58.

Hunter, Wendy, and Natasha Borges Sugiyama. 2014. "Transforming Subjects into Citizens: Insights from Brazil's Bolsa Família." *Perspectives on Politics* 12 (4): 829–45.

IBGE (Instituto Brasileiro de Geografia e Estatística). 2008. *Síntese de Indicadores Sociais: Uma Análise das Condições de Vida da População Brasileira - 2008*. Rio de Janeiro: IBGE.

———. 2011. "IBGE - Cities@." http://www.ibge.gov.br/cidadesat/topwindow.htm?1 (accessed August 25, 2011).

———. 2014. *Estatísticas do Registro Civil — Volume 41*. Rio de Janeiro, RJ: IBGE.

INESC (Instituto de Estudos Socioeconômicos). 2006. *Direitos Humanos no Brasil: mais intenção que ação*. Brasília, DF: INESC. http://www.inesc.org.br/biblioteca/publicacoes/outras-publicacoes/ARTIGO%20DIREITOS%20HUMANOS.pdf (accessed September 10, 2010).

Instituto Cidadania. 2002. *Projeto Segurança Pública para o Brasil*. São Paulo, SP: Instituto Cidadania.

IPEA (Instituto de Pesquisa Econômica Aplicada). 2010. "PNAD 2009 - Primeiras análises: Situação da educação brasileira - Avanços e problemas." *Comunicados do IPEA* (66): http://www.ipea.gov.br/portal/images/stories/PDFs/comunicado/101118_comunicadoipea 66.pdf (accessed July 28, 2015).

———. 2013. *Políticas Sociais: Acompanhamento e Análise 21*. Brasília, DF: IPEA.

———. 2014. *Políticas Sociais: Acompanhamento e Análise 22*. Brasília, DF: IPEA.

———. 2015. *Políticas Sociais: Acompanhamento e Análise 23*. Brasília, DF: IPEA.

IPEA (Instituto de Pesquisa Econômica Aplicada), and SEPPIR (Secretaria de Políticas de Promoção da Igualdade Racial). 2014. *Situação da População Negra por Estado*. Brasília, DF: IPEA.

Itaborahy, Lucas Paoli. 2014. *Pessoas LGBT vivendo em pobreza no Rio de Janeiro*. London, UK: Micro Rainbow International.

Jaccoud, Luciana de Barros. 2008. "O combate ao racismo e à desigualdade: O desafio das políticas públicas de promoção da igualdade racial." In *As políticas públicas e a desigualdade racial no Brasil: 120 anos após a abolição*, edited by Mário Theodoro, 131–66. Brasília, DF: IPEA.

Jaccoud, Luciana de Barros, and Nathalie Beghin. 2002. *Desigualdades raciais no Brasil: um balanço da intervenção governamental*. Brasília, DF: IPEA.

Jade, Líria. 2014. "Homofobia gera um assassinato a cada 28 horas no Brasil." *Empresa Brasileira de Comunicação*, May 16, http://www.ebc.com.br/cidadania/2014/05/homofobia-gera-um-assassinato-a-cada-28-horas-no-brasil (accessed August 26, 2015).

Jaques-Jesus. 2003. *Violência e Assassinato de Homossexuais e Transgêneros no Distrito Federal e Entorno*. Brasília, DF: ACOS - Ações Cidadãs em Orientação Sexual.

Jaquette, Jane, ed. 1994. *The Women's Movement in Latin America: Participation and Democracy*. 2nd ed. Boulder, CO: Westview Press.

Jaquette, Jane, ed. 2009a. *Feminist Agendas and Democracy in Latin America*. Durham, NC: Duke University Press.

———. 2009b. "Introduction." In *Feminist Agendas and Democracy in Latin America*, edited by Jane Jaquette, 1–18. Durham, NC: Duke University Press.

Jardon, Carolina. 2007. "Assassinato do índio Galdino completa 10 anos." *G1*, April 19, http://g1.globo.com/Noticias/Brasil/0,MUL23764-5598,00.html (accessed May 7, 2008).

Jelin, Elizabeth. 1998. "Toward a Culture of Participation and Citizenship: Challenges for a More Equitable World." In *Cultures of Politics/Politics of Cultures: Re-Visioning Latin American Social Movements*, edited by Sonia Alvarez, Evelina Dagnino, and Arturo Escobar, 405–14. Boulder, CO: Westview Press.

———. 2004. "Ciudadanía, Derechos e Identidad." *Latin American Research Review* 39 (1): 197–201.

Jenkins, J. Craig, and Bert Klandermans. 1995. "The Politics of Social Protest." In *The Politics of Social Protest: Comparative Prespectives on States and Social Movements*, edited by J. Craig Jenkins, and Bert Klandermans, 3–13. Minneapolis, MN: University of Minnesota Press.

Johnston, Hank, and Paul Almeida, eds. 2006. *Latin American Social Movements: Globalization, Democratization, and Transnational Networks*. Lanham, MD: Rowman and Littlefield.

Johnston, Hank, and Bert Klandermans. 1995. "The Cultural Analysis of Social Movements." In *Social Movements and Culture*, edited by Hank Johnston, and Bert Klandermans, 3–24. Minneapolis, MN: University of Minnesota Press.

Johnston, Hank, Enrique Laraña, and Joseph Gusfield. 1994. "Identities, Grievances, and New Social Movements." In *New Social Movements: From Ideology to Identity*, edited by Enrique Laraña, Hank Johnston, and Joseph Gusfield, 3–35. Philadelphia, PA: Temple University Press.

Jones, Daniel, Micaela Libson, and Renata Hiller. 2006. *Sexualidades, política y violencia: La Marcha del Orgullo GLTTBI Buenos Aires 2005: Segunda encuesta*. Buenos Aires: Antropofagia.

Jozino, Josmar. 2011. "Júri absolve PM acusado de matar 13 gays em parque." *Agora São Paulo*, August 26, http://www.agora.uol.com.br/saopaulo/ult10103u965567.shtml (accessed September 5, 2011).

Jung, Courtney. 2008. *The Moral Force of Indigenous Politics: Critical Liberalism and the Zapatistas*. New York, NY: Cambridge University Press.

Junqueira, Rogério. 2009a. "'Aqui não temos gays nem lésbicas': Estratégias discursivas de agentes públicos ante medidas de promoção do reconhecimento da diversidade sexual nas escolas." *Bagoas* 3 (4): 171–89.

Junqueira, Rogério Diniz, ed. 2009b. *Diversidade Sexual na Educação: problematizações sobre a homofobia nas escolas*. Brasília, DF: Ministério da Educação, Secretaria de Educação Continuada, Alfabetização e Diversidade/UNESCO.

2009. "Justiceira - Defensoria paulista condena Estado a indenizar homossexual agredido na Praça da República." *Mix Brasil*, April 14, http://mixbrasil.uol.com.br/mp/upload/noticia/6_76_72196.shtml (accessed April 14, 2009).

Karl, Terry Lynn. 1990. "Dilemmas of Democratization in Latin America." *Comparative Politics* 23 1–21.

———. 2003. "The Vicious Cycle of Inequality in Latin America." In *What Justice? Whose Justice? Fighting for Fairness in Latin America*, edited by Susan Eckstein, and Timothy Wickham-Crowley, 133–57. Berkeley, CA: University of California Press.

———. 2004. "Latin America: Virtuous or Perverse Cycle." In *The Quality of Democracy: Theory and Applications*, edited by Guillermo O'Donnell, Jorge Vargas Cullell, and Osvaldo M. Iazzetta, 187–95. Notre Dame, IN: University of Notre Dame Press.

Keck, Margaret. 1989. "The New Unionism in the Brazilian Transition." In *Democratizing Brazil: Problems of Transition and Consolidation*, edited by Alfred Stepan, 252–96. New York, NY: Oxford University Press.

———. 1992. *The Worker's Party and Democratization in Brazil*. New Haven: Yale University Press.

Keck, Margaret, and Kathryn Sikkink. 1998. *Activists Beyond Borders: Advocacy Networks in International Politics*. Ithaca, NY: Cornell University Press.

Klein, Charles. 1998. "From One 'Battle' to Another: The Making of a *Travesti* Political Movement in a Brazilian City." *Sexualities* 1 (3): 327–42.

Kohli, Atul. 2004. *State-Directed Development: Political Power and Industrialization in the Global Periphery*. New York, NY: Cambridge University Press.

Kottak, Conrad. 1991. "Television's Impact on Values and Local Life in Brazil." *Journal of Communication* 41 (1): 70–87.

Kriesi, Hanspeter. 1995. "The Political Opportunity Structure of New Social Movements: Its Impact on Their Mobilization." In *The Politics of Social Protest: Comparative Perspectives on States and Social Movements*, edited by J. Craig Jenkins, and Bert Klandermans, 167–98. Minneapolis, MN: University of Minnesota Press.

Kulick, Don. 1998. *Travesti: Sex, Gender and Culture Among Brazilian Transgendered Prostitutes*. Chicago, IL: University of Chicago Press.

Kulick, Don, and Charles Klein. 2003. "Scandalous Acts: The Politics of Shame among Brazilian Travesti Prostitutes." In *Recognition Struggles and Social Movements: Contested Identities, Agency and Power*, edited by Barbara Hobson, 215–38. New York, NY: Cambridge University Press.

La Pastina, Antonio. 2002. "The Sexual Other in Brazilian Television: Public and Institutional Reception of Sexual Difference." *International Journal of Cultural Studies* 5 (1): 83–99.

Lamounier, Bolívar, and Rachel Meneguello. 1986. *Partidos Políticos e Consolidação Democrática: O Caso Brasileiro*. São Paulo, SP: Editora Brasiliense.

Landim, Leilah. 1987. "Non Governmental Organizations in Latin America." *World Development* 15 (Supplement 1): 29–38.

Lartey, Jamiles. 2015. "By the numbers: US police kill more in days than other countries do in years." *The Guardian*, June 9, https://www.theguardian.com/us-news/2015/jun/09/the-counted-police-killings-us-vs-other-countries (accessed October 26, 2016).

Larvie, Sean Patrick. 1999. "Queerness and the Spectre of Brazilian National Ruin." *GLQ* 5 (4): 527–58.

Laurindo-Teodorescu, Lindinalva, and Paulo Roberto Teixeira. 2015. *Histórias da AIDS no Brasil, v. 1: as respostas governamentais à epidemia de AIDS*. Brasília, DF: Ministério da Saúde.

Lavinas, Lena, Barbara Cobo, and Alinne Veiga. 2012. "Bolsa Família: impacto das transferências de renda sobre a autonomia das mulheres pobres e as relações de gênero." *Revista Latinoamericana de Población* 6 (10): 31–56.

Leahy, Joe. 2015. "Brazil: Engine Trouble." *FT.com*, August 2, http://on.ft.com/1OIs96j (accessed August 10, 2015).

Lebon, Nathalie. 2007. "Beyond Confronting the Myth of Racial Democracy: The Role of Afro-Brazilian Women Scholars and Activists." *Latin American Perspectives* 34 (6): 52–76.

Lee Van Cott, Donna. 2000. *The Friendly Liquidation of the Past: The Politics of Diversity in Latin America*. Pittsburgh, PA: University of Pittsburgh Press.

2007. "Lei-anti-homofobia: votação adiada para próxima semana." *Mix Brasil*, October 24, http://mixbrasil.uol.com.br/mp/upload/noticia/11_101_63809.shtml (accessed October 24, 2007).

Leivas, Paulo Gilberto Cogo. 2002. "Os direitos dos homossexuais a tratamento isonômico perante a Previdência Social: o caso Ministério Público Federal x Instituto Nacional do Seguro Social." In *Homossexualidade, Cultura e Política*, edited by Célio Golin, and Luis Gustavo Weiler, 49–70. Porto Alegre, RS: Editora Sulina.

———. 2003. "Os homossexuais diante da Justiça: relato de uma ação civil pública." In *A Justiça e os Direitos de Gays e Lésbicas: Jurisprudência Comentada*, edited by Célio Golin, Fernando Altair Pocahy, and Roger Raupp Rios, 111–15. Porto Alegre, RS: Editora Sulina.

Lenardão, Elsio. 2008. "A relação entre 'modernização' neoliberal e práticas políticas 'atrasadas' no Brasil dos anos 1990." *Revista de Sociologia e Política* 16 (31): 197–214.

Levine, Daniel H., and Scott Mainwaring. 2001. "Religion and Popular Protest in Latin America: Contrasting Experiences." In *Power and Popular Protest: Latin American Social Movements*, edited by Susan Eckstein, 203–40. Berkeley, CA: University of California Press.

Levine, Robert M. 1992. *Vale of Tears: Revisiting the Canudos Massacre in Northeastern Brazil, 1893-1897*. Berkeley, CA: University of California Press.

———. 1998. *Father of the Poor? Vargas and his Era*. New York, NY: Cambridge University Press.

Levitsky, Steven, and M. Victoria Murillo. 2009. "Variation in Institutional Strength." *Annual Review of Political Science* 12 115–33.

Lewis, Oscar. 1966. *La Vida*. New York, NY: Random House.

Lichterman, Paul. 2002. "Seeing Structure Happen: Theory-Driven Participant Observation." In *Methods of Social Movement Research*, edited by Bert Klandermans, and Suzanne Staggenborg, 118–45. Minneapolis, MN: University of Minnesota Press.

2000. "Lideranças gays de São Paulo recebem com reserva novo vice petista." *Folha de S. Paulo*, June 20.

Lind, Amy Conger. 1997. "Out of the Closet and Into *La Calle*." *NACLA - Report on the Americas* 30 (5): 6–9.

Lindgren Alves, José Augusto. 1994. *Os Direitos Humanos como Tema Global*. Brasília, DF/São Paulo, SP: Fundação Alexandre de Gusmão/Editora Perspectiva.

———. 1997. *A Arquitetura Internacional dos Direitos Humanos*. São Paulo, SP: Editora FTD.

Linz, Juan, and Alfred Stepan. 1996. *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*. Baltimore, MD: Johns Hopkins University Press.

Lionço, Tatiana, and Débora Diniz, eds. 2009. *Homofobia e educação: um desafio ao silêncio*. Brasília, DF: Letras Livres/Editora UnB.

Llistó, Paco. 2005. "Contra o preconceito." *Mix Brasil*, December 13, http://mixbrasil.uol.com.br/pride/pride2005/centro_referencia/centro_referencia.shtm (accessed December 14, 2005).

———. 2006a. ""Casamento gay é uma bobagem"." *Mix Brasil*, October 2, http://mixbrasil.uol.com.br/mp/upload/noticia/4_62_52908.shtml (accessed October 2, 2006).

———. 2006b. "Clodovil Hernandez." *Mix Brasil*, October 02, http://mixbrasil.uol.com.br/mp/upload/noticia/4_62_52892.shtml (accessed October 02, 2006).

———. 2006c. "Rodrigo Maia, líder do PFL na Câmara, fala sobre acordo que permitiu votação do PL de Iara Bernardi." *Mix Brasil*, November 27, http://mixbrasil.uol.com.br/mp/upload/noticia/4_62_54997.shtml (accessed November 27, 2006).

———. 2006d. "Toni Reis, novo presidente da ABGLT, comenta aprovação do PL que criminaliza a homofobia." *Mix Brasil*, November 28, http://mixbrasil.uol.com.br/mp/upload/noticia/4_62_55065.shtml (accessed November 29, 2006).

Long, Scott. 1999. "Gay and Lesbian Movements in Eastern Europe: Romania, Hungary, and the Czech Republic." In *The Global Emergence of Gay and Lesbian Politics: National Imprints of a Worldwide Movement*, edited by Barry Adam, Jan Duyvendak, and André Krouwel, 242–65. Philadelphia, PA: Temple University Press.

Lopes, José Reinaldo de Lima. 2006. "Brazilian Courts and Social Rights: A Case Study Revisited." In *Courts and Social Transformation in New Democracies: An Institutional Voice for the Poor?*, edited by Roberto Gargarella, Pilar Domingo, and Theunis Roux, 185–212. Aldershot, UK: Ashgate.

Lovell, Peggy. 2000. "Gender, Race, and the Struggle for Social Justice in Brazil." *Latin American Perspectives* 27 (6): 85–103.

———. 2006. "Race, Gender, and Work in São Paulo, Brazil, 1960-2000." *Latin American Research Review* 41 (3): 63–87.

Lovell, Peggy, and Charles Wood. 1992. "Racial Inequality and Child Mortality in Brazil." *Social Forces* 70 (3): 703–24.

Luders, Joseph. 2010. *The Civil Rights Movement and the Logic of Social Change*. New York: Cambridge University Press.

Lumsden, Ian. 1991. *Homosexuality, Society and the State in Mexico*. Toronto, ON/Mexico City: Canadian Gay Archives/Solediciones/Colectivo Sol.

———. 1996. *Machos, Maricones and Gays: Cuba and Homosexuality*. Philadelphia, PA: Temple University Press.

Luna, Francisco Vidal, and Herbert Klein. 2006. *Brazil Since 1980*. New York, NY: Cambridge University Press.

Macaulay, Fiona. 2002. "Taking the Law into Their Own Hands: Women, Legal Reform and Legal Literacy in Brazil." In *Gender and the Politics of Rights and Democracy in Latin*

America, edited by Nikki Craske, and Maxine Molyneux, 79–101. Basingstoke, UK: Palgrave.

———. 2003. "Democratisation and the Judiciary: Competing Reform Agendas." In *Brazil since 1985: Economy, Polity and Society*, edited by Maria D'Alva G. Kinzo, and James Dunkerley, 84–104. London, UK: Institute of Latin American Studies.

———. 2005. "Private Conflicts, Public Powers: Domestic Violence in the Courts in Latin America." In *The Judicialization of Politics in Latin America*, edited by Rachel Sieder, Line Schjolden, and Alan Angell, 211–30. New York, NY: Palgrave Macmillan.

———. 2006a. *Gender Politics in Brazil and Chile: The Role of Parties in National and Local Policymaking*. Basingstoke, UK: Palgrave Macmillan.

———. 2006b. "Judicialising and (de)Criminalising Domestic Violence in Latin America." *Social Policy and Society* 5 (1): 103–14.

———. 2012. "Deepening the Federative Pact? The Dilma Government's Approach to Crime, Justice and Policing." *Critical Sociology* 38 (6): 823–34.

Macdonald, Laura. 1995. "A Mixed Blessing: The NGO Boom in Latin America." *NACLA - Report on the Americas* 28 (5): 30–35.

Macedo, Ana Paula. 1998. "Presidente do Supremo defende a união civil de homossexuais." *O Globo*, December 05.

Machado, Maria das Dores Campos. 2012. "Aborto e ativismo religioso nas eleições de 2010." *Revista Brasileira de Ciências Política* 7 25–54.

Machado, Uirá. 2004. "Mudanças são avanço tímido, diz presidente do STJ." *Folha de S. Paulo*, November 18, http://www1.folha.uol.com.br/fsp/brasil/fc1811200404.htm (accessed November 18, 2004).

MacRae, Edward. 1990. *A Construção da Igualdade: identidade sexual e política no Brasil da "abertura"*. Campinas, SP: Editora da UNICAMP.

———. 1992. "Homosexual Identities in Transitional Brazilian Politics." In *The Making of Social Movements in Latin America: Identity, Strategy and Democracy*, edited by Arturo Escobar, and Sonia Alvarez, 185–203. Boulder, CO: Westview Press.

Madeiro, Carlos. 2015. "Novo modelo freia reforma agrária e aumenta fila de sem-terra no país." *UOL Notícias*, April 15, http://noticias.uol.com.br/cotidiano/ultimas-noticias/2015/04/15/novo-modelo-freia-reforma-agraria-e-aumenta-fila-de-sem-terra-no-pais.htm (accessed July 31, 2015).

Mainwaring, Scott. 1995. "Brazil: Weak Parties, Feckless Democracy." In *Building Democratic Institutions: Party Systems in Latin America*, edited by Scott Mainwaring, and Timothy Scully, 354–98. Stanford, CA: Stanford University Press.

———. 1997. "Multipartism, Robust Federalism and Presidentialism in Brazil." In *Presidentialism and Democracy in Latin America*, edited by Scott Mainwaring, and Matthew Soberg Shugart, 55–109. New York, NY: Cambridge University Press.

———. 1999. *Rethinking Party Systems in the Third Wave of Democratization: The Case of Brazil*. Stanford, CA: Stanford University Press.

Mainwaring, Scott, and Eduardo Viola. 1984. "New Social Movements, Political Culture, and Democracy: Brazil and Argentina in the 1980s." *Telos* 61 17–52.

Malloy, James M. 1977. "Authoritarianism and Corporatism in Latin America: The Modal Pattern." In *Authoritarianism and Corporatism in Latin America*, edited by James M. Malloy, 3–19. Pittsburgh, PA: University of Pittsburgh Press.

Malta, Monica, Francisco Bastos, Cosme da Silva, Gerson Pereira, Francisca Lucena, Maria Fonseca, and Steffanie Strathdee. 2009. "Differential Survival Benefit of Universal HAART Access in Brazil: A Nation-Wide Comparison of Injecting Drug Users Versus Men Who Have Sex With Men." *Journal of Acquired Immune Deficiency Syndrome* 52 (5): 629–35.

Malta, Monica, and Chris Beyrer. 2013. "The HIV Epidemic and Human Rights Violations in Brazil." *Journal of the International AIDS Society* 16 (1): http://www.jiasociety.org/index.php/jias/article/view/18817 (accessed February 12, 2014).

2007. "Manobra no Senado pode atrasar aprovação do PLC 122." *Mix Brasil*, December 6, http://mixbrasil.uol.com.br/mp/upload/noticia/11_101_64486.shtml (accessed December 6, 2007).

Mariano, Silvana, and Cássia Carloto. 2009. "Gênero e combate à pobreza: Programa Bolsa Família." *Estudos Feministas* 17 (3): 901–8.

Marona, Marjorie Corrêa. 2013. "Defensorias Públicas." In *Dimensões Políticas da Justiça*, edited by Leonardo Avritzer, Newton Bignotto, Fernando Filgueiras, Juarez Guimarães, and Heloísa Starling, 351–68. Rio de Janeiro, RJ: Civilização Brasileira.

Marques-Pereira, Bérengère, and Florence Raes. 2005. "Women's Movements: From Local Action to Internationalization of the Repertoire." In *Collective Action and Radicalism in Brazil: Women, Urban Housing, and Rural Movements*, edited by Michel Duquette, Maurilio Galdino, Charmain Levy, Bérengère Marques-Pereira, and Florence Raes, 66–96. Toronto, ON: University of Toronto Press.

Marques, Camila. 2005. "Liminar suspende programa na Rede TV!" *Folha Online*, November 7, http://www1.folha.uol.com.br/folha/ilustrada/ult90u54980.shtml (accessed November 15, 2005).

Marsiaj, Juan. 2003. "Gays ricos e bichas pobres: desenvolvimento, desigualdade sócio-econômica e homossexualidade no Brasil." *Cadernos AEL* 10 (18/19): 129–47.

———. 2006. "Social Movements and Political Parties: Gays, Lesbians and *Travestis* and the Struggle for Inclusion in Brazil." *Canadian Journal of Latin American and Caribbean Studies* 31 (62): 167–96.

———. 2011. "Brazil: From AIDS to Human Rights." In *The Lesbian and Gay Movement and the State: Comparative Insights into a Transformed Relationship*, edited by Manon Tremblay, David Paternotte, and Carol Johnson, 57–72. Farnham, Surrey: Ashgate.

———. 2012. "Federalism, Advocacy Networks, and Sexual Diversity Politics in Brazil." In *Comparative Public Policy in Latin America*, edited by Jordi Díez, and Susan Franceschet, Toronto, ON: University of Toronto Press.

Martinho, Míriam. 2003. "Visibilidade Lésbica: o que os olhos não vêem, o coração sente!!" *Bocas no Mundo - Revista da Articulação Brasileira de Mulheres* (2): 4–5.

Martins, Felipe. 2016a. "Ministro do STF Edson Fachin vai analisar criminalização da homofobia e transfobia no país." *Blogs O Dia - LGBT*, June 16, http://blogs.odia.ig.com.br/lgbt/2016/06/16/ministro-do-stf-edson-fachin-vai-analisar-criminalizacao-da-homofobia-no-pais/ (accessed July 12, 2016).

———. 2016b. "Primeira cena de sexo gay em uma novela bomba na audiência e nas redes." *O Dia Online*, July 13, http://odia.ig.com.br/diversao/televisao/2016-07-13/primeira-cena-de-sexo-gay-em-uma-novela-bomba-na-audiencia-e-nas-redes.html (accessed July 13, 2016).

Martins, José de Souza. 1991. "Lynchings - Life by a Thread: Street Justice in Brazil, 1979-1988." In *Vigilantism and the State in Modern Latin America: Essays on Extralegal Violence*, edited by Martha Huggins, 21–32. New York, NY: Praeger.

Martins, Mônica Dias. 2000. "The MST Challenge to Neoliberalism." *Latin American Perspectives* 27 (5): 33–45.

Marx, Anthony W. 1998. *Making Race and Nation: A Comparison of the United States, South Africa, and Brazil*. New York, NY: Cambridge University Press.

Marx, Jutta, Jutta Borner, and Mariana Caminotti. 2009. "Gender Quotas, Candidate Selection, and Electoral Campaigns: Comparing Argentina and Brazil." In *Feminist Agendas and Democracy in Latin America*, edited by Jane Jaquette, 45–64. Durham, NC: Duke University Press.

Mascarenhas, João Antônio de Souza. 1997. *Machismo, Conservadorismo Político e Falso Moralismo: A Tríplice Conexão: um ativista guei versus 96 parlamentares*. Rio de Janeiro: 2A Editora.

Matos, Helaine, Gabriela Cunha, and Francisco de Alencar. 2014. "Panorama dos Conflitos e da Violência no Espaço Agrário Brasileiro de 1985-2014." In *Conflitos no Campo - Brasil 2014*, edited by Antônio Canuto, Cássia Regina Luz, and Edmundo Costa, 68–73. Goiânia, GO: CPT Nacional.

Matthaei, Julie. 1997. "The Sexual Division of Labour, Sexuality and Lesbian/Gay Liberation: Towards a Marxist-Feminist Analysis of Sexuality in U.S. Capitalism." In *Homo Economics: Capitalism, Community, and Lesbian and Gay Life*, edited by Amy Gluckman, and Betsy Reed, 135–64. New York, NY: Routledge.

Mattos, Laura. 2005. "Cúpula da Globo cortou beijo gay, diz Glória Perez." *Folha de S. Paulo*, November 6, http://www1.folha.uol.com.br/fsp/ilustrad/fq0611200521.htm (accessed November 6, 2005).

McAdam, Doug. 1999. "The Biographical Impact of Activism." In *How Social Movements Matter*, edited by Marco Giugni, Doug McAdam, and Charles Tilly, 119–46. Minneapolis, MN: University of Minnesota Press.

McCall, Leslie. 2005. "The Complexity of Intersectionality." *Signs: Journal of Women in Culture and Society* 30 (3): 1771–800.

Medeiros, Marcelo, Pedro Ferreira de Souza, and Fábio de Castro. 2015. "The Stability of Income Inequality in Brazil, 2006-2012: An Estimate Using Income Tax Data and Household Surveys." *Ciência e Saúde Coletiva* 20 (4): 971–86.

2000. "Meio minuto para morrer." *Veja*, February 16, 112-13.

Mejía, Max. 2000. "Mexican Pink." In *Different Rainbows*, edited by Peter Drucker, 43–55. London: Gay Men's Press.

Mello, Luiz. 2003. "Um Olhar Sobre a Violência Contra Homossexuais no Brasil." *Gênero* 4 (1): 33–46.

Mello, Luiz, Rezende Bruno de Avelar, and Daniela Maroja. 2012a. "Por onde andam as políticas públicas para a população LGBT no Brasil." *Revista Sociedade e Estado* 27 (2): 289–312.

Mello, Luiz, Walderes Brito, and Daniela Maroja. 2012b. "Políticas públicas para a população LGBT no Brasil: notas sobre alcances e possibilidades." *Cadernos Pagu* (39): 403–29.

Mello, Luiz, Fátima Freitas, Cláudio Pedrosa, and Walderes Brito. 2012c. "Para além de um kit anti-homofobia: políticas públicas de educação para a população LGBT no Brasil." *Bagoas* (7): 99–122.

Mello, Luiz, Bruna Irineu, Cecília Froemming, and Vinícios Ribeiro. 2013. "Políticas públicas de trabalho, assistência social e previdência social para a população LGBT no Brasil: Sobre desejos, realizações e impasses." *Revista de Ciências Sociais* 44 (1): 132–60.

Mello, Luiz, Marcelo Perilo, Camilo Braz, and Cláudio Pedrosa. 2011. "Políticas de Saúde para lésbicas, gays, bissexuais, travestis e transexuais no Brasil: em busca de universalidade, integralidade e equidade." *Sexualidad, Salud y Sociedad* (9): 7–28.

Melo, Carlos Ranulfo. 2015. "The 2014 Elections and the Brazilian Party System." *Brazilian Political Science Review* 9 (1): 93–114.

Melo, Cecília. 2007. "Governo federal prevê cerca de R$8 milhões para combater homofobia." *24 Horas News*, May 02, http://www.24horasnews.com.br/index.php?mat=215255# (accessed August 31, 2011).

Melucci, Alberto. 1996. *Challenging Codes: Collective Action in the Information Age*. New York, NY: Cambridge University Press.

Mendès-Leite, Rommel. 1993. "A Game of Appearances: the 'Ambigusexuality' in Brazilian Culture of Sexuality." *Journal of Homosexuality* 25 (3): 271–82.

Méndez, Juan, Guillermo O'Donnell, and Paulo Sérgio Pinheiro, eds. 1999. *The (Un)Rule of Law and the Underprivileged in Latin America*. Notre Dame, IN: University of Notre Dame Press.

Meneghel, Stela, Betânia Mueller, Marceli Collaziol, and Maíra Quadros. 2013. "Repercussões da Lei Maria da Penha no enfrentamento da violência de gênero." *Ciência e Saúde Coletiva* 18 (3): 691–700.

Middlebrook, Kevin. 1995. *The Paradox of Revolution: Labor, the State, and Authoritarianism in Mexico*. Baltimore, MD: Johns Hopkins University Press.

Migdal, Joel. 1994. "The State in Society: An Approach to Struggles for Domination." In *State Power and Social Forces: Domination and Transformation in the Third World*, edited by

Joel Migdal, Atul Kohli, and Vivienne Shue, 7–34. New York, NY: Cambridge University Press.

Miladinovic, Zoran, and Leah Mulligan. 2015. "Homicide in Canada, 2014." *Statistics Canada* Catalogue no. 85-002-X 35 (1): http://www.statcan.gc.ca/access_acces/alternative_alternatif.action?l=eng&loc=/pub/85-002-x/2015001/article/14244-eng.pdf (accessed August 9, 2016).

Milício, Gláucia. 2009. "Rede TV é condenada a indenizar casal de lésbicas." *Consultor Jurídico*, July 27, http://www.conjur.com.br/2009-jul-27/rede-tv-condenada-indenizar-casal-lesbicas-ofendido-programa (accessed August 27, 2009).

2005. "Ministério reconhece união estável de servidor homossexual." *Consultor Jurídico*, December 26, http://conjur.estadao.com.br/static/text/40527,1 (accessed May 05, 2006).

Miskolci, Richard. 2007. "Pânicos morais e controle social — reflexões sobre o casamento gay." *Cadernos pagu* (28): 101–28.

———. 2011. "Não somos, queremos — reflexões queer sobre a política sexual brasileira contemporânea." In *Stonewall 40+ o que no Brasil?*, edited by Leandro Colling, 37–56. Salvador, BA: EDUFBA.

Mitchell, Michael, and Charles Wood. 1998. "Ironies of Citizenship: Skin Color, Police Brutality, and the Challenge to Democracy in Brazil." *Social Forces* 77 (3): 1001–20.

Modarelli, Alejandro. 2010. "Desire, TV, Panic, and Violence Surrounding the Transgendered in Argentina: The Metamorphoses of 1998." In *The Politics of Sexuality in Latin America: A Reader on Lesbian, Gay, Bisexual, and Transgender Rights*, edited by Javier Corrales, and Mario Pecheny, 303–11. Pittsburgh, PA: University of Pittsburgh Press.

Mogrovejo, Norma. 2000. *Un amor que se atrevió a decir su nombre: La lucha de las lesbianas y su relación con los movimientos homosexual y feminista en América Latina*. México, DF: CDAHL/Plaza y Valdes Editores.

Mohanty, Chandra. 1988. "Under Western Eyes: Feminist Scholarship and Colonial Discourses." *Feminist Review* (30): 61–88.

Molyneux, Maxine. 1985. "Mobilization without Emancipation? Women's Interests, the State and Revolution in Nicaragua." *Feminist Studies* 11 (2): 227–54.

Morais, Lecio, and Alfredo Saad-Filho. 2011. "Brazil Beyond Lula: Forging Ahead or Pausing for Breath?" *Latin American Perspectives* 38 (2): 31–44.

———. 2012. "Neo-Developmentalism and the Challenges of Economic Policy-Making under Dilma Rousseff." *Critical Sociology* 38 (6): 789–98.

Moreno, Aluminé. 2010. "'The Gay Pride March? They're Not Talking About Me': The Politicization of Differences in the Argentine GLTTTB Movement." In *The Politics of Sexuality in Latin America: A Reader on Lesbian, Gay, Bisexual, and Transgender Rights*, edited by Javier Corrales, and Mario Pecheny, 387–400. Pittsburgh, PA: University of Pittsburgh Press.

Morgenstern, Scott. 2002. "Explaining Legislative Politics in Latin America." In *Legislative Politics in Latin America*, edited by Scott Morgenstern, and Benito Nacif, 413–45. New York, NY: Cambridge University Press.

Morton, Gregory. 2015. "Managing Transience: Bolsa Família and Its Subjects in an MST Landless Settlement." *Journal of Peasant Studies* 42 (6): 1283–305.

2006. "Motel no RS condenado por recusar entrada de lésbicas." *Mix Brasil*, November 14, http://mixbrasil.uol.com.br/mp/upload/noticia/11_101_54457.shtml (accessed November 14, 2006).

Mott, Luiz. 1996. "Os Homossexuais: As Vítimas Preferenciais da Violência." In *Cidadania e Violência*, edited by Gilberto Velho, and Marcos Alvito, 99–146. Rio de Janeiro, RJ: Editora UFRJ/Editora FGV.

———. 1999. *Homossexuais da Bahia: Dicionárío Biográfico (Séculos XVI-XIX)*. Salvador, BA: Editora Grupo Gay da Bahia.

———. 2000. *Violação dos Direitos Humanos e Assassinato de Homossexuais no Brasil - 1999*. Salvador, BA: Editora Grupo Gay da Bahia.

———. 2003. "Crypto-Sodomites in Colonial Brazil." In *Infamous Desire: Male Homosexuality in Colonial Latin America*, edited by Pete Sigal, 168–96. Chicago, IL: University of Chicago Press.

Mott, Luiz, and Marcelo Cerqueira. 2001. *Causa Mortis: Homofobia - Violação dos Direitos Humanos e Assassinato de Homossexuais no Brasil - 2000*. Salvador, BA: Editora Grupo Gay da Bahia.

———. 2003. *Matei porque odeio gay*. Salvador, BA: Editora Grupo Gay da Bahia.

Mott, Luiz, Marcelo Cerqueira, and Cláudio Almeida. 2002. *O Crime Anti-Homossexual no Brasil*. Salvador, BA: Editora Grupo Gay da Bahia.

Mott, Luiz, and Zora Yonara. 1999. *Violação dos Direitos Humanos e Assassinato de Homossexuais no Brasil - 1998*. Salvador, BA: Editora Grupo Gay da Bahia.

Mountian, Ilana. 2014. *A Critical Analysis of Public Policies on Education and LGBT Rights in Brazil*. Brighton: Institute of Development Studies.

Mulé, Nick. 2010. "Same-Sex Marriage and Canadian Relationship Recognition—One Step Forward, Two Steps Back: A Critical Liberationist Perspective." *Journal of Gay and Lesbian Social Services* 22 (1): 74–90.

Munck, Gerardo. 2007. "The Study of Politics and Democracy: Touchstones of a Research Agenda." In *Regimes and Democracy in Latin America: Theories and Methods*, edited by Gerardo Munck, 25–37. New York, Ny: Oxford University Press.

Muniz, Diógenes. 2006. "Parada gay bate novo recorde e reúne 2,5 milhões de pessoas em SP." *Folha Online*, June 17, http://www1.folha.uol.com.br/folha/ilustrada/ult90u61505.shtml (accessed June 18, 2006).

Murillo, M. Victoria. 2000. "From Populism to Neoliberalism: Labor Unions and Market Reforms in Latin America." *World Politics* 52 135–74.

Murillo, María Victoria, Virginia Oliveros, and Milan Vaishnav. 2010. "Electoral Revolution of Democratic Alternation?" *Latin American Research Review* 45 (3): 87–114.

Murray, Stephen O., ed. 1995. *Latin American Homosexualities*. Albuquerque, NM: University of New Mexico Press.

Nanci, Luciana. 2005. "Shopping terá de reparar casal gay por discriminação." *Consultor Jurídico*, April 22, http://conjur.estadao.com.br/static/text/34293,1 (accessed November 27, 2006).

Nash, June. 2001. "Cultural Resistance and Class Consciousness in Bolivian Tin-Mining Communities." In *Power and Popular Protest: Latin American Social Movements*, edited by Susan Eckstein, 182–202. Berkeley, CA: University of California Press.

Natividade, Marcelo, and Leandro de Oliveira. 2009. "Sexualidades ameaçadoras: religião e homofobia(s) em discursos evangélicos conservadores." *Sexualidad, Salud y Sociedad* (2): 121–61.

Navarro, Marysa. 1983. "Evita and Peronism." In *Juan Perón and the Reshaping of Argentina*, edited by Frederick Turner, and José Enrique Miguens, 15–32. Pittsburgh, PA: University of Pittsburgh Press.

Neves, Felipe. 2005. "Após 25 horas, sinal da Rede Tv! volta ao ar." *Folha Online*, November 15, http://www1.folha.uol.com.br/folha/ilustrada/ult90u55218.shtml (accessed November 15, 2005).

Neves, Maria. 2006. "Militantes gays avaliam programa contra homofobia." *Agência Câmara*, July 12, http://www2.camara.gov.br/internet/agenciacamara (accessed October 25, 2006).

Neves, Maria, and Paulo Roberto Miranda. 2007. "Pesquisa aponta que 20% dos gays do País sofrem agressões." *Agência Câmara*, May 22, http://www2.camara.gov.br/internet/homeagencia/materias.html?pk=103700 (accessed May 23, 2007).

Nicoletti, André. 2002. "Juiz suspende o julgamento, após 13 horas, por "ineficiência da defesa"." *Folha de S. Paulo*, February 27, http://www.uol.com.br/fsp/cotidian/ff2702200214.htm (accessed February 28, 2002).

2009. "Novelas: as tramas que marcaram os brasileiros." *Veja.com*, January 19, http://veja.abril.com.br/noticia/variedade/tramas-marcaram-brasileiros-415562.shtml?print (accessed August 24, 2011).

Nunan, Adriana. 2003. *Homossexualidade: do Preconceito aos Padrões de Consumo*. Rio de Janeiro, RJ: Editora Caravansarai.

Nunes Leal, Victor. 1997. *Coronelismo, Enxada e Voto*. 3rd. Rio de Janeiro, RJ: Editora Nova Fronteira.

Nunes, Edson. 1999. *A Gramática Política do Brasil: Clientelismo e Insulamento Burocrático*. 2nd. Rio de Janeiro, RJ: Jorge Zahar Editor.

Nunn, Amy Stewart, Elize Fonseca, Francisco Bastos, and Sofia Gruskin. 2009. "AIDS Treatment in Brazil: Impacts and Challenges." *Health Affairs* 28 (4): 1103–13.

Nylen, William. 2002. "Testing the Empowerment Thesis: The Participatory Budget in Belo Horizonte and Betim, Brazil." *Comparative Politics* 34 (2): 127–45.

———. 2003. *Participatory Democracy versus Elitist Democracy: Lessons from Brazil*. New York, NY: Palgrave Macmillan.

O'Donnell, Guillermo. 1977. "Corporatism and the Question of the State." In *Authoritarianism and Corporatism in Latin America*, edited by James M. Malloy, 47–87. Pittsburgh, PA: University of Pittsburgh Press.

———. 1996. "Illusions about Consolidation." *Journal of Democracy* 7 (2): 34–51.

———. 1997. "Illusions About Consolidation." In *Consolidating the Third Wave Democracies: Themes and Perspectives*, edited by Larry Diamond, Marc Plattner, Yun-han Chu, and Hung-mao Tien, 40–57. Baltimore, MD: Johns Hopkins University Press.

———. 2004. "Human Development, Human Rights, and Democracy." In *The Quality of Democracy: Theory and Applications*, edited by Guillermo O'Donnell, Jorge Vargas Cullell, and Osvaldo M. Iazzetta, 9–92. Notre Dame, IN: University of Notre Dame Press.

———. 2005. "Afterword." In *The Judicialization of Politics in Latin America*, edited by Rachel Sieder, Line Schjolden, and Alan Angell, 293–98. New York, NY: Palgrave Macmillan.

———. 2010. *Democracy, Agency, and the State: Theory with Comparative Intent*. New York, NY: Oxford University Press.

O'Donnell, Guillermo, and Philippe Schmitter. 1986. *Transitions from Authoritarian Rule: Tentative Conclusions About Uncertain Democracies*. Baltimore, MD: The John Hopkins University Press.

Oliveira, Guacira Cesar de. 2009. "Duas décadas de luta feminista anti-racista pelos direitos sexuais e reprodutivos." In *Saúde reprodutiva das mulheres: direitos, políticas públicas e desafios*, edited by Carmen Hein de Campos, and Guacira Cesar de Oliveira, 11–40. Brasília, DF: CFEMEA/IWHC/Fundação H. Boll/Ford Foundation.

Oliveira, José Aparecido de. 2015. "Transformações na representação e na discursividade da novela *Amor à Vida*." *Mediação* 17 (20): 27–43.

Oliveira, Roberto Menezes de. 2006. "Avaliação dos Centros de Referência como Estratégia para Superação da Violência contra Gays, Lésbicas e Transgêneros." Ministério da Justiça. http://portal.mj.gov.br/services/DocumentManagement/FileDownload.EZTSvc.asp?DocumentID={5438E3BC-7079-4F45-9ABE-35EE68AC52DA}&ServiceInstUID={B78EA6CB-3FB8-4814-AEF6-31787003C745 (accessed July 18, 2014).

Oliveto, Paloma. 2004. "De todo jeito, vale amar." *Correio Braziliense*, May 26, 15.

Olvera, Alberto. 2010. "The Elusive Democracy: Political Parties, Democratic Institutions, and Civil Society in Mexico." *Latin American Research Review* 45 (Special Issue): 79–107.

Ondetti, Gabriel. 2007. "An Ambivalent Legacy: Cardoso and Land Reform." *Latin American Perspectives* 34 (5): 9–25.

———. 2008a. *Land, Protest and Politics*. University Park, PA: Pennsylvania State University Press.

———. 2008b. "Up and Down with the Agrarian Question: Issue Attention and Land Reform in Contemporary Brazil." *Politics and Policy* 36 (4): 510–41.

2009. "Organizadores afirmam que Parada Gay de SP reuniu 3,1 milhões de pessoas." *Folha Online*, June 17, http://www1.folha.uol.com.br/folha/cotidiano/ult95u582534.shtml (accessed August 10, 2012).

Oro, Ari Pedro. 2003. "A política da Igreja Universal e seus reflexos nos campos religioso e político brasileiros." *Revista Brasileira de Ciências Sociais* 18 (53): 53–69.

Ortiz-Hernández, Luis, and José Arturo Granados-Cosme. 2006. "Violence Against Bisexuals, Gays and Lesbians in Mexico City." *Journal of Homosexuality* 50 (4): 113–40.

Oszlak, Oscar. 1981. "The Historical Formation of the State in Latin America: Some Theoretical and Methodological Guidelines for Its Study." *Latin American Research Review* 16 (2): 3–32.

Oxhorn, Philip. 1995. *Organizing Civil Society: The Popular Sectors and the Struggle for Democracy in Chile*. University Park, PA: The Pennsylvania State University Press.

———. 1998. "Is the Century of Corporatism Over? Neoliberalism and the Rise of Neopluralism." In *What Kind of Democracy? What Kind of Market? Latin America in the Age of Neoliberalism*, edited by Philip Oxhorn, and Graciela Ducatenzeiler, 195–217. University Park, PA: Penn State University Press.

———. 1999. "The Ambiguous Link: Social Movements and Democracy in Latin America." *Journal of Interamerican Studies and World Affairs* 41 (3): 129–46.

———. 2003. "Social Inequality, Civil Society, and the LImits of Citizenship in Latin America." In *What Justice? Whose Justice? Fighting for Fairness in Latin America*, edited by Susan Eckstein, and Timothy Wickham-Crowley, 35–63. Berkeley, CA: University of California Press.

———. 2006. "Conceptualizing Civil Society From the Bottom Up: A Political Economy Perspective." In *Civil Society and Democracy in Latin America*, edited by Richard Feinberg, Carlos Waisman, and Leon Zamosc, 59–84. New York, NY: Palgrave Macmillan.

———. 2011. *Sustaining Civil Society: Economic Change, Democracy, and the Social Construction of Citizenship in Latin America*. University Park, PA: Pennsylvania State University Press.

Oxhorn, Philip, and Graciela Ducatenzeiler, eds. 1998. *What Kind of Democracy? What Kind of Market? Latin America in the Age of Neoliberalism*. University Park, PA: Penn State University Press.

Oxhorn, Philip, and Pamela Starr, eds. 1999. *Markets and Democracy in Latin America: Conflict or Convergence?* Boulder, CO: Lynne Rienner.

Padiglione, Cristina. 2016. "Globo leva ao ar 1a. cena de sexo gay da TV aberta, sem sexo." *Blog Estadão - Televisão*, July 12, http://cultura.estadao.com.br/blogs/cristina-padiglione/1a-cena-de-sexo-gay-da-tv-aberta-zelou-por-bom-gosto/ (accessed July 13, 2016).

Pagnan, Rogério, and André Caramante. 2008. "Polícia vai refazer apuração sobre assassinatos em série." *Folha de S. Paulo*, December 9, http://www1.folha.uol.com.br/fsp/cotidian/ff0912200801.htm (accessed August 3, 2016).

Panizza, Francisco. 2009. *Contemporary Latin America: Development and Democracy Beyond the Washington Consensus*. London: Zed Books.

2007. "Parada Gay bate recorde, dizem organizadores." *Folha Online*, June 10, http://www1.folha.uol.com.br/folha/ilustrada/ult90u303251.shtml (accessed August 10, 2012).

2004. "Parada Gay paulistana quer bater o recorde mundial no domingo." *Folha de S. Paulo*, June 7, http://www1.folha.uol.com.br/fsp/cotidian/ff0706200423.htm (accessed June 7, 2004).

2004. "Parada Gay reúne 1,5 milhão e bate recorde." *Folha de S. Paulo*, June 14, http://www1.folha.uol.com.br/fsp/cotidian/ff1406200401.htm (accessed June 14, 2004).

Parayil, Govindan, and Florence Tong. 1998. "Pasture-led to Logging-led Deforestation in the Brazilian Amazon: The Dynamics of Socio-environmental Change." *Global Environmental Change* 8 (1): 63–79.

Parker, Richard. 1989. "Youth, Identity and Homosexuality: The Changing Shape of Sexual Life in Contemporary Brazil." *Journal of Homosexuality* 17 (3-4): 269–89.

———. 1991. *Bodies, Pleasures and Passions: Sexual Culture in Contemporary Brazil*. Boston, MA: Beacon Press.

———. 1997. "Introdução." In *Políticas, Instituições e AIDS: Enfrentando a Epidemia no Brasil*, edited by Richard Parker, 7–15. Rio de Janeiro, RJ: Jorge Zahar Editor/ABIA.

———. 1999. *Beneath the Equator: Cultures of Desire, Male Homosexuality, and the Emerging Gay Communities in Brazil*. New York, NY: Routledge.

———. 2002. "Estado e sociedade em redes: descentralização e sustentabilidade das ações de prevenção das STDs/AIDS." In *Anais do Seminário: Solidariedade e Cidadania: Princípios Possíveis para as Respostas ao HIV/AIDS?*, edited by Richard Parker, Veriano Terto Jr., and Maria Cristina Pimenta, Rio de Janeiro, RJ: ABIA.

Parker, Richard, and Kenneth Rochel de Camargo Jr. 2000. "Pobreza e HIV/AIDS: aspectos antropológicos e sociológicos." *Cadernos de Saúde Pública* 16 (Sup. 1): 89–102.

2008. "Parlamentares debatem homofobia." *Agência Senado*, November 27, http://www.senado.gov.br/agencia/verNoticia.aspx?codNoticia=81052 (accessed March 09, 2009).

Partido dos Trabalhadores. n/a. "Concepção e diretrizes do programa de governo do PT para o Brasil." www.pt.org.br (accessed June 29, 2005).

Partido Socialismo e Liberdade. 2004. "Programa do Partido Socialismo e Liberdade." http://www.psol.org.br/nacional/partido/programa (accessed July 21, 2009).

Paschel, Tianna, and Mark Sawyer. 2008. "Contesting Politics as Usual: Black Social Movements, Globalization, and Race Policy in Latin America." *Souls* 10 (3): 197–214.

Pasinato, Wânia. 2015. "Acesso à justiça e violência doméstica e familiar contra as mulheres: as percepções dos operadores jurídicos e os limites para a aplicação da Lei Maria da Penha." *Revista Direito GV* 11 (2): 407–28.

Paula, Felipe de. 2015. "Executive Decree Authority and Lawmaking Environment in Brazil: A Broader View of Provisional Measures." *Statute Law Review* Forthcoming.

Pereira, Anthony. 1997. *The End of Peasantry: The Rural Labor Movement in Northeast Brazil, 1961-1988*. Pittsburgh, PA: University of Pittsburgh Press.

———. 2000. "An Ugly Democracy? State Violence and the Rule of Law in Postauthoritarian Brazil." In *Democratic Brazil: Actors, Institutions and Processes*, edited by Peter Kingstone, and Timothy Power, 217–35. Pittsburgh, PA: University of Pittsburgh Press.

———. 2003. "Brazil's Agrarian Reform: Democratic Innovation of Oligarchic Exclusion Redux?" *Latin American Politics and Society* 45 (2): 41–65.

———. 2015. "Bolsa Família and Democracy in Brazil." *Third World Quarterly* 36 (9): 1682–99.

Pereira, Carlos, and Bernardo Mueller. 2000. "Uma teoria da preponderância do poder executivo: O sistema de comissões no Legislativo Brasileiro." *Revista Brasileira de Ciências Sociais* 15 (43): 45–67.

———. 2004. "The Cost of Governing: Strategic Behaviour of the President and Legislators in Brazil's Budgetary Process." *Comparative Political Studies* 37 (7): 781–815.

Pereira, Carlos, Timothy Power, and Lucio Rennó. 2005. "Under What Conditions Do Presidents Resort to Decree Power? Theory and Evidence from the Brazilian Case." *The Journal of Politics* 67 (1): 178–200.

Pereira, Hilda Maria Gaspar. 1996. *The* Viva Rio *Movement: The Struggle for Peace*. London: Institute of Latin American Studies/University of London.

Pereira, Márcia, and Daniel Castro. 2015. "Globo cancela trama gay, e Marcos Pasquim agora viverá heterossexual." *Notícias da TV*, May 7, http://noticiasdatv.uol.com.br/noticia/novelas/globo-cancela-trama-gay-e-marcos-pasquim-agora-vivera-heterossexual-7740 (accessed June 8, 2016).

Peres, William Siqueira. 2004. "Violência Estrutural e AIDS na comunidade travesti brasileira." *Revista de Psicologia da UNESP* 3 (1): 21–31.

Peret, Luiz Eduardo Neves. 2005. "Do armário à tela Global: a representação social da homossexualidade na telenovela brasileira." Master's thesis, UERJ.

Perlman, Janice. 1976. *The Myth of Marginality: Urban Poverty and Politics in Rio de Janeiro*. Berkeley, CA: University of California Press.

———. 2006. "The Metamorphosis of Marginality: Four Generations in the Favelas of Rio de Janeiro." *Annals of the American Academy of Political and Social Science* (606): 154–77.

Perlongher, Néstor. 2008. *O negócio do michê: A prostituição viril em São Paulo*. São Paulo, SP: Editora Fundação Perseu Abramo.

Peruzzotti, Enrique, and Catalina Smulovitz, eds. 2006. *Enforcing the Rule of Law: Social Accountability in the New Latin American Democracies*. Pittsburgh, PA: Pittsburgh University Press.

Petras, James, and Henry Veltmeyer. 2005. *Social Movements and State Power: Argentina, Brazil, Bolivia, Ecuador*. London, UK: Pluto Press.

2007. "Petrobrás: fundo de pensão reconhece parceiros gays." *Mix Brasil*, September 19, http://mixbrasil.uol.com.br/mp/upload/noticia/11_101_62978.shtml (accessed September 20, 2007).

2009. "PGR volta a defender reconhecimento de união gay." *Consultor Jurídico*, July 07, http://www.conjur.com.br/2009-jul-07/pgr-volta-defender-supremo-reconhecimento-uniao-homossexual (accessed August 27, 2009).

Phillips, Anne. 2003. "Recognition and the Struggle for Political Voice." In *Recognition Struggles and Social Movements: Contested Identities, Agency and Power*, edited by Barbara Hobson, 263–73. New York, NY: Cambridge University Press.

Pierceson, Jason, Adriana Piatti-Crocker, and Shawn Schulenberg, eds. 2010. *Same-Sex Marriage in the Americas: Policy Innovation for Same-Sex Relationships*. Lanham, MD: Lexington Books.

Pierceson, Jason, Adriana Piatti-Crocker, and Shawn Schulenberg, eds. 2013. *Same-Sex Marriage in Latin America: Promise and Resistance*. Lanham, MD: Lexington.

Pinheiro, Luana, Natália de Oliveira Fontoura, Ana Carolina Querino, Alinne Bonetti, and Waldemir Rosa. 2008. *Retrato das desigualdades de gênero e raça*. 3rd. Brasília, DF: IPEA/SPM/UNIFEM.

Pinheiro, Paulo Sérgio. 1991. "Police and Political Crisis: The Case of the Military Police." In *Vigilantism and the State in Modern Latin America: Essays on Extralegal Violence*, edited by Martha Huggins, 167–88. New York, NY: Praeger.

———. 1996a. "A polícia e os movimentos sociais no Brasil." In *O papel da polícia no regime democrático*, edited by Bismael Moraes, 15–32. São Paulo, SP: Editora Mageart.

———. 1996b. "Democracies Without Citizenship." *NACLA - Report on the Americas* 30 (2): 17–23.

———. 2000. "Democratic Governance, Violence and the (Un)Rule of Law." *Daedalus* 129 (2): 119–44.

Pinto, Rogério, and José Antonio Puppim de Oliveira. 2008. "Implementation Challenges in Protecting the Global Environmental Commons: The Case of Climate Change Policies in Brazil." *Public Administration and Development* 28 340–50.

Piovesan, Flávia. 2009. "Violence Against Women in Brazil: International Litigation and Local Advances." In *Feminist Agendas and Democracy in Latin America*, edited by Jane Jaquette, 113–28. Durham, NC: Duke University Press.

Plant, Roger. 1999. "The Rule of Law and the Underprivileged in Latin America: A Rural Perspective." In *The (Un)Rule of Law and the Underprivileged in Latin America*, edited by Juan Méndez, Guillermo O'Donnell, and Paulo Sérgio Pinheiro, 87–105. Notre Dame, IN: University of Notre Dame Press.

Pochmann, Marcio, and Ricardo Amorim, eds. 2003. *Atlas da Exclusão Social no Brasil*. São Paulo, SP: Cortez Editora.

2015. "Por conta de beijo lésbico, parlamentares fazem campanha contra 'Babilônia'." *UOL*, March 20, http://televisao.uol.com.br/noticias/redacao/2015/03/20/por-conta-de-beijo-lesbico-parlamentares-fazem-campanha-contra-babilonia.htm (accessed August 13, 2015).

Porfírio, Fernando. 2011a. "Governo de SP deve indenizar aluno gay em R\$ 50 mil." *Consultor Jurídico*, June 7, http://www.conjur.com.br/2011-jun-07/governo-paulista-condenado-palestra-homofobica-escola (accessed June 8, 2011).

———. 2011b. "TJ-SP manda Ratinho e SBT pagarem R\$ 150 mil a pastor." *Consultor Jurídico*, August 29, http://www.conjur.com.br/2011-ago-29/tj-sp-manda-ratinho-sbt-pagarem-50-mil-pastor-igreja-gays (accessed June 16, 2015).

Portes, Alejandro, and Richard Schauffler. 1993. "Competing Perspectives on the Latin American Informal Sector." *Population and Development Review* 19 (1): 33–60.

Power, Timothy. 1998. "The Pen is Mightier than the Congress: Presidential Decree Power in Brazil." In *Executive Decree Authority*, edited by John Carey, and Matthew Soberg Shugart, 197–230. New York, NY: Cambridge University Press.

———. 2000. *The Political Right in Postauthoritarian Brazil: Elites, Institutions, and Democratization*. University Park, PA: The Pennsylvania State University Press.

———. 2010. "Optimism, Pessimism, and Coalitional Presidentialism: Debating the Institutional Design of Brazilian Democracy." *Bulletin of Latin American Research* 29 (1): 18–33.

Prado Junior, Caio. 1987. *História Econômica do Brasil*. São Paulo, SP: Editora Brasiliense.

Prado, Marco Aurélio, João Batista Pinto, Carolyne Barros, Julia Dorigo, Nicole Costa, and Rafaela Freitas. 2014. "Segurança pública a população LGBT: Formação, representações e homofobia." In *Segurança Pública e Direitos Humanos: Temas Transversais*, edited by Cristiane Lima, Gustavo Baptista, and Isabel Figueiredo, 57–80. Brasília, DF: Ministério da Justiça.

Prado, Mariana Mota. 2013. "The Debatable Role of Courts in Brazil's Health Care System: Does Litigation Harm of Help?" *Journal of Law, Medicine and Ethics* 41 (1): 124–37.

2006. "Previdência passa a conceder pensão por morte a parceiro gay." *Mix Brasil*, October 18, http://mixbrasil.uol.com.br/mp/upload/noticia/11_101_53487.shtml (accessed October 19, 2006).

Prevost, Gary, Carlos Oliva Campos, and Harry Vanden, eds. 2012. *Social Movements and Leftist Governments in Latin America: Confrontation or Co-optation?* London: Zed Books.

Prieur, Anick. 1998. *Mema's House, Mexico City: On Transvestites, Queens and Machos*. Chicago, IL: The University of Chicago Press.

Prillaman, William. 2000. *The Judiciary and Democratic Decay in Latin America: Declining Confidencce in the Rule of Law*. Westport, CT: Praeger Publishers.

Progrebinschi, Thamy, and David Samuels. 2014. "The Impact of Participatory Democracy: Evidence from Brazil's National Public Policy Conferences." *Comparative Politics* 46 (3): 313–32.

Progrebinschi, Thamy, and Fabiano Santos. 2011. "Participação como representação: O impacto das Conferências Nacionais de Políticas Públicas no Congresso Nacional." *DADOS - Revista de Ciências Sociais* 54 (3): 259–305.

Przeworski, Adam. 1991. *Democracy and the Market: Political and Economic Reforms in Eaastern Europe and Latin America*. New York, NY: Cambridge University Press.

Psacharopoulos, George, Samuel Morley, Ariel Fiszbein, Haeduck Lee, and William C. Wood. 1995. "Poverty and Income Inequality in Latin America During the 1980s." *Review of Income and Wealth* 41 (3): 245–64.

2008. "Público da Parada Gay caiu para 3,4 milhões, diz ONG após medição." *Folha Online*, May 28, http://www1.folha.uol.com.br/folha/ilustrada/ult90u406419.shtml (accessed August 10, 2012).

Putnam, Robert. 1993. *Making Democracy Work: Civic Traditions in Modern Italy*. Princeton, NJ: Princeton University Press.

Quimbanda-Dudu. 2002. "Boletim do Quimbanda-Dudu no. 4.".

Ramos, Jair de Souza. 2012. "Toma que o aborto é teu: a politização do aborto em jornais e na web durante a campanha presidencial de 2010." *Revista Brasileira de Ciências Política* 7 55–82.

Ramos, Sílvia. 2005. "Violência e Homossexualidade no Brasil: As Políticas Públicas e o Movimento Homossexual." In *Movimentos Sociais, Educação e Sexualidades*, edited by Miriam Pillar Grossi, Simone Becker, Juliana Cavilha M. Losso, Rozeli Maria Porto, and Rita de Cassia F. Muller, 31–44. Rio de Janeiro, RJ: Editora Garamond.

Ramos, Sílvia, and Doriam Borges. 2001. "Disque Defesa Homossexual: Números da violência." In *Violência e Minorias Sexuais*, edited by Alessandra de Andrade Rinaldi, and Sean Patrick Larvie, 67–78. Rio de Janeiro, RJ: ISER.

Ramos, Victor. 2004. "Falta de gastos e baixo nível de cursos geram carência." *Folha de S. Paulo*, June 14, http://www1.folha.uol.com.br/fsp/brasil/fc1406200404.htm (accessed June 14, 2004).

Ramos, Victor, and Luiz Francisco. 2004. "Atolada, Justiça vê déficit de magistrados atingir 21%." *Folha de S. Paulo*, June 14, http://www1.folha.uol.com.br/fsp/brasil/fc1406200402.htm (accessed June 14, 2004).

Raupp Rios, Roger. 2001. *A Homossexualidade no Direito*. Porto Alegre, RS: Livraria do Advogado Editora/ESMAFE.

———. 2002a. "A homossexualidade e a discriminação por orientação sexual no direito brasileiro." In *Homossexualidade, cultura e política*, edited by Célio Golin, and Luis Gustavo Weiler, 15–48. Porto Alegre, RS: Editora Sulina.

———. 2002b. *O princípio da igualdade e a discriminação por orientação sexual: a homossexualidade no direito brasileiro e norte-americano*. São Paulo, SP: Editora Revista dos Tribunais.

Raupp Rios, Roger, Célio Golin, and Paulo Gilberto Cogo Leivas, eds. 2011. *Homossexualidade e Direitos Sexuais: Reflexões a Partir da Decisão do STF*. Porto Alegre, RS: Editora Sulina.

Ravecca, Paulo. 2010. *'Progressive' Government (2005-2009) and the lgttbq Agenda: On the (Recent) Queering of Uruguay and Its Limits*. Toronto, ON: CERLAC-York University.

Rayside, David. 2008. *Queer Inclusions, Continental Divisions: Public Recognition of Sexual Diversity in Canada and the United States*. Toronto, ON: University of Toronto Press.

2007. "Recorde vai para o "Guiness", dizem organizadores." *Folha Online*, June 10, http://www1.folha.uol.com.br/folha/ilustrada/ult90u303293.shtml (accessed September 17, 2007).

2005. "Rede TV! continua fora do ar." *Folha Online*, November 15, http://www1.folha.uol.com.br/folha/ilustrada/ult90u55193.shtml (accessed November 15, 2005).

Reichmann, Rebecca. 1995. "Brazil's Denial of Race." *NACLA - Report on the Americas* 28 (6): 35–42.

Reis, Elisa. 2000. "Modernization, Citizenship, and Stratification: Historical Processes and Recent Changes in Brazil." *Daedalus* 129 (2): 171–94.

Reis, João José. 2003. *Rebelião Escrava no Brasil: A História do Levante dos Malês em 1835*. 2nd. São Paulo, SP: Companhia das Letras.

Rennó, Lucio. 2010. "Executive-Legislative Relations in Brazil: Is 2009 the First Year of the Rest of Our Lives?" *Revista de Ciência Política* 30 (2): 213–30.

Reydon, Bastiaan, Vitor Fernandes, and Tiago Telles. 2015. "Land Tenure in Brazil: The Question of Regulation and Governance." *Land Use Policy* 42 509–16.

Ribeiro, Ludmila. 2008. "A Emenda Constitucional 45 e a questão do acesso à justiça." *Revista Direito GV* 4 (2): 465–92.

Rifiotis, Theophilos. 2015. "Violência, Justiça e Direitos Humanos: Reflexões sobre a judicialização das relações sociais no campo da 'violência de gênero'." *Cadernos Pagu* 45 261–95.

Risse, Thomas, and Kathryn Sikkink. 1999. "The Sociallization of International Human Rights Norms into Domestic Practices: Introduction." In *The Power of Human Rights: International Norms and Domestic Change*, edited by Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, 1–38. New York, NY: Cambridge University Press.

Roberts, Kenneth. 2006. "Populism, Political Conflict, and Grass-Roots Organization in Latin America." *Comparative Politics* 38 (2): 127–48.

Robles, Victor Hugo. 1998. "History in the Making: The Homossexual Liberation Movement in Chile." *NACLA - Report on the Americas* 31 (4): 36–40.

Robles, Wilder, and Henry Veltmeyer. 2015. *The Politics of Agrarian Reform in Brazil: The Landless Rural Workers Movement*. New York, NY: Palgrave Macmillan.

Rochon, Thomas. 1998. *Culture Moves: Ideas, Activism, and Changing Values*. Princeton, NJ: Princeton University Press.

Rodrigues, Alex. 2012. "Registradas 6809 denúncias de violações aos direitos humanos de homossexuais em 2011." *Agência Brasil - Empresa Brasil de Comunicação*, June 28, http://agenciabrasil.ebc.com.br/noticia/2012-06-28/registradas-6809-denuncias-de-violacoes-aos-diretos-humanos-de-homossexuais-em-2011 (accessed June 28, 2012).

Rodrigues, Cristiano, and Marco Aurélio Prado. 2013. "A History of the Black Women's Movement in Brazil: Mobilization, Political Trajectory and Articulations with the State." *Social Movement Studies* 12 (2): 158–77.

Rodrigues, Leôncio Martins. 2002. *Partidos, Ideologia e Composição Social: um estudo das bancadas partidárias na Câmara dos Deputados*. São Paulo, SP: EDUSP.

Roett, Riordan. 1999. *Brazil: Politics in a Patrimonial Society*. 5th. Westport, CT: Praeger Publishers.

Rofman, Rafael, and Maria Laura Oliveri. 2012. *Pension Coverage in Latin America: Trends and Determinants*. Washington, DC: World Bank.

Romero, Simon. 2014. "Brazil's Latest Clash With Its Urban Youth Takes Place at the Mall." *New York Times*, January 19, http://www.nytimes.com/2014/01/20/world/americas/brazils-latest-clash-with-its-urban-youth-takes-place-at-the-mall.html (accessed July 8, 2015).

Roniger, Luis. 1994. "The Comparative Study of Clientelism and the Changing Nature of Civil Society in the Contemporary World." In *Democracy, Clientelism and Civil Society*, edited by Luis Roniger, and Ayse Gunes-Ayata, 1–18. Boulder, CO: Lynne Rienner.

Roniger, Luis, and Ayse Gunes-Ayata, eds. 1994. *Democracy, Clientelism and Civil Society*. Boulder, CO: Lynne Rienner.

Rubin, Jeffrey. 2004. "Meanings and Mobilizations: A Cultural Politics Approach to Social Movements and States." *Latin American Research Review* 39 (3): 106–42.

Rueschemeyer, Dietrich, Evelyne Huber Stephens, and John D. Stephens. 1992. *Capitalist Development and Democracy*. Chicago, IL: The University of Chicago Press.

Saad-Filho, Alfredo. 2013. "Mass Protests Under 'Left Neoliberalism': Brazil, June-July 2013." *Critical Sociology* 39 (5): 657–69.

———. 2015. "Social Policy for Neoliberalism: The Bolsa Família Programme in Brazil." *Development and Change* 46 (6): 1227–52.

Sadek, Maria Tereza, and Rosângela Batista Cavalcanti. 2003. "The New Brazilian Public Prosecution: An Agent of Accountability." In *Democratic Accountability in Latin America*, edited by Scott Mainwaring, and Christopher Welna, 201–27. New York, NY: Oxford University Press.

Sader, Eder. 1988. *Quando Novos Personagens Entraram em Cena: Experiências e Lutas dos Trabalhadores da Grande São Paulo, 1970-1980*. Rio de Janeiro, RJ: Paz e Terra.

Saffioti, Heleieth, and Suely Souza de Almeida. 1995. *Violência de Gênero: Poder e Impotência*. Rio de Janeiro, RJ: Revinter.

Salm, Cláudio, and Lígia Bahia. 2013. "Tênis, bermuda, fone de ouvido… Vai saúde e educação também?" In *A "Nova Classe Média" no Brasil Como Conceito e Projeto Político*, edited by Dawid Bartelt, 115–23. Rio de Janeiro, RJ: Fundação Heinrich Böll.

Sampaio, Paulo. 2005. "'Evento perdeu sentido', diz drag queen." *Folha de S. Paulo*, May 22, http://www1.folha.uol.com.br/fsp/dinheiro/fi2205200516.htm (accessed May 22, 2005).

Samuels, David. 2002. "Progressive Ambition, Federalism and Pork-Barreling in Brazil." In *Legislative Politics in Latin America*, edited by Scott Morgenstern, and Benito Nacif, 315–40. New York, NY: Cambridge University Press.

———. 2003. *Ambition, Federalism and Legislative Politics in Brazil*. Cambridge: Cambridge University Press.

Sánchez-Ancochea, Diego. 2011. "*Bolsa Família*, Poverty and Inequality: Political and Economic Effects in the Short and Long Run." *Global Social Policy* 11 (2-3): 299–318.

Sánchez-Ancochea, Diego, and Lauro Mattei. 2011. "Bolsa Família, Poverty and Inequality: Political and Economic Effects in the Short and Long Run." *Global Social Policy* 11 (2-3): 299–318.

Sandbrook, Richard. 2014. *Reinventing the Left in the Global South: The Politics of the Possible*. New York: Cambridge University Press.

Santos, Boaventura de Sousa, and Flávia Carlet. 2010. "The Movement of Landless Rural Workers in Brazil and Their Struggles for Access to Law and Justice." In *Marginalized Communities and Access to Justice*, edited by Yash Ghai, and Jill Cottrell, 60–82. Abingdon: Routledge.

Santos, Cecília MacDowell. 2005. *Women's Police Stations: Gender, Violence, and Justice in São Paulo, Brazil*. New York, NY: Palgrave Macmillan.

Santos, Renato Emerson dos, and Fátima Lobato, eds. 2003. *Ações Afirmativas: Políticas Públicas Contra as Desigualdades Raciais*. Rio de Janeiro, RJ: DP&A Editora.

Santos, Sales Augusto dos. 2006. "Who Is Black in Brazil? A Timely or a False Question in Brazilian Race Relations in the Era of Affirmative Action?" *Latin American Perspectives* 33 (4): 30–48.

Sardenberg, Cecilia, and Miriam Pilar Grossi. 2015. "Balanço sobre a Lei Maria da Penha." *Estudos Feministas* 23 (2): 497–500.

Schamis, Hector. 1991. "Reconceptualizing Latin American Authoritarianism in the 1970s: From Bureaucratic-Authoritarianism to Neoconservatism." *Comparative Politics* 23 201–20.

Schild, Verónica. 1998. "New Subjects of Rights? Women's Movements and the Construction of Citizenship in the "New Democracies"." In *Cultures of Politics/Politics of Culture: Re-visioning Latin American Social Movements*, edited by Sonia Alvarez, Evelina Dagnino, and Arturo Escobar, 93–117. Boulder, CO: Westview Press.

Schmitter, Philippe. 1974. "Still the Century of Corporatism?" *The Review of Politics* 36 (1): 85–131.

Schneider, Ben Ross. 1991. *Politics Within the State: Elite Bureaucrats and Industrial Policy in Authoritarian Brazil*. Pittsburgh, PA: University of Pittsburgh Press.

Schumaker, Paul. 1975. "Policy Responsiveness to Protest Group Demands." *The Journal of Politics* 37 488–521.

Schumpeter, Joseph. 1976. *Capitalism, Socialism and Democracy*. New York, NY: Harper & Row.

Schürmann, Betina. 1998. *Sindicalismo e democracia: os casos do Brasil e do Chile*. Brasília, DF: Editora Universidade de Brasília.

Scott, John, and Gordon Marshall. 2009. "Marginalization." A Dictionary of Sociology. Oxford University Press. http://www.oxfordreference.com/views/ENTRY.html?subview=Main&entry=t88.e1338 (accessed February 23, 2012).

Seffner, Fernando. 2011. "Composições (com) e resistências (à) norma: pensando corpo, saúde, políticas e direitos LGBT." In *Stonewall 40+ o que no Brasil?*, edited by Eduardo Colling, 57–78.

Seligman, Felipe, and Johanna Nublat. 2012. "STF decide que não é crime o aborto de fetos anencéfalos." *Folha.com*, April 12, http://www1.folha.uol.com.br/cotidiano/1075365-stf-decide-que-nao-e-crime-o-aborto-de-fetos-anencefalos.shtml (accessed June 19, 2012).

2013. "Seminário LGBT aborda liberdade de crença religiosa." *Agência Câmara de Notícias*, May 14, http://www2.camara.leg.br/camaranoticias/noticias/DIREITOS-HUMANOS/442247-SEMINARIO-LGBT-ABORDA-LIBERDADE-DE-CRENCA-RELIGIOSA.html (accessed June 17, 2013).

2015. "Seminário LGBT discute propagação da intolerância nas redes sociais." *Agência Câmara de Notícias*, May 21, http://www2.camara.leg.br/camaranoticias/noticias/DIREITOS-HUMANOS/488134-SEMINARIO-LGBT-DISCUTE-PROPAGACAO-DA-INTOLERANCIA-NAS-REDES-SOCIAIS.html (accessed August 14, 2015).

2014. "Seminário LGBT discutirá enfrentamento da AIDS." *Agência Câmara de Notícias*, June 3, http://www2.camara.leg.br/camaranoticias/noticias/SAUDE/469302-SEMINARIO-LGBT-DISCUTIRA-ENFRENTAMENTO-DA-AIDS.html (accessed August 14, 2015).

2012. "Seminário Nacional LGBT discute respeito à diversidade." *Agência Câmara de Notícias*, May 15, http://www2.camara.leg.br/camaranoticias/noticias/DIREITOS-HUMANOS/417139-SEMINARIO-NACIONAL-LGBT-DISCUTE-RESPEITO-A-DIVERSIDADE.html (accessed June 17, 2013).

2007. "Senador Crivella discursa contra PL que penaliza homofobia." *Mix Brasil*, March 20, http://mixbrasil.uol.com.br/mp/upload/noticia/11_101_58699.shtml (accessed March 20, 2007).

Serbin, Kenneth P. 2000. "The Catholic Church, Religious Pluralism, and Democracy in Brazil." In *Democratic Brazil: Actors, Institutions and Processes*, edited by Peter Kingstone, and Timothy Power, 144–61. Pittsburgh, PA: University of Pittsburgh Press.

2008. "Sérgio Cabral quer equiparar união homossexual à união estável." *Consultor Jurídico*, March 03, http://www.conjur.com.br/2008-mar-03/sergio_cabral_equiparar_uniao_gay_uniao_estavel (accessed March 20, 2009).

2006. "Shopping Frei Caneca terá de indenizar gays." *Mix Brasil*, May 12, http://mixbrasil.uol.com.br/mp/upload/noticia/11_101_49087.shtml (accessed May 12, 2006).

Sicsú, João, Luiz Fernando de Paula, and Renaut Michel. 2007. "Por que novo-desenvolvimentismo?" *Revista de Economia Política* 27 (4): 507–24.

Sieder, Rachel, Line Schjolden, and Alan Angell, eds. 2005. *The Judicialization of Politics in Latin America*. New York, NY: Palgrave MacMillan.

Sigal, Pete. 2003. "(Homo)sexual Desire and Masculine Power in Colonial Latin America: Notes Toward an Integrated Analysis." In *Infamous Desire: Male Homosexuality in Colonial Latin America*, edited by Pete Sigal, 1–24. Chicago, IL: University of Chicago Press.

Silva, Cláudio Roberto da. 1998. "Reinventando o Sonho: História Oral de Vida Política e Homossexualidade no Brasil Contemporâneo." Master's thesis, Universidade de São Paulo.

Silva, Eduardo. 2009. *Challenging Neoliberalism in Latin America*. New York, NY: Cambridge University Press.

Silva, Kelly Cristiane da. 2000. "O novo nome da democracia: a retórica sobre os Direitos Humanos no governo Fernando Henrique Cardoso." Master's thesis, University of Brasília.

Silva, Luis Inácio Lula da. 2010. "Speech of the President of the Brazilian Republic at the Opening of the First National Conference of Gays, Lesbians, Bisexuals, Transvestites, adn Transsexuals." In *The Politics of Sexuality in Latin America: A Reader on Lesbians, Gay, Bisexual and Transgender Rights*, edited by Javier Corrales, and Mario Pecheny, 265–69. Pittsburgh, PA: University of Pittsburgh Press.

Silva, Nelson do Valle. 1985. "Updating the Cost of not Bring White in Brazil." In *Race, Class and Power in Brazil*, edited by Pierre-Michel Fontaine, 42–55. Los Angeles, CA: University of California Press/Centre for Afro-American Studies.

Silva, Nelson do Valle, and Maria Ligia de Oliveira Barbosa. 2003. "População e Estatísticas Vitais." In *Estatísticas do Século XX*, edited by IBGE (Instituto Brasileiro de Geografia e Estatística), 29–57. Rio de Janeiro, RJ: IBGE.

Simões, Júlio, and Isadora Lins França. 2005. "Do "gueto" ao mercado." In *Homossexualismo em São Paulo e outros escritos*, edited by James N. Green, 309–33. São Paulo: Editora UNESP.

Skidmore, Thomas E. 1985. "Race and Class in Brazil: Historical Perspectives." In *Race, Class and Power in Brazil*, edited by Pierre-Michel Fontaine, 11–24. Los Angeles, CA: University of California/Center for Afro-American Studies.

———. 1988. *The Politics of Military Rule in Brazil, 1964-1985*. New York, NY: Oxford University Press.

———. 1989. "Brazil's Slow Road to Democratization: 1974-1985." In *Democratizing Brazil: Problems of Transition and Consolidation*, edited by Alfred Stepan, 5–42. New York, NY: Oxford University Press.

———. 1993. *Black Into White: Race and Nationality in Brazilian Thought*. Durham, NC: Duke University Press.

———. 2010. *Brazil: Five Centuries of Change*. 2nd. New York, NY: Oxford University Press.

2002. "Skinhead acusado de morte de Edson Neris é absolvido." *Mix Brasil*, June 17, http://mixbrasil.uol.com.br/mp/upload/noticia/11_101_36490.shtml (accessed November 27, 2006).

Skocpol, Theda. 1985. "Bringing the State Back In: Strategies of Analysis in Current Research." In *Bringing the State Back In*, edited by Peter Evans, Dietrich Rueschemeyer, and Theda Skocpol, 3–37. New York, NY: Cambridge University Press.

Slater, David, ed. 1985. *New Social Movements and the State in Latin America*. Amsterdam: CEDLA.

———. 1991. "New Social Movements and Old Political Questions: Rethinking State-Society Relations in Latin American Development." *International Journal of Political Economy* 21 (1): 32–65.

Smallman, Shawn. 2007. *The AIDS Pandemic in Latin America*. Chapel Hill, NC: University of North Carolina Press.

Smith, Brian H. 1998. *Religious Politics in Latin America: Pentecostal vs. Catholic*. Notre Dame, IN: University of Notre Dame Press.

Smith, William, Carlos Acuña, and Eduardo Gamarra, eds. 1994a. *Democracy, Markets, and Structural Reform in Latin America: Argentina, Bolivia, Brazil, Chile, and Mexico*. Coral Gables, FL: North-South Center Press.

Smith, William, Carlos Acuña, and Eduardo Gamarra, eds. 1994b. *Latin American Political Economy in the Age of Neoliberal Reform: Theoretical and Comparative Perspectives for the 1990s*. New Brunswick, NJ: North-South Center/Transaction Books.

Smulovitz, Catalina. 2006. "Judicialization of Protest in Argentina: The Case of *Corralito*." In *Enforcing the Rule of Law: Social Accountability in the New Latin American Democracies*, edited by Enrique Peruzzotti, and Catalina Smulovitz, 55–74. Pittsburgh, PA: University of Pittsburgh Press.

Soares, Barbara Musumeci. 1999. *Mulheres Invisíveis: Violência Conjugal e Novas Políticas de Segurança*. Rio de Janeiro, RJ: Civilização Brasileira.

Soares, Fábio Veras, Rafael Perez Ribas, and Rafael Guerreiro Osório. 2010. "Evaluating the Impact of Brazil's Bolsa Família: Cash Transfer Programs in Comparative Perspective." *Latin American Research Review* 45 (2): 173–90.

Soares, Sergei. 2008. "A trajetória da desigualdade: A evolução da renda relativa dos negros no Brasil." In *As políticas públicas e a desigualdade racial no Brasil: 120 anos após a abolição*, edited by Mário Theodoro, 119–30. Brasília, DF: IPEA.

Souza, Clóvis Henrique Leite de. 2012. *A que vieram as Conferências Nacionais? Uma análise dos objetivos dos processos relizados entre 2003 e 2010*. Rio de Janeiro: IPEA.

2006. "SP: Assassino de gay é condenado a 16 anos de prisão." *Mix Brasil*, August 10, http://mixbrasil.uol.com.br/mp/upload/noticia/11_101_51378.shtml (accessed August 10, 2006).

Stahler-Sholk, Richard, Harry Vanden, and Glen D. Kuecker, eds. 2008. *Latin American Social Movements in the Twenty-First Century: Resistance, Power and Democracy*. Lanham, MD: Rowman and Littlefield.

Stark, Rodney, and Buster Smith. 2012. "Pluralism and Churching of Latin America." *Latin American Politics and Society* 54 (2): 35–50.

Stevens, Evelyn. 1973. "Marianismo: The Other Face of Machismo in Latin America." In *Female and Male in Latin America*, edited by Ann Pescatello, 89–101. Pittsburgh, PA: University of Pittsburgh Press.

Sugiyama, Natasha Borges, and Wendy Hunter. 2013. "Whither Clientelism?" *Comparative Politics* 46 (1): 43–62.

Suwwan, Leila. 2002a. "Apoio de FHC à união gay causa protestos." *Folha de S. Paulo*, May 19, http://www.uol.com.br/fsp/cotidian/ff1905200210.htm (accessed May 19, 2002).

———. 2002b. "Só 30% das medidas são para este ano." *Folha de S. Paulo*, May 14, C-1.

Swidler, Ann. 1995. "Cultural Power and Social Movements." In *Social Movements and Culture*, edited by Hank Johnston, and Bert Klandermans, 25–40. Minneapolis, MN: University of Minnesota Press.

Szwarcwald, Celia Landmann, Francisco Inácio Bastos, Maria Angela Pires Esteves, and Carla L. Tavares de Andrade. 2000. "A disseminação da epidemia da AIDS no Brasil, no período de 1987-1996: uma análise espacial." *Cadernos de Saúde Pública* 16 (Sup. 1): 7–19.

Tadvald, Marcelo. 2015. "A reinvenção do conservadorismo: Os evangélicos e as eleições federais de 2014." *Debates do NER* 27 259–88.

Talento, Biaggio. 2004. "Travestis recebem noções de cidadania e prevenção." *O Estado de São Paulo*, March 31, http://www.estadao.com.br/agestado/noticias/2004/mar/31/104.htm (accessed November 18, 2004).

Tannenbaum, Frank. 1946. *Slave and Citizen*. New York, NY: Knopf.

Tarrow, Sidney. 2005. *The New Transnational Activism*. New York, NY: Cambridge University Press.

Tavares de Almeida, Maria Hermínia. 1994. "O corporativismo em declínio?" In *Os anos 90: política e sociedade no Brasil*, edited by Evelina Dagnino, 51–57. São Paulo, SP: Brasiliense.

Taylor, Charles. 1994. "The Politics of Recognition." In *Multiculturalism: Examining the Politics of Recognition*, edited by Amy Gutmann, 25–73. Princeton, NJ: Princeton University Press.

Teichman, Judith. 2001. *The Politics of Freeing Markets in Latin America*. North Chapel, NC: The University of North Carolina Press.

———. 2009. "Competing Visions of Democacy and Development in the Era of Neoliberalism in Mexico and Chile." *International Political Science Review* 30 (1): 67–87.

———. 2016. *The Politics of Inclusive Development: Policy, State Capacity, and Coalition Building*. New York: Palgrave Macmillan.

Teixeira, Paulo César. 2000. "Abaixo o preconceito!" *Istoé*, February 23, 74-75.

Teixeira, Paulo Roberto. 1997. "Políticas Públicas em AIDS." In *Políticas, Instituições e AIDS: Enfrentando a Epidemia no Brasil*, edited by Richard Parker, 43–68. Rio de Janeiro, RJ: Jorge Zahar Editor/ABIA.

Teixeira, Rodrigo. 2012. "Parada Gay carioca supera expectativa de público e reúne 1,5 milhão de pessoas na orla de Copacabana." *UOL Notícias*, November 18, http://noticias.uol.com.br/cotidiano/ultimas-noticias/2012/11/18/parada-gay-carioca-supera-expectativa-de-publico-e-reune-15-milhao-de-pessoas-na-orla-de-copacabana.htm (accessed November 19, 2012).

Telles, Edward. 1994. "Industrialization and Racial Inequality in Employment: The Brazilian Example." *American Sociological Review* 59 46–63.

———. 1995. "Race, Class and Space in Brazilian Cities." *International Journal of Urban and Regional Research* 19 395–406.

———. 2003. "US Foundations and Racial Reasoning in Brazil." *Theory, Culture and Society* 20 (4): 31–47.

———. 2004. *Race in Another America: The Significance of Skin Color in Brazil*. Princeton, NJ: Princeton University Press.

Thayer, Millie. 1997. "Identity, Revolution and Democracy: Lesbian Movements in Central America." *Social Problems* 44 (3): 386–407.

Theodoro, Mário. 2008. "A formação do mercado de trabalho e a questão racial no Brasil." In *As políticas públicas e a desigualdade racial no Brasil: 120 anos após a abolição*, edited by Mário Theodoro, 15–43. Brasília, DF: IPEA.

Tilly, Charles. 1978. *From Mobilization to Revolution*. Reading, MA: Addison-Wesley.

———. 1984. "Social Movements and National Politics." In *Statemaking and Social Movements: Essays in History and Theory*, edited by Charles Bright, and Susan Harding, 297–317. Ann Arbor, MI: The University of Michigan Press.

———. 1993. "Social Movements as Historically Specific Clusters of Political Performances." *Berkeley Journal of Sociology* 38 1–30.

———. 1998. *Durable Inequality*. Berkeley, CA: University of California Press.

———. 2003. "When Do (and Don't) Social Movements Promote Democratization?" In *Social Movements and Democracy*, edited by Pedro Ibarra, 21–45. New York, NY: Palgrave Macmillan.

———. 2004. *Contention and Democracy in Europe, 1650-2000*. New York, NY: Cambridge University Press.

Torres-Ruiz, Antonio. 2011. "HIV/AIDS and Sexual Minorities in Mexico: A Globalized Struggle for the Protection of Human Rights." *Latin American Research Review* 46 (1): 30–54.

Tosi, Cristiano. 2005. "Decisão contra a Rede TV agrada militância." *Mix Brasil*, November 16, http://mixbrasil.uol.com.br/pride/pride2005/redetv/redetv.shtm (accessed November 17, 2005).

Trevisan, João Silvério. 2000. *Devassos no Paraíso: A homossexualidade no Brasil, da colônia à atualidade*. 3rd. Rio de Janeiro, RJ: Editora Record.

Trindade, José Ronaldo. 2004. "Construção de identidades homossexuais na era AIDS." In *Construções da Sexualidade: Gênero, Identidade e Comportamento em Tempos de AIDS*,

edited by Anna Paula Uziel, Luís Felipe Rios, and Richard Parker, 169–99. Rio de Janeiro: Pallas/IMS/ABIA.

2004. "Uma história em 7 capítulos." *Revista Oficial da Parada do Orgulho GLBT de SP 2004*, 12-15.

Ungar, Mark. 2002. *Elusive Reform: Democracy and the Rule of Law in Latin America*. Boulder, CO: Lynne Rienner Publishers.

UNODC (United Nations Office on Drugs and Crime). 2013. *Global Study on Homicide 2013: Trends, Contexts, Data*. Vienna: UNODC. https://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web. pdf (accessed May 19, 2016).

Urbanin, Carina, and Tiago Décimo. 2008. "Assassinatos de gays sobem 30% em 2007, diz ONG." *Estadao.com.br*, April 8, http://www.estadao.com.br/noticias/geral,assassinatos-de-gays-sobem-30-em-2007-diz-ong,153380,0.htm (accessed July 29, 2011).

Valleroy, Linda, Duncan MacKellar, John Karon, Daniel Rosen, William McFarland, Douglas Shehan, Susan Stoyanoff, Marlene LaLota, David Celentano, Beryl Koblin, Hanne Thiede, Mitchell Katz, Lucia Torian, and Robert Janssen. 2000. "HIV Prevalence and Associated Risks in Young Men Who Have Sex With Men." *Journal of the American Medical Association* 284 (2): 198–204.

Vannuchi, Camilo, Celina Côrtes, and Juliana Vilas. 2002. "Aliança Colorida." *IstoÉ*, May 22, 68-72.

Varella, Luiz Salem, and Irene Innwinkl Salem Varella. 2000. *Companheiros Homossexuais Perante a Previdência Social*. São Paulo, SP: Editora CD.

Veltmeyer, Henry, and James Petras. 2002. "The Social Dynamics of Brazil's Rural Landless Workers' Movement: Ten Hypotheses on Successful Leadership." *Canadian Review of Sociology and Anthropology* 39 (1): 79–96.

Vergara, Eva. 2012. "Chile Approves Hate Crime Law After Gay Bashing Death of Daniel Zamudio." *Huffington Post*, May 9, http://www.huffingtonpost.com/2012/05/10/chile-hate-crime-law-daniel-zamudio_n_1506362.html (accessed June 20, 2012).

Vianna, Luiz Werneck, and Marcelo Baumann Burgos. 2002. "Revolução Processual do Direito e Democracia Progressiva." In *A Democracia e os Três Poderes no Brasil*, edited by Luiz Werneck Vianna, 337–492. Belo Horizonte, MG/Rio de Janeiro, RJ: Editora UFMG/IUPERJ/FAPERJ.

Vianna, Luiz Werneck, Maria Alice Rezende de Carvalho, Manuel Palacios Cunha Melo, and Marcelo Baumann Burgos. 1997. *Corpo e Alma da Magistratura Brasileira*. 3rd. Rio de Janeiro, RJ: Editora Revan.

———. 1999. *A Judicialização da Política e das Relações Sociais no Brasil*. Rio de Janeiro, RJ: Editora Revan.

Vilas, Carlos. 1996. "Neoliberal Social Policy: Managins Poverty (Somehow)." *NACLA - Report on the Americas* 29 (6): 16–25.

Vilicic, Filipe, and Paulo Sampaio. 2010. "Política, balada e beijos na Parada." *Estadão Online*, June 6, http://www.estadao.com.br/noticias/cidades,politica-balada-e-beijos-na-parada,562476,0.htm (accessed June 7, 2010).

Villela, Wilza Vieira. 1999. "Das interfaces entre os níveis governamentais e a sociedade civil." In *Saúde, Desenvolvimento e Política*, edited by Richard Parker, Jane Galvão, and Marcelo Secron Bessa, 177–224. São Paulo, SP/Rio de Janeiro, RJ: Editora 34/ABIA.

Vital, Christina, and Paulo Lopes. 2012. *Religião e Política: Uma Análise da Atuação de Parlamentares Evangélicos sobre Direitos das Mulheres e LGBTs no Brasil*. Rio de Janeiro, RJ: Fundação Heinrich Böll.

Wacquant, Loïc. 2003. "Toward a Dictatorship Over the Poor? Notes on the Penalization of Poverty in Brazil." *Punishment and Society* 5 (2): 197–205.

Waiselfisz, Julio Jacobo. 2015. *Mapa da Violência 2015: Homicídio de Mulheres no Brasil*. Brasília, DF: FLACSO.

Wampler, Brian. 2004. "Instituições, associações e interesses no orçamento participativo de São Paulo." In *A Participação em São Paulo*, edited by Leonardo Avritzer, 371–407. São Paulo, SP: Editora UNESP.

———. 2007. *Participatory Budgeting in Brazil: Contestation, Cooperation, and Accountability*. University Park, PA: Pennsylvania State University Press.

Wang, Daniel, and Octavio Ferraz. 2013. "Reaching Out to the Needy? Access to Justice and Public Attorneys' Role in Right to Health Litigation in the City of São Paulo." *SUR - International Journal on Human Rights* 10 (18): 159–79.

Warner, Michael. 2000. *The Trouble With Normal: Sex, Politics, and the Ethics of Queer Life*. Cambridge, MA: Harvard University Press.

Warren, Jonathan. 2001a. *Racial Revolutions: Antiracism and Indian Resurgence in Brazil*. Durham, NC: Duke University Press.

Warren, Mark. 2001b. *Democracy and Association*. Princeton, NJ: Princeton University Press.

Watts, Jonathan. 2013. "Head of Brazil's Equality Body Accused of Homophobia and Racism." *The Guardian*, April 5, http://www.theguardian.com/world/2013/apr/05/brazil-equality-body-homophobia-racism (accessed November 8, 2013).

Waylen, Georgina. 1994. "Women and Democratization: Conceptualizing Gender Relations in Transition Politics." *World Politics* 46 (3): 327–54.

———. 1998. "Gender, Feminism and the State: An Overview." In *Gender, Politics and the State*, edited by Vicky Randall, and Georgina Waylen, 1–17. London, UK: Routledge.

———. 2003. "Gender and Transitions: What Do We Know?" *Democratization* 10 (1): 157–78.

Weffort, Francisco. 1992. *Qual Democracia?* São Paulo, SP: Companhia das Letras.

Weldon, S. Laurel. 2008. "Intersectionality." In *Politics, Gender, and Concepts: Theory and Methodology*, edited by Gary Goertz, and Amy Mazur, 193–218. New York, NY: Cambridge University Press.

Westin, Ricardo, and Uirá Machado. 2004. ""É apenas uma maquiagem", diz autor do projeto." *Folha de S. Paulo*, November 18,

http://www1.folha.uol.com.br/fsp/brasil/fc1811200403.htm (accessed November 18, 2004).

Weyland, Kurt. 1996. *Democracy Without Equity: Failures of Reform in Brazil*. Pittsburgh, PA: University of Pittsburgh Press.

———. 1999. "Neoliberal Populism in Latin America and Eastern Europe." *Comparative Politics* 31 (4): 379–401.

———. 2002. *The Politics of Market Reform in Fragile Democracies*. Princeton, NJ: Princeton University Press.

———. 2003. "Neopopulism and Neoliberalism in Latin America: How Much Affinity?" *Third World Quarterly* 24 (6): 1095–115.

———. 2009. "The Rise of Latin America's Two Lefts: Insights from Rentier State Theory." *Comparative Politics* 41 (2): 145–64.

Wiarda, Howard J. 1995. *Democracy and Its Discontents: Development, Interdependence, and U.S. Policy in Latin America*. Lanham, MD: Rowman and Littlefield.

———. 2001. *The Soul of Latin America: The Cultural and Political Tradition*. New Haven, CT: Yale University Press.

Williams, Melissa S. 1998. *Voice, Trust, and Memory: Marginalized Groups and the Failings of Liberal Representation*. Princeton, NJ: Princeton University Press.

Williamson, John. 1993. "Democracy and the 'Washington Consensus'." *World Development* 21 (8): 1329–36.

Wolford, Wendy. 2006. "Families, Fields, and Fighting for Land: The Spatial Dynamics of Contention in Rural Brazil." In *Latin American Social Movements: Globalization, Democratization, and Transnational Networks*, edited by Hank Johnston, and Paul Almeida, 163–76. Lanham, MD: Rowman and Littlefield.

———. 2010. *This Land is Ours Now: Social Mobilization and the Meanings of Land in Brazil*. Durham, NC: Duke University Press.

Wong, Joseph. 2003. "Deepening Democracy in Taiwan." *Pacific Affairs* 76 (2): 235–56.

Wood, Charles, and Erica Felker-Kantor. 2013. "The Color of Hunger: Food Insecurity and Racial Inequality in Brazil." *Latin American and Caribbean Ethnic Studies* 8 (3): 304–22.

World Bank. 2003a. *A questão de gênero no Brasil*. Brasília, DF: Banco Mundial/CEPIA.

———. 2003b. *Project Appraisal Document on a Proposed Loan in the Amount of US$100.00 million to the Federative Republic of Brazil for the AIDS & STD Control III Project*. Washington, DC: World Bank. http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2003/06/10/000112742_20030610141311/Rendered/PDF/257591BR13rd0A1Control1R20031012111.pdf (accessed November 25, 2004).

———. 2004. *Project Performance Assessment Report. Brazil. First and Second AIDS and STD Control Projects (Loan 3659-BR and 4392-BR)*. Washington, DC: World Bank. http://www-wds.worldbank.org/servlet/WDSContentServer/WDSP/IB/2004/05/25/000090341_20040525105833/Rendered/PDF/28819.pdf (accessed November 25, 2004).

———. n/a. "Projects and Operations: AIDS-SUS (National AIDS Program - National Health Service)." World Bank. http://www.worldbank.org/projects/P113540/aids-sus-national-aids-program-national-health-service?lang=en (accessed August 18, 2015).

Yashar, Deborah. 1998. "Contesting Citizenship: Indigenous movements and Democracy in Latin America." *Comparative Politics* 31 (1): 23–42.

———. 1999. "Democracy, Indigenous Movements, and the Postliberal Challenge in Latin America." *World Politics* 52 (1): 76–104.

———. 2005. *Contesting Citizenship in Latin America: The Rise of Indigenous Movements and the Postliberal Challenge*. New York, NY: Cambridge University Press.

Young, Iris Marion. 1990. *Justice and the Politics of Difference*. Princeton, NJ: Princeton University Press.

———. 2000. *Inclusion and Democracy*. New York, NY: Oxford University Press.

Yúdice, George. 2005. *The Expediency of Culture: Uses of Culture in the Global Era*. Durham, NC: Duke University Press.

Zamosc, Leon. 2001. "Peasant Struggles of the 1970s in Colombia." In *Power and Popular Protest: Latin American Social Movements*, edited by Susan Eckstein, 102–31. Berkeley, CA: University of California Press.

Zapata, Francisco. 1998. "Trade Unions and the Corporatist System in Mexico." In *What Kind of Democracy? What Kind of Market? Latin America in the Age of Neoliberalism*, edited by Philip Oxhorn, and Graciela Ducatenzeiler, 151–67. University Park, PA: Penn State University Press.

Appendix 1 – Methodological Notes

Empirical material for this study was collected using a variety of methods. The primary one was in-depth semi-structured interviewing with key informants. These were conducted with LGBT activists and public officials—either allied to the movement or staffing agencies or institutions responsible for issues dear to the movement. A few additional interviews were done with scholars and other individuals with varying degrees of linkages to the LGBT movement. They ranged in duration from a half-hour to over four hours, with most lasting about one hour. As highlighted by Blee and Taylor, "[in] the field of social movements, semi-structured interviewing is a common methodological tool, especially useful in studies where the goals are exploration, discovery, and interpretation of complex social events and processes and when combined with participant observation and/or documentary methods" (2002, 93). These interviews were quite useful in uncovering and tracing the intricacies of the political process generated by the interaction between LGBT activists and state officials.[308] This allowed me, in turn, to analyze how social movement impact took place, providing texture to the broader exploration of state-society relations and allowing me to assess more precisely the democratizing impact of the LGBT movement.

Interview guides were developed for each type of interviewee (LGBT activist, state official/bureaucrat/aides, other allies), maintaining some flexibility in the set of questions asked in each case to accommodate for special knowledge an informant may have about a specific event/issue, time constraints, or other idiosyncrasies. LGBT activists were asked about the organizations they led or were part of (*e.g.*, the group's activities, membership), their own personal history of activism in the movement, relations with other LGBT organizations/activists, relations with other actors in civil society, and, more intensely, specific details about their history of interaction with state institutions (different branches and levels of government) and

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[308] Other scholars have made use of key informant interviewing to analyze other issues related to social movements, such as to "delineate the organizations and networks that comprise a movement […]; obtain descriptive data about social movement strategies, cultures, and internal dynamics […]; and map out the relationships between social movement organizations in a larger social movement industry" (Blee and Taylor, 2002, 105).

information about the passage/implementation of specific policies/legislation.[309] Bureaucrats, public officials and aides were asked about the extent to which sexual diversity issues were addressed by the agency/institution they worked in, details regarding the passage/implementation of specific policies/legislation, their interaction with other sectors of the state apparatus, and their relations with the LGBT movement in general and specific LGBT activists. Other actors and observers were interviewed on their links to the LGBT movement, their overall assessment of the activity and success of the movement in achieving greater acceptance of sexual diversity, and, where applicable, activities the organizations where they worked (such as the bar association) had put in place to address questions related to LGBT rights.

In addition to interviews, I also engaged in participant observation,[310] attending meetings and conferences, and taking part in activities organized by these groups, including demonstrations and LGBT Pride Parades. The participant observation method, in this case, approximated what Lichterman calls "field-driven" participant observation (2002, 121-22).[311] This kind of methodology is particularly useful for movements that have been little studied, as is the case of the LGBT movement in Brazil. It was also an effective way to build the bonds of trust necessary for me to gain access to activist groups and to carry out more extensive interviews. Finally, the very frequent interaction with gay and lesbian groups also helped shed light on the internal dynamics of these organizations.[312] This constant interaction with LGBT activists over more than a year also involved countless conversations that, while not as organized as the semi-structured interviews, also provided me with invaluable empirical material.

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[309] In some cases, particularly in interviews with long-time activists, questions regarding their overall assessment of the trajectory and future directions of the movement were included.

[310] As explained by Lichterman, participant observation "is research in which the researcher observes and to some degree participates in the action being studied, as the action is happening" (2002, 120).

[311] "Field-driven participant-observers write up projects intended to elucidate an empirical unit or subject matter […] given that the boundaries of the subject matter may take work to discern. A given subject matter 'in the field' directs the goals of research" (Lichterman, 2002, 121-22).

[312] This points to the usefulness of participant observation beyond some of the more common uses of this methodology, which tends to be applied in the examination of issues such as consciousness-raising and the construction of identity or of everyday meanings of activism (Lichterman, 2002).

Primary documents and publications from state institutions and LGBT groups were also examined, some of which were consulted in public and private archives and libraries. Other documentary sources included newspapers, magazines, and other pertinent publications (both print and electronic). These sources were important to counter faulty memories from interviewees, fill in gaps in information, update information on political developments at times when a visit to the field was unfeasible, and for purposes of triangulation with data generated from other methods.

LGBT activists (41)

Gay activist, *Defensoria Homossexual*	São Paulo, SP	August 20, 2002
Gay activist, *Instituto Atitude*	Brasília, DF	August 28, 2002
Gay activist, *Grupo Estruturação*	Brasília, DF	August 30, 2002
Gay activist, *Grupo Estruturação*	Brasília, DF	August 31, 2002
Gay activist, GLBTT Nucleus-PT/DF	Brasília, DF	February 13, 2003
Augusto Andrade, *Grupo Arco-Íris*	Brasília, DF	February 14, 2003
Gay activist, *Instituto Atitude*	Brasília, DF	February 23, 2003
Lesbian activist, *Grupo Estruturação*	Brasília, DF	April 2, 2003
Gay activist, ACOS	Brasília, DF	April 7, 2003
Gay activist, *Grupo Estruturação*	Brasília, DF	April 11, 2003
Staff member, INESC	Brasília, DF	April 24, 2003
Gay activists, *Grupo Beijo Livre*	Brasília, DF	May 5, 2003
Lesbian activist, *Grupo Felipa de Souza*	Rio de Janeiro, RJ	June 9, 2003
Member, *Turma OK*	Rio de Janeiro, RJ	June 10, 2003

Gay activist, *Defensoria Homossexual*	São Paulo, SP	June 18, 2003
Gay activist, *Instituto Edson Neris*	São Paulo, SP	June 19, 2003
Travesti activist	Rio de Janeiro, RJ	June 24, 2003
Gay activists, *Grupo Arco-Íris*	Rio de Janeiro, RJ	July 4, 2003
Travesti activist	Rio de Janeiro, RJ	July 8, 2003
Gay activist	São Paulo, RJ	July 25, 2003
Lesbian activist, *Coletivo de Lésbicas do Rio de Janeiro*	Rio de Janeiro, RJ	August 4, 2003
Lesbian activist, *Grupo Arco-Íris*	Rio de Janeiro, RJ	August 12, 2003
Gay activist, ABIA	Rio de Janeiro, RJ	August 14, 2003
Gay activist, *Grupo Arco-Íris*	Rio de Janeiro, RJ	August 29, 2003
Lesbian activist, CERCONVIDH	Rio de Janeiro, RJ	September 10, 2003
Travesti activist, *Movimento de Gays, Travestis e Transformistas de Madureira*	Rio de Janeiro, RJ [phone interview]	September 13, 2003
Gay activist, *Grupo Atobá*	Rio de Janeiro, RJ	September 17, 2003
Travesti activist, *Associação da Travestis de Salvador*	Salvador, BA	October 10, 2003
Gay activist, *Grupo Gay da Bahia*	Salvador, BA	October 15, 2003
Gay activist, GLBTT Nucleus-PT/BA	Salvador, BA	October 17, 2003
Gay activist, *Quimbanda-Dudu*	Salvador, BA	October 31, 2003
Gay activist, GAPA/BA	Salvador, BA	December 3, 2003

Gay activist, *Grupo Gay da Bahia*	Salvador, BA	December 9, 2003
Transsexual activist, *Grupo Licoria Ilione*	Salvador, BA	December 11, 2003
Lesbian activist, *Grupo Lésbico da Bahia*	Salvador, BA	December 16, 2003
Lesbian activist, *Grupo Palavra de Mulher*	Salvador, BA	December 17, 2003
Keila Simpson, ABGLT	Salvador, BA	April 13, 2010
Luiz Mott, *Grupo Gay da Bahia*	Salvador, BA	April 14, 2010
Lesbian activist from Ceará state	Brasília, DF	December 15, 2011
Gay activist	Brasília, DF	December 15, 2011
Gay activist	Brasília, DF	December 18, 2011

Bureaucrats, public officials and aides (28)

Maria José Maninha, Federal Deputy (PT/DF)	Brasília, DF	March 17, 2003
Aide to Federal District Deputy	Brasília, DF	March 23, 2003
Ivair Augusto Alves dos Santos, Special Assistant to the Human Rights Secretariat	Brasília, DF	March 28, 2003
Aide to Federal District Deputy	Brasília, DF	April 3, 2003
Official with the Gender and Race Program, Ministry of Labour	Brasília, DF [phone interview]	April 10, 2003
Maria Aparecida Gugel, Labour *Sub-Procuradora Geral*	Brasília, DF	April 10, 2003

Maria Eliane Menezes de Farias, *Sub-Procuradora Geral da República*	Brasília, DF	April 11, 2003
Official at the Regional Prosecutor's Office for Citizens' Rights	Brasília, DF	April 14, 2003
Official at Human Rights Division, Ministry of Foreign Affairs	Brasília, DF	April 17, 2003
Rita Andrea, Official at the National Public Security Secretariat, Ministry of Justice	Brasília, DF	April 25, 2003
Érika Kokay, Federal District Deputy (PT/DF)	Brasília, DF	April 28, 2003
Official at the Sub-secretariat of Political Affairs, Ministry of Foreign Affairs	Brasília, DF	April 28, 2003
City councilor	Rio de Janeiro, RJ	June 30, 2003
Official at the Regional Prosecutor's Office for Citizens' Rights	Rio de Janeiro, RJ	August 6, 2003
Official at the National AIDS Program	Brasília, DF	August 22, 2003
Office of state deputy (PT/RJ)	Rio de Janeiro, RJ [written questionnaire]	August 23, 2003
Official at the State Secretariat of Human Rights	Rio de Janeiro, RJ	August 25, 2003
Federal Deputy (PT/RJ)	Rio de Janeiro, RJ	September 1, 2003

Official at the State Secretariat of Human Rights	Rio de Janeiro, RJ	September 3, 2003
State Deputy (PT/BA)	Salvador, BA	October 16, 2003
State Deputy (PT/BA)	Salvador, BA	October 21, 2003
Official at the *Ministério Público* of Bahia state	Salvador, BA	October 23, 2003
Federal Deputy (PC do B/BA)	Salvador, BA	October 24, 2003
State Deputy (PSB/BA)	Salvador, BA	October 30, 2003
Official at the Municipal Secretariat for the Promotion of Citizenship	Salvador, BA	October 31, 2003
Official at the Office of Public Defenders of Bahia state	Salvador, BA	November 4, 2003
Official at the Justice, Citizenship and Human Rights Secretariat	Salvador, BA	April 16, 2010
Ivo Brito, Coordinator at the National AIDS Program (Human Rights, Risk and Vulnerability)	Brasília, DF	December 15, 2011

Other (activists, scholars, journalists, lawyers, etc.) (7)

Staff member, Bar Association (OAB/SP)	São Paulo, SP	August 19, 2002
Anthropologist, *Universidade de São Paulo*	São Paulo, SP [phone interview]	August 19, 2002
Military police officer	Brasília, DF [e-mail questionnaire]	May 15, 2003

Staff member, Center for Studies on Public Security and Citizenship, *Universidade Cândido Mendes*	Rio de Janeiro, RJ	June 4, 2003
Feminist activist, *Grupo Criola*	Rio de Janeiro, RJ	June 30, 2003
Staff member, Human Rights Division, Bar Association (OAB/RJ)	Rio de Janeiro, RJ	September 12, 2003
Staff member, Human Rights Division, Bar Association (OAB/BA)	Salvador, BA	October 30, 2003

Meetings of LGBT groups attended

Grupo Estruturação, Brasília, DF	January-May 2003
Grupo Arco-Íris, Rio de Janeiro, RJ	June-September 2003
Grupo Gay da Bahia, Salvador, BA	October-December 2003
Grupo Palavra de Mulher, Salvador, BA	November 25, 2003
Associação de Travestis de Salvador, Salvador, BA	November 27, 2003

Conferences, events, meetings

Meeting on "Os Mecanismos e Instrumentos de Defesa dos Homossexuais na Sociedade," Chamber of Deputies	Brasília, DF	May 6, 2003
Third Plenary of the National LGBTT Sectorial of the PT	São Paulo, SP	June 19-21, 2003
Seminar "Ordem Pública e Democracia," IUPERJ	Rio de Janeiro, RJ	June 30, 2003

Seminar "Sexualidade, Violência e Justiça," Paço Imperial	Rio de Janeiro, RJ	July 9, 2003
Seminar "Políticas Públicas e Visibilidade Lésbica," Sindpetro	Rio de Janeiro, RJ	August 27, 2003
Seminar "Gênero, Sexualidade, Saúde e Direitos Humanos," UERJ	Rio de Janeiro, RJ	August 28-29, 2003
Meeting of the *Conselho Nacional de Combate à Discriminação*, Human Rights Secretariat	Brasília, DF	September 23, 2003
Specialization Course on Human Rights, by Flávia Piovesan, FEMISP	Salvador, BA	October 31, 2003
General Assembly of the ABGLT	Manaus, AM	November 8-11, 2003
XI EBGLT	Manaus, AM	November 11-14, 2003
IV Seminar "Candomblé, Saúde e Axé"	Salvador, BA	December 13-14, 2003
Meeting on "Discussão da Frente Parlamentar para Políticas Públicas em HIV-AIDS e Livre Expressão Sexual, em parceria com as ONGs," Salvador Municipal Council	Salvador, BA	December 19, 2003
IX National Human Rights Conference	Brasília, DF	June 29-July 2, 2004
II National Conference for Public Policies and Human Rights of Lesbians, Gays, Bisexuals, *Travestis* and Transsexuals	Brasília, DF	December 15-18, 2011

Archives and libraries consulted

Human Rights Commission of the Chamber of Deputies	April 2003
Personal archive of member of *Grupo Beijo Livre*, Brasília, DF	May 2003
Rio de Janeiro Municipal Council Library	September 2003
Rio de Janeiro State Legislature Library	September 2003
Grupo Gay da Bahia Archives	October-December 2003
Salvador Municipal Council Library	November 2003