

The Brazilian Paradox: The Lesbian, Gay, Bisexual, and Transgender Battle for Human Rights

By Adrienne Rosenberg

With a rich religious history of Catholicism juxtaposed with a sexually liberal public, Brazil interacts with its lesbian, gay, bisexual, transgender (LGBT) community in a very distinct and often conflicting manner. Although homosexuality has been legal in the state since 1823, save the armed forces, and civil unions are currently permitted in some areas, Brazil has functioned within this paradox as both worst transgressor, with a high record of hate crimes and discrimination, and as world leader, with a progressive domestic and global push for LGBT rights. In order to accurately assess these two opposing statuses, one must analyze the complexity of each position in order to grasp how in fact the palpable bigotry fosters the emerging activist state.

Language, Terminology, and Patriarchy Surrounding the Brazilian LGBT Community

Throughout the world, there are several ways to express and distinguish categories of sexual orientation and gender identity, each being very culturally and historically specific. Language and terminology developed from the queer theory perspective have hotly contested the often-imposed Western-centric classification of a spectrum of identities. For the purpose of this paper, I will be implementing the vocabulary “lesbian,” “gay,” and “bisexual” as descriptor terms pertaining to individuals within variant sexual orientations, and “transgender” or “*transvesti*” for those of variant gender identities, since these terms are currently prevalent in contemporary international human rights discourse.

Patriarchy, as it exists in Brazilian society, places a strong emphasis on male dominated sexuality. According to Don Kulick, an anthropologist who studies Brazilian *transvestis* who possess female “attributes” such as hormone induced breasts and wide hips as well as female attire, gender divisions in Latin America should be seen as men and “not men.” This *machismo* frame of mind becomes especially evident within the sexual dynamics of hierarchy between two males, in which one is “gendered” as “male” or the “giver,” and the other as the “*bicha*,” the derogatory name for “female” as the “receiver.” Therefore, those who are the “male” are never discriminated against as gay while the “*bichas*,” or effeminate homosexuals, are persecuted as such. Thus sexual orientation in Brazil correlates strongly with the patriarchal prescription of gender roles within the context roles assumed within a relationship.

Brazil as Worst Transgressor of Homophobic and Transphobic Discrimination

Often perceived as a threat to composition society, those of variant sexual orientation and gender identities are victims of homophobic and transphobic crimes. In 2008, the president of São Paulo’s Gay Pride Association, Alexandre Peixe dos Santos, was hooded, gagged, and brutally beaten by an unknown number of assailants; this direct assault against the head organizer of the world’s largest Gay Pride Parade starkly demonstrates the ongoing homophobic violence occurring in the backdrop what is considered the world’s most sexually liberal country—for heterosexual behavior.

From 1980 until 2006, 2,680 gays and lesbians have been murdered for their sexual orientation (Staff Writer 2008: 2). Of those who commit crimes against lesbians, gays, bisexuals, and *transvestis*, only around 10 percent actually serve time in jail. Furthermore a study in 2004 found that 63 percent of LGBT persons have experienced some sort of discrimination (Fitch 2006: 104). Of the gay men interviewed by Arco Iris in 2005, 16.6 percent have suffered physical violence and within schools this figure was 40 percent (Phillips 2005: 2). Essentially, the rates of victimization against homosexuals in Brazil have been higher than in Europe or the United States (Phillips 2005: 2); thus making Brazil infamous for discrimination and violence against LGBT persons.

According to some historical sources and contested in others, the Spanish Inquisition, with its roots strongly wrapped in Catholic sentiments, was the beginning of tabooing homosexual behavior in Latin America. During this era, it was not uncommon for persons to believe that the presence of a sodomite in the community would usher in such events as disaster, plague, or famine. While Brazil boasts the largest Catholic population today, the religious rhetoric of “do not hate the sinner (the homosexual) but hate the sin (homosexual behavior)” prevails under Pope Ratzinger as the Church’s position on homosexuality. Although there are no laws in the Brazilian constitution that outlaw homosexuality and homoerotic activity, conservative groups have mobilized to attempt to criminalize “libidinous kisses in public between people of the same sex.”

On the eve of the Pope’s visit to Brazil in 2008, conservative Evangelical and Catholic religious groups used the medium of radio and television to campaign against the draft bill that would criminalize homophobia by calling the bill a “gay gag” and claiming it restricted religion, promoted a homophobia that does not exist, and was part of a gay “conspiracy” to gain visibility. However according to an opinion poll released by *Folha de São* a week before the Pope’s visit in 2007, 46 percent of Brazilian Catholics supported the idea of a civil union between same sex couples (Castilhos 2008: 5). Therefore the LGBT rights are often espoused by Brazilian Catholics, counter to what the Church advocates.

Brazil as World Leader in the Campaign for LGBT Rights

In 2005, over 2 million people flooded the streets in São Paulo’s 9th annual “Parada do Orgulho GLBT,” or Gay Pride Parade demanding, “Equality now: not more or less rights!” in reference to the legal recognition of civil partnerships. Aside from such flamboyant festivals as the Pride Parade and Carnival, Brazil is a leading state in the international, domestic, and regional battle against LGBT discrimination through the Brazilian government and several active, civil society organizations, such as Sexual Policy Watch and Associação Brasileira de Gays Lésbicas, Bissexuais Transvestis e Transsexuais.

Starting in 2004 with the proposition of the “Brazilian Resolution,” which called for non-discrimination relating to sexual orientation and gender identity, Brazil has consistently been a catalyst for the international LGBT human rights discourse. Although Brazil withdrew the Resolution in 2005 due to strong opposition from the Organization of Islamic Conference and the Holy See, it was the first resolution dedicated to human rights concerning sexual orientation and further helped shape future strategies for confronting different United Nation political bodies.

The composition and release of the Yogyakarta Principles, which solidify LGBT universal civil liberties by underscoring the most basic principles of universality and non-discrimination, has been

one of the most remarkable advancements for international LGBT rights. As the co-chair of the Yogyakarta Principles, Sonia Onufer Corrêa, Research Associate of the Brazilian Interdisciplinary AIDS Association, remarked at a 2007 launching that the Principles validated the ongoing public policy fight in Brazil and that over 2,000 copies of the Principles have been distributed in Portuguese. At this same discussion, Ana Lucy Cabral, the Director of the Department for Human Rights and Social Issues of the Brazilian Ministry of External Relations, articulated the Brazilian government's commitment to the LGBT community by hosting a public policy conference to promote true democracy and by working with civil society groups to develop the "Brazil without Homophobia" program.

As a milestone for Brazilian domestic policy, the "Brazil without Homophobia Program: Program for Combating Violence and Discrimination against Gays, Lesbians, Transgenders and Bisexuals (GLTB) and the Promotion of Citizenship among Homosexuals" strives to change government administrator behavior as well as congeal LGBT persons as full rights bearing citizens. The Program is a revolutionary, pragmatic model for other nations aspiring to improve the lives of their LGBT population.

As head of state, President Luiz Inácio Lula da Silva has also been a patron of LGBT rights. In June of 2008, President Lula da Silva announced at Brazil's first "National Conference of Gays, Lesbians, Bisexuals, Transvestites, and Transsexuals in Brasilia" his support of free gender-reassignment surgery to all qualified citizens as a legitimate medical procedure and a constitutional basic right for all Brazilians. Due to such outward domestic policies that advocate LGBT civil rights, Brazil was recognized as a by Human Rights Watch in 2006 as a country which has made exemplary progress in struggling for equity of its LGBT population.

Furthermore in August of 2008, the Organization of American States approved the "Human Rights, Sexual Orientation and Gender Identity" resolution, which was presented by the Brazilian delegation. Approved by the 34 countries of Americas the words "sexual orientation" and "gender identity" appear in this unprecedented, official document. Thus, sexual orientation could be included in the text of the Inter-American Convention against Racism and All Forms of Discrimination and Intolerance. Both individually and united, civil society and the Brazilian government have made monumental strides in domestic, regional, and international spheres as advocates for LGBT human rights.

Unfortunately, most of the literature on LGBT rights speaks mainly to the gay male and occasionally to the *transvesti* with little mention or representation of the lesbian community, bisexual community, and the transgendered female to male community. This lack of representation can possibly be attributed to again the patriarchal system in place.

Indeed, Brazil has operated in a paradoxical situation, in which it has been both a homophobic entity as well as an emergent advocate for gay, lesbian, bisexual, and transgender persons. One can attribute this conundrum to its brutal history of discrimination against LGBT persons, and its current position as a non-Western and socially liberal state in the budding international movement of sexual orientation and gender identity rights. By focusing on the bridging of non-governmental organizations with governmental institutions, capacity building of LGBT movements, denouncement of violence, information proliferation on LGBT rights, vibrant festivals, and being a leading voice on the international scene, Brazil seeks to ensure a life of dignity ample with equal

rights and devoid of brutality and discrimination for lesbian, gay, bisexual, and transgendered persons around the state.

Annotations

“4th Alteration to the Statutes.” 2004. Brazilian Gay, Lesbian and Transgender Association. Brazil.

Annotation: The Brazilian Gay, Lesbian and Transgender Association (ABGLT) is a democratic, autonomous, private legal non-profit, which claims no political parties, religious groups, and/or any other entity that does not embrace the LGBT struggles for human rights. In this “4th Alteration to the Statutes,” ABGLT specifies the aims, composition of membership, administration, and handling of money. According to other sources, ABGLT is a prominent organization dedicated to the evolution of LGBT rights through campaigns, political actions, educational sessions, and integration with several other LGBT and allied groups. This document provides insight to the inner structure of laws that compose this renowned organization.

“Brazil without Homophobia Program.” 2004. Brasilia: Center for Documentation and Information.

Annotation: In this forty four-page document, the “Brazil without Homophobia Program” poignantly copes with both the theoretical issues involving discrimination against the LGBT community and makes pragmatic recommendations for legal steps to alleviate inequity and intolerance. The core purpose of the Program is to change the behavior of government administration. President Lula da Silva, as a strong supporter of the Program, demonstrates a deep commitment to justice for the LGBT community. This piece reveals Brazil’s ongoing pioneering of the worldwide human rights campaign for LGBT persons everywhere.

“‘Hall of Shame’ Shows Reach of Homophobia.” 2006. *Human Rights Watch* (May 17)
<http://www.hrw.org/english/docs/2006/05/17/global13393.htm>.

Annotation: Appropriately on the International Day Against Homophobia, May 7th 2006, Human Rights Watch presented the world with its “Hall of Shame,” which chastised five international public officials for their unjust actions against the LGBT community and recognized five countries that have made progress within the LGBT rights arena. In the latter list, HRW praised Brazil for its “Brazil without Homophobia” program that is strongly endorsed by the government. This day is particularly significant, since it is the official date that the World Health Organization removed homosexuality from its roster of disorders in 1990.

“IGLA Team in Geneva.” 2004. *ILGA Files*, www.ilga.org.

Annotation: Beto de Jesus, one of the founders of the São Paulo Pride Parade, discusses in this short article the existing paradox in Brazil regarding LGBT rights. For instance, as of 2004, there were no laws that guaranteed basic rights for LGBT citizens. Secondly, the Parliamentary Front for Free Sexual Expression could not pass federal laws due to the

intolerance of religious representatives. However, Beto de Jesus cites the “Brazil without Homophobia” program as a source for hope due to its joint design with a few of the federal government’s Special Secretariats and several Ministries.

“Position Paper on the Language of ‘Sexual Minorities’ and the Politics of Identity.” 2008. *Sexuality Policy Watch*,
http://www.sxpolitics.org/mambo452/index.php?option=com_docman&task=cat_view&id=7.

Annotation: The author of this position paper begins by questioning what the message the phrase “sexual minority” implies to both the mass “majority” and the members of the “minority” themselves. Throughout the article, the author explains the dichotomies that develop through such language that produces the natural divisions of North/South, colonial/indigenous, and so on. Thus language and categorization, although they may be useful in contextualizing humans in their surroundings, can become exclusionary. The author thoughtfully admits that Sexuality Policy Watch proposes no solution but suggests that the movements must continue to be polyversal and polyvocal.

Amnesty International. 2008. “Love, Hate, and the Law: Decriminalizing Homosexuality.” London: Amnesty International Publications.

Annotation: Amnesty International explores the different approaches to decriminalizing homosexuality, either concerning same sex conduct, protection of children, or public health concerns. The paper offers a thorough analytical overview of the criminalization of homosexuality and the different justifications entailed by countries and their leaders. Although Brazil has never formally outlawed homosexual conduct, the paper is useful for its introductory material.

Amnesty International. 2006. “UN Human Rights Council: Third Regular Session: Compilation of Statements by Amnesty International.” In *UN Human Rights Council Third Regular Session*. United Kingdom.

Annotation: A series of statements were delivered during the third regular session of the Human Rights Council including a “joint statement on sexual orientation, gender identity and human rights” that was supported by Action Canada for Population and Development, Amnesty International, Association for the Prevention of Torture, Association for Women’s Rights in Development, Canadian HIV/AIDS, and many other organizations. John Fisher of the ARC International provided a statement regarding the achievements of a few states in LGBT issues as well as identifying key human rights violations directed at the LGBT community worldwide.

Babb, Florence E. 2006. “Queering Love and Globalization.” *GLQ: A Journal of Lesbian and Gay Studies* 13 (1): 111-123.

Annotation: Florence E. Babb critically examines from a queer studies perspective the interaction between globalization and love as written about in several books that, despite their conscientious writings, uphold heteronormative standards of intimacy and romance. Rather than simply admonish the short fallings of the reviewed works, she elaborates upon the concepts and uses the material as a reflection point of queer and feminist studies. Babb addresses how the neoliberal commercialization of love becomes a power struggle between the market, the actors, and heteronormative expectations. She ends by calling for greater self-reflection of gender and sexual identity through the queer perspective.

Böer, Alexandre, and Beto de Jesus. 2007. "Towards a Mercosur without Homophobia." *ILGA Files: Policy Making*.

Annotation: Alexander Böer of Comunicação, Saúde Sexualidade/Porto Alegre and Beto de Jesus, co-Secretary-General of the International Lesbian and Gay Association of Latin American and Caribbean region, wrote this article after representing their organizations at Mercosur Member States' meeting as spokespersons of LGBT issues. This article discusses what happened at the meeting as well as the presentation and explanation of the "Mercosur without Homophobia" Programme, which intends to promote and encourage the development of human rights specifically for the LGBT community.

Cabral, Mauro. 2007. "Considerations about the Principles." *Sexuality Policy Watch*, http://www.sxpolitics.org/mambo452/index.php?option=com_content&task=view&id=127&Itemid=148.

Annotation: Mauro Cabral, from the Universidad Nacional de Córdoba and Mulabi, points out the how the Principles extend the right to constitute a family and participate in cultural and political life. Furthermore, Cabral commends the Principles' vigilance in avoiding specific identities so that they are applicable regardless of personal identifications or imposed identifications.

Davis, Erin Calhoun. 2000. "Review of Travesti: Sex, Gender and Culture among Brazilian Transgendered Prostitutes by Don Kulick." *Contemporary Sociology* 29 (2): 384-385.

Annotation: Erin Calhoun Davis of the University of Virginia reviews Travesti: Sex, Gender, and Culture among Brazilian Transgendered Prostitutes by Don Kulick by giving a synopsis of Kulick's main arguments, methodologies, and theories as they pertain to the case study of the *travesti* community of Salvador, Brazil. Briefly, Davis critically analyzes Kulick's work by addressing the issues of Kulick's outdated reference to transsexuals; cultural, historical, and contextual vagueness; and his lack of recognition of the class, status, and power distinctions within Brazilian society. However, she claims that this study is an important contribution to gender, sexuality, and transgender studies.

Fitch, Melissa A. 2006. "Vida Antes da Morte: Homophobia in Two Works by Activist-Author Herbert Daniel." *Luso-Brazilian Review* 43 (2): 103-118.

Annotation: In this book review of Herbert Daniel's two works, Melissa Fitch presents the audience with the complexities of the Brazilian paradox due to its progressive nature and machista attitude. In the introduction of this article, Fitch directly sites such striking statistics as the more than 100 deaths of gay and lesbian persons per year between 1980 and 2001. In the actual body of this work, Fitch proceeds to analyze the eloquent writings of Herbert Daniel, a gay activist and author, and connect his work with Brazil's present homophobic and progressive positions.

González-López, Gloria. 2006. "Gender and Sexuality in Las Americas." *Latin American Research Review* 41 (2): 188-198.

Annotation: In this review article, González-López examines three books: Vivlet Barrios: Popular Culture and Chicana/o Sexualities, Hotel Ritz- Comparing Mexican and US Street Prostitutes Factors in HIV/AIDs Transmission, and Cuerpo Y Sexualidad and discusses the spectrum of sexual identities, sexual minorities, heteronormative practices, and gender identities. Although most of the review focuses on the heterosexual paradigm, there are a few sprinkles of conversations involving the homosexual, bisexual, and transgender issues in relation to family life, queer literature, and the struggle for human rights. Through this source, one can construct the present social realities in concurrence with sexual and gender realities.

Homem, Valentina. 2003. *The Brazilian Resolution: International Meeting on Human Rights and Sexual Orientation*. Brazil.

Annotation: In this short film, the coordinator, Sonia Corrêa, and director, Valentina Homem, conduct a series of interviews with international LGBT activists who clarify why the Brazilian Resolution of 2003 is so important for its time. Recorded before the actual event, the interviewees anticipate a landmark in the progression of international recognition of LGBT issues. Although the film fails to differentiate between sexual orientation and gender identity, it is a sufficient tool for exposing the need for awareness and respect of both groups.

Human Rights Watch. 2008. "OAS Adopts Resolution to Protect Sexual Rights." (June 5) <http://hrw.org/english/docs/2008/06/06/colomb19049.htm>.

Annotation: According to the Human Rights Watch website, the General Assembly of the Organization of American States has adopted a resolution condemning violence surrounding sexual orientation and gender identity as of June 2008. The Brazil-sponsored "Resolution on Human Rights, Sexual Orientation, and Gender Identity" accounts for the "Yogyakarta Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity" as well as upholding non-discrimination in international law. This is an informative piece that relays updates to the current legal issues surrounding human rights as they pertain to sexual orientation and gender identity.

International Commission of Jurists and International Service for Human Rights. 2006. "The Yogyakarta Principles: Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity." (1), www.yogyakartaprinciples.org/principles_en.pdf.

Annotation: The Yogyakarta Principles, released in 2007 by a group of 29 international human rights experts, are a landmark set of international, legally binding principles regarding sexual orientation and gender identity concerns. The Principles call for action from not only the United Nations but also national human rights institutions and non-governmental organizations. This body of principles provides substance to the international systems of law so that governments can account for specific expressions of human rights in the LGBT community and beyond. This document is widely known throughout the LGBT public and is a hallmark for international legal recognition of LGBT issues.

_____. 2007. "Experts Release Groundbreaking Principles on Sexual Orientation, Gender Identity, and Human Rights." <http://www.yogyakartaprinciples.org/index.php?item=24>.

Annotation: This press release gives an insight into how the International Commission of Jurists and International Service for Human Rights publicly portrayed the Yogyakarta Principles. The Principles were designed for the United Nations and governments in order to guarantee human rights protections for those singled out across the globe for their sexual orientation and/or gender identity. The release is well written and comprehensive enough for any media source to utilize.

International Gay and Lesbian Human Rights Commission. 2006. "International Human Rights Commission (IGLHRC)'s Team for Latin America and the Caribbean 2005 Work." <http://www.iglhrc.org/site/iglhrc/>.

Annotation: The "International Human Rights Commission (IGLHRC)'s Team for Latin America and the Caribbean 2005 Work" on the International Gay and Lesbian Human Rights website lists the accomplishments for Latin American countries and GLBT rights. The summary contains a condensed list of events such as publications, United Nations work, conferences, human rights violation cases, Inter-American Human Rights system work, and so on. According to the website, the greatest accomplishment of the year was the Training Institute for Trans and Intersexed Activists. This site provides a good birds-eye view for what the organization has been involved in during the year of 2005 throughout Latin America.

International Service for Human Rights. 2007. "Launching Yogyakarta Principles in New York." *Sexuality Policy Watch*, http://www.sxpolitics.org/mambo452/index.php?option=com_content&task=view&id=126.

Annotation: In 2007 the Yogyakarta Principles were released as a series of events, which helped promote and direct the scope of its audience. The Principles were presented parallel

to the session of the Third Committee of the United Nations General Assembly. Such important panel members included Ana Lucy Cabral, Director of the Department for Human Rights and Social Issues of the Brazilian Ministry of External Relations, and Sonia Correa from the Brazilian Interdisciplinary AIDs Association, making the Brazilian presence on the LGBT human rights scene both pronounced and significant.

Jackson, Peter A. 1998. "Reading Rio from Bangkok: An Asianist Perspective on Brazil's Male Homosexual Cultures." *American Ethnologist* 27 (4): 950-960.

Annotation: In Peter Jackson's review of the three works: Beneath the Equator: Cultures of Desire, Male Homosexuality, and Emerging Gay Communities in Brazil, Travesti: Sex, Gender and Culture Among Brazilian Transgendered Prostitutes, and Beyond Carnival: Male Homosexuality in Twentieth-Century Brazil, Jackson acknowledges the still maturing field of comparative studies of homoerotic cultures but finds that all too often authors who compose works about non-Western homoerotic cultures rely heavily on the existing literature of Western homoerotic cultures. Due to the neocolonial structuring of cultural knowledge within the Western academy, according to Jackson, scholars tend to ignore each other's work.

Jo Justo National Convenor GLAM (Gay and Lesbian ASU Members). 2004. EI/ PSI International Gay, Lesbian, Bisexual and Transgender Forum. Porto Alegre.

Annotation: This short overview of the Education International/Public Schools International Gay, Lesbian, Bisexual and Transgender Forum lists out the background information, forum program, participants, workshops attended, and future actions for the ASU. This forum is unique since recognizes that discrimination continues for unionists in regards to LGBT issues and addresses what both of these organizations can do to promote LGBT rights. Brazil has one of the strongest representations at this forum with seven organizations. The workshops at this forum expanded beyond solidarity and ventured into the practical areas of the care system, organizing, and tools for addressing conservative individuals.

Keene, John. 2004. "Brazil: Organizing for Gay Rights in Bahia." *The Gay and Lesbian Review Worldwide* 44 (2): 1-5.

Annotation: In this interview, John Keene speaks with a leading gay rights activist, Marcelo Cerqueira, from the city Salvador Da Bahia, known as the most "African" city in Brazil. The conversation touches on topics of homophobia, AIDS, the Grupo Gay da Bahia (the oldest GLBT human rights groups in Brazil), and exiting sexual dynamics. The intersections between culture, race, ethnicity, sexual orientation, and gender identity are evident in this short piece.

Kessler, Suzanne, and Wendy McKenna. 1997. "Who Put the 'Trans' in Transgender? Gender Theory and Everyday Life." *The International Journal of Transgenderism* (Special Issue on "What

is TransGender?"), <http://www.symposion.com/ijt/gilbert/kessler.htm>.

Annotation: In “Who Put the ‘Trans’ in Transgender? Gender Theory and Everyday Life,” authors Suzanne Kessler and Wendy McKenna explore three different definitions of the prefix “trans” in relation to how it has evolved over the last few decades, what meanings it holds, if the definitions fall into the common male-female dichotomy, and how gender is socially constructed. This article is written for the academic audience and those who are educated in gender orientation and published during the influx of the modern transgender movement.

Kulick, Don. 1996. “Causing a Commotion: Public Scandal as Resistance Among Brazilian Transgendered Prostitutes.” *Anthropology Today* 12 (6): 3-7.

Annotation: In this article, Don Kulick describes his personal field experience with Brazilian *transvestis* in regards to the violence experienced with in and perpetrated by the *transvesti* community. Like many other transgendered persons world wide, transvestis also suffer as the targets of violence by police forces and citizens. *Transvestis* have themselves perpetrated brutality through such acts as pick pocketing, scamming, and assaulting their clients. Kulick further explains the power play between the *transvesti* and the non-*transvesti* community members entailing resistance and oppression.

. 1997. “The Gender of Brazilian Transgendered Prostitutes.” *American Anthropologist* 99 (3): 574-585.

Annotation: Don Kulick, an associate professor of Social Anthropology at Stockholm, Sweden, researches the *transvesti*, or transvestite, community in Salvador, Brazil. He draws upon the community’s definition of sexual categories, gender, and sexuality as each relates to the person’s sexual role in intimate actions. Unlike European- American conceptions of gender and sexual identity, these individuals base their gender in a binary gender identity based on their “non-maleness” in sexual acts. Kulick evaluates, deconstructs, and reconstructs various definitions, identity, and social interactions based on gender theory in order to bring a comprehensive understanding to his audience.

Long, Scott. 2008. “Two Novembers Movements, Rights and the Yogyakarta Principles.” *Human Rights Watch*, <http://hrw.org/wr2k8/yogyakarta/index.htm>.

Annotation: Scott Long, director of the Lesbian, Gay, Bisexual, and Transgender Rights Program at Human Rights Watch, writes a thoughtful work that both chronicles human rights based abuses across the world and cites applicable principles from the Yogyakarta Principles. After explaining the relevancy of international systems of law, Long details why the Principles are essential as a normative device rather than a utopian ideal; the Principles, as a legal system, embodies a solid response to specific, universal stories of certain individuals from different sexual minorities and gender identities. Long supplies ample information that bridges several atrocities to a set of unifying Principles.

McDonald, Katherine. 2008. "8th Session of UN Human Rights Council." *IGLA*, www.ilga.org/news.asp.

Annotation: This brief document congratulates the Organization of American States, member states, LGBTI activists, and the Brazilian delegation for the approval of the "Human Rights, Sexual Orientation and Gender Identity" resolution at the 38th General Assembly of the OAS. Just 15 years prior, the Vienna Declaration and Programme of Action reaffirmed the basic principles of universality and nondiscrimination. This Resolution seeks to include the LGBTI community across the Americas. According to McDonald this is the first time in this hemisphere that "sexual orientation" and "gender identity" appear in an official document approved by all the member countries.

Nesvig, Martin. 2001. "The Complicated Terrain of Latin American Homosexuality." *Hispanic America Historical Review* 81 (3-4): 689-729.

Annotation: In this detailed article, Martin Nesvig presents a historiographical review of male homosexuality in Latin America from the 16th century through the modern era. Nesvig reviews several historical writings that reflect the cultural, social, religious, and legal interpretation of homosexuality of the time period as well as contextualizing the era itself as to what types of writings were published. In this article, Nesvig is able to successfully navigate his audience through the complications of documentation, objective research, and the survival of homosexuality in Latin America.

Phillips, Tom. 2005. "Brazil in a Lather over Soap's Gay Kiss." *The Observer*, 1-3.

Annotation: Tom Phillips reports the ongoing controversy in Brazilian society concerning homosexual activity. Nightly soap operas are a huge hit in Brazil and have had gay characters before, but this was the first time that a kiss would be broadcasted between a same sex couple. The feedback from the anticipation of this episode was mixed. This particular incident demonstrates the ongoing tension in Brazilian society concerning sexuality and sexual taboos.

"The Pope's Visit to Brazil: Context and Effects." 2008. *Sexual Policy Watch*: 1- 60.

Annotation: Sexual Policy Watch has produced several small articles reflecting on the anticipation of the Pope Ratzinger's visit to Brazil in 2008. Several of these articles articulate the conflict between issues that the Catholic Church, under the conservative Pope, upholds such as abstinence, heterosexuality, and anti-abortion campaigns and the realities of the progressive, religious landscape of Brazil. In the article "Unshakable' Position," the author explores the Church's application of "strong" love through heterosexual relationships for procreation and homophobia. Each article points to the evolving sphere of religion and human rights in Brazil.

Rodriguez, Juan Carlos. 2008. "Transgender? You May Want to Move to Cuba or Brazil."

Advocate.com (July 31) http://www.advocate.com/exclusive_detail_ektid58592.asp.

Annotation: As of July 31, 2008, both the governments of Brazil and Cuba have declared that they would be performing gender-reassignment free of charge to transgendered citizens. A lawsuit in the state of Rio Grande do Sul challenged gender reassignment surgeries as covered by a constitutional clause that guarantees medical procedures as a basic right for all Brazilians. This triggered the president to approve the procedures based on “equality for all.” For Cuba, this is a radical change in policy due to historical prejudices against LGBT members. *Advocate.com* comments that these rulings are a large step for the LGBT community worldwide.

Sader, Emir. 2004. “UN-Brazilian Resolution.” *ILGA Files: Policy Making*, http://www.ilga.org/news_results.asp?LanguageID=1&FileCategory=44&ZoneID=5&FileID=461.

Annotation: Emir Sader best presents Brazil’s conundrum as number one in ranking for homophobic crimes, although it is not clear where this information comes from, and the leader in the world campaign to squelch any discrimination against members of the LGBT community. Sader shortly explains the Brazilian proposal with all its strong points and weakness. Yet he leaves the article with a note of hope that a few years later will develop more into a reality.

Saiz, Ignacio. 2005. “Bracketing Sexuality: Human Rights and Sexual Orientation- A Decade of Development and Denial at the UN.” *Sexuality Policy Watch Working Papers* 2: 4-22.

Annotation: Ignacio Saiz delivers a direct, ample article on what strides sexual orientation rights have made in various United Nations bodies, decisions, and human rights mechanisms starting with the *Toonen v. Australia* decision in 1994. However, Saiz also recognizes the opposition within the UN “political” forums from several states claiming to defend their “cultural” and “religious” integrity, such states include the Vatican and Islamic states. Finally, Saiz presents the audience with a few strategies in how to restructure tactics to confront ongoing obstacles to the LGBT community.

Sanders, Douglas. 2008. “The Role of the Yogyakarta Principles.” <http://www.iglhrc.org/site/iglhrc/section.php?id=5&detail=868>.

Annotation: Professor Douglas Sanders, Professor Emeritus and faculty member of Law at the University of British Columbia, Vancouver, provides a reflective and chronological piece that explains the relationship between the United Nations and the LGBT movement. Since 1960, LGBT activists have been striving for human rights recognition and progress within UN treaty bodies and the special procedures. The Yogyakarta Principles, in this respect, have made large strides for the short time they have existed in providing a complementary document that operates off of the basic principles of universality and non-discrimination as stated in UN treaties.

Sexual Policy Watch. 2006. "SPW Country Case Studies on Sexuality Politics: Summaries." *Sexual Policy Watch* 2:1-8; 50-57.

Annotation: Sexuality Policy Watch's 2006 "Country Case Studies on Sexuality Politics" gives the audience an overview of not only the demographic profile of Brazil, but also an outline of the critical points that affect the LGBT community. This summary notes that the point of contention within the current sexual rights debate is the naturalization of categories within the framework of laws, politics, and social movement demands. However, the article also exposes the inner conflict within LGBT organizations that are seeking public resources. The article then goes on to give an overview of sexual politics within the United Nations and the World Bank.

. 2007. Launching Yogyakarta Principles in Brazil. *Sexual Policy Watch*, http://www.sxpolitics.org/mambo452/index.php?option=com_content&task=view&id=116&Itemid=12.

Annotation: Recently, the Yogyakarta Principles were released successively in four different Brazilian cities. The groups that organized these events included Sexuality Policy Watch; Brazilian Association of Gays, Lesbians, and Travestis; Grupo Arco Iris; Commission on Citizenship and Reproduction; and others. Partnering with these organizations were the institutions of the Federal Public Attorney's Office in São Paulo, Judges Association of Rio Grande do Sul, and others. This article, although informative in substance, exhibits the numbers of dedicated organizations and partnerships that make Brazil a viable arena for LGBT rights progression.

Singson, Susan. 2008. "Brazil Successfully Pushes Homosexual Rights at OAS Meeting." *Catholic Family and Human Rights Institute* 11 (34): 1-2.

Annotation: The passage of the "Human Rights, Sexual Orientation and Gender Identity" resolution, according to Singson, comes close to making sexual orientation a protected right. This non-binding resolution calls on countries to "repeal all criminalizing and discriminatory legislation, and promote cultural, social and institutional changes which are aimed at preventing and punishing discrimination and violence." However, critics fear that this resolution will make it hard for individual states to refuse to include sexual orientation in the Inter-American Convention against Racism and All Forms of Discrimination and Intolerance. The Convention is currently in the drafting process.

Subero, Gustavo. 2008. "Fear of the Trannies: On Filmic Phobia of Transvestism in the New Latin American Cinema." *Latin American Research Review* 43 (2): 159-179.

Annotation: Although Gustavo Subero thoroughly critiques the films: "El lugar sin límites," "Simón, el gran varón," and "Madame Satã," Subero does not clearly define the parameters involving his theoretical explanation of Latin American cultural conceptions of gender and sexual orientation. Subero's analysis of the transgendered characters portrayed by the films appeared to be recontorted into the gender binary model that many gender theorists attempt

to dispel. The criticism that these films are accommodating to the audiences' conceived notions of heterosexual normativity may be true, but the elucidations provided by Subero are confusing to a mainstream audience and are often invalid.

UC Riverside LGBT Resource Center. 2007. "Transgender 101."
<http://out.ucr.edu/topics/transgender.htm>.

Annotation: The University of California Riverside LGBT Resource Center website provides constructive clarifications to the difference between sexual orientation, gender identity, and sexual identity by defining each comprehensively in a short guide. Although sexual identity isn't as thoroughly discussed as a separate entity in most transgender literature and resources, it is important to unpack. Nonetheless, this reference as a "hand-bill" exhibits the still evolving language and definitions surrounding LGBT issues.

United Nations- ECOSOC Campaign. 2008. *ILGA Files*, www.ilga.or/news.

Annotation: As of July 2008, the United Nations Economic and Social Council (ECOSOC) granted both COC Netherlands and the State Federation for Lesbians, Gays, Transsexuals and Bisexuals of Spain consultative status. Thus two more NGO groups have a pronounced voice in the ongoing LGBT human rights debate process. They join 3,000 other NGOs that, as representatives of civil society, are able to deliver oral and written reports to the UN. As Boris Dittrich of Human Rights Watch declares, "This vote ensures that two more voices will be raised to defend basic human rights at the UN."

Writer, Staff. 2007. "Brazilian President Calls National LGBT Conference." *PinkNews*,
<http://www.pinknews.co.uk/news/articles/2005-6213.html>.

Annotation: In 2007, Brazilian President Luiz Inácio Lula da Silva announced the first national conference focused on Brazil's LGBT community. 700 people were estimated to take part in the government organized conference (60 percent civil society and 40 percent government). The conference was expected to evaluate the Brazil Without Homophobia Programme, put forward guidelines for the execution of public policies and the national plan to encourage LGBT human rights and citizenship. Although homosexuality has been legal in Brazil since 1823, with the exception of the armed forces, homophobia and transphobia are still significant problems.

_____. 2008. "Gay Rights Leader Attacked in Brazil." *PinkNews*,
<http://www.pinknews.co.uk/news/articles/2005-6830.html>.

Annotation: Alexandre Peixe dos Santos was beaten unconscious in February 2008 by an unknown number of assaulters almost making him another number in the rising count of murders of homosexual persons. Peixe dos Santos was the President of Sao Paulo's Gay Pride Association, which organizes one of the largest gay rights parades in the world. This attack was compounded with another brutal sexual assault and murder of Osvan Inacio dos

Santos, who was attacked near a bar where he had just won the “Miss Gay” competition. Activists estimate that over 2,680 gay people have been murdered in Brazil between 1980 and 2006.