The Politics of Homophobia in Brazil: Congress and Social (counter)Mobilization

by

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THE POLITICS OF HOMOPHOBIA IN BRAZIL: CONGRESS AND SOCIAL (COUNTER)MOBILIZATION

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In recent years, Latin America has seen significant progress in the expansion of LGBT rights such as the implementation of same-sex marriage and the creation of some of the world’s most advanced gender identity laws. Brazil was at the front of this progression and by the early 2000’s, scholars believed Brazil was poised to emerge as Latin America’s gay rights champion. Despite some advancements, the image of Brazil as a gay rights champion is nebulous. The Brazilian Congress has failed in passing federal legislation protecting sexual minorities from violence and discrimination and this thesis seeks to answer why.

Qualitative interviews were conducted with LGBT activists, political aides, politicians and Evangelical Pastors. Ultimately this thesis argues that Brazil does not have LGBT anti-discrimination policy because of two factors: 1) a weakening LGBT social movement and 2) a strong countermovement to LGBT rights.
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**Thesis Introduction**

Latin America comprises some of the world’s most advanced countries in terms of Lesbian, Gay, Bisexual, and Transgender (LGBT) rights. In recent years, the region has seen significant progress in the expansion of LGBT rights such as the implementation of same-sex marriage, the expansion of health services for LGBT people, the creation of some of the world’s most advanced gender identity laws, and many pro-LGBT court rulings. Omar Encarnación has termed this political phenomenon Latin America’s “Gay Rights Revolution.” Encarnación (2016) argues that by the mid-2000s Brazil was at the front of this revolution. Other prominent scholars were in agreement, believing Brazil was poised to emerge as one of Latin America’s gay rights champions (Green, 1999; Mott, 1999; Parker, 1999; De La Dehesa, 2014). Despite some advancements, the image of Brazil as a gay rights champion is nebulous.

Javier Corrales’ (2015) work identifies the main factors needed for LGBT policy success in the region. First, modernization and economic development are important as regions with higher levels of income, higher urbanization and higher levels of education display greater tolerance for LGBT rights (Corrales, 2015; Ladola & Corral, 2010). Second, a strong LGBT movement which is effective at framing, operates with progressive courts and has elite political allies is vital (Díez, 2015; Encarnación, 2016; Pierceson, 2013). Finally, secularization must be occurring. Using Corrales’ analysis we can assume that Brazil has many of the characteristics needed for the advancement of rights for sexual minorities. Brazil has the largest and fastest growing economy in Latin America. Additionally, the LGBT social movement is hailed as one of the largest and oldest in the region. The LGBT movement has political allies and has demonstrated the ability to influence the framing of policy. Furthermore, progressive courts, particularly the Brazilian High Courts have supported the movement. Brazil has also experienced
secularization, particularly after the fall of the military dictatorship and the creation of a constitution (1988) that requires a separation between church and state (Kingstone & Power, 2000; Samuels, 2003).

Evidently, Brazil has many of the characteristics needed for the advancement in rights of sexual minorities. This indicates that Brazil should be what many scholars were expecting it to become, a regional leader in LGBT rights. Yet despite an obvious need, with 44% of the world’s LGBT reported and documented violence occurring in Brazil (GGB, 2015), the state fails to enact anti-discrimination legislation or hate crime legislation protecting sexual minorities. This presents an academic puzzle: Brazil is not a leader in LGBT rights, but should be. Consequently, what this research project seeks to answer is why. Specifically, why does Brazil not have LGBT anti-discrimination policy? This thesis argues that Brazil does not have LGBT anti-discrimination policy because of two factors: 1) a weakening LGBT social movement and 2) a strong countermovement to LGBT rights.

Based on the data collected during my research, I argue that the growing countermovement to LGBT rights supersedes the internally divided LGBT social movement, thus leading to pro-LGBT policy stasis in Congress. This thesis has two main research findings. The first is the growth of a countermovement to LGBT rights. The Evangelical Church has effectively mobilized to form a countermovement. This countermovement has penetrated the Brazilian Congress. Consequently, it has become a policy opponent to the progression of LGBT rights, including anti-discrimination legislation.

The second finding involves the LGBT social movement. Brazil has one of the oldest, largest and most visible LGBT social movements in Latin America. However, the policy goals of the movement have not been reflected at the federal level. National policy extending from the
Brazilian Congress to protect the rights and lives of LGBT people is limited, and recent attempts at policy development and implementation have been unsuccessful. The countermovement is not solely responsible for the failing public agenda to recognize LGBT folk. Research findings from this study indicate a growing division within the LGBT movement, reflecting different policy priorities and limited mobilization. Moreover, this division is deterring the progression of policy formation and the enactment of anti-discrimination measures. This was an unexpected finding.

While literature exists examining the role of social movements on the policy making process (Encarnación, 2016; Díez, 2015; 2013; Htun and Weldon, 2012), few studies exist examining the role of countermovement’s to LGBT rights. This remains an understudied area of scholarship. This research project contributes to the growing body of work around social mobilization, countermovements and public policy (McCarthy & Zald, 1977; Meyer & Staggenborg, 1998; Dorf & Tarrow, 2014).

This research is situated within the literature on public policy, social movements and countermovements. A theoretical framework is formed using Resource Mobilization Theory (RM), Political Opportunity Structure (POS), and Framing literature, to interpret the research data. This framework helps to address the research gap by demonstrating the factors contributing to the decline in the Brazilian LGBT social movement and the rise of the countermovement and the subsequent effects on public policy.

Research data collected through qualitative research answers the above research question and validates the hypothesis. Bill 122/06, or the ‘criminalization of homophobia bill’, provides a case study for exploring this research question. The LGBT social movement introduced bill 122/06 to address the 1988 Brazilian Constitution’s inability to include sexual minorities in its definition of anti-discrimination. Ultimately, the bill passed through the Chamber of Deputies’
lower house but failed in the senate. Interview data and the analysis of bill 122/06 demonstrates the key actors and institutions involved in the LGBT policy process in Brazil. Additionally, it illustrates how the countermovement effectively defeated the bill within the Brazilian congress while facing limited opposition from the fragmented LGBT social movement.

This thesis is organized into six sections. The first section is the literature review and theoretical framework for this thesis. The literature review examines the following: Public Policy, Social Movements, LGBT Social Movements and Countermovements. A theoretical framework using Political Opportunity Structure (POS), Resource Mobilization (RM) and Framing is provided to demonstrate how the research data is interpreted and the research question is answered.

Section Two discusses this study’s methodology, including information on locations, interview approach, interviewees, ethics and the barriers to research. Additionally, the methodological theory of Insider and Outsider is explained and used to help interpret the research data. Section Three provides an overview of the legislative process in Brazil. Special attention is given to the institutions involved in the formulation of policy. This information is then applied to the ‘criminalization of homophobia bill’ (PLC 122/06) to clearly illustrate its process through the Brazilian congress. A policy map graphic is also provided (Appendices F, G and H).

Section Four then discusses the countermovement to LGBT rights in Brazil. Through interviews, the analysis focuses on the rise of the Evangelical Church, its growth and permeation into the political arena, the political strategies it retains and how this impacts LGBT rights and anti-discrimination policy. Next, section Five examines the LGBT social movement in Brazil. It demonstrates the movement’s rapid NGO-ization and centralization during the HIV/AIDS
epidemic and its relationship with various federal governments. Through the data collected in interviews, the analysis focuses on an unexpected finding which is the weakening of and division within the movement and how that impacts their policy objectives.

Section Six concludes the study. The contributions of this research will be clearly outlined. Finally, areas for future research will be highlighted, including: an increased focus on the judicialization of LGBT rights in Brazil and how this impacts Political Opportunity Structure and the advancement of anti-discrimination legislation.
Chapter One: Literature Review and Theoretical Framework

In order to understand why Brazil lacks federal anti-discrimination legislation despite having an established and large LGBT social movement and proposed legislation (PLC 122/06) on the issue, specific literature is considered. Examining the literature on public policy is an important place to start as it provides a better understanding of the policy process and how various actors, such as marginalized groups, interact with it. Literature on social movements demonstrates the importance of social movements during the policy making process and indicates the factors necessary for a social movement to influence the public agenda. From here, studying literature pertaining specifically to LGBT movements demonstrates the political and societal factors necessary for a marginalized movement’s policy success. Moving forward, it is vital to review the literature regarding the actor fighting against such policy: The countermovement. An examination of the literature on countermovements indicates that there is a complex power struggle between the two movements, and that the countermovement involved in this study has more power regarding the influence of the policy process. Finally, I establish that it is important to understand the interactions between a movement and a countermovement to comprehend the stasis or defeat of a policy.

After interpreting the relevant literature, I introduce three theories to help answer the research question. These theories include: Political Opportunity Structure (POS), Resource Mobilization (RM), and Framing. Using POS as a theory allows for a more comprehensive understanding of the greater structural environment in which the social movements operate to achieve success. Applying RM theory necessitates a focus on the mechanisms and resources available to social movements in order to fulfill their collective interests. Applying RM in analyzing the two social movements demonstrates the greater organizational capacity and the
higher abundance of resources available to the countermovement. Framing theory demonstrates the importance of capturing the collective characteristics and goals of a movement when framing an issue. The construction of that frame is essential in gaining support for a movement. The framing literature clearly demonstrates the inability of the Brazilian LGBT movement to frame the ‘criminalization of homophobia bill’ as necessary; similarly, it demonstrates the effectiveness and success of the countermovement’s oppositional frame. These theories provide tools for interpreting the research data and explaining LGBT anti-discrimination policy stasis and defeat in Brazil.

A specific bill is examined, PLC/122 06, or the ‘criminalization of homophobia bill.’ Initially, this bill was a priority for the LGBT social movement. It sought to address the absence of ‘sexual orientation’ in the 1988 Brazilian constitution’s definition of anti-discrimination. The bill also sought to protect LGBT people from rising levels of homophobic violence. Ultimately, the bill was unsuccessful. It remained in policy stasis for close to 15 years before being defeated.

Public Policy

Public policy is defined as government action (or inaction) in response to public problems (Pal, 2006). The analysis of public policy provides insight into what problems are perceived as ‘public’ and are placed on the policy agenda (Díez & Franceschet, 2012). This analysis also demonstrates power relations while also providing insight into the political process. Furthermore, the study of public policy demonstrates the way the rich, poor, or marginalized groups (such as the LGBT community) have their issues represented by the public agenda and their interests served by policy actors. Beginning from a rational-choice, state-centric approach, public policy has become a subfield in political science, which explains the role social movements play in
impacting public policy, such as anti-discrimination legislation. This section examines the evolution of public policy theory and demonstrates the various ways policy change occurs. Ultimately, this section will provide a greater understanding of the field of public policy and demonstrate that social movements do indeed play a role in shaping the policy process.

The emergence of public policy as a distinct field in academia saw scholars applying a state-centred approach in explaining policy outcomes. When ‘policy sciences’ or ‘policy analysis’ first emerged, it downplayed the political and historical aspects of policy-making. Initially, policy analysis focused primarily on the role of state actors and the variation in states regarding policy (Díez & Franceschet, 2012). Typically, discussions were centered on the traditional domains of policy such as the organization of the state and the policy making apparatus. The main theories of policy making were organized around a society/state binary. Pluralism and neo-Marxism saw social forces as driving public policy and state-based analysis focused on the organization of the state and the role of policy communities/networks in shaping policy outcomes (Smith & Orsini, 2007). Originally, the dominant approaches provided little room for analyzing how the broader relations of power and inequality impacted access to the policy process (Díez & Franceschet, 2012).

Criticism of early approaches to public policy centred on the scholarship’s hyper-focus on state actors. Rational actor models, or the state centered approach, does not describe the way the policy making process actually takes place, which is a battle among various actors aiming to please their constituencies (Meyer, 2005). Policy disputes include not only struggles about the influence of the range of interested parties, but also the definition of specific conditions as problematic and amenable to purposive intervention by government, the range of tools used by government, and the objectives of any policy intervention (Stone, 1997). Thus, a lack of attention
was given to the role of societal or non-state actors on the power structures in society that shape how ‘public’ problems are understood and how policy responses to those problems are debated, formulated and implemented (Díez & Franceschet, 2012).

From here, scholars such as Kingdon (1984) focused on particular stages or streams of the policy process, including problem formulation, agenda setting, adoption and implementation (Jones, 1970; Anderson 1975; Brewer and deLeon, 1983; Hughes & Mijeski 1984). Kingdon is particularly important, as his work demonstrates how particular issues are added to an agenda, in addition to the role of non-state actors in impacting the policy process (Kingdon, 1984). Kingdon (1984) describes the opportunities for policy reform, or “open windows” occurring on schedules that only sometimes line up with the development of a social problem. Kingdon claims that changes in politics, policy or problems, can create an open window in which an actor (e.g. social movement) can create policy change (Anderson, 2006).

By the 1990’s, scholars began moving away from a state-centric approach, to focus on the multitude of actors that shape the policy process. The acknowledgement of a multitude of actors able to shape the policy-process led to a scholarly turn particularly with the emergence of the ‘policy networks’ concept. Rhodes (1997) defines policy networks as sets of formal and informal institutional linkages between governmental and other actors structured around a shared interest in public policy making and implementation. The policy network concept allows scholars the ability to understand the policy process of consisting of vast groups of interdependent state- and non-state actors who are inter-dependent in the creation of public policy (Marsh and Rhodes 1992; Stones 1992; Marsh, 1998; Thatcher, 1998; Marsh and Smith, 2000). Members of these policy networks include elected officials, administrators in the bureaucracy, and activists in established interest organizations (Meyer, 2005). Meyer (2005)
argues that policies are maintained by policy monopolies, which are networks of groups and individuals operating inside and outside of government. Conflict among the actors occur, resulting in a stalemate that allows for only incremental reforms in the policy area (Meyer, 2005). Overall, policy networks are essential in bringing about policy change, as efforts for reform launched outside of these networks are easily ignored (Baugartner & Jones, 1993).

As the public policy field evolved, scholars focused their attention on the area of social policy. Furthermore, how subsequent policy outcomes were shaped by earlier policy/political settlements (Weir, Orloff, and Skocpol, 1998). Scholars now believe that history matters, and is vital in the formation of current policy development. Margaret Weir (Weir, Orloff, and Skocpol, 1988), Theda Skocpol (1992), and Paul Pierson (1994) shaped the scholarly narrative around the concepts of ‘policy feedback’ and ‘path dependency’ claiming that history legacies and earlier political and societal struggle are key in the emergence of state institutions. Most importantly, how political and societal debates are settled results in self-reinforcing dynamics, impacting future outcomes. Consequently, policies themselves are self-reinforcing and create path dependency as they “channel resources to (or from) particular actors, shift incentives that affect a range of relevant behaviours, facilitate or impede specific forms of collective action, and influence public opinion through a number of different mechanisms” (Pierson, 2006, 124-5).

Schneider and Ingram (1997) argue that polices thus reflect, and then shape the dominate social constructions, not only of problems but the people associated with those problems. By reinforcing certain actors as worthy, government legitimates political and social action on their own behalf. Additionally, it enables those actors to mobilize on their behalf. The opposite is also true. By the government failing to acknowledge certain actors, it justifies inaction and creates
social and political obstacles for their own mobilization (Schneider & Ingram, 1997; Meyer, 2005).

The vast and evolving literature on public policy offers numerous insights for policy change. Recent scholarship has focused on the complexities of policy and argue that policy change can come from a variety of sources (Stone, 2001). Scholars of public policy have recognized a place for social movements in the policy process. Scholars (Baumgartner & Jones 1993; Kingdon 1984; Meyer, 2005) argue that there is a generic pattern in which social movements are recognized as exogenous political factors that can affect the policy making process, most notably agenda setting. Rarely does analysis go beyond this, or address the mechanisms by which movements affect the policy process. There are a few recent examples which demonstrate the ability of social movements to impact the policy-making process. For example, Merike Blofield (2006) documents the role of feminist mobilization in the fight for policy on abortion and divorce in Spain, Chile and Argentina. Moreover, Htun and Weldon (2012) added to the discourse by studying seventy countries over thirty years, concluding that feminist mobilization in civil society accounts for variation in policy development in the area of violence against women. Scholarship on social movements and policy extends to the area of LGBT rights (Corrales, 2010). An example is Díez’s work (2015) on the role of gay and lesbian activists in the politics of gay marriage in Argentina, Chile and Mexico. This thesis hopes to add to this underdeveloped body of work by examining the role of the LGBT social movement and countermovement in LGBT anti-discrimination policy in Brazil.

In this research project, two social movements are involved in the policy stasis of PLC 122/06; the Brazilian LGBT movement, and the countermovement to LGBT rights, mainly consisting of Evangelicals and their congressional allies. Consequently, the literature review
moves on to focus on the following scholarship; Social Movements, LGBT movements and Countermovements.

**Social Movements**

With public policy literature recognizing that social movements do play a role in shaping public policy, it is essential to look at the literature indicating their ability to do so. The literature on social movements paints elements of the theoretical framework (see below) such as Resource Mobilization and Political Opportunity Structure as important variables in achieving policy goals. The literature aims to focus on a variety of factors including context in order to distinguish the relationship between politics, protest and public policy. Moreover, various scholars argue about the means by which a movement can be successful in achieving its policy goals by capitalizing on the policy process, influencing agenda setting, and submitting a timely policy proposal. Additionally, coalition dynamics are an important part of the literature as it gives focus to the cooperation or conflict between identities and groups within the movement. Ultimately, this section reviews the literature on social movements to show the variables associated with a movement being able to influence the public agenda.

It is important to understand the distinct properties of a social movement. Tarrow (1998) provides a concise definition of movements as “collective challenges based on common purposes, in sustained interaction with elites, opponents and authorities.” Building off Tarrow’s (1998) definition, Meyer (2005) argues that there are key points to this definition worth emphasizing: (a) the broad frame allows for the inclusion of both institutionally oriented and extra-institutional activity; (b) a social movement is larger than any particular event, representing
a challenge extended in time; and (c) a movement operates in some kind of dynamic interaction with mainstream politics.

Literature on social movements also establishes that movements are not unitary actors. A social movement is composed of a coalition of actors, acting on some element of shared goals, while competing for prominence in defining claims and tactics (Meyer, 2005). Meyer and Rachon (1997) argue that in order to understand the influence of social movements, we need to track a range of actors operating in various venues over some period of time.

In recent decades, scholars of social movements have focused on the circumstances in which movements emerge or fade. Because the process of enacting a large-scale movement entails building networks and coalitions among groups and individuals who may not always work together, scholars argue that it is important to consider the circumstances in which these groups are likely to work together. The focus on context, known as “Political Opportunity Structure,” distinguishes the relationship between mainstream politics, public policy and protest politics (McAdam, 1982; Meyer, 2004; Tarrow, 1998; Tilly 1978).

Governments can provoke or preempt protest depending on its relationship with the movement. The prominence of a particular issue, coalition, or tactic in a social movement is largely influenced by the prospect of inclusion in mainstream politics (Meyer, 2005). Baumgartner and Mahoney (2008) argue that a greater presence by a social movement in society will create a greater amount of government attention. This attention brings enhanced discussion on a movement’s issue, and this increase in awareness can lead to a place on a government’s agenda.

Literature also indicates that social movement organizations, such as NGO’s, work not only to achieve policy reform, but to support themselves and acquire resources (McCarthy, 1977;
Wilson, 1995). As a result, movements must be aware of two distinct audiences: authorities and supporters (Meyer, 2005). The former is a target for influence and policy change, the ladder is the target for resources. As a result, it is important that movements work in unison and cooperate effectively in order to influence policy makers; to the extent that they can differentiate themselves in order to cultivate support (Zald & McCarthy, 1987). Consequently, a movement that is able to secure resources is more likely to be effective at lobbying, and remain effective.

Coalition dynamics is also identified as important as this accelerates and accentuates the dynamics of a cycle of protest (Tarrow, 1998). Cooperation between coalitions and groups within a movement change over time. When public attention to an issue is growing, and resources are plentiful, groups are more likely to cooperate. When the inverse happens, movements are more likely to differentiate and pursue different policy objectives (Tarrow, 1998).

Moreover, social movement activists can build institutions or organizations for pursuing their claims over a long period of time. This comes from the support of the public, government or both. These organizations are typically formed during the peak of social mobilization (Cloward, 1977). These organizations provide an infrastructure for further mobilization. However, these organization are susceptible to change given the political environment, organizational capacity, and resources of a movement. An example of this would be Evangelical Churches.

Finally, Meyer (2005) argues that the time in which a movement can capitalize on the political process is limited. This is a result of the mobilization including a large and diverse group of actors including elected politicians and mass media. During a movement’s peak, many of the actors involved identify with a movement’s identity or claims. As this peak passes, many
of these actors drop out for different reasons. Some will leave because of a larger, more urgent issue, while other may take a break from political activity altogether. Some groups will abandon because of the inability to compromise with other actors involved, or break away to articulate their claims more sharply. Others will leave the movement to focus more so on small scale, incremental change via other avenues, such as the courts (Meyer, 2002). As such, if a movement’s policy goal takes considerable time to achieve, momentum is generally lost. In the case of PLC/122, it took 14 years before the bill died. It passed through the legislative houses at such a slow pace, it was difficult to mobilize around. The countermovement deliberately slowed the process in order to defeat the bill. This tactic proved effective.

Literature on social movements indicates that they are an important part of the agenda setting process. In some cases, a strong movement is necessary in placing an issue on the agenda (Diez, 2013; Weldon and Htun, 2013). Strong movements have the ability to draw the governments attention to particular issues, motivate policy makers, and add it to the governments agenda. Policy entrepreneurs carry out that lobbying. These individuals typically come from the social movement itself, or a grass roots background. They have influential positions in government and represent the interests of the social movement.

Policy entrepreneurs determine the best time and approach for a social movement policy proposal. Research demonstrates that they typically wait for the opportune moment when there is a policy opening, capitalizing on that opening with a proposal (Baumgartner and Jones, 1993). Literature demonstrates that this is when they typically work with their governmental allies to place their issue on the agenda (Htun; Weldon, 2002). Having key political allies is therefore vital for achieving a social movements policy goals. Both the countermovement and LGBT
social movement have key political allies. However, the countermovement to LGBT rights in Brazil has far more in Congress.

Constant mobilization is needed in order for policy change to occur (Baumgartner and Mahoney, 2005). Without this mobilization and push, the issue remains invisible (Weldon, 2002). Therefore, social movements generate public awareness which force states actors to notice and address. While the subject is on the public agenda, movements need to mobilize for the item to be debated. If the issue fades from the public’s agenda, then the movement’s goal will be less likely to materialize. Consequently, constant lobbying is required in order to keep state actor attention on the problem and develop policy allies (Htun & Weldon, 2012; Kingdon, 2003). Mobilization around this bill was weak by the divided social movement. Conversely, the countermovement led effective grass roots and street level activism against the bill, which led to it being defeated.

This section offers more clues to address the research question. Literature on social movements demonstrates their importance in the policy making process. Additionally, it indicates the factors involved in a social movement being able to influence the public agenda. This literature demonstrates both the rise and decline of a movement by discussing the importance of timing (Meyer, 1999, 2005), resource acquisition (Zald & McCarthy, 1987), and coalition dynamics (Tarrow, 1999). It emphasizes the need for strong movements to impact agenda setting as well as constant mobilization for a movement’s policy issue to be met. The research data collected from this project adds to this body of literature. Additionally, this literature helps to interpret the research data in order to better understand how a social movement can impact public policy. It offers clues as to why the LGBT social movement was unsuccessful in their policy goals, and how the countermovement was successful. Consequently, it is now vital
to look at the literature on LGBT movements and countermovement’s to properly address the research question.

**LGBT Movements**

Many governments hesitate to discuss LGBT rights as the topic remains a controversial issue in various societies. As a result, in order for pro-LGBT policy to be advanced, a strong LGBT movement is required. The literature on LGBT social movements helps to address the research question by demonstrating the factors required in order for a gay movement to be successful in reaching its policy goals. This section will demonstrate that the Brazilian LGBT movement meets most of the criteria that the literature indicates is required for LGBT social movement success in Latin America. However, this literature alone is unable to provide an answer as to why Brazil lacks federal anti-discrimination legislation.

Building off Corrales’ analysis in the introduction, the literature demonstrates the following factors as essential for LGBT, social movement success: 1) Modernization and economic development are significant; 2) majoritarian public support is necessary; 3) A strong presence in government and political allies are key; 4) and progressive courts and institutional structure influence a movement’s success. This section will break each factor down in more detail beginning with modernization theory.

Proponents of modernization theory argue that socioeconomic development leads to important cultural change. It is argued, that as societies become more modernized, their citizens move away from a focus on basic life necessities, like food and shelter, to a more holistic concentration. They adopt more “postindustrial” values, including an awareness for the environment and an increased tolerance towards difference. Ronald Ingelhart (2005) argues
through decades of polling data, that the adoption of post-industrial values, is closely associated with levels of Economic development. As such, when societies start reaching the postindustrial phase, changes happen in terms of absolute norms and values and increasing rationality, tolerance, and trust will occur (Inglehart and Welzel, 2005). Tolerance towards homosexuality is an indicator used by Inglehart in demonstrating modernity or a clear postindustrial value.

In an attempt to explain variation in LGBT rights and protections across and within countries, scholars have used modernization theory. Economic factors, such as rising industrialization, rising incomes, rising urbanization, and rising education leads to more tolerance toward political rights and greater chances at democratization (Corrales, 2015).

Presently we find that there is a connection in higher income and increased tolerance for LGBT rights in countries, regions, and cities. Additionally, urban dwellers and individuals with higher levels of education are also more likely to be tolerant (Lodola & Corral, 2010; Haider-Markel, D., Meier, K, 1996; Meier 1994; Wilson 1995). This is true at a federal, state and municipality level. Marsiaj (2012) demonstrates that more developed or modernized states in Brazil have greater protection for sexual minorities along with increased political support. As a result, in order for a LGBT movement to be successful, a certain level of modernization is required. However, the literature does not solely point to modernization as the only factor crucial for LGBT movement success; the ability of the movement to effectively frame an issue with public opinion support is also important.

When a movement’s objectives are understood by the general population, and the movement itself is visible, society will more likely be in favor of LGBT rights (Encarnación, 2016). Social movements need to initiate and shape the debate within public opinion. Public opinion has been an important factor in LGBT policy success; however, it has also led to its
demise. Gary Mucciaroni (2008) argues that when movements gain or change public opinion, it will draw in allies and supporters from the public, creating a reinforcing effect. Mucciaroni (2008) claims that if the issue being debated does not change the status quo, such as hate crime laws, then it will most likely succeed. Moreover, if the policy seeks to change the status quo, such as same sex marriage, then it will face significant challenge. He argues that in order for movements to be successful, they must win over public opinion. However, in the case of Brazil, even with the majority of Brazilians in favour of LGBT rights, the congress is controlled by a conservative coalition which counters any pro-LGBT legislation.

Additionally, Corrales (2015) indicates that it is important for LGBT movements to establish strong connections with national-level parties and political elites. LGBT movements achieve greater success when they have a strong presence within government (Haider-Markel, 2000). A strong presence within government builds relationships allies, who play a critical role in the development of LGBT policy (Haider-Markel, 1996). Once these relationships are established, social movements are able to impact the public agenda and ensure that their issues are represented within government. Having political allies also allows for greater access to state resources which can impact the movements ability to mobilize and lobby.

Finally, the literature on LGBT social movements indicates that success generally occurs in countries where the courts are both assertive and progressive (Corrales, 2015; Díez, 2015; Encarnación, 2016; Schulenberg et al, 2013). Furthermore, Miriam Smith (2008) argues that institutional structure is an important consideration for the success of LGBT movements. Smith (2008) indicates the Canadian LGBT movement’s success comes from the structure of the Canadian legal system and the centralization of power in the federal government. In contrast, Smith highlights the United States, in which their decentralization of power from federal to states
provides greater challenges for the LGBT movement. The decentralization forces the movement to focus their effort at a state by state level depleting their resources (Smith, 2008).

The literature emphasizes the factors required in order for a LGBT movement to be successful. Brazil has one of the oldest and largest movements in Latin America. Additionally, Brazil has most of the above elements, yet they lack a LGBT anti-discrimination policy. Research data demonstrates a growing division in the movement. However, that alone does not explain the lack of policy success. To better understand the movements inability to pass anti-discrimination legislation, I must look at the literature on countermovements.

**Countermovements**

The literature on countermovements is vital in addressing the research question. If you are to solely examine the literature on social movements, and LGBT movements specifically, a gap is presented in explaining why Brazil lacks federal anti-discrimination policy. The literature on countermovements indicates that for every successful social movement, a countermovement may be present. In the case of advancing LGBT rights, countermovements are normally visible. Consequently, it is important to consider the literature on countermovements to understand their interaction with social movements and how they impact policy change such as PLC 122/06. This section will use the literature on countermovements to provide an understanding as to how a countermovement may be successful in opposing public policy.

A countermovement is a set of opinions and beliefs in a population opposed to a social movement (McCarthy & Zald, 1977). Similar to a social movement, a countermovement may consist of a formal organization which identifies its goals with the preferences of the movement it represents (e.g. The Evangelical Church) (McCarthy & Zald, 1977). Thus, countermovements
form in response to a social movement. Consequently, the literature pertaining to
countermovements typically focuses on the interactions between movement-countermovement.

Literature on countermovements began to emerge in the 1960s when scholars recognized
that opposition to the movements of the 1960s often took the form of similarly organized social
movements (Meyer & Staggenborg, 1996). Initially, theorists viewed countermovements as
essentially reactionary and directed more at state and society than at the precursor movement
(Useem, 1980). Lo (1982) cast doubt on this focus on conservative oppositional movements,
arguing that a countermovement may be either progressive or reactionary; its defining
characteristic is that it is invested with and related to an oppositional movement.

Building on Lo’s view, Zald and Useem (1987) trace countermovement emergence to
movement development and claims. For Zald and Useem, the countermovement’s dependence
on and reaction to a movement, whether progressive or conservative, is the vital characteristic,
which makes countermovements an increasingly prevalent form of social change advocacy (Zald
& Useem, 1987). Zald and Useem argue that movements of any visibility and “impact create the
conditions for the mobilization of countermovements. By advocating change, attacking the
established interests, by mobilizing symbols and raising costs to others, they create grievances
and political opportunities for organizational entrepreneurs to define countermovement goals and
issues (1987, pp. 247-48). Additionally, movements also have a demonstration effect for political
countermovements by demonstrating the importance of collective action for effecting or resisting
change in particular aspects of society.

Movements create their own opposition, which sometimes takes the form of a
countermovement. Once a countermovement is formalized, it mobilizes and creates interaction
between the movement and countermovement. The interaction between movement and
countermovement may result in the involvement of the state on one side or the other. A government or sub-governments may be forced to intervene as well (Zald & Useem, 1987). In some instances, Zald and Useem (1987) argue, that a countermovement may create a counter-countermovement, different from the original movement.

Meyer and Staggenborg (1996) build on the original literature on countermovements to define them as networks of individuals and organizations that share many of the same objects and concern as the social movement they oppose. Continuing, countermovements create competing claims to the movement on matters of policy and politics (Gale, 1986) and contend for attention from mass media and the public. Meyer and Staggenborg (1996) note that sometimes the conflict never progresses beyond some preliminary challenges by the emerging countermovement. However, in contemporary politics, the struggle is generally prolonged, making it appropriate to think of the initiating and responding movements as opposing movements. As a result, these movement influence each other both directly and by altering the environment in which each side is operating or advocating for change. Thus, the opposing movements are critical in the Political Opportunity Structure the other side faces (Meyer & Staggenborg, 1996).

Dorf and Tarrow (2014) indicate that a growing volume of research on movement/countermovement interaction has dealt with sexual politics. Meyer and Staggenborg (1996) focused on the interaction and conflicts over abortion. Their main contribution is regarding the central role of “Political Opportunity Structure” in the relationship between opposing groups. Meyer and Staggenborg specified three conditions leading to the emergence of countermovements: first, signs of success of the original movement; second, the perceived threat to some population as a result of this success; and third, the availability of influential allies to aid
in oppositional mobilizations (1996). Meyer and Staggenborg’s main insight was that movements and countermovements become part of the political and legal opportunity structure of each other. After this insight, studies on movement/countermovement interaction has focused on the political venues in which opposing movements operate, and how that impacts their struggle. For example, Dorf and Tarrow’s 2014 study focuses on the strategic shift in scale of one actor or another from one level of the political system to another, and between courts and the electoral system.

The literature on countermovements is vital in addressing the research question. Countermovements exist in opposition to a movement. The literature on countermovements focuses on interaction. However, in many of the same ways as LGBT movements, countermovements success hinges on a variety of factors including acquiring resources and obtaining political allies. The literature on countermovements thus creates the hypothesis of this thesis: A strong countermovement to LGBT rights is impacting pro-LGBT policy in Brazil. Analyzing the empirical data allows for a greater understanding of the ways in which the countermovement impacts public policy and contributed to the policy stasis and defeat of PLC/122 06.

**Literature Review: Conclusion**

An analysis of the public policy literature demonstrates the broader power relations in the political process while also offering insight into the political process. By studying public policy, one can garner a more comprehensive understanding of the way in which various marginalized groups have their interests represented by the public agenda. A review of public policy literature demonstrates that social movements impact the policy process in a variety of ways. Most
importantly, social movements can initiate the debate around controversial issues such as LGBT rights. The specific literature on LGBT movements demonstrates the factors required in order for a movement to be successful in reaching their goals. However, a review of the social movement and LGBT movement literature does not fully explain why Brazil lacks federal anti-discrimination legislation, and why PLC 122/06 failed. In fact, this literature indicates that the LGBT community in Brazil should have their policy desires met. The literature on countermovements and movement/countermovement interaction offers some insight. This scholarship mainly focuses on what a countermovement is, and how it emerges. From here we can deduce that the countermovement to LGBT rights in Brazil is stronger than the pro-LGBT movement. In order to determine this, we need a theoretical framework to interpret the research data.

**Theoretical Framework: Introduction**

Building on the existing literature on public policy, social movements and countermovements, this thesis forms a theoretical framework to understand why one movement is more successful than the other. This framework is used to evaluate the empirical data collected during fieldwork and ultimately answer why Brazil lacks federal LGBT anti-discrimination policy despite having what scholars consider a strong social movement. This framework will demonstrate the shortcomings of the Brazilian LGBT movement and the strengths of the countermovement to LGBT rights.

The theoretical framework for this thesis comprises: Resource Mobilization (RM), Political Opportunity Structure (POS) and Framing. These theories fit together to demonstrate the variance in success between the movement and countermovement in achieving policy
outcomes. No single theory explains all the factors at play in social movements achieving their policy goals. Resource Mobilization allows for analysis of the internal workings of a social movement. It examines the capacity for a movement to incite policy change focusing on organization of leadership and resources. Political Opportunity Structure takes into consideration context. POS focuses on the interaction between the actors outside of the movement, the social movement itself, and how they cooperate to achieve their goals. Framing theory provides an understanding for how a movement's goals are reflected within policy. Framing theory evaluates the cohesiveness of the movement and its ability to influence the public and political elites in achieving their policy outcomes. It also considers competing frames from countermovements.

The literature has gone in a direction that encourages a holistic approach. Using all three theories in combination captures more of the nuances in how social movements may impact public policy. The three theories allow for a greater interpretation of the dynamics at play. When combined, they provide a framework to evaluate how each movement is able or unable to reach their objectives. Applying the theoretical framework to interpret the research results, RM, POS, and Framing theory show that the countermovement has greater success in influencing political outcomes and public policy.

**Resource Mobilization (RM)**

For this study, Resource Mobilization is used mainly to examine the internal dynamics of the social movement itself. It highlights the importance of strong leadership, organizational capacity and proper accumulation and distribution of resources. It allows for a thorough understanding as to the capacity of a movement to advance policy change. Resource Mobilization theory demonstrates that the Brazilian LGBT movement lacks cohesive leadership and financial
stability. Conversely, it demonstrates the power of the countermovement in their effective organization, strong leadership, and mass accumulation of wealth.

This explanatory framework for social movement strength focuses on the decision-making of the individuals involved within a movement. Resource Mobilization can be defined as “those collective vehicles, informal as well as formal, through which people mobilize and engage in collective action” (McAdam, McCarthy and Zald, 1996). Resource Mobilization emphasizes the significance of the actors involved, and the various mechanisms and resources at their disposal that enables them to fulfill their collective interests. The primary hypothesis of Resource Mobilization is that social movements should be more successful in influencing public policy when they have strong organizations fighting for their interest (Schulenberg, Et al, 2013). Factors including capable leadership, strong organizational capacity, and wealth are especially important to this perspective (McCarthy & Zald, 1977). LGBT movements are more successful when they are well organized and have access to a plethora of resources. Research findings from this project indicate a lack of organization and resources for the Brazilian LGBT movement, negatively impacting their ability to influence policy outcomes.

Extending beyond financial ability, the strength of a movement depends on the internal operations and interactions between its members. These interactions are essential in providing a sense of solidarity and providing resources for the movement (Chang, 2008). Alternatively, the internal dynamics of a group can also hinder a movement's success. Gamson, (2015) provides an example using the LGBT movement in which more traditional gay activists resented being labeled as queer, a label that was advocated and promoted by the younger generation to include a larger number of activists and issues. The interaction and dynamics of a movement through a collective identity can therefore influence the direction, or strength of a movement. Moreover,
the research findings indicate great internal rifts within the Brazilian LGBT movement, translating to policy stasis.

**Political Opportunity Structure (POS)**

Political opportunity structure (POS) acknowledges that social movements do not operate within a vacuum. This framework allows for the interpretation of various actors, whether it’s an institution, politician or the executive. It allows for the understanding of actors outside of the movement and how they interact in order to advance policy change. LGBT social movements rely on other actors and institutions to be successful. POS is defined as “the broader set of political constraints and opportunities unique to the national context in which they are embedded” (McAdam, McCarthy and Zald, 1996). Instead of solely focusing on the movement itself, POS focuses on the characteristics of the broader structural environment in which social movements operate to explain how they obtain success (Schulenberg, Piatti-Crocker, & Pierceson, 2013). It is vital to understand the political and social elements impacting the success of a movement in order to predict when they can advance their public policies (Schulenberg, Piatti-Crocker, & Pierceson, 2013). The two most important variables within POS that may influence a social movement's success at passing public policy are public opinion (Burstein, 1999), and the presence of elite allies (McAdam, 1996).

Burstein (1999) argues that public opinion is the most crucial variable to examine when understanding social movement influence on public policy. Burstein (1999) refers to his “theory of democratic representation” to demonstrate that social movements usually do not, and should not influence policy decisions when their beliefs are at odds with the majority of society. Obviously, politicians are concerned with political survival, so it would be politically dangerous
for them to defy the majority of society against the progression of LGBT rights. The majority of Brazilians are in support of LGBT rights. So, this variable alone does not explain the inability to pass pro-LGBT policy in the Brazilian congress.

The “elite access model,” focuses on the connections between civil society groups and political elites. According to this model, a social movement's success depends on the its ability to secure help from third-party insiders to pass legislation (Tarrow, 2011). This perspective supports the notion that interest groups, such as LGBT organizations, have more influence and say when they have strong connections with policymakers (McAdam, McCarthy and Zald, 1996). Politicians are ultimately the ones who present legislation, so they will introduce or support bills that will garner them more votes (Kingdon, 1984). Even if a social movements priority is not one for the public at large, they may be able to get it onto the agenda if they can persuade a politician that it will enhance their prospect for reelection, or they can provide them support from the movement. This perspective differs from Burstien’s (1999) in the sense that it gives politicians more agency. If they can convince the general public that a bill is important, it may be able to enhance their political survival. The same can be said if a politician opposes a bill, and can find support in their opposition from special interest groups. An example is PLC 122/06 and the countermovement’s ability to gain political and societal support in opposing it.

**Framing**

Framing is the social construction of a movement which captures its collective characteristic and goals. Through the internal dynamics, structure, and goals, a narrative is developed that encompasses the shared perceptions of the movement’s objectives, values, characteristics and identity (Díez, 2013). The framing of an issue is an effective way to
demonstrate this identity as well as display the movements goals to the public at large. The construction of the frame is essential in gaining the public's support on a policy leading to agenda setting. Framing Theory acknowledges that in order to ensure success for a movement’s policy objectives, the issue needs to be framed effectively to represent the interests of their constituents. If done well, the framing of policy will become dominant in the discourse of society, garnering momentum for policy objectives. However, competing frames emerge from groups who oppose the sought for changes. Consequently, Framing theory is a vital framework to consider as this project considers two different movements and their competing ideologies. The Brazilian LGBT movement faced challenges with the framing of the 'criminalization of homophobia' bill, whereas the countermovement created a frame which resonated with their constituencies.

By weaving a selection of beliefs, facts, and values into a plausible narrative, policy frames allow actors and publics to reduce the complexity of the policy process or policy problems, ascribe meaning to the problems, while assessing policy alternatives (Orsini and Smith, 2007). As a frame becomes dominant within the discourse on the policy issues, the more successful it will be in shaping the policy debate and content of the policy (Orsini and Smith, 2007). For this reason, opposing coalitions or movements will work to impose their own storyline as the dominant frame of reference for a policy issue (Orsini and Smith, 2007).

Gaitlin (1980) argues that a movement's success is contingent on a series of critical junctures which influence the creation of policy frames. Gaitlin’s work demonstrates that media framing can help shape how members of a movement perceive their own objectives (Something the countermovement did very well in Brazil) (Gaitlin, 1980). Additionally, recent literature examines the dilemmas to framing associated with group identities (McGarry & Jasper, 2015).
The identity associated with the framing determines who is included or excluded within a group. Changing the story or framing may allow for an increase in membership, leading to more protestors and more strength for the movement. However, increasing membership presents opportunity for internal rifts, as individuals may identify to a sub-group over the movement as a whole (McGarry & Jasper, 2015).

In terms of this project, PLC 122/06 was framed by two main groups; the LGBT movement and the Countermovement. As indicated the LGBT movement struggled with their framing, as many individuals believed the bill would protect homosexual men and do little for the other sexual minorities. The countermovement framed the bill as being against freedom of expression and an attempt to limit religious liberty. The framing of the countermovement was very successful, and one of the contributing causes for the death of the bill.

**Conclusion**

The literature on public policy demonstrates how the field has evolved to include the ability of social movements to impact policy change. After reviewing the available literature, the hypothesis of the thesis is strengthened: a strong countermovement is impacting pro-LGBT policy in Brazil. Political Opportunity Structure, Resource Mobilization and Framing are used to create a theoretical framework. Ultimately this framework helps us understand why Brazil lacks anti-discrimination policy. The framework interprets the research results to demonstrate the overall strength of the countermovement as well as the disorganization and division of the LGBT social movement. Overall, this thesis will add to the literature on public policy, social/countermovements, POS, RM and Framing in helping to understand the rise and fall of social movements.
Chapter Two: Methodology

This section will begin with a discussion brief introduction to the methodology of the study. From here insider and outsider perspective in order to explain the theoretical interpretation of my research. Moving forward I will offer a justification for the use of Brasilia and Rio de Janeiro as the locations in which I conducted my research. I will then discuss the informants used for the study and justify the groups of participants interviewed in order to address the research question. After a discussion on the use of a translator and accessing Brazilian literature, the section will conclude with a discussion of the methodological challenges to this research.

To properly address the research questions, field work was conducted over a 4-month period in Brazil. A positivist approach was taken and qualitative research was conducted using interviews and participant observation. Being situated in Brazil allowed for the collection of content, resources and Brazilian literature which is not accessible in Canada. This allowed for positivist process tracing to fully comprehend the progression and stalling of legislation pertaining to anti-discrimination measures. This access to information was imperative for addressing the projects research question.

Both formal and informal interviews were conducted. The interview style was semi-structured with open ended questions. Open ended interviews with a set number of planned questions allow for proper exploration of the research question; there are many political, social, historical and personal avenues the respondent could pursue. This methodological approach proved to be highly useful and allowed for flexibility for the interviewee. There was consistency to the respondents’ answers to the pre-set questions; however, each interviewee provided unique insights because of the semi-structured approach.
I had two main contacts established before entering the field in Brazil. These contacts were provided through my supervisor, Jordi Diez, at the University of Guelph. The first was Horacio Sívori, a social anthropology professor at the State University of Rio de Janeiro. He provided considerable research guidance and connected me to a translator, students and fellow researchers. The second was Flávia Biroli, a political scientist at the University of Brasilia. Flavia connected me with students, lawyers, translators, professors and government officials in Brasilia.

Before entering the field, I established some guidelines regarding quota sampling. I aimed to interview individuals who identified as LGBT activists, politicians (or political aids) or religious leaders. When I entered the field, and as research progressed, my quota sampling changed as some of the groups were much more accessible than others. Additionally, I ended up interviewing multiple trans activists, a category I should have considered in my initial quota targets as they are disproportionately impacted by violence and discrimination in comparison to other sexual minority identities.

The methodological technique of snowballing was used to connect with activists and politicians. This was the correct tactic for conducting interviews in Brazil, as a recommendation or an introduction from another activist or politician is considerable when attempting to establish trust. Snowballing was easy to perform in Brazil; the challenge was deciding on who were the most valuable interviewees for the target research question. I had key contacts that I aimed to interview. Further, in each interview I asked the respondent if they had recommendations for whom I should talk to, or if they could connect me to a specific person on my list.

Social media is very prominent in Brazil and used as a source of communication between academics, politicians and activists. In particular, the organizational nature of the activist
community allowed for contacts to be easily accessed, as it seemed everyone was connected in some way, whether on Facebook, Twitter or WhatsApp.

The LGBT activist community is very tight-knit in the city of Rio de Janeiro and once trust was established, accessing that population and setting up interviews with key contacts was successful. Snowballing was used when establishing interviews, but in order to represent the diversity within the LGBT movement, I would ask to be connected to organizations or individuals who identify with a different group, or are a part of a different, or in some instances “rival” organization. This proved successful and allowed for multiple different interpretations and diversity in research data.

Conducting research and establishing contacts in Brasilia was done through snowballing as well. Once contact was made with government officials and their aides, snowballing happened very quickly. However, once I was invited into the Congress, I could request interviews with any politician I desired, who was accessible. Thus, I attempted to interview a wide spectrum of individuals affiliated with different parties and with different views on LGBT rights. In the end, the diversity in political party variation was limited, as the individuals with the strongest view for or against LGBT rights are typically associated with a handful of parties. Additionally, various politicians would refer me to specific other politicians typically belonging to parties with strong views on LGBT rights.

**Insider and Outsider Perspective: Theoretical Interpretation of Research**

Positionality is often a difficult concept to engage with, both in the field, and post fieldwork. As a white, cis, gay, Canadian man, I was under the impression that it would be a challenge to conduct research, or gain access to certain groups of individuals while in Brazil, as I would be
viewed as a foreigner. However, this was not necessarily the reality, and I found myself struggling to unravel how I was gaining access to key informants. The methodological theory of Insider and Outsider is a useful tool for fieldwork analysis. It allows for a greater understanding of personal struggles with positionality, authenticity and privilege. Additionally, this theoretical approach allows for a better overall interpretation of ethnography, participant observation, and interviews.

Insider research refers to when a researcher conducts research with a population in which they are also members (Kanuha, 2000), sharing an identity, language and experiential base with participants (Asselin, 2003). This insider status allows for more legitimacy, leading to rapid and more complete acceptance by the participants. This characteristically leads to participants being more open with researchers allowing for greater data collection. Although this shared status can be beneficial as it affords access, entry, and a common ground in conducting research, it can also be detrimental to the research process (Dwyer & Buckle, 2009). The participant may make assumptions of similarity and therefore fail to elaborate or explain on a topic fully. Additionally, the researcher’s perceptions may be clouded by their own experience, steering or misinterpretation of the participant’s answers.

Outsider research refers to when an individual conducts research with a population in which they are not members. They share no identity, language, and have limited connections with the participants. Outsider status may allow for a more objective interpretation; however, it is very difficult to gain access and trust with specific populations as an outsider (Dwyer & Buckle, 2009). Connections and interviews may take significant time to find, and it impedes the ability to conduct research in a timely manner. It also leaves room for misinterpretation. Additionally, the inability or unwillingness to share views about political or societal issues may hinder the
credibility and trust of the researcher (Dwyer & Buckle, 2009). The most effective way of using this theory to interpret my methodological approach is to find a space in between insider and outsider, or to view these identities as fluid. When viewing this as fluid, it demonstrates that I have specific traits that allow me to gain or impede access to certain populations.

With activists, the fact that I identify as gay allowed for increased trust. This led to more openness and honestly with interviewees. Additionally, LGBT activists provided greater access to key networks and contacts because of this increase in trust. However, I was not so much of an insider that respondents withheld or skipped over information. In fact, because I am Canadian, thus an outsider, it created an aura of naivety, causing respondents to be excessively detailed and thorough in their answers. Even though I have knowledge in Brazilian politics and history, remaining more of an outsider then I am (in some regard) allowed for increased interaction with the respondents. My status as an outsider in this sense, and my willingness to learn also led to increased trust within the activist community.

Politicians viewed me as an outsider. However, this worked to my advantage. Being perceived as foreign, or Canadian seemed to make me more intriguing to talk to. This includes politicians who are both pro or anti-LGBT rights. The motivation for both, I believe, is to further their political ideology, or reinforce their own beliefs. Politicians who were pro LGBT rights, upon knowing I was from Canada, felt inclined to express how progressive Canada was as a leader in LGBT rights. Additionally, they would ask for my perspective on what was happening in Brazil, as though inclined to learn something from me. The individuals who were anti-LGBT, seemed to understand the criticism they face from progressive countries like Canada, and wanted to explain, or use my outsider status as an othering tool, arguing that their perspective is the true Brazilian view. However, my insider/outside fluidity model explains my access with politicians
who are gay. I interviewed multiple people who work for Jean Wyllys (the only openly gay congresswoman in Brazil), as well as gained trust with the press secretary at the secretariat of women, who allowed me access to the plenary while in session.

Religious leaders viewed me as an outsider. This worked against me. I was unable to gain any access or trust within the Evangelical or Pentecostal community. When I practiced participant observation at churches, pastors would either try to intimidate me to leave, or were unwilling to talk to me. This is a result of a perception of ideological difference, which in this case are in fact true, leading to barriers which are not easily overcome. Additionally, I am not only an outsider because of ideological difference, I am also an outsider because of institutional design and power hierarchies. Pastors are not able to give interviews with non-church members without clearance from the head of the church. I may be able to overcome some of these barriers; however, a significant amount of time would be necessary.

After reflection and conversations with key advisors and contacts in Brazil, it is apparent that I could use my fluidity as an insider or outsider to my advantage. This was especially evident when interviewing activists and politicians. However, I was unable to overcome the extreme outsider perspective with Religious leaders, thus resulting in large barriers. Utilizing insider and outsider theory to interpret conducting fieldwork in Brazil as a foreigner, allows for a more thorough understanding of my positionality, and identity, and its facility to enhance or impede the methodological approaches to my research.

**Research Locations**

Interviews were conducted in two main locations: Rio de Janeiro and Brasilia. These interviews were conducted with two target groups: LGBT activists and politicians. Rio de Janeiro is home
to some of the most well-known LGBT activists in the country, and Brasilia is the political heart, where the congress is located. Despite conducting fieldwork in two cities, a diverse group of individuals were interviewed. Participants interviewed included political representatives from various states and parties across Brazil. It also included activists whose work extends outside of Brasilia or Rio de Janeiro. Basing myself out of these two locations allowed for access to the communities necessary in order to address the research question.

**Rio de Janeiro**

Three months of field work was conducted in Rio de Janeiro. Rio de Janeiro is the second largest city in Brazil and one of the most politically active/important. It is home to several prominent LGBT organizations and non-profit originations (NGOs). It is also home to some of the country’s most recognizable activists and academics working on LGBT rights.

Through the Mitacs Globalink Research Scholarship, I was awarded an internship with a professor at the State University of Rio de Janeiro. This award allowed me to work with Professor Horacio Sívori who provided key connections that commenced the snowballing approach to interviewing. The award also allowed me to connect with various academics within the institution. Additionally, I was able to use the resources and network of students at the Latin American Centre on Sexuality and Human Rights (CLAM), a think tank run out of the State University of Rio de Janeiro, which Dr. Sivori helps run.

I was able to talk with many academics at various universities while in Rio. These individuals provided resources and connections to help strengthen my overall research. These academics also connected me with students who are conducting research related to my own
research. This proved highly useful in terms of networking and gaining a Brazilian perspective on the topic.

Time spent in Rio was highly productive. Networks were formed and key informants were found. Trust was established within the LGBT community, especially the Trans community. This provided connections and led to interviews with some of the most recognizable LGBT activists in the city and country.

Rio is also home to some of the country’s most influential LGBT organizations. I connected with and interviewed activists at Casa Nem, Tem Local, Amnesty International, CLAM, Grupo Acro – Iris (Rainbow Group), and Liga Brasileira de Lésbicas. These organizations all have different functions and areas of focus in regard to LGBT rights. They also have competing ideologies as to how to best serve and provide support to the LGBT community. Interviewing individuals at these various organizations demonstrated a variance in policy priority in the movement.

There were several key events which occurred while conducting research in Rio which provided increased national and global attention to LGBT rights. At the university at which I had my internship, a student was targeted by university employees and beaten to death because he was gay. This tragic event was followed by public hearings and increased media coverage on LGBT violence. As a result, many prominent activists and academics came forward and many people were easily accessible because of an increased urgency to discuss LGBT rights in Brazil, in addition to the high levels of violence toward the LGBT community. The public hearing, I attended allowed me to interact with various people impacted by this student’s death: police officers, lawyers, activists, politicians, priests, academics, students and other community
members. It was a tragic event and was referenced extensively in many of the interviews which transpired in Rio.

Additionally, multiple Trans people were killed in Rio de Janeiro while conducting research for this project. There was a particularly violent murder in a favela which went completely underreported. I was made aware of it because of my interactions and interviews with the Trans community. These events sparked outrage within the Trans community, which was suffering greatly at the time and continues to do so. Thus, activists sought outlets to discuss LGBT rights and violence directed toward the community.

Brasilia
The final month of field research was spent in Brasilia. Brasilia is the political heart of the country. It is the home of government along with the Chamber of Deputies, Senate and ministries. The city is known for its highly organized and intentional design. This results in all the political offices and buildings being in the centre of the city, allowing for easy access to interview subjects. The challenge is finding any sort of public transit that will get you there.

During the months of May to September, many ongoing political, economic, and cultural events, demanded the time and attention of politicians. This was a result of the Olympics taking place, the on-going municipal elections, and the presidential and congressional impeachment process. Thus, it was very important to correctly time when to do research in Brasilia. The second week of September was the time when politicians were the most accessible. Every Congressperson in Brazil travelled to Brasilia during the second week of September to participate in the impeachment vote of former President Dilma Rouseff and former head of the Chamber Eduardo Cuhna. I chose to go to Brasilia at this time, arriving on the day Dilma
Rouseff was formally impeached. I was invited into Congress on the day Eduardo Cuhna was removed. The time frame was short, as I would only have a few days to access all the politicians in one location before they returned to their home constituencies to partake in municipal elections. This decision around timing proved to be the correct one.

I arrived in advance of Congress being in session to meet with my principle contact in Brasilia. I also aimed to network with the academic and activist community there to utilize any connections these individuals had with politicians or aides within Congress. Professor Flavia Biroli (University of Brasilia), a connection made through Horacio Sívori, connected me with key contacts at the Ministry of Human Rights and the Secretariat of Women. My connection at the Secretariat of Women allowed me to connect with key Congresswomen, who granted me access to the plenary while in session. This is rather unprecedented and provided me with the opportunity to interview some of the most prominent politicians in the country.

I was invited into the plenary during a debate on a bill regarding sexual assault and rape which aimed to create harsher punishments for perpetrators. This plenary session featured many prominent politicians who were also heavily involved in the debate around the criminalization of homophobia bill (122/06). Being in an ongoing congressional plenary provided a great opportunity to engage with politicians. This type of access is normally not permitted, but I was invited personally by Congresswoman Carmen Zanotto from the Progressive-Socialist party. I was able to conduct several interviews between debates. Unfortunately, while I was there, a heated argument ensued around a proposed policy on forced sterilization. This included congressman Jair Bolsonaro berating the chair, congresswoman Maria do Rosario (both interviewed for this project), stating that she was “too ugly to ever be raped, so your opinion does not matter.” Cuhna’s remarks resulted in a storming of the stage and security being called.
A recess was forced and the debate ended, limiting interviews for the day. This event made national news.

After finishing at the plenary, politicians remained in Brasilia as Congress was still in session. So, I focused on visiting politicians’ offices within the Chamber. Additionally, I visited party offices and attended public forums on various topics and bills. This strategy proved useful, as I could engage with several key politicians who were involved with or could speak directly about my topic and LGBT rights.

**Informants**

Initially, three distinct groups were targeted for interviews: LGBT activists, politicians and religious leaders. However, due to unforeseen barriers within the religious community, I focused my time on interviewing informants in the activist and political community. Interviewing members of these groups are essential in addressing the research question. These groups provided a tremendous amount of data to answer the projects research question.

I began snowballing by talking to academics (Appendix A). These individuals, with diverse areas of research interest, provided a tremendous amount of information on the topic. They were essential in my understanding of the Brazilian political environment. They also helped me comprehend the democratic process within Brazil, providing knowledge on the various institutions involved in the creation and formation of PLC 122/06. I engaged with political scientists, legal scholars, anthropologists, sociologists and communications academics. Academics, particularly those studying sexuality, work very closely with the LGBT movement and activists. Academics connected me to activists who then connected me with their peers.
Many activists have informal or formal relationships with politicians. These relationships allowed for connections to some political figures in both Rio and in Brasilia.

Accessing members of the countermovement to LGBT rights proved more challenging. The Evangelical and Pentecostal community is very closed and untrusting of outsiders. It is challenging to speak to any type of religious leader in Brazil. While in Brasilia, I capitalized on talking to politicians who are associated with a church, or politicians who are also Evangelical pastors. They are accessible in their political role, which is highly influenced by their association with the church. This was evident when conducting interviews with this target group.

Additionally, many of the most conservative Congressmen like to present themselves as though they are open for dialogue. They agree to participate in interviews or to have a conversation but when it comes to setting a time, it is next to impossible. My translator and I had to be extremely persistent in pursuing conservative or openly anti-LGBT politicians as they would regularly set a meeting time and then not attend. It became difficult and we had to resort to interviewing them on the spot, meaning these were short interviews that were interrupted by passers-by. We later learned that many of the big name conservative politicians like to present themselves as approachable, while they are not.

**Interviews**

Two distinct groups were targeted for interviews: 1) LGBT Activist, and 2) Politicians. A diverse number of individuals were interviewed from both groups. These individuals answered various questions in order to address the research question.

**LGBT Activists**
Interviewing informants from this group is essential (Appendix B). The research question directly relates to the LGBT community and social movement. The LGBT community was involved with the formation of bill 122/06 and this piece of legislation is an anti-discrimination measure regarding violence and harassment toward the LGBT population. There is a division of support within the LGBT community in regard to this bill. Thus, it is important to interview a diverse group of people to fully encapsulate the diversity of opinions within the LGBT community.

I was successful in accessing the Trans community in Brazil. This was a tremendous privilege as a white foreigner. I established trust within the community, which led to interviews with two of the most prominent Trans activists in the country. These interviews were important, as the aforementioned level of violence and discrimination disproportionally affects the Trans community. I also had informal conversations with Trans Sex workers, however, they asked for complete anonymity. Ultimately, a vast array of individuals were interviewed from various backgrounds, allowing for dynamic data collection.

Interviewing lesbians, gay men and Trans folk demonstrated a difference in policy priority depending on how one identifies. Some, particularly older activists, saw the bill as essential, while younger activists often expressed distrust in government and a lack of faith in policy as a means for protection.

Politicians

Politicians are critical informants as they provide insight as to what happened to PLC 122/06 while in the legislative arena. These individuals are directly involved with the formation,
progression, stalling and alteration of any legalisation pertaining to LGBT rights. Their insight is essential when answering the research questions.

I targeted “progressive” politicians, who are in favour of LGBT rights, and conservative politicians, members of the countermovement, who are vocally and publically against LGBT rights (Appendix C). Politicians who are in favour of LGBT rights are easy to identify, as there are few of them. Their names were revealed during interviews with activists as well as during process tracing. When researching the legislation I identified key political figures and determined the politicians who were most involved in promoting LGBT rights. Many of the politicians vocally in favour of LGBT rights are women and associated with the Partido dos Trabalhadores (Workers Party). Thus, I decided to interview a contact at the Secretariat of Women. He connected me to female politicians who were involved in the formation of the bill. If a politician was not available for interview, I focused on interviewing a political aid associated with that party. Activists connected me with aids or policy advisors working on LGBT rights (Appendix D).

Identifying politicians who are a part of the countermovement was also straightforward. Specifically, I researched which Congressmen are members of the Evangelical voting bloc and targeted them. This voting bloc has become the largest bloc in the Brazilian Congress and Senate. More specifically, I targeted the individuals most vocally against the bill or LGBT rights in general, along with politicians who are also Evangelical or Pentecostal pastors. By interviewing people with opposing viewpoints and non-supporters of the LGBT community, I gained thorough insight regarding the research question while also confirming my hypothesis. Interviewing members of the countermovement demonstrated the main arguments against legislation aiming to protect LGBT people. Finally, these encounters demonstrate some of the
strategies used by the countermovement to kill, alter, or change a progressive bill, or one they oppose, when it is introduced in the Chamber.

**Religious Leaders**

Religious leaders are an important target group when addressing why Brazil does not have anti-discrimination law. Additionally, religious leaders are among the individuals involved in the countermovement to LGBT rights. Consequently, interviewing religious leaders is important for both addressing the research question and proving the hypothesis. However, institutional barriers and safeguards created by the Evangelical Church made this demographic extremely difficult to interview. To interview leaders within the Church, special permission was required by the head of the entire Evangelical Church of Brazil. This proved more than challenging, and because of time constraints, my focus shifted to politicians who are associated with or actual pastors for the Evangelical church (Appendix E). There are numerous individuals, who in addition to being politicians, are also pastors. Interviewing these individuals allowed for an understanding of the church’s stance on homosexuality and LGBT rights.

These barriers proved overwhelming with the limited time I had in the country. Thus, I used participant observation to gain insight into the organization and structure of the Evangelical Church. I attended multiple services at various Evangelical churches in Rio de Janeiro. This included witnessing an exorcism and visiting the second largest Evangelical Church in the country, located in Rio, the Cathedral of Faith, which seats more than 13,000 people. In both situations, it was difficult to engage with staff. At a smaller church in Rio, the pastor was skeptical of my presence, causing my translator and I to leave the service early. At the Cathedral of Faith, I requested an interview with the head pastor and was denied. I was successful in
obtaining a contact number for one of the main pastors; however, when I called (his personal radio station) I was told I would need permission from the head of the Evangelical Church in Rio to interview any pastor in the state.

**Use of a translator**

A translator was used for interviews in which the respondent preferred to communicate in Portuguese. Many interviews were in Portuguese; however, multiple interviews transpired in English. While in Rio, Dr. Sívori invited me to connect with his colleagues at the State University of Rio de Janeiro. Dr. Sívori connected me with a research associate at CLAM who provided translation services and acted as an interpreter while in Rio de Janeiro. Dr. Sívori recommended Dr. Flavia Biroli as a support for my research while in Brasilia. Dr. Biroli provided a list of students with translation skills upon my arrival in Brasilia. After meeting and interviewing these individuals, I hired one student translator to help conduct interviews in Brasilia.

The use of a translator was essential. It was important that these individuals had a background in political science and were familiar with the research topic. This allowed for a certain level of trust with respondents and was essential in conducting interviews with key targets. My translator in Brasilia happened to be the daughter of a federal judge, which proved to be useful as her knowledge of political figures was vast.

These individuals provided translation for text messages, emails and, of course, interviews. Every time a message was exchanged or a question was asked, there was consultation between myself and the translator beforehand. This provided consistency and verified that my research questions are properly addressed. Despite the use of a translator and the limitations of
such an arrangement, the quality of the service allowed for successful interviews. I request all my interviews to be translated word for word in order to properly code the data. This provided extensive information in order to answer the research question.

**Access to Brazilian Literature**

Being based in Rio and Brasilia allowed for access to key resources that could not be obtained while in Canada. Most of these resources were collected because of the individuals interviewed. I was provided key literature (both unpublished and newly published) and congressional documents. This allowed for a more comprehensive understanding of the topic. Additionally, documents collected while at the congress allowed for effective process tracing of the criminalization of homophobia bill. These documents provided evidence to support the hypothesis of this study, which is that the countermovement to LGBT rights is impacting public policy. Finally, these documents allowed for the creation of an accurate policy infographic on the rise and defeat of PLC 122/06 (provided in the following section).

Talking with academics also proved useful as they referred me to Brazilian journal articles and books related to my topic. I connected with some PhD students whose dissertations and publications related to my own research. Access to these resources allowed for a greater understanding of the topic of LGBT rights in Brazil and an exploration of the research gaps.

**Methodological issues**

There were several methodological issues that presented challenges to my data collection. Each one presented a unique obstacle to overcome. Despite the barriers they presented, I was able to
find ways to adapt my study in order to gather the appropriate amount of information to address my research question.

**Funding**

The cost of living is very high in Brazil. The cost is particularly high in Rio de Janeiro and Brasilia. Furthermore, I required four months of field work, so the amount of money required for living expenses was significant. I could overcome some of these financial challenges by staying with friends and finding discounts by renting apartments through my personal networks. This freed up funds to scout and hire quality translators. Despite winning multiple scholarships for this research, the use of translators was extremely costly. This was especially the case while in Brasilia, as I required a translator with me at all times while in the Congress.

**Timing**

Due to the structure of the Master’s Program at the University of Guelph, my fieldwork was required to be conducted from June to September. There were several major obstacles to my research because of the political and societal happenings in Brazil at that time. These were the most challenging obstacles to navigate in organizing, scheduling and conducting interviews. See below.

**Impeachment**

The ongoing impeachment of President Dilma Rouseff resulted in Brazilian politics being fixated on this particular event. Corruption scandals (Known as *Lavo Jato*), mass protests and political unrest, created barriers in conducting research as the country was focused on the outcome of the
impeachment process. The formal impeachment happened on my first day in Brasilia. In the end, I was able to use this to my advantage, as I knew every politician in the country would be in Brasilia for the impeachment vote, allowing me to plan my stay and interviews around that time period.

**Olympics**

The 2016 summer Olympics were hosted in Rio from Aug 5th - 21st. Activists and politicians focused their work towards the Olympics and the political causes associated therewith. Protests and strikes swept the country, which at times made it challenging to connect with key political and activist figures while in Rio de Janeiro. Additionally, many informants were unavailable during August. People used the Olympics as an opportunity to engage in politics or protest culture, or avoided it all together by travelling outside of the city and country. I used the protest surrounding the Olympics to my advantage. I attended protests and events that the LGBT community invited me to. This allowed for networking with key individuals as well as the ability to practice participant observation.

**Municipal elections**

In addition to the impeachment process and the Olympics, municipal elections were ongoing in Brazil. This was burdensome as many political figures were unavailable; they were either running for office or involved in the municipal elections in their home constituencies. Mayorship in large cities is typically sought after by politicians hoping to one day run for president. Thus, I faced a short window of opportunity to access politicians in Brasilia. Many politicians only
arranged to be in the Capital for the impeachment vote before making a quick return to their home constituencies the next day.

**Recession**

Brazil is experiencing its worst economic recession in 20 years. As a result, there were many strikes during the time of my interviews; Universities, hospitals, primary schools and banks, among other institutions. Moreover, many organizations and programs have lost government support, resulting in their termination. One example is the Brazil without Homophobia Campaign, which no longer exists in the state of Rio de Janeiro. Consequently, people were mobilized around the ongoing strikes and demoralized because of the cuts in programming. This made it challenging to access networks of the activist population as their efforts were being exhausted elsewhere.

**Interview Length**

Interview length ended up being a methodological challenge. The extensive length made coding and interpreting the data burdensome. Duly, because of an increased level of violence and recessive policies regarding LGBT rights, interviews with activists tended to take an average of 2-3 hours (one interview lasted 6 hours). This provided a wealth of information but also presented issues regarding translation and interpretation.

**Competition for Interviews**

The limited window of opportunity to interview politicians in Brasilia created severe problems. Of significance was competition for interviews. The impeachment of Dilma Rousseff and
Eduardo Cuhna occurred mere days before entering Congress. This resulted in journalists, researchers and many individuals from the public, trying to gain access to politicians. This created significant competition, with lines of people waiting outside of specific deputy’s offices. Consequently, I engaged with many deputies while in the plenary, while the plenary was on recess, in hall ways of the congress, or even in empty meeting rooms.

Ethics

Ethics approval was granted by the University of Guelph Research Ethics Board before conducting research in Brazil. The process with the University of Guelph in obtaining ethical approval was challenging, as the research ethics board was unfamiliar with conducting social science research in Brazil. It took a significant amount of time and edits to finally get approval.

All participation was voluntary. Every participant was genuinely interested and invested in the interview. Informed consent was outlined with each participant. In only one situation was there a concern for safety, and the participant asked for their title to not be a part of the research project. This request for anonymity was a result of said person’s position in government and their boss being an outspoken critic of LGBT rights.

Most participants who I interviewed were familiar with the formalities of research. Many people had been interviewed for academic research before. Many participants requested a final version of the thesis when complete.

Ethical guidelines set by the University of Guelph posed some challenges, particularly when explaining to participants why they needed to sign a form to participate. This was challenging when interviewing some activists, who are members of more vulnerable groups in society or already feel distrust toward outsiders. Having a translator and a local Brazilian with
me eased the tension and helped build trust in these situations. No one refused to participate.

Also, by showing a willingness to speak in Portuguese (though limited), I was able to gain trust and create familiarity. On select occasions, I also would reveal limited personal information and my sexual orientation to develop a relationship with participants.

Finally, when conducting research in the Congress, the fast-paced environment caused some participants to only provide verbal consent. This is a result of the setting. Presenting paperwork and asking participants to read through it was challenging in these situations. Sometimes interview participants only had ten minutes in between meetings or other commitments. If they did not sign the form at the time of the interview, verbal consent was recorded and the documents were sent to them following the interview so they could review them on their own time.
Chapter Three: The Legislative Process in Brazil

In order to provide a comprehensive understanding of the Brazilian political system and the key features which impact policy pertaining to Lesbian, Gay, Bisexual and Trans (LGBT) rights, this section provides background information and examples related to the legislative process in Brazil. Emphasis is placed on the characteristics of institutions that are exploited to impede or impact LGBT rights. Political institutions can influence agenda-setting, in the sense that policy actors can modify legalization according to what they feel has a chance of success given the institutional framework (Blofield, 2006). Additionally, institutional rules directly impact the process legislative bills go through, if they pass or fail, how long they take, and whether and how they are modified (Blofield, 2006).

As such, an overview of the policy process provides context for this project’s findings. A focus will be placed on the ‘criminalization of homophobia’ bill (5003/2001), introduced in the Brazilian Chamber of Deputies in 2001, and on the Brazilian Senate (PLC 122/06) in 2006. Ultimately, this section helps to demonstrate the ways in which the countermovement to LGBT rights uses the legislative process in Brazil to impede pro-LGBT policy, specifically PLC 122/06, resulting in policy stasis or defeat.

General Overview

Brazil has had seven constitutions. The current democratic constitution was introduced in Brazil with the fall of the military dictatorship in 1985. The newly formed democratic government created a ‘new’ constitution in 1988. The Brazilian federal framework is a federal presidential representative democratic republic. The President is both the head of state and head of government, and of a multi-party system (over 26). The political composition of Brazil includes the federal government, 26 states, and a federal district and municipalities. The 1988
The federal government is divided into three branches: executive, legislative and judicial. The president exerts executive power, advised by their cabinet. The national Congress, comprised of a two-chamber legislature, the Federal Senate and the Chamber of Deputies make up the legislative branch. The judiciary consists of the Supreme Federal Court, the Superior Court of Justice and other Superior Courts. The Brazilian judiciary is seen as an ally to the LGBT cause, setting judicial precedence for same-sex civil unions in 2004 and gay marriage in 2013.

The Brazilian constitution was influenced by the American constitution but is unique in its expansiveness. It defines political institutions and the power of political actors in the policy making process. In Brazil, the policy making process is driven by strong presidential powers. That power is held in check by the constitutionally defined powers of the congress, the judiciary, state governors, and the Ministério Público (public prosecutors). Policy making begins with interactions between the president and members of congress, with other political actors acting in the shadows (Alston, Melo, Mueller & Perreira, 2008). The executive has been controlled by the worker’s party (PT) since 2003. PT is visible in its support of the LGBT community. Nonetheless, Congress has been unable to pass any pro-LGBT public policy. In order to understand the legislative process and the lack of pro-LGBT policy, it is important to comprehend the main institutions involved in the Brazilian political system regarding LGBT policy.
Political Institutions

This section provides a brief overview of the key political institutions in Brazil which have a role on policy creation pertaining to LGBT rights. Specifically, this section will examine the power of the president and executive and their interaction with congress, the legislature and the judiciary.

The Executive, Party Leaders, Legislators and Committees

Since the formation of a new constitution in 1988, all elected presidents have been able to form strong post-electoral majority coalitions within the congress as a result of strong party discipline by the governing coalition (Figueiredo and Limongi, 1999; Pereira and Mueller, 2003). No president has been elected with an absolute majority of seats. However, they have been able to obtain congressional support by use of their executive legislative and nonlegislative powers. As a result, the president and the executive branch have significant influence in regard to legislation formation, particularly in regard to their control of the national budget. This in theory would work to the advantage of the LGBT community if a pro-gay president is in power.

The characteristics of a decentralized electoral system and a fragmented party system create the electoral strategy in the Brazilian legislature to adhere to the party vote in Congress (Alston, et al, 2008). Indeed, Brazilian legislators vote in accordance with their party leaders in an effort to garner political benefits in the Congress and strengthen their political survival and electoral probability (Alston, et al, 2008). As a result, “party discipline was above all a function of the President’s legislative coalition-building strategies based on dispersion of patronage to parties.” (Alston et al, 2008). Consequently, if the PT party leader spoke in favour of a particular pro-LGBT bill, the legislators for that party would typically follow the direction of the leader.
While electoral rules provide incentives for politicians to act individually, the internal rules of the Congress and the President’s power to legislate render legislators’ behaviour dependent on party loyalty and Presidential priorities (Kingstone and Power, 2000; Alston et. al, 2008). Thus, legislators act in accordance with the priorities of party leaders in Congress to have access to potential benefits that will increase their individual chance of survival. In Brazil, Party leaders hold significant power and important institutional prerogatives. At any time, they have the ability to appoint and/or substitute committee members; add or withdraw proposals from the legislative agenda; decide if a bill will have urgency procedure; indicate the position of the party regarding a bill on the floor; and fundamentally negotiate with the executive the demands of the members of their party. In other words, party leaders are the bridges linking individual legislators and the preferences of the Executive (Alston et. al 2008). Consequently, political parties are very strong within the legislative arena. It is very difficult for legislators to act individually inside Congress, as it is not rational for surviving politically.

There are few parties which actively support LGBT rights in Brazil. Those who do are not a part of the larger, more conservative voting coalitions. As a result, LGBT rights rarely become a legislative priority for most parties. This is a consequence of the larger voting blocs adhering to moral policies, with issues such as LGBT rights and abortion becoming politically dangerous topics to support. There are few champions of LGBT rights within the Brazilian Chamber (Jean Wyllis, Marta Suplicy, Erika Kokay). Those who do champion the cause have to navigate the conservative voting coalitions within the Brazilian Congress, which are vehemently opposed to LGBT rights. Consequently, it proves challenging to further the cause and fight for this type of legislation. Many prominent Brazilian politicians, including Dilma Rousseff, Lula de Silva, Marina Silva and Marta Suplicy, have visibly flip-flopped on their support for LGBT
rights in order to appease party leaders or maintain political power. These inconsistencies in support become very apparent during federal elections.

One important characteristic of the Brazilian congress regarding LGBT rights is the internal framework of the Chamber of Deputies, which grants party leaders central roles in the legislative process and the committee system (Encarnacion, 2016). Party leaders see committee appointments and substitutions as a prerogative to the advancement of their platform. There are no restrictions on how long a legislator can be a committee member. Additionally, self-appointment to committees is possible. Furthermore, there is significant interference by party leaders through appointing and substituting committee members with turnover from one committee to the next being extensive. Finally, the executive, or other parties, stack certain committees with loyal members in order to impact legislation or delay the process. The committee system within the Chamber and Senate is easy for parties to exploit. It is evident in this study's research findings that this structure is commonly taken advantage of in order to negatively impact or deter legislation regarding LGBT rights or, more specifically, bill 122/06.

The Supreme Court

The Brazilian judiciary is an important political entity to examine in relation to LGBT rights. Pro-LGBT rulings have typically progressed from the subnational level to the Supreme Court. The judiciary ruled in favour of same-sex partner recognition and gay marriage. Federal legislation in support of LGBT rights has only come through the judiciary, not through the Brazilian Congress.

The Brazilian Supreme Court is composed of eleven judges. The president nominates the judges for life terms, with compulsory retirement at 70 and confirmation required by the Senate.
The constitution maintains judicial independence by ensuring judges are protected from political instruments of control and coercion. For example, the judiciary controls its own budget and is able to appoint lower court judges. Through their power of judicial review, courts influence legislation both directly and indirectly by ruling that legislation is unconstitutional and by shaping what Congress will consider passing. This means that legislative and executive activities transpire in the “shadow of the courts” (Alston, et al. 2008). It is important that individuals and organizations consider the political cost of having legislation deemed unconstitutional. Consequently, political actors must anticipate the rulings of the court.

The intention of the Supreme Court is to be truly independent. The objective is to craft an image of a court that is independent and impartial, and one that should be entrusted with the important role of final arbiter. This means there should be occasions whereby it directly contradicts the interests of the executive and Congress. In regard to gay marriage in Brazil, the Supreme Court's ruling has been challenged directly by the Partido Social Cristão (Social Christian Party) calling for an appeal, and counter legislation being introduced within the Congress from 2014 onward. Interviews conducted for this thesis demonstrate that the activist community views the Supreme Court as progressive and as the most effective ‘ally’ in Brazilian politics for progressing LGBT rights. An overview of the legislative process in Brazil helps to explain why.

The Legislature

In order for a bill or an amendment to the constitution to become a reality, it must follow a certain path through the Brazilian Congress. The bill must flow through the Brazilian Chamber of Deputies and the Brazilian Senate in order to become law. A proposition must be made in
order for the process to begin. There are several types of propositions that can be made depending on the type of law being proposed. These include: Constitutional amendments, constitutional law, ordinary law, among others. The type of proposition dictates the path it the bill will need to follow through Congress. The bill this research project focuses upon (LGBT Anti-Hate bill) is an example of an ordinary law. Thus, a brief overview of the ordinary law process is useful in understanding the bill’s trajectory.

An ordinary bill can be presented in either the Chamber of Deputies or the Senate. Any member or committee of the Chamber of Deputies, the Federal Senate or the National Congress can introduce a bill. In the case of the LGBT Anti-Hate bill, it was first introduced by deputy Lara Bernadi to the Chamber of Deputies. In the first stage the bill will be examined by the commission and/or plenary.

Both the Chamber and the Senate have committees which are provided by the federal constitution of 1988 to assist in drafting laws or other legal norms. Each committee has a specific theme and function set out by the constitution and by the internal rules of the Chamber or Senate. When a bill is introduced to the Chamber or Senate, the board of directors defines which committee will offer a review. For example, in the case of the LGBT Anti-Hate law, it was first introduced to the Brazilian Chamber. From here it is reviewed by the “mesa” and the lower house leadership. Once the bill passes through the leadership of the Chamber, the bill then passes to the appropriate parliamentary committees. The criminalization of himiphobia bill was sent to two committees; Human and Participative Legislation Rights Committee (CHR) and the Constitution, Justice and Citizenship Committee (CCJ).

Before being sent to committees the proposed legislation must be reviewed and passed by the Constitution, Justice and Citizenship Committee (CCJ) to be considered constitutional. If
three committees approve the bill, it goes straight to the Senate. If two committees approve the bill, or if it fails to secure approval from a committee, it goes to the plenary for a vote. In the case of the LGBT anti-hate bill, it was approved by the CCJ in the chamber and sent to the plenary to be voted upon. If approved through a vote, it must similarly pass through the Senate's Judiciary Committee or Economic Affairs committees for review. If approved by the senate committees, the bill would be sent to the Senate floor for a vote. If voted in favour, the bill is then sent to the president who can either approve or veto the bill in part. In the case of bill 122/06, it was archived and defeated in the Senate.

Certain characteristics of the Brazilian Political System and the institutions in place allow for dominance by smaller parties which are able to form strong coalitions within the Brazilian Congress. Thus, LGBT rights have been greatly impacted due to the rise of the countermovement, directed by Evangelical moral belief. The amount of power this group has grasped allows for the coercion of politicians to follow their moral agenda, as well as the exploitation of committees and appointments. Bill 122/06 and how it evolved to die demonstrate this. The following section will examine bill 122/06 in greater detail in an effort to map out its path, from beginning within the Chamber to dying within the Senate. The progress, stalling and archiving of this bill effectively demonstrate the power of the countermovement in the Congress, as well as the limited impact of the LGBT social movement within the Congress.

**Criminalization of Homophobia Legislation Overview**

The ‘criminalization of homophobia’ bill was introduced in the Brazilian Chamber of Deputies. In 2001, It was introduced by Congresswoman Lara Bernardi as bill- 5003/2001. The introduction of the bill was in a direct response to members of the LGBT social movement demanding legislative action against rising levels of LGBT violence and discrimination. The aim
of the bill was to criminalize homophobia, in a similar way in which racism is criminalized in Brazil. After introduction, the bill was processed in the Constitution, Justice and Citizenship Committee (CCJ). Four different rapporteurs represented the bill between 2001 - 2005. The final rapporteur, Deputy Luciano Zica, made amendments to the bill in an effort to characterize homophobia. This included: the dismissal of employees due to sex, sexual orientation and gender identity; Prohibition of entry or permanence in any environment or public or private establishment open to the public; The refusal or prejudice to someone, in a system of educational selection, recruitment or promotion, functional or professional; Refusal of accommodation or collection of a surcharge by establishments of kind; Refusal to negotiate movable or immovable property with a specific subject for discriminatory reasons; The impediment or restriction of manifestation or homosexual, bisexual, or transgender affectivity, when these expressions and manifestations are allowed to other citizens; among others.

Under rapporteur Luciano Zica, the CCJ voted to switch the bill from ordinary status to urgent status. This switch was perhaps in response to the lack of progression with the bill or perhaps a strategy to present it immediately for a vote within the chamber. Once switched, the bill was presented to the plenary the following day. The hastiness of progression was unexpected, resulting in the bill being accepted in its form and sent to the Senate despite five years of debate within congressional committees.

In the Senate, the bill became PLC 122/2006. From here it was initially sent to two steering committees; the committee on Human and Participative Legislation Rights (CHR) and the Constitution, Justice and Citizenship Committee (CCJ). The bill was first discussed in the CHR. This committee was chaired by Evangelical Deputy Marco Crivella (now mayor of Sao Paulo). Three public hearings were recommended, in which prominent members of the
Evangelical community, or “Televesengicals” were called upon to testify as key informants in their professional capacities (as politicians, doctors, phycologists, etc.). Maintaining quorum for committees became a challenge. This is a common technique used to fight against progressing legislation. Because of a lack in progress, the steering committee assigned the bill to the Committee on Social Affairs (CSA). Deputy, Fatima Clied, an LGBT supporter, was appointed rapporteur. In 2008, Fatima Clied called for the approval and debate of the bill. The vote was delayed with a call for collective view, a common maneuver used within committee proceedings. During this process, the bill was opened to scrutiny from the religious community. Some committee members rejected the bill while others advocated for significant changes. In 2009 Fatima Clied included some of the suggestions proposed by Evangelical pastor and congressman Marco Crivella and others in order to appease religious freedom and freedom of expression. From here, the CAS approved and submitted the bill for review back to the CHR. In 2010, once again, Evangelical Senators Mango Malta and Marco Crivella called for three public hearings to be held. These hearings were never scheduled and the bill was shelved.

In 2011, LGBT Champion Senator Marta Suplicy re-opened the bill. This was met with fierce pushback from the Evangelical and Religious countermovement. Silias Malifia, one of the most prominent Televesengicals in Brazil, mobilized grassroots religious activism resulting in mass protests across the country. Mango Malta then called for an additional public hearing for the bill, requesting Pastors Silias Malifia and Joide Miranda to speak to the bill. Marta Suplicy responded to the request by calling a meeting with Senators Marco Crivella and Demonstenes Torres to define a new text. The public hearing was not scheduled and the request was withdrawn.
Suplicy, Crivella and Torres constructed a new text for the bill. This was in an effort to appease both the LGBT and Religious communities. The proposed changes and new text revolved around suggestions presented by Marco Crivella. In an effort to appease the religious entities opposing the bill, Marta Suplicy (still rapporteur) subsided to allow for the protection of religious groups from criminalization. The amendment read that the new legislation “does not apply to the peaceful manifestation of thought stemming from faith and morality founded on freedom of conscience, belief and religion.” The modified bill was presented to the HRC in 2011 but the vote was postponed. Momentum for the bill was lost. In 2014 the bill finished its proceedings in congress and in 2015 PLC 122/2006 was permanently shelved.

Policy Map (Appendices F, G, H)

Appendices F, G and H provide an overview of the ‘criminalization of homophobia’ bill’s transition through the Chamber and defeat within the Senate. The policy map highlights some of the key moments which either helped or hindered the progression of the bill. It highlights the actors involved in its formation, the committees in which the bill was discussed, and the relevant time periods. Additionally, the policy map demonstrates some of the tactics used by both the social movement and countermovement within the Brazilian Congress. The policy map also demonstrates some of the effects of Framing. Moreover, the Political Opportunity Structure is evident, demonstrating key political allies involved with the bill who favoured the countermovement. See appendices F, G and H.

Important Moments – Critical Junctures

There are several key moments that either helped or hindered the progression of the Criminalization of Homophobia legislation: 1) The switch from ‘ordinary’ status to ‘urgent’
status within the Chamber of Deputies CCJ, 2) The mobilization of the countermovement in 2011 after Marta Suplicy becomes rapporteur, 3) Appeasing the demands of the countermovement in the wording of the bill.

Under rapporteur Zica in the Chamber’s CCJ committee, the bill was switched from ordinary status to urgent status. This can be seen as a strategy for the proponents of the criminalization legislation. Essentially, the committee voted in favour of switching the bill, placing it on the agenda of the plenary for a vote the following day. This caused what public policy experts in Brazil call “dormio no ponto” or “missed the train.” The countermovement was unable to mobilize in time to oppose the vote. Therefore, the bill passed in the form presented to the Chamber. Therefore, it was able to pass through the chamber and into the senate. However, this caused the countermovement to become more engaged with the bill once inside the Senate.

In 2011, Marta Suplicy, one of the most recognizable politicians in the country, also a supporter of the LGBT community, became rapporteur of the bill. Suplicy’s involvement caused a stark reaction from the countermovement. Silias Malifia, arguably the most well-known Televangelical in the country, became an outspoken critic of the legislation. He made a call to action and mobilized a grassroots movement against the bill, leading protests across the country. On June 1st 2011, 70,000 Catholics and Evangelicals gathered in protest of the bill in front of the Brazilian Congress. His framing of the bill was highly effective, claiming that it awarded enhanced privileges for LGBT folk while limiting the freedom of religious peoples. Two prominent senators sitting on the CHR committee within the congress, Mango Malta and Marco Crivella, called for more public hearings which would include Silias Malafia as an expert panelist. These public hearings are typically dominated by the countermovement, so they are highly undesirable for proponents of pro-LGBT legislation.
Marta Suplicy avoided public hearings by calling for a meeting with two other senators working on the bill (Marco Crivella and Demonstenes Torres). The three senators wanted to find a common ground to appease both the LGBT community and the Religious Communities. Subsequently, the legislation was changed in order to protect religious groups from persecution. This change was highly unappealing to the LGBT community, resulting in a loss of support and mobilization around the bill and serious criticism towards senator Marta Suplicy. Additionally, the amendments did not do enough to appease the Evangelical critics within the Congress. Thus, after these modifications, the bill had limited, to no support left within the Senate and was shelved.

**Conclusion**

PLC 122/06 was unsuccessful in passing through the Brazilian Congress. A variety of strategies were used in order to deter the bill's success. In the end, the countermovement was successful in their efforts to change the bill to appease their demands around the ideas of religious freedom and religious expression. This appeasement and amendment to policy discouraged the LGBT social movement and momentum for the bill was lost. A brief policy overview demonstrates support for this project's hypothesis in which the argument is that a strong countermovement is influencing LGBT anti-hate and anti-discrimination policy within the Brazilian Congress. This was demonstrated clearly through a general overview of the progression and stalling of bill 5003/2001 and PLC 122/2006. Further analysis of the research data supports the hypothesis of this research project, demonstrating the growing power of the countermovement in Brazilian Politics and the division within the Brazilian LGBT social movement.
Chapter Four: The Countermovement to LGBT Rights in Brazil

This section attempts to address the research question: Why does Brazil not have anti-discrimination policy? Using the theoretical framework, the research data demonstrates that the countermovement has a tremendous ability to influence public policy. The countermovement has grown exponentially in the last twenty years and has formed a strong and cohesive leadership. The countermovement has accumulated a tremendous amount of resources through the expansion of their base and the use of various wealth accumulation tactics. These resources have allowed the countermovement to focus on influencing politics. Consequently, they have formed a tremendously cohesive and influential Political Opportunity Structure through the election of political elites and the formation of a strong congressional voting bloc. The Political Opportunity Structure in place for the countermovement allows for a tremendous amount of political clout within the Brazilian Congress. Additionally, the framing used by the countermovement is cohesive, straightforward and highly effective: Any progression of LGBT rights is anti-religion. As a result, the countermovement is able to rally their base effectively to oppose pro-LGBT policy. Consequently, interpreting the research data, in combination with the theoretical framework, helps answer the research question. Brazil does not have federal anti-discrimination legislation because of a highly effective countermovement to LGBT rights.

This section focuses on the data results pertaining to the countermovement’s power in the political arena. The section begins addressing the research question by studying the results of the interviews as they pertain to the formation, growth, organization and strength of the countermovement and how it is able to impact public policy. Following this analysis is an examination of the various political strategies the countermovement uses to deter LGBT policy. The shelving of the ‘criminalization of homophobia’ bill, or Chamber bill 5003/2001 and Senate
bill PLC 122/06, demonstrates the ability of the countermovement to prevent protections for sexual minorities while confirming the hypothesis of this project and addressing the research question.

The Countermovement Defined

*Evangelicals* are the main actors driving the countermovement to LGBT rights in Brazil. They include charismatic Christians in main-line Protestant denominations, as well as non-denominational Pentecostals who constitute the largest and fastest-growing segment of Evangelical Protestants (Reich and Dos Santos, 2013). In Brazil, the largest Evangelical Churches are the *Igreja Universal do Reino de Deus* (The Universal Kingdom of God), and the *Assembleias de Deus* (Assembly of God).

The Evangelicals have amassed significant political power. Their voting bloc comprises 15 percent of the seats in the Brazilian Chamber of Deputies, making it the second largest voting bloc after the *Partido dos Trabalhadores* (PT). Together with their congressional allies the Evangelicals have formed a countermovement to LGBT rights as well as the largest combined voting bloc in the Brazilian Congress. This is known as the BBB (Bible, Bullets and Bisons). The alliance includes Religious conservative groups (Evangelicals and Catholics), Ruralist parties, and military parties. Voting blocs typically vote along party lines, and with Evangelicals being adamantly against the progression of Gay rights, pro-LGBT policy faces significant challenges within the Brazilian Congress.

The Birth of the Evangelical Countermovement
Brazil, which remains the most Catholic country in the World, has seen a massive growth in the number of people who identify as Evangelical. In 1950 three percent of the population identified as Evangelical, while in 2016 that number rose to 26 percent (Espinosa, 2004; Ogland, 2014, Encarnación, 2016). This means that many Catholics switched faiths. As a result, the percentage of Catholics in Brazil has decreased from nearly 90 percent of the population in 1980, to 68 percent in 2014 (Ogland, 2014). Gerson Luiz Scheidweiler Ferreira, from the Secretariat for Women and a PhD candidate in Communications and Politics at the University of Brasilia, claims that the “Evangelicals promised to solve people’s problems immediately, and contrasted with Catholicism at the time which was beginning to become progressive” (Interview, Brasilia, 09/06/2016). As the Catholic Church became more progressive in Brazil, the Evangelical Church became more conservative, focusing on social concerns which were used to mobilize their base. This rapid growth of the Evangelical Church was accompanied by the proliferation of Evangelical clergy. In 1990 there was one Catholic priest for every Evangelical pastor in Brazil and by 2000 there were 3.7 Evangelical pastors for every Catholic priest (Nogueira, 2007).

The Evangelical Church is an export from United States missionaries. These missionaries left the U.S. in 1911 and began targeting poor communities in rural regions of Brazil. Presently, the two main Evangelical Churches in Brazil are the Universal Church, which was founded in the 1970s, and the Assembly of God, founded in 1911. Universal alone has more than 35,000 Churches and 12 million followers in Brazil (Espinosa, 2004). According to a policy advisor at the Brazilian Human Rights Commission, both Churches practice “hate speech and are actively against gay rights” (Interview, Brasilia, 09/08/2016). Furthermore, the policy advisor states that “Evangelicalism is growing rapidly in Brazil, along with the hate speech from their leaders” (Interview, Brasilia, 09/08/2016).
Brazilian Evangelicalism is characterized by strictness, particularly in relation to the state’s Catholic majority. It can be observed in three ways. First, as a group, Evangelicals are more frequent church attendees in comparison to Catholics meaning that they have more contact with and are more easily influenced by pastors and church elites (Reich and Dos Santos, 2013). Second, Evangelicals have a greater adherence to the custom of tithing. In Brazil, if you are a member of the Evangelical church, it is expected you give a minimum of 10% of your salary (known as the Tithe) to the church. Third, Evangelicals typically adopt attitudinal and lifestyle changes that distinguish them from the rest of society, with more conservative attitudes concerning sexual morality, marriage, divorce, and reproduction (Bohn, 2004; Reich and Dos Santos, 2013). These characterizations are reflected in the results of this project and create significant barriers towards LGBT rights.

Interviewees cited the growth of the Evangelical Church as the central force behind intense anti-LGBT sentiment in both society and politics. They explained the Church’s growth through its use of ‘Prosperity Theology’ and focus on its development in poor Brazilian communities. Prosperity Theology and the Evangelical Church’s focus on development, has led to mass resource accumulation for the Church.

Prosperity Theology

According to Reich and Dos Santos (2013) “Prosperity Theology” or “Prosperity Gospel” has been one of the main propellants behind the expansion of Pentecostalism in Brazil. Prosperity Theology is a religious belief that individual financial blessing and overall well-being is the will of God. This belief system dictates that by having faith, practicing positive speech, and donating to one’s church, one will increase their material wealth both in this lifetime and the next one. The
core thesis of Prosperity Theory, whose roots are commonly traced to the U.S. Televangelical, Oral Roberts, is that individual material and spiritual success is a reward for the committed believer (Reich and Dos Santos, 2013). Prosperity Theology’s focus on a consumer-driven approach has made it highly successful, as followers of the Evangelical Church commonly attend worship of upwards to six times a week and are encouraged to donate as much as financially possible. These tithes are significant when 8.5% of the country, close to 16.5 million, live on less than $28 Cdn a month. The founder of the Universal Church, Edir Macedo, is worth over one billion dollars, and the church brings in over 565 million cdn a year through tithes alone.

“Prosperity Theology” has thus been a driving factor in the economic success, growth, organization and political success of the Evangelical Church.

Many activists and pro-LGBT political respondents identified “Prosperity Theology” as one of the central factors in the Church's massive expansion. Allessandra Ramos, a Transgender policy advisor for Deputy Jean Wyllys argues that this was an “easy and effective way of getting people involved in the Church, and keeping them involved in the religion” (Interview, Rio de Janeiro, 07/272016). It provided “structure for the poor”, particularly within underdeveloped regions and favelas. The Prosperity Theology practiced by the Evangelical Church calls for worshipers to attend church every day. When questioned for this project, anonymous Evangelicals reported attending church upwards of 6 times a week while also donating at least 10 percent of their salary. This commitment to the Church demonstrates that an Evangelical's life is centred around their religion. Participants believed it would “help [them] reach paradise and completion” (Deputy Erika Kokay of PT, interview, Brasilia, 09/12/2016). This loyalty has garnered tremendous power for the Church, which is utilized by Evangelical politicians in order to oppose or support legislation.
The Evangelical Church used Prosperity Theology to gain societal power. This philosophy resonates strongly in their communities and encourages faithful followers, allowing for large financial donations from worshipers. It also allows Evangelical elites, and pastors to spread their doctrine to their enormously faithful Church followers. In the 1990s the Evangelical Church’s influence began to strengthen alongside a state-wide economic boom. The boom lifted many people out of poverty, growing the middle class and ultimately providing people with more economic stability. The growing strength of Evangelicals during this time is attributed to an increase in the economic freedom of its base, leading to an increase in donations. These donations allowed the accumulation of resources in order for the Church to continue to grow in size and influence and to move from its foundational rural areas to larger urban centres. Prosperity Theology was thus a driving force behind the resource mobilization of the evangelical church, leading to its rapid expansion in Brazil.

**Evangelicals and Development**

In an attempt to explain variation in LGBT rights and protections across and within countries, scholars have used modernization theory as a theoretical framework. Economic factors, such as rising industrialization, rising incomes, rising urbanization, and rising education are associated with an increase in tolerance toward political rights and greater chances at democratization (Corrales, 2015). Presently, we find that there is a connection in higher income and increased tolerance for LGBT rights in countries, regions, and cities. Additionally, urban dwellers and individuals with higher levels of education are also more likely to be tolerant (Lodola & Corral, 2010).
Modernization theory helps explain the progression and variation of LGBT rights in Latin America (Corrales, 2015). Brazil has the largest economy and is one of the most developed states in the region. Regardless, it also has one of the highest indicators of economic inequality in the Latin America (Corrales, 2012). Consequently, there are large pockets of underdeveloped regions, particularly in the north of the country which is ripe ground for the expansion of the Evangelical Church. Additionally, in these regions, the Evangelical Church and their tremendous resources have taken advantage of the lack of state presence to provide services that the state does not (schools, shelter, food programs), endearing themselves to the people (Marsiaj, 2008). Ultimately, there is a link between economic inequality, religiosity and modernization theory.

Many activists highlighted the intentional targeting of small, underdeveloped regions of Brazil by Evangelicals - as the Catholic Church was far more organized within urban settings. Jandira Queiroz from Amnesty International Brazil notes that “the smaller the city, the more visible they were” (Interview, Rio de Janeiro, 07/18/2016). The Evangelical Church invested a lot in these communities, and as a result it became a key cultural, social and political actor. This, in turn, grew its support base. As a result of targeting underdeveloped regions “Evangelicals are full of poor people, all over the country” (Queiroz, Interview, Rio de Janeiro, 07/18/2016). The Northern states of Brazil, which are less developed, have seen a larger growth in the Evangelical population. An interesting correlation are the high levels of homophobia in the north-east region, and their rapidly growing Evangelical population.

Respondents noted that inequality and poverty are key factors in a growing religious base. Deputy Jô Moraes of the Partido Comunista do Brasil mentions this from a historical perspective stating that, “in a country with big social inequality, specifically 20, 30 years ago, the Evangelical Church found good ground to grow” (Interview, Brasilia 09/12/2016). Many
interviewees cited present underdevelopment and the struggling economy as enhancing the religious base already growing in society and Congress. Luisa Escher, a staff member at Casa Nem and member of the Brazilian Lesbian Coalition, describes how underdevelopment strengthens religious networks. She claims that “religious networks are safety networks and as the economy suffers, more people rely on these networks resulting in people becoming more conservative and normative to protect themselves.” Deputy Kokay furthers this point: “High levels of suffering and limited public policy to alleviate that poverty turn people to religion and strict structures to protect themselves” (Interview, Brasilia, 09/12/2016). Kokay furthers this argument by claiming that religion provides relief for poverty in ways the government has been unable to; “the power of the fundamentalists and Evangelicals in congress was built in partnership with the population’s need for aid” (Interview, Brasilia, 09/12/2016).

It seems counterintuitive, but both a struggling and booming economy help the Evangelical church. A struggling economy allows the Church to grow in size, expanding in poorer areas, while an economic boom allows for an increase in donations from their base and the Prosperity Theology they adhere to. It is a win, win. As a result, the Church has a considerable amount of capital. Deputy Erika Kokay state's the Evangelical Church has “economic power as they are paid ‘tithe’ [i.e. taxes] from the government” (Interview, Brasilia, 09/12/2016). Escher adds that the Evangelical Church has ties with businesses “which grants them additional capital on top of donations, and taxes from the government in comparison to the LGBT movement, the countermovement or the religious movement has money” (Interview, Rio de Janeiro, 07/21/2016). More specifically, Marina Basso Lacerda, and PhD student and the University of Brasilia and policy advisor at the Brazilian Congress states that the “Assembly of God has lots of money for campaigns (Lacerda, interview, Brasilia, 09/08/2016)” which
strengthens their movement as a whole. This resource mobilization and accumulation of wealth is now focused on the political motivations of the Church and, as activist and researcher Adelia Zimbrão claims, “religion is growing not just in congress but also in all law-making areas” (Interview, Rio de Janeiro, 07/16/2016) leading to a significant impact on pro-LGBT legislation such as PLC 122/06.

The Countermovement is Politically Motivated

The Evangelical Church became politically motivated in the early 1980’s. In 1986, the Universal Church of the Kingdom of God successfully mobilized in order to elect their first federal deputy (Oro, 2003). From here they mobilized to elect deputies and senators representing various regions across the country. This was the start of the what led to the ‘Evangelical bench’ within the Chamber of Deputies.

Having achieved tremendous population growth, Evangelicals are actively looking to elect politicians in order to pursue their moral agenda (Oro, 2003; Reich and Dos Santos, 2013). Sonia Onufer Corrêa of Sexuality Policy Watch argues that over the last “10-15 years, the Evangelical group has become more intense in each election” (Interview, Rio de Janeiro, 07/08/2016). Ramos states that during the early “1990s and 2000s, their political influence started to grow, and they started to enter parties, they realized that numbers are power and that politics and religion are a perfect marriage” (Interview, Rio de Janeiro, 07/272016). Deputy Maria do Rosario of PT elaborates that Evangelicals chose to “elect people from small councils, with some churches electing deputies so that they could stop bills, such as the criminalization of homophobia” (Interview, Brasilia, 09/14/2016). They focused on electing “new deputies that are influenced greatly by religion and economic logic” (Scheidweiler, interview, Brasilia,
09/06/2016). By doing so, they ensure that their moral agenda is met within congress and they are able to influence legislation such as PLC 122/06. Essentially their goal was to create a favorable political opportunity structure to further their moral objectives.

Ultimately, Evangelicals were successful with their political aspirations. From here, the Evangelical bench was able to ally with other conservative groups within the Congress. As Bruno Bimbi, a policy advisor for Deputy Jean Wyllys, points out, the “ultra conservatives are in control of congress” (Interview, Rio de Janeiro, 08/11/2016). Zimbrão furthers this by stating that “Congress is presently similar to the 1964 military coup Congress” (Interview, Rio de Janeiro 07/16/2016). As a result, Deputy Kokay argues that “Evangelicals have gained strength… gained legislative strength and have gained influential power particularly in LGBT and Women’s Rights areas” (Interview, Rio de Janeiro, 09/12/2016).

In order to be electorally successful, Deputy Moraes claims Evangelical politicians need to be different from other religious or Catholic politicians: “the growth of the progressive thought of the Catholic Church in the 1980s made the Evangelical thought in Brazil grow in return” (Interview, Brasilia 09/12/2016). Ramos claims that Evangelicals spoke out aggressively against social issues and “picked their fights, one of them being against LGBT rights” (Interview, Rio de Janeiro, 07/27/2016). Ramos continues that “in terms of congressional control, there has been a shift in power to Evangelicals” (Interview, Rio de Janeiro, 07/27/2016). Their electoral strategy proved successful, gaining them access and a direct connection to political elites with the ability to impact legislation.

As a member of the Evangelical voting bloc, Pastor and Deputy Eurico da Silva of the Humanist Solidarity Party (PHS), believes that because of society becoming more Evangelical “having Evangelical deputies is a matter of representivity” (Interview, Brasilia, 09/14/2016).
Eurico da Silva continues; “Religion is important in every realm of society, and in politics it is the same, it is necessary to bring back moral, good customs to society and religion is necessary to make good people so as an Evangelical deputy, I feel like I have to teach, live and defend religion within life and the Congress” (Interview, Brasilia, 09/14/2016). The Evangelical voting base cast their ballots based on the moral agenda of the Church (Oro, 2003). Consequently, there are expected moral and political stances for Evangelical deputies to follow. Pastor Eurico da Silvas’ quote demonstrates the logic behind why Evangelicals run for office, and how it impacts their political thought.

One of Brazil’s most radical conservatives, Deputy Eduardo Bolsonaro of the Social Christian Party (PSC), to a certain extent, disagrees with Pastor Eurico. Bolsonaro states that “he does not believe [religious conservatism] is growing in Congress” (Interview, Brasilia, 09/14/2016). He claims that “the majority of Brazilian society is conservative, so Congress just reflects that” (Interview, Brasilia, 09/14/2016). He furthers this by articulating that “I will not tolerate left leaning parties taking over Congress and LGBT and left wing parties are growing quickly and people should be scared” (Interview, Brasilia, 09/14/2016). Bolsonaro’s claim contradicts the documented growth of the Evangelical voting bloc, as well as the lack of representation of LGBT rights within Congress. However, his rhetoric is useful as it demonstrates what Ramos previously stated; “the Evangelicals have picked their fights, one of them being against LGBT rights” and to a greater extent, the ‘left’ (Interview, Rio de Janeiro, 07/27/2016). This dialogue influences the framing of anti-LGBT policy and is used as a rhetoric to mobilize the Evangelical base in order to ensure political success (Oro, 2003).

All activist and political interviewees, other than Bolsonaro, agree that Evangelicals are politically motivated. As Evangelicals and the countermovement grow in power, their motivation
does not stop at the election of deputies and senators, but extends to other positions of power. Sonia Corrêa notes that “they rely on legal intelligence in Congress and their allies to gain power and Evangelicals are religiously very organized, and they plan to get a president elected” (Rio de Janeiro, interview, 07/08/2016). This is a sentiment felt by many within the activist community. With the election of Evangelical Eduardo Cunha as the head of the Chamber of Deputies and the appointment of Evangelical Marco Feliciano as the head of the Human Rights and Minorities Commission, electing a president may well be in fact a reality.

Conclusively, the Evangelicals’ political action has been successful. They now control 15 percent of the seats in the lower house (Encarnación, 2016). In an alliance with the Ruralists, military and the Catholic Church, the Evangelical voting bloc is a symbol of conservative power in the Congress. These caucuses, or the BBB, make up almost 60 percent of the 515 seats in the Chamber of Deputies (Encarnación, 2016). This demonstrates a conservative takeover of the Brazilian Congress and with conservative voting blocs often voting in lockstep, a significant barrier for socially progressive legislation. The countermovement has key political allies in order to influence policy highlighting their ability to create a political opportunity structure and impact policy windows. The following section will examine the formation of the coalition and voting blocs used by the countermovement to LGBT rights.

The Countermovement’s Take-Over in Congress

The organizational capacity and political motivation among Evangelicals is increasing. In order to achieve their goals, coalitions must be formed within the Brazilian Congress. Interviewees overwhelmingly agree that the Evangelical Church is highly invested in social concerns and is the most outspoken political or societal group in terms of anti-LGBT and anti-reproductive rights
In order to achieve their political and moral agenda, both the Catholic Church and Evangelical Church work together along with other key conservative groups. Combined, they have formed a strong countermovement to LGBT rights impacting legislation, an example being PLC 122/06.

Many pro-LGBT interviewees noted that in the past, Evangelicals, “used to work by themselves, now they work together with others” (Scheidweiler, interview, Brasilia, 09/06/2016). Scheidweiler, continues by stating “Catholics and Evangelicals have come together and as a result, they can push the agenda, and recruit people and parties on the periphery, especially since the left is very weak” (Interview, Brasilia, 09/06/2016). Deputy Rosario furthers this by adding that “religious conservatism impacts the congress intensely” (Interview, Brasilia, 09/14/2016). The most evident way the countermovement impacts public policy in the Congress is through, what Corrêa identifies as the formation of the “bancada” or the “BBB, voting bloc (Corrêa, Rio de Janeiro, 07/08/2016). This has resulted in growing political strength for the countermovement. Ramos adds that the countermovement “joined together and began using the same language supporting one another's legislation” (Interview, Rio de Janeiro, 07/272016) creating strong, unified framing against LGBT rights.

It is evident that similarities in moral thought align various fractions of the countermovement. Pastor and Deputy Eurico da Silva argues that “religion and faith are important in Congress and as a religious deputy, I have principles and values I need to defend” (Interview, Brasilia, 09/14/2016). Furthermore, “these values are usually defended by the military and churches but needs to be defended by each person” (Interview, Brasilia, 09/14/2016). Bolsonaro furthers this by saying “gender is not supported by society and we will fight against the left” (Interview, Brasilia, 09/14/2016) in terms of limiting the expansion of
LGBT and reproductive rights. Deputy Bolsonaro is a Catholic and supported by the Catholic Church, whereas Deputy Eurico is an Evangelical Pastor. These quotes demonstrate the mindset of the countermovement to LGBT rights. These quotes demonstrate the framing of the issue around the protection and expansion of religious thought and freedom, placing their moral beliefs directly against those on the left.

All pro-LGBT rights interviewees believe that Evangelicals and their voting bloc, i.e. the countermovement, greatly impact LGBT policy, especially PLC 122/06. The legislative houses are susceptible as “the congress has aggressive measures made by the Evangelical Coalition” (Moraes, interview, Brasilia 09/12/2016) resulting in the “fundamentalists impact(ing), women, sexuality, and [creating] kickback with many bills” (Rosario, interview, Brasilia, 09/14/2016). Deputy Kokay believes that “fundamentalists have come together, the security (bullets) and patriotic ones (ruralists/bison) to benefit each other’s agendas” (Interview, Brasilia, 09/12/2016). Continuing; “they have unified and grown under Eduardo Cunha, as he took these groups agendas and put it in the power of congress” (Interview, Brasilia, 09/12/2016). Furthering this, many respondents claimed the countermovement “use their control of congress and Eduardo Cunha to appoint people to committees” (Moraes, interview, Brasilia 09/12/2016) demonstrating how they use institutional design and the political system to their advantage. And from 2014 to 2016, Brazil witnessed “the biggest number of conservative projects and the most approved legislation on their agenda” (Moraes, interview, Brasilia 09/12/2016). An example of this is bill PLC 122/06 “that criminalize homophobia, which they (the countermovement) archived in the senate” (Moraes, Interview, Brasilia, 09/12/2016).

When asked whether they believed pro-LGBT policy has a chance of passing the current composition of the Brazilian congress, pro-LGBT rights respondents were overwhelmingly
doubtful. Julio Moreira, the Director of the LGBT rights Organization, Grupo Arco-iris equates this lack of LGBT policy as being “aggravated by strengthening religious groups and political strategies in congress” (Interview, Rio de Janeiro, 07/28/2016).

**Political Strategies used by the Countermovement**

The countermovement to LGBT rights in Brazil consists of various Catholic, Protestant and Evangelical groups who influence politics in a variety of ways (Marsiaj, 2008; Souza, 2012; Ogland, 2014). All activists and pro-LGBT politicians interviewed for this project believe that there is a connection between the growing percentage of Evangelicals and a regression of LGBT rights. The countermovement uses various political strategies to further its moral agenda.

**Accumulation and the use of Media**

Activist respondents highlighted the countermovement’s use of media as a main instrument in preventing the advancement of LGBT rights. Their domination of media also acts as an effective way of mobilizing their movement. As the Evangelical Church grew in power and wealth, they invested in print, television and radio for political gains (Lima and Werneck, 2012). The countermovement uses its dominance of media to help frame how members of their movement perceive their own objects, one of which being the opposition to LGBT rights.

Scheidweiler, states that the “Evangelical community in Brazil began growing during the 1980s, when Evangelical television stations got bigger” (Interview, Brasilia, 09/06/2016). As the countermovement’s resources accumulated, they invested it in media. Pastors have bought more than 600 television and radio channels in Brazil, including the second-biggest television company, Rede Record. Additionally, the Universal Church’s weekly newspaper, Messenger of
*Peace*, distributes an average of 2.7 million copies a week, making it one of the largest newspapers in Latin America (Lima and Werneck, 2012; Encarnación 2016). This accumulation of mass media has given the Evangelical Church an effective medium to influence political thought while creating media frames to impact public policy.

Participant observation at the Church of Faith (second Largest Evangelical Church in Brazil) in Rio de Janeiro, demonstrated that in order to request an academic interview, I would need approval from the head of the Evangelical Church or the head pastor of the Church of faith at their radio station. It is common practice for pastors to operate their day-to-day schedules out of a radio or television station as they spend their time preaching through their media in-between preaching at their Church.

Deputy Moraes states “there is an offensive for growth and the Evangelical Churches use the mediums of communication as their main instrument” (Interview, Brasilia, 09/12/2016). This use of media allows the Church to reach people all over Brazil, spreading their doctrine. They use media to “spread their Prosperity Theology” (Zimbrão, interview, Rio de Janeiro, 07/16/2016). According to Deputy Kokay, “Evangelical TV has 70% more reach than Catholic television.” This has “helped to build social networks and allows the Church to build a following, and influence society in a variety of ways” (Interview, Brasilia, 09/12/2016). In comparison, the LGBT movement has very limited control over media (Scheidweiler, interview, Brasilia, 09/06/2016). Consequently, “conservative groups are much better at reaching people” (Moreira, interview, Rio de Janeiro, 07/28/2016) and using their platform to further their message. Scheidweiler argues that Evangelicals’ control of media allows for a stronger social movement by stating “you need media support and more representation of gay people to be mobilized. In comparison, 20 people will arrive for an LGBT protest at Congress in comparison
to 30,000 people from a religious group” (Interview, Brasilia, 09/06/2016). He attributes the success of the religious countermovement to their domination of mainstream media. It is evident that the countermovement’s accumulation of resources and investment in media has resulted in effective framing and a more unified, active and mobilized front in comparison to the LGBT movement.

The Electoral Process

Due to mandatory voting in Brazil, the electoral process works in favour of the Evangelicals and the countermovement in general. Lack of access to quality education coupled with a highly religious population results in a religiously motivated voter. Scheidweiler states that “people don't take the time to educate themselves on the candidates, or issues that are important to them [and] turn to religious leaders or their religious groups for guidance on how to vote” (Interview, Brasilia, 09/06/2016). Additionally, the Evangelical domination of media works to the advantage of religious political candidates, as these individuals are easier to endorse or promote using the Evangelical mass accumulation of television and radio. Moral policy issues are easily framed to the public, and support from the religious base is strong.

Moreover, with 26 elected parties in Brazil, many apart of the countermovement, mandatory voting heightens the countermovement’s “focus on the electoral process as an effective way of expanding their voting base and electing more leaders” (Zimbrão, interview, Rio de Janeiro, 07/16/2016). As indicated, the electoral process has proven successful for the countermovement with more members being elected to the Evangelical bench in each election since 1986. The countermovement invested their wealth accumulation into elections resulting in increased representation, allowing for significant impact on legislation such as PLC 122/06.
Political Appointments

A political strategy highlighted by many pro-LGBT interviewees is the countermovement’s focus on obtaining key political appointments within Congress to further their agenda. Advancing this, many respondents claimed that the countermovement “use their control of Congress and Eduardo Cunha to appoint people to committees” (Moraes, interview, Brasília, 09/12/2016). The countermovement has proven to be highly successful at this. Ramos uses the recently impeached head of the Chamber of Deputies as an example. Ramos states; “Eduardo Cunha as the head of congress can impact everything, and actively strategizes against LGBT rights” (Interview, Rio de Janeiro, 07/27/2016). Additionally, “Marco Feliciano is the head of the Human Rights Commission and has started to block LGBT legislation.” Furthermore, “Feliciano brought in (prominent Televangelist) Silas Malafia as an expert witness in congress and on committees” influencing legislation including PLC 122/06. Moreover, a religiously conservative female deputy, “who is against LGBT rights and reproductive rights has been appointed the Head of the Secretariat of Women” (Kokay, interview, Brasília, 09/12/2016). Consequently, “the Secretariat of Women, which represents all female congresswomen, is disconnected from social movements, and as a result does not have the strength or capacity to lobby” (Scheidweiler, interview, Brasilia, 09/06/2016). These are three key examples of political appointments obtained by the countermovement. Many activists refer to Eduardo Cunha as the champion politician leading the countermovement against LGBT rights in the Chamber.

The countermovement voting bloc was able to elect one of the most outspoken Evangelical leaders as the head of the Chamber of deputies (Eduardo Cunha). This appointment of Cunha gives the countermovement an elite ally within congress. Jô Moraes states that “with
the presidency of Eduardo Cunha in congress, the Evangelical coalition and their conservative agenda became bigger, both in number of projects and in political articulation.” With Cunha, a key ally to the countermovement, “they became stronger in gender and LGBT related committees, guaranteeing their demands would win the votes” (Moraes, interview, Brasilia, 09/12/2016). Additionally, Scheidweiler states that when “Eduardo Cunha became head of Congress, he brought the fundamentalist agenda to the spotlight” (Interview, Brasilia, 09/06/2016). Cunha’s appointment “increased the number of bills and the number of deputies from his coalition to committees in the congress” (Scheidweiler, interview, Brasilia, 09/06/2016). Furthermore, “they have unified and grown under Eduardo Cunha, as he took these groups agendas and put it in the power of Congress” (Kokay, interview, Brasilia, 09/12/2016).

These political appointments allow for a significant impact on legislation, with committee membership being a major factor in the death of PLC 122/06 (Moraes, interview, Brasilia, 09/12/2016). Appointing key political allies to committees grants the countermovement significant power and a more comprehensive POS. The appointment of politicians to key political positions has impacted not only pro-LGBT policy, it has also led to an expansion in regressive anti-LGBT bill formation.

**Reactionary and Regressive Bills**

In recent years, sexual rights in Brazil faces a potentially significant regression. The countermovement has been successful with their accumulation of resources and appointment of key allies. This success has led to the introduction of legislation which is motivated by their spiritual beliefs. This legislation includes proposed bills aiming to outlaw gay adoption and legislation attempting to counteract the Supreme Court's decision on same-sex marriage. These
bills speak to the recent climate of the Brazilian Congress: an inhospitable environment for pro-LGBT legislation.

Such reactionary bills are another example of strategies used by the countermovement against LGBT rights. Scheidweiler fuels this argument by stating “many of these regressive bills had to do with gender, to conceptually separate gender from sex, which caused confusion on the discussion of gender issues in Congress.” As a consequence, “they (countermovement) were able to halt debates and bills regarding gender, such as same-sex marriage, the criminalization of homophobia and the legalization of abortion” (Interview, Brasilia, 09/06/2016). Regressive bills such as these may not pass within the Congress. However, they provide a distraction from other legislation and impact the framing of existing legislation or policy proposals. Moreover, they can be used to slow the progression of a bill, leading to it being shelved.

2014 -2016 has seen the “biggest number of conservative projects and bills in the Congress, and they are progressing fast” (Kokay, interview, Brasilia, 09/12/2016). Deputy Maria do Rosario of PT believes that when it comes to LGBT rights, “the objective is not to pass more bills, but to stop retrocession on the matter” (Interview, Brasilia, 09/14/2016). The countermovement has become so powerful, that they are challenging the judiciary in their decisions on LGBT rights. This power has led to the countermovement becoming a major veto-player in the Brazilian Congress.

*Vetoplayers*

All policy aides and political actors interviewed for this project emphasized the strength of the countermovement on matters of public policy, and described their coalition as a powerful veto player. As a result of their growth within Congress and their acquisition of key political
positions, Evangelicals “are veto players on legislative issues to do with gender and LGBT rights” (Lacerda, interview, Brasilia, 09/08/2016). This grants the countermovement to LGBT rights tremendous power in terms of enacting legislation.

Furthermore, “their increase in power and their ability to veto intimidates many deputies; if they publicly support a bill, they will go against a big parcel in congress - this has built a large LGBT-phobic philosophy in congress” (Kokay, interview, Brasilia, 09/12/2016). Thus, Evangelicals have a “tremendous amount of social power and as a result, other deputies are scared to stand up to the countermovement” (Kokay, interview, Brasilia, 09/12/2016). Kokay strengthens this point through a personal anecdote stating: “I have been called the ‘antichrist’ resulting in my bills and ideas being ridiculed” (Interview, Brasilia, 09/12/2016). This power to intimidate extends past deputies, all the way to the executive with both Presidents Lula de Silva and Dilma Rouseff turning their backs on the LGBT community despite coming from a party which has historically supported them.

Framing

The internal dynamics, structure and goals of a group develop a narrative that encompasses the perception of the movement’s objectives, values and characteristics and identity (Díez, 2013). As a frame becomes dominant within the discourse on the policy issue, the more successful it will be in shaping the policy debate and content of the policy (Orsini and Smith, 2007). The countermovements approach to framing regarding PLC 122/06 proved highly successful in their challenging of the bill.

The countermovement uses issue framing to their advantage. An example of this is how the countermovement took advantage of its growing Evangelical base, both in society and within
the Brazilian congress to frame PLC 122/06 as an affront against religion. Prominent Televangelical Silias Malafia led a grassroots movement against the bill, framing it as enhancing privileges for LGBT folk while limiting the freedom of religious people, which resulted in mass protests across Brazil. Evangelical Pastor and Deputy Eurico da Silva of the Humanist Solidarity Party reflects this framing; “people already have their rights guaranteed by law and the LGBT people try to get more rights and special attention despite practices in their intimate life” (Interview, Brasilia, 09/14/2016). Deputy Eduardo Bolsonaro of the Social Christian party furthers this view; “LGBT society does not follow the constitution, they want more rights and go against the Christian culture” (Interview, Brasilia, 09/14/2016).

The framing of the bill by the countermovement proved highly effective. Under pressure from the religious community, Marta Suplicy, a rapporteur of the bill and a perceived ally of the LGBT community, changed the wording of the bill to protect religious groups from prosecution. This change was highly unappealing to the LGBT community, which already had wavering support for plc 122/06, resulting in further loss of momentum for the bill and a policy win for the countermovement.

Executive Influence

As Javier Corrales argues (2015), an important factor for the successful advancement of LGBT rights at the state level is creating strong connections with national-level parties and obtaining executive support. All activist and pro-LGBT deputy respondents agreed that executive support is important with regard to the advancement of pro-LGBT legislation within the Brazilian Congress. Additionally, all pro-LGBT activist respondents noted a decrease in support from the executive, as the conservative voting bloc, led by the Evangelicals grew within the Congress.
As noted, Evangelical power has grown tremendously within the Brazilian congress. This has led to an expansion in the powerful voting bloc and countermovement to LGBT rights. As Deputy Moraes notes “over the last 8 years, specifically the last two legislatures, there has been an important presence of organized conservatism ideology… as a result of the Evangelical benches during the presidential elections” (Interview, Brasilia 09/12/2016). As such, there has become an “understanding that if you don’t work with Evangelicals, you won’t be elected” (Scheidweiler, Interview, Brasilia, 09/06/2016). This logic has impacted many politicians, including the last two elected Presidents, Lula de Silva and Dilma Rousseff. Both politicians are members of the PT party, which, in their mandate, claims to support LGBT rights and represent LGBT people. However, this rhetoric has never materialized into successful pro-LGBT federal policy.

With much anticipation but limited progress, the Lula presidency frustrated the LGBT community. Multiple activist respondents cited a loss of executive support for LGBT rights occurring towards the end of the first presidential term of Lula da Silva. Lula’s lack of support for the LGBT community is attributed to the growing countermovement to LGBT rights, with an emergence of Evangelicals in society and Congress. Lula, worried about political survival reached out to the Evangelical Church, mainly Universal, for support (Oso, 2003). Queiroz states that, “when going up for re-election, Lula needed support from a new audience; he went to the Evangelical pastors for that support” (Interview, Rio de Janeiro, 07/18/2016).

Queiroz argues that Lula’s alliance with the Evangelicals resulted in the “Church’s power exploding as Evangelical politicians were being elected, all with the same agenda.” Lula then backed away from his promises to LGBT people and extended his arm to the Evangelicals. However, bill 5003/2001 passed through the chamber and into the senate despite no vocal
support from the executive. This was possible by clever maneuvering of the bill from ‘ordinary’ to ‘urgent’ status within the CCJ resulting in an immediate plenary vote catching the countermovement off-guard. Executive support for sexual rights was also absent during the Dilma Rousseff administration.

When Dilma Rousseff, Lula da Silva’s protégée, “ran for office the LGBT community supported her election” (Lacerda, interview, Brasilia, 09/08/2016). Under Rousseff, significant steps for LGBT rights were made such as the rulings of same-sex civil unions in 2011 and same-sex marriage in 2013. Despite such progress, Dilma was not seen as a LGBT rights champion as these progressions occurred within the judiciary. Like Lula, Dilma was beholden to the congressional Evangelical-led countermovement. Rousseff’s political survival was threatened by the powerful Evangelicals. When running for election the Evangelical bloc “wrote a formal open letter to Dilma, expressing their point of view and what they needed for their endorsement” (Moraes, interview, Brasilia, 09/12/2016). With an even more religiously conservative Congress “She conceded…(and) as a result of this victory, the Evangelical coalition has grown in strength and number” (Moraes, interview, Brasilia, 09/12/2016).

Advancing this point a policy advisor for the Human Rights Commission, stated: “Dilma gave up on the LGBT mandate and gender issues because of Evangelical pressure in Congress” (Interview, Brasilia, 09/08/2016). Indeed, Dilma essentially became a veto-player against LGBT rights, vetoing legislation for anti-homophobia tool-kits in schools when presented in Congress. Under Dilma, the anti-homophobia law remained pending in the Senate. LGBT rights were not a mandate for the Rousseff administration and thus PLC 122/06 received no executive support leading to its archival.
Vetoing pro-LGBT policy ensured “votes for her” and enhanced the likelihood of Dilma’s political survival. Despite this, some respondents (deputies from her own party, not activists) see her as a LGBT ally. Regardless, after Dilma’s impeachment, Deputy Kokay states that the LGBT community no longer has any support under interim president Michel Temer” (Interview, Brasilia, 09/12/2016). Michel Temer is Roman Catholic and is backed by the Evangelical voting bloc. Activists and politicians who were interviewed for this project overwhelmingly stated that Temer’s appointment was negative for LGBT people and pro-LGBT policy as his Presidency brought cuts to social expenditures including projects relating to LGBT rights (e.g. Brazil without homophobia).

Conclusion

The countermovement has proven to be a formidable opponent to LGBT rights. The theoretical framework helps to interpret the research data, thereby addressing the research question. Resource Mobilization helps to demonstrate why Brazil lacks federal anti-discrimination policy. The countermovement to LGBT rights has strong and cohesive leadership, tremendous organizational capacity and an abundance of resources provided through the use of tithes and Prosperity Theology. Political Opportunity Structure demonstrates a much more powerful and influential political network working in favour of the countermovement. This network allows the countermovement to influence policy in a variety of ways, from committees to congress. Additionally, the countermovement was able to shape policy debate through the effective framing of their opposition to the policy. The countermovement effectively mobilized their base to oppose the bill. The countermovement’s objections are clear: anything pro-LGBT is anti-religion and thus faces opposition. The countermovement utilized their loyal base to hold
rallies in opposition to the bill. Additionally, the countermovement used media in their favour to frame the discourse to the public. Overall, Brazil lacks federal anti-discrimination policy because of a strong, effective and unified countermovement, which is demonstrated by the research data and theoretical framework. As Deputy Maria do Rosario claims, “the new political moment has new religious phenomena” (Interview, Brasilia, 09/14/2016), which greatly impacts legislation such as PLC 122/06.

When asked whether they believed pro-LGBT policy has a chance of passing the current composition of the Brazilian congress, pro-LGBT rights respondents were overwhelmingly doubtful. Moraes equates this lack of LGBT policy as being “aggravated by strengthening religious groups and neoliberal power” (Interview, Rio de Janeiro, 07/28/2016). Deputy Kokay bluntly states that “Pro-abortion or Pro-LGBT rights policy has no chance of passing in Congress right now.” She simply states that public policy being formed in Congress now “Categorizes human beings, meaning, some people can love and others cannot.” Policy Advisor for Deputy Jean Wyllys, Bruno Bimbi simply states that “Brazil has become more regressive” (Interview, Rio de Janeiro, 08/11/2016). Interviewees equate this to the strength of the countermovement, their powerful voting bloc, and the strategies they implore when fighting pro-LGBT policy.

Despite the success of the countermovement, there are other actors at play in LGBT policy success or failure. The other main actor involved is the LGBT social movement. The LGBT social movement in Brazil is one of the oldest and most established in Latin America. However, they have been unsuccessful when attempting to impact pro-LGBT legislation in the Brazilian Congress. The following section will demonstrate unexpected findings for this thesis; the recent division within the LGBT movement and how it contributed to the demise of PLC 122/06 and challenges the success of pro-LGBT legislation in the future.
Chapter Five: Division in the LGBT Social Movement
“Gay Queens Just Searching for Their Crowns”

Marsiaj (2012) argues that a strong social movement is necessary for minority groups to advance progressive policy in Latin America. Despite having one of the oldest and most visible gay rights movements in the Global South (Gomez, 2010; De la Dehesa, 2014, Encarnación, 2016), Brazil’s attempts at enacting pro-LGBT legislation through its national congress have failed. Results from this study demonstrate that the failure of PLC 122/06 was not solely the result of a strengthening countermovement, but also the consequence of a divided and weakening LGBT social movement. Resource mobilization theory establishes an explanatory framework demonstrating that the Brazilian LGBT social movement itself is weak: there is disorganization amongst the leadership, clashing between identities, and weakening financial stability. Moreover, when applied to the Brazilian LGBT context, Political Opportunity Structure demonstrates, that despite societal support, the LGBT movement is detached with their ‘elite allies’, resulting in a lack of public policy support between politicians and LGBT civil society. Consequently, the LGBT movement is unable to create strong policy networks, which limits their ability to impact social policy. Additionally, the movement was unable to frame PLC 122/06 in a manner which represented the collective issues of the movement itself. In fact, the content of the bill, and the way it was framed at large, led to significant division within the movement.

In Brazil, pro-LGBT policy change has mostly taken place through the judiciary. At the sub-national level, the country’s gay movement has had greater success, particularly in terms of enacting anti-discrimination measures. For example, in 1997, the state of Bahia became the first in Brazil to introduce LGBT anti-discrimination policy. Since then, fourteen other states and over 80 municipalities have adopted similar legislation (Encarnación, 2016). Federally, the most recent attempt to enact anti-discrimination measures took place in 2001 with the introduction of
the ‘criminalization of homophobia’ bill. This piece of legislation originally aimed to address the 1988 constitution’s failure to recognize LGBT people in its definition of discrimination. The bill failed and currently the focus of the LGBT social movement in Brazil lies in confronting a homophobic culture, rising levels of LGBT violence and combating the growing countermovement consisting of the Evangelical Church and their congressional voting bloc. The countermovement has been successful in their political mobilization and opposition to pro-LGBT legislation in the national congress. However, the LGBT social movement in Brazil has had difficulty in mobilizing and impacting federal policy change, hindering social policy progression and strengthening the countermovement’s agenda.

This section will begin by exploring the rapid evolution and centralization of the Brazilian LGBT social movement and how this history impacts the movement today. Following this analysis, the recent fragmentation and competing ideologies will be examined, highlighting how this division impacts the movements political outcomes. Finally, the section will conclude with an emphasis on the framing of the ‘anti-homophobia’ legislation and how the ‘criminalization’ aspect became a contentious approach to achieving anti-discrimination measures.

The Rapid Growth of a Movement

The Brazilian LGBT movement experienced tremendous growth during a time of liberalization within the country (Marsiaj, 2006). According to Lusia Escher, an activist from the Casa Nem and the Lesbian Coalition of Rio de Janeiro, “the social movement grew as Brazil liberalized and grew as a whole” (Interview, Rio de Janeiro, 07/21/2016) In the early 1990’s, at the peak of the HIV/AIDS epidemic, pro-LGBT NGOs expanded rapidly. This expansion was because of an
unprecedented formal relationship between the LGBT social movement and the Brazilian government allowing for an accumulation in capital and strengthening of resource mobilization. However, the movement’s expansion and success during the HIV/AIDS epidemic did not translate into success for the movement’s next focus: advancing anti-discrimination policy. Subsequently, a rapid centralization of NGOs has led to a division in and weakening of the Brazilian LGBT movement.

The Brazilian LGBT movement’s origins are generally traced to the creation of the *Nucleo de Ação pelos Direitos dos Homosexuia*s (Action Nucleus for Homosexual Rights) in May 1978, later known as SOMOS (We are: Group of Homosexual Affirmation) (Green 1999, de la Dehesa, 2010). In 1980, Luiz Mott formed the *Grupo Gay da Bahia* (GBH), making it the oldest association for the defence of human rights for homosexuals still functioning in Brazil. In 1987, GBH was granted legal status making it the first gay organization in Latin America recognized by a state’s government.

Beginning in the 1980’s, the focus of Brazilian LGBT activism was to combat the growing HIV/AIDS epidemic (Marsiaj, 2006). The tragedy of the HIV/AIDS epidemic mobilized the LGBT movement as organizations such as the GBH began working with state led AIDS prevention programs, creating an unprecedented alliance between the Brazilian government and gay activists (Encarnación, 2016). By the early 1990’s HIV/AIDS began expanding to the general population, with Brazil having the fastest infection rate of any country outside of Africa. In 1994 the World Bank famously warned Brazilian public officials to brace for nothing short of a catastrophe (Encarnación, 2016).

In 1983, Sao Paulo’s state secretariat of health in combination with gay leaders, local politicians and health professionals created the *Grupo de Apoio à Prevenção à AIDS* (AIDS
prevention support group), or GAPA. GAPA is credited with transforming national policy and the gay movement itself by becoming the prototype for the *Programa Nacional DST/AIDS* (PNDA), a program renowned by international health organizations for passing federal law guaranteeing antiretroviral therapy through the national healthcare system to anyone infected with HIV (Encarnación, 2016). Political Opportunity Structure demonstrates that the LGBT movement was able to create connections with ‘political elites’ in order to create legislation to enhance the movement's agenda. This legislation proved highly effective and garnered tremendous praise bolstering the political survival of politicians.

The PNDA approach was successful and by the mid-2000’s the AIDS total infection rate was close to eight hundred thousand, half of the World Bank's 1994 prediction. The success of PNDA is attributed to the social movement’s ability to throng the state into action. The movement used the provision in the 1988 Brazilian constitution regarding universal healthcare as a human rights issue, applying it to HIV/AIDS treatment. The success of this mobilization is credited with reshaping the Brazilian gay movement, demonstrating how state policies can transform social movements and their activism.

By 2007, the government's engagement with the HIV/AIDS epidemic led to the “NGO-ization” of the LGBT movement with the creation of over 700 NGO’s involved in combatting HIV/AIDS. The funding available from the state led to the centralization of the LGBT movement with the creation of the *Associação Brasileira de Gays, Lésbicas, Bissexuais, Travestis and Transexuais* (ABGLT). ABGLT is a national network of over 300 LGBT groups making them Latin America’s largest gay rights confederation.

ABGLT’s collaborative relationship with the state extends beyond health care policies to other ministries, which has been essential for the movement’s organization (Carrera, 2012).
Additionally, ABGLT aimed to compensate for the insufficiency of the 1988 constitution to ban LGBT anti-discrimination and to alleviate human rights abuses regarding the LGBT community. The mobilization of LGBT groups around the HIV/AIDS epidemic in combination with state support rapidly increased the size and strength of the social movement. Despite this, there remains significant division in the Brazilian LGBT movement. This can be seen in the discussion revolving around PLC 122/06, the most recent attempt in creating a bill to combat violence and discrimination towards LGBT Brazilians.

This rapid centralization of the LGBT movement regarding HIV policy created a successful unison between the state and the movement. Despite this unison, success regarding the progression of social policy has been limited. In fact, many activists argued that this centralization has hindered the success of the movement in terms of its ability to lobby the government. Jandira Queiroz from *Amnesty International* Brazil argues that “under Lula, the social movement was brought into the government, this ended up hurting the social movement, resulting in a loss of independence and the inability to lobby” (Interview, Rio de Janeiro, 07/18/2016). Queiroz continues; “the heads of the movement began working and taking money from the government, and you’re not going to bite the hands that feed you” (Interview, Rio de Janeiro, 07/18/2016). This sentiment was shared by Allessandra Ramos, a Trans activist and policy advisor for Deputy Jean Wyllys, “they (the government) take the LGBT leaders and put them in power, make them bottom feeders reliant on the government” (Interview, Rio de Janeiro, 07/27/2016). This transition has resulted in what Queiroz refers to as “brain drain”, meaning the rapid centralization of the LGBT movement has resulted in a loss of independence and power with the main leaders of the movement becoming disconnected from the LGBT community. This has led to structural problems within the movement creating a negative POS.
The Problem with Brazilian LGBT Networks

According to Díez (2015), in Latin America, individuals who belong to social movements or non-governmental organizations have increasingly been recruited into government while maintaining strong relations with the LGBT community and civil society organizations. Many of the Social Democratic Parties (such as Brazil’s *Partido dos Trabalhadores*) originated from grassroots organization and have strong ties to civil society actors (Diez, 2010). Consequently, the line between non-state and state actor has become blurred with the recruitment of civil society actors to positions within government. Brazil followed this trajectory, with many of the most prominent members of the LGBT activist community becoming politicians or civil servants during a period of “NGO-ization” in the 1990’s (Encarnación, 2016). However, unlike other examples in Latin America this transition and centralization did not strengthen the Brazilian LGBT movement. One may assume that having members from the movement in power may create political allies, however in reality it created a disconnect and spawned a division between government and civil society.

Ramos argues that the “organization of the movement began during the AIDS crisis, and the de-organization began when that ended” (Interview, Rio de Janeiro, 07/272016). De-organization was a result of the Workers Party (PT) coming to power and bringing activists with them into governmental positions. Ramos states that this “led to a deflation of activists who can impact change, making the movement a lot less organized” (Interview, Rio de Janeiro, 07/272016). According to Ramos, the movement’s structure of the 1990’s which made the HIV/AIDS campaigns a success, no longer exists today and “it diffused into society like gas” (Interview, Rio de Janeiro, 07/272016. However, most of the government funding which LGBT
organizations still have access to “comes from the Federal Government to fight AIDS, so how can you bite the hand that feeds you” (Ramos, Interview, Rio de Janeiro, 07/272016). Meaning, despite receiving governmental funding and an accumulation of resources many LGBT organizations’ hands are tied regarding the type of work they can do. Meaning the limited resources, the movement receives cannot be used to impact policy. These fiscal limitations cause tension within the movement, as priorities have changed for LGBT folk since the HIV/AIDS crises.

The centralization of the movement, and promotion of LGBT activists to government positions has caused both brain drain and structural problems. The movement's most prominent and powerful activists work as (what many activists refer to) ‘figureheads’, creating structural problems within the movement and limiting the interaction between grassroots activism and bureaucratic activists. Many grassroots activists feel as though their voices are not being heard. That despite having LGBT activists in government, the grassroots movement policy priorities are not being addressed. This tension between activist groups results in ineffective framing of bills by politicians on behalf of the LGBT movement. In terms of advancing pro-LGBT legislation “where it really matters, there is no one there, no one is talking to congress for us” (Interview, Rio de Janeiro, 07/272016). These findings demonstrate a disconnect in the social movement, between elected or political pro-LGBT actors, and the grassroots movement itself. Meaning the Political Opportunity Structure is non-apparent.

Indianara Siqueira, the founder of Casa Nem, City Councilor in Rio de Janeiro and one of the most prominent Trans activists in Brazil is pushing back from this centralization of the movement to the government. Siqueira believes that “the movement, especially the Trans movement, should be more independent from the government and that many activists rely on
governmental decisions, which makes our fight more difficult, because the government imprisons us” (Interview, Rio de Janeiro, 07/18/2016). Indianara uses Case Nem, a Trans youth Shelter and Cultural hub relying solely on community donations as an example of how the community can come together to form non-governmental solutions, becoming a self-sustainable movement. Indianara believes that “it is more important to build our own networks and partnerships than to rely on the public machinery for social solutions” (Interview, Rio de Janeiro, 07/18/2016). Indianara alluded to the LGBT community constantly being let down by their elected officials and that the “LGBT community is too dependent on the government which has failed the movement causing us to work outside the government in order to achieve anything” (Interview, Rio de Janeiro, 07/18/2016). The movement is thus reliant on the public for donations, and not the government, which limits their ability to influence politics.

This sentiment is not shared by everyone in the LGBT activist community. Julio Moreira, Director of Grupo Arco-íris (a government funded organization) claims, “Grassroots groups criticize the groups that are more established because of a clash in ideals” (Interview, Rio de Janeiro, 07/28/2016). Continuing: “LGBT Candidates are not from grassroots groups, they need to get people elected but they can never win” (Interview, Rio de Janeiro, 07/28/2016). Moreira effectively demonstrates the growing division within the LGBT movement between grassroots organizations and activists and the LGBT ‘figureheads’ working in government.

Growing Division: Grassroots vs Bureaucrat

As demonstrated, the rapid expansion in LGBT organizations and government collaboration led to a transition of many activist leaders from grassroots organizations to bureaucratic or publically funded positions. This presents the movement with an opportunity to create strong relations with
‘political elites’ and impact policy change. There are several prominent activists turned political figures in Brazil working on LGBT rights. These include Toni Reis (Founder and President of ABGLT), Claudio Nascimento (Brazil without Homophobia, President of Rio without Homophobia), and Jean Wyllys (openly gay federal deputy). However, these individuals were overwhelmingly criticized by activist interviewees highlighting a growing division between organizations working outside of government and the LGBT “figureheads” working in the government.

This division and lack of cohesion greatly deters pro-LGBT policy advancement. Queiroz argues that Claudio Nascimento and Toni Reis are not representatives of the LGBT movement. Scheidweiler enhances this point; “Toni Reis brings an agenda that is not part of the gay agenda, but is Toni Reis’ agenda” (Interview, Brasilia, 09/06/2016). Thiago Bassi, activist and founder of Tem Local, furthers this; “Deputy Jean Wyllys is a figurehead, we have no allies in the congress and the senate” (Interview, Rio de Janeiro, 07/11/2016). Moreover, Toni Reis and Claudio Nascimento meet with Evangelical leaders like Marco Feliciano and Silias Malafia which creates distrust towards these politicians from the LGBT movement. Bruno Bimbi states; “the LGBT movement in Brazil was co-opted, the movement lost autonomy and was not counterbalanced by any real achievement” (Interview, Rio de Janeiro, 07/28/2016). Consequently, there is significant frustration and a division between civil society and the actors representing their rights in government. Ultimately this distrust is leading to activists focusing on grassroots activism and community development. As Thiago Bassi states “Community is power and together we can make a difference. We need to exist and fight together and we can do this outside of government” (Interview, Rio de Janeiro, 07/11/2016). This division in the movement was
explained by respondents as a clash in ideals, between the older and younger generations of activists resulting in a loss of support regarding policy and agenda setting.

Growing Division: Young vs. Old.

According to Resource Mobilization theory, the internal dynamics of a social movement can greatly hinder the success of a movement (Gamson, 2015). In Brazil, young and old activists clash in terms of what they see as legislative priorities. “There is a lack of solidarity between the older generation and newer generations of activists” (Queiroz, Interview, Rio de Janeiro, 07/18/2016). This division results in a “lot of critique of one another within the movement” (Bassi, Interview, Rio de Janeiro, 07/11/2016). The older generation of activists are focusing on what Bruno Bimbi calls a “negative agenda” where the “agenda of the new movement has changed into a positive agenda.” A negative agenda focuses on punishment and additions to the penal code, whereas a positive agenda focuses on the promotion of sexual diversity and pro-LGBT educational campaigns.

The ‘criminalization of homophobia’ bill is an example of a negative agenda and thus the “older generation of activists are not able to connect with the newer generation of activists” on policy goals such as plc 122/06. Moreira believes that the younger generation is trying to re-invent the wheel whereas Bimbi argues that the older generation is thinking in a backwards sense (Interview, Rio de Janeiro, 07/28/2016). Escher believes that “the older generation pushed for the criminalization of homophobia bill as an important means of survival, while the younger generation see more effective strategies for impacting change, however the younger generation are not the LGBT people in power positions” (Interview, Rio de Janeiro, 07/21/2016). Ultimately this impacts policy change as Thiago Bassi states, “we are united but not unified on issues, the
criminalization of homophobia is an example of this” (Interview, Rio de Janeiro, 07/11/2016). The framing of PLC 122/06 highlights even more division within the LGBT movement.

The Criminalization Issue - Framing of PLC 122/06 Highlights Division

Since the formation of the 1988 constitution, and its lack of recognition of sexual orientation in its definition of anti-discrimination, the LGBT movement has focused on the creation of some form of legislation which protects sexual minorities. These discussions have been framed around the advancement and encouragement of sexual diversity and combating high levels of homophobia. The initial framing of bill 122/06 aimed to represent the Brazilian LGBT movement’s collective characteristics and goals in combating this violence. The internal dynamics, structure and goals of a group develop a narrative that encompasses the perception of the movement's objectives, values, characteristics and identity (Díez, 2013). Bill 5003/2001 or the “anti-homophobia” bill attempted to protect sexual minorities from increasing levels of violence towards their demographic. However, the framing of the bill was unsuccessful in meeting the diverse demands of the LGBT movement highlighting a growing division and recent weakening in the LGBT movement as a whole.

When forming, the LGBT movement found allyship with other movements such as the feminist movement and the Movimento Negro Unificado (Afro-Brazilian). This is significant in the sense that since the 1930s the Afro-Brazilian movement has been pushing for civil rights and recognition of racial discrimination in Brazil, fighting against the myth of Brazil being a “racial democracy.” The policy success of the Afro-Brazilian movement served as a template for the LGBT movement, leading to discussions around anti-discrimination and anti-hate legislation aimed at protecting sexual-minorities. The Afro-Brazilian movement was recognized through
Law n.7716/1989, which defines the crimes resulting from prejudice on grounds of race and colour, altering the penal code. Building on the discourse created by Afro-Brazilians, the LGBT movement introduced legislation headed by congresswoman Lara Bernardi to amend law n.7716/1989 to make prejudice based on sexual orientation and gender identity punishable by law (Bill 5003/2001) (Carrara, 2012).

Both the Black and Feminist movement in Brazil found success in their framing of their legislation, leading to policy adoption around anti-discrimination. The LGBT movement attempted to build off their success; however, they were unsuccessful. LGBT activists took issue with this framing, arguing that “the bill is cheating the black movement, the LGBT movement took their bill after years of the black movements struggle” (Queiroz, Interview, Rio de Janeiro, 07/18/2016). Additionally, the criminalization aspect of the bill disproportionately impacts members of the black community, as those impacted by the legislation would be from lower-socioeconomic conditions demonstrating the intersectionality of public policy. This co-opting of the Black Movements framing, and applying it to a bill for the LGBT community caused significant division, a division not present with the policy success by the feminist and black movement.

Additionally, LGBT activists took issue with the bill regarding whom in the LGBT community it would benefit. An example of this comes from Jandira Quinzo: “this bill was introduced for gay men, it was a movement by the most privileged and not open for discourse for the other LGBT members” (Interview, Rio de Janeiro, 07/18, 2016). According to Ramos, anti-discrimination law is important but this bill failed to protect all members or the LGBT community (Interview, Rio de Janeiro, 07/272016). A critique of the bill shared by many LGBT activists is the criminalization aspect. Activist, Sonia Onufer Corrêa of Sexuality Policy Watch is
critical of the bill asking, “Why did the politicians propose for the criminalization of homophobia? Why have they opted for criminalization?” (Interview, Rio de Janeiro, 07/08/2016).

Activist participants and members of the LGBT community took issue with criminalization aspect for a multitude of reasons. The first, as argued by Quierzo, is a general distrust of the Brazilian legal system. Escher reinforces this; “bill 122/06 reinforces an already oppressive legal system” (Interview, Rio de Janeiro, 07/21/2016). The second issue is the bill's inability to address machismo, racism, and social inequality which many in the movement believe drive homophobic violence. Finally, members of the movement felt as though the bill was ‘piggy backing’ off the black movement’s struggle, and at the same time creating pro-LGBT legislation that would disproportionately impact their movement and individuals of lower socioeconomic status.

Thiago Bassi of Casa Nem states that “we don’t like the bill because of who it impacts; black, poor gays. Alternative anti-discrimination laws would be much better” (Interview, Rio de Janeiro, 07/11/2016). Quierzo continues, “The bill hurts the most marginalized in society, we are not fighting for this, especially since we are allies with the black movement” (Interview, Rio de Janeiro, 07/18, 2016). Bruno Bimbi agrees “I am against the idea of criminalization, it almost never works for solving the issue” (Interview, Rio de Janeiro, 08/11/2016). Allessandra Ramos, who works with deputy Jean Wyllys, states “Jean Wyllys does not support this law. It does not punish those who are the actual homophobic people” (Interview, Rio de Janeiro, 07/272016).

Additionally, many activists believed that the bill would not impact the powerful individuals, Deputies and Religious leaders from the Evangelical Church, who spew hate speech towards the LGBT community. This lack of accountability for the rich and powerful became
especially contentious when the bill was altered to appease religious freedom and expression. Adelia Zimbrão states that the “broadening of the bill lost support from the LGBT movement” as it protected individuals under the guise of religious expression and continued to change the framing and intent of the initial legislation. The broadening of the bill in effect limits the protection of the community from the countermovement to LGBT rights.

Not all members of the activist community share this critical lens on the bill. Many individuals believe that the criminalization aspect is important because of the high and growing levels of violence towards the LGBT community. Toni Reis, Claudio Nascimento and Julio Moreira are examples of prominent LGBT leaders who support the bill. Moreira states; “criminalization is the way to go, it is what the movement needs” (Interview, Rio de Janeiro, 07/28/2016). All politicians interviewed also share this sentiment and are in support of the criminalization of homophobia. These opposing views demonstrate a division between the activist movement and politicians or publically funded organizations. Additionally, these opposing views alludes to a general disconnect and division within the LGBT community as a whole. Consequently, framing public policy to reflect the diverse identities and goals of the Brazilian LGBT movement proves highly challenging.

**Conclusion: The LGBT Movement is Internally Divided and Politically Weak**

Literature highlights the important role social movements play in creating, shaping and influencing public policy in Latin America. For LGBT public policy to be successful, a strong social movement is required. Using the theoretical framework, we can see that the LGBT social movement in Brazil faces significant challenges in terms of influencing public policy. A lack of funds and incohesive leadership result in ineffective Resource Mobilization. Moreover, there
exists a distrust of political elites, which presents a limited Political Opportunity Structure for the movement to utilize to pass public policy. Interviews regarding the ‘anti-homophobia’ law and the cohesion of the LGBT social movement in Brazil contradict existing literature and demonstrate a growing division within the LGBT movement itself. This was evident in the framing of the PLC 122/06. The push for ‘criminalization’ of homophobia divided the movement, resulting in a lack of support. Components to the legislation, including the narrative and framing created, failed to capture the complexities of the multi-identities of the LGBT community. In effect, this failure pitted groups against each other. This division is particularly alarming because of the growing congressional power of the countermovement to LGBT rights and their moral objection to the progression of LGBT rights. An analysis of the research results using the theoretical framework indicates that the LGBT movement is weak and divided. In combination with a strong countermovement to LGBT rights, an explanation is presented as to why Brazil lacks federal anti-discrimination legislation: The Countermovement can greatly impact public policy while the social movement cannot.

Deputy Erika Kokay states that, “as a whole, the movement is not strong” (Interview, Brasilia, 09/12/2016). Quierzo emphasizes, “The movement has lost its power to organize” (Interview, Rio de Janeiro, 07/18/2016). This is a result of “a separation in the movement, between trans, transvestites, women and men, and as a result the movement as a whole suffers and ceases” (Siqueira, interview, Rio de Janeiro, 07/18/2016). Queiroz states that “The movement is so green, immature, selfish and self-centered that they don’t have the capacity to look around and see the wider perspective of the entire movement” (Interview, Rio de Janeiro, 07/18/2016). As a whole, interview data shows that the movement is disorganized, resourceless, not mobilized, and highly divided (Motta, interview, 07/17/2016). Moreover, the “LGBT
movement in Brazil is only active for the pride parade with the money given to them by the government (Scheidweiler, interview, Brasilia, 09/06/2016). Ultimately, within the movement there is a “lack of solidarity, a lack of swapping shoes, and full of gay queens just searching for their crowns” (Queiroz, Interview, Rio de Janeiro, 07/18/2016).

Division in the Brazilian LGBT movement heightens the countermovement’s ability to deter LGBT legislation. The infighting creates issues around political activism, which “is lacking within the LGBT community” (Siqueira, interview, Rio de Janeiro, 07/18/2016). According to Siqueira “People don’t want to take a specific stance because they don’t want to divide themselves on the discussion” (Interview, Rio de Janeiro, 07/18/2016). Consequently, the movement as a whole suffers, and progressive policy change becomes highly challenging. Indianara stated that “these bills would help all sexual minorities, and that the LGBT community should negotiate more internally to form strong and unified opinions and agendas” (Interview, Rio de Janeiro, 07/18/2016). Currently, “the LGBT community in trying to build a dialogue with the conservative controlled government in its current state is not only impractical, but impossible and the division in the movement makes this dialogue even more challenging” (Siqueira, interview, Rio de Janeiro, 07/18/2016). Ultimately, the internal division, combined with the strengthening countermovement makes pro-LGBT policy change through the Brazilian congress highly unlikely. As Scheidweiler states “We need to be more mobilized and we need more representation of gays in congress (Interview, Brasilia, 09/06/2016). As it stands, the only power we have now is existing” (Bassi, interview, Rio de Janeiro, 07/11/2016).
Chapter Six: Thesis Conclusion

Brazil was one of the first countries in Latin America to legalize gay adoption, same sex civil-unions, and same-sex marriage. The country’s LGBT social movement is the oldest and one of the largest in Latin America. However, after nearly 14 years of passing through the lower house and into the senate, PLC 122/06, or the ‘criminalization of homophobia’ bill, has failed. Brazil remains a state without anti-discrimination laws to protect sexual minorities. Moreover, it is considered one of the most dangerous places in Latin America to be openly gay.

This project addressed the following research questions: Why does Brazil not have LGBT anti-discrimination policy? I hypothesized that the lack of LGBT anti-discrimination measures is a result of a strong countermovement to LGBT rights. My hypothesis was correct. Additional findings from this project helped answer this question in a variety of ways, focusing on the effectiveness of the two movements involved: LGBT movement and countermovement.

According to the literature, the LGBT social movement in Brazil is highly organized and mobilized. However, this literature focuses mainly on the movement’s ability to collaborate with the Brazilian government regarding the HIV/AIDS epidemic. This collaboration led to the NGO-ization of the movement as well as its centralization into a network of NGO’s sharing collective goals surrounding HIV/AIDS policy. The movement has seen success at the subnational level through litigation and judicialization of the issue. However, the movement has had very limited success in permeating federal level politics. It has established connections with some politicians but they hold little power within Congress limiting its opportunity structure. Additionally, the movement’s resources and funding center around programming for HIV/AIDS awareness. The government has tightened their purse strings regarding the use of federal dollars on campaigns such as “Brazil without Homophobia”, hindering the movement’s ability to fight against a
homophobic culture. Overall, the lack of available funding limits the LGBT movements resources to effectively organize.

The LGBT movement itself is divided, which was an unexpected research finding. LGBT activists in Brazil are divided in terms of legislative priority. This impacts the framing of the movements goals, and does not allow for effective mobilization around policy goals. PLC 122/06 indicates a division between grassroots and bureaucratic activists as well as younger and older activists more generally. There are two main issues: a general distrust of the political elites representing the movement and issues with the criminalization aspect of the bill. Many grassroots activists interviewed for this project identified the individuals representing their interests in government as “figure-heads” who are disconnected from the movement itself and represent their own agenda within Congress. Secondly, many activists cited issues with the criminalization aspect of the bill. The argument here is that criminalizing homophobia would disproportionately impact individuals of lower socioeconomic status and not hold the rich and powerful (e.g. Televangelicals) accountable for their hate speech. Succumbing to the power of the countermovement in Congress, the amendments to the bill regarding freedom of religious expression was a critical factor in the decline of the bill. The limited support the bill had from the LGBT movement was lost entirely with the countermovement’s accepted amendments.

Concurrently, the countermovement to LGBT rights is becoming more powerful in Brazil. Evangelicals in Brazil have grown significantly in population. It is politically motivated and brings a moral agenda to Congress. This includes being vehemently opposed to the enhancement of rights for sexual minorities.

The countermovement has amassed a tremendous amount of political influence. It has achieved this through its expansion and mass accumulation of wealth. Through prosperity
Theology and its development strategies, it has become a fine-tuned machine, recruiting new members who commit part of its material wealth to the Church, resulting in successful resource mobilization. The countermovement’s investment in and accumulation of media has allowed the church to bring its political views to the masses and has aided in the campaigns of devout Evangelicals. Access to powerful media outlets helps the countermovement effectively frame its ideologies and allows for a tremendous impact on public policy. Additionally, the countermovement can manipulate the electoral process in Brazil, as mandatory voting enhances the likelihood for an ill-informed voter’s choice to be shaped by the morality of their pastor. This allows for the countermovement to elect more politicians, directly impacting pro-LGBT policy. These strategies, among others have proven successful as the church has seen a steady increase in elected representatives since 1986, increasing political control in the Congress.

The countermovement has grown exponentially in size, accounting for over 15 percent of total representation in the Brazilian Congress. This is significant as there are over 25 parties represented in the Brazilian chamber of deputies. Moreover, it has formed the largest voting bloc within the legislative house, the BBB (Bibles, bullets and Bison), accounting for over 60 percent of the 515 seats. Consequently, it has tremendous power and are effectively veto-players within the Congress. This power extends to the executive, with both President Lula and Dilma, members of the Partido dos Trabalhadores (traditionally in support of LGBT rights), reaching out to the Evangelical church for support while turning their back on sexual minorities. The overwhelming power of the countermovement creates an inhospitable legislative environment for the advancement of LGBT rights in the Brazilian Congress and provides a Political Opportunity Structure to push the Evangelical agenda.
Contributions to the Literature

Brazil does not have a LGBT anti-discrimination policy because of the tremendous growth in power of the countermovement, as well as a weakening and division within the Brazilian social movement. Empirical data demonstrates how Resource Mobilization, Political Opportunity Structure and Framing are important for both LGBT social movements and countermovements to be successful in meeting its policy objectives. This work adds to the growing body of literature on the above theories and demonstrates their importance in understanding the rise and fall of social movements. This thesis demonstrates that the countermovement to LGBT rights was more successful at framing its issues resulting in societal and political support. Additionally, the countermovement created effective alliances and exploited institutional rules, leading to its success. This demonstrates the importance of forging a successful opportunity structure within the state to progress policy objectives. Finally, the countermovement is wealthy and has access to a tremendous amount of resources, which grants them power and ensures success with framing its issues and creating an opportunity structure within the state.

Overall this study adds to the literature on public policy. Additionally, this thesis contributes to the underdeveloped literature on how social movements impact public policy, specifically social policy. It also enhances the literature on the impacts of countermovements on public policy, specifically on pro-LGBT policy. Moreover, it provides a theoretical framework to understand one movement’s success over another by using Political Opportunity Structure, Resource Mobilization, and Framing theory.

Moving Forward – Judicialization of LGBT Rights
Even with a more organized LGBT movement, the countermovement’s growing base of power makes the Congress an unlikely avenue for pro-LGBT policy progression. Resource Mobilization theory and Political Opportunity Structure would indicate that the movement’s best efforts for enhancing LGBT rights lie in framing its issues to the Brazilian courts. However, even the judiciary is not immune to the conservative nature of Brazilian society and the growing power and political morality of the Evangelical church. Moving forward, research should focus on the judicialization of LGBT rights in Brazil and how this impacts the discussion of LGBT anti-discrimination policy. Additionally, a focus should be placed on how judicialization impacts the Political Opportunity Structure of both the countermovement and LGBT movement.

**Changing Political Opportunity Structures**

The institutional framework and design of the political system in Brazil has ultimately shaped the avenues available for social movements. The recent involvement of the high courts in Brazil has altered the movement’s strategy in regard to political opportunity. The basic premise of Political Opportunity Structure is that exogenous factors enhance or inhibit prospects for mobilization: for particular sorts of claims to be advanced rather than others, for particular strategies of influence to be exercised, and for movements to affect mainstream institutional politics and policy (Meyer, 2004). The political configuration of the state shapes the opportunities afforded to the movements and shifts in that configuration can open or close “windows” for action. Conversely, social movements can influence the political configuration of the state; through their actions, it can forge opportunities (Anderson, 2006). In being an outspoken proponent of LGBT rights in 1998, the Brazilian Supreme Federal Court provided a window of opportunity for the movement. The social movement used this window to forge opportunities at the sub-national level, forcing the high courts of Brazil to rule on issues of LGBT rights.
In contrast, after the failure of PLC 122/06 in Congress, that window of opportunity for progressing anti-homophobia and anti-discrimination legislation is closed. In fact, no pro-LGBT policy has ever passed through the Brazilian Congress. As activist Adelia Zimbrão puts it, “after the failure of PLC/122 in Congress, our only avenue is through the Supreme Federal Court” (Interview, Rio de Janeiro, 07/16/2016). An increase in opportunity within the Brazilian judiciary demonstrates more space and fewer constraints for the movement. Comparing the Brazilian Congress to the Judiciary demonstrates a more favourable system for their demands (Gamson and Meyer, 1996). The involvement of the High Courts also shows how judicialization in Brazil is shaping the social movement’s ability to enact its agenda and frame its issues.

In Brazil, the Court’s rulings were a source of validation for sexual minorities (Encarnación, 2016). The rulings also mirror a concession within the Brazilian LGBT movement that the focus on impacting change through the Congress may have run its course and that the executive branch is not an ally. Allessandra Ramos states “the Congress is so slow and the conservatives are so powerful, so people turn to the Supreme Court for help” (Interview, Rio de Janeiro, 07/27/2016). Scheidweiler furthers this by stating “the Supreme Court breaks the balance created by religious groups in Congress” (Interview, Brasilia, 09/06/2016). Ramos and Scheidweiler demonstrate the movement’s frustrations with the legislative houses and the countermovement’s power while demonstrating the LGBT movement's shift in focus to judicializing their issues.

Judicialization has led to a recent change in opportunity structure and a new wave of activism in Brazil. A section of the LGBT movement now focuses on moving towards enhancing legislation through the court system (Encarnación 2016). An example of this is the Grupo de Advogados pela Diversidade Sexual e de Genero (Group of Layers for Sexual and Gender
Diversity), or GADvS, founded in 2012. GADvS’s core agenda is not to lobby the legislature but to develop legal strategies for enhancing LGBT rights at the subnational and federal level. The president and founder of GADvS, Paulo Iotti, believes that the window of opportunity is developing in the judiciary and closing in Congress. While Congress has grown more conservative, the judiciary has become more liberal. Gay activists are even turning to the courts to enact laws already blocked by Congress. This includes PLC/122 06.

Despite the enhancement of rights through the Judiciary and the changing opportunity structure for the LGBT movement, there remains a countermovement to sexual minorities which is adapting to the change in strategy. The countermovement responds through its control over the legislative houses. One counter tactic entails the introduction of legislation in the Congress that directly opposes the rulings of the Supreme Court. Such legislation includes a bill attempting to outlaw gay adoption, as well as a bill aiming to define the family (because of a lack of definition in the 1988 constitution) in order to enhance heterosexual couples’ rights over homosexual couples. Essentially, the countermovement is recognizing its opportunity with its control of Congress and is fighting back against the Supreme Court. Additionally, many activists cited a fear of the countermovement accumulating so much power that it can appoint high court judges and influence the election of an evangelical president. Whether this will be occurring or not remains to be seen. Additional research on the changing Political Opportunity Structure and the benefits and setbacks of judicialization in Brazil is needed.

**Concluding Remarks**

This thesis has demonstrated that social movements impact public policy. The countermovement’s increased mobilization and political success has resulted in an inhospitable congressional environment for pro-sexual minority legislation. The division in the LGBT social
movement means that combatting a highly organized countermovement to enact its policy goals is very unlikely. As it stands, LGBT activists, despite significant division, have an ally in the courts. Some activists argue that judicial precedent set by the courts results in little progress for changing society's perception of LGBT folk and does nothing to address the homophobia and transphobia directed at the community. Thiago Bassi argues “people continue to have no shame to be homophobic or transphobic, there is a pride to be homophobic and sexist in Brazil (Interview, Rio de Janeiro, 07/11/2016).” He continues “the only way to change this is not through government but to show the world what is going on here, make Brazil feel shame for how they treat LGBT people, with this, change will happen (Interview, Rio de Janeiro, 07/11/2016).” Finally, Bassi argues that the “non-approval of the law (PLC/12206), is a reflection on where society is, Brazil is not gay friendly, just an image the government wants to have" (Interview, Rio de Janeiro, 07/11/2016 ). Finally, Bassi states; “Don’t come to Brazil, we are gay killers.”

It also remains unclear as to whether legislating gay rights through either Congress or the Supreme Court will lead to society supporting gay rights. Neither Congress nor the Supreme Court accurately portrays society's attitudes towards LGBT rights as they seem to contradict each other. Contrary to Bassi, Iotti believes that “getting some laws in the book” will help increase societal acceptance of homosexuality in Brazil. Interviews demonstrate that grassroots, street level, young activists believe that this change needs to come from the bottom up, not from the top down. Once again, this claim demonstrates a division in strategy in the LGBT social movement with older activists pushing for top down change.

Overall, the countermovement is accumulating power in the legislative arena. The Evangelicals and their congressional allies are arguably the strongest coalition in the Chamber of
Deputies. Concurrently, division plagues the LGBT social movement. Consequently, the LGBT movement enacting any sort of policy through the Congress is highly unlikely. The movement seems to be remobilizing, but is conflicted in terms of priorities. Thus, the likelihood of Brazil passing legislation to deter growing levels of homophobia, violence and discrimination is unlikely.
Works Cited


Lopez, O, (2015). Behind Brazil’s Gay Pride Parades, a Struggle with Homophobic Violence; Almost every day a lesbian, gay, bisexual or trans Brazilian is Killed. *Newsweek 164*(20)


### Appendices

**Appendix A. Informal Interviews**

<table>
<thead>
<tr>
<th>University</th>
<th>Location</th>
<th>Name and Title of Participant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Horacio Sivori</td>
<td>Rio de Janeiro</td>
<td>Professor at the State University of Rio de Janeiro</td>
</tr>
<tr>
<td>Sergio Carrara</td>
<td>Rio de Janeiro</td>
<td>Professor at the State University of Rio de Janeiro</td>
</tr>
<tr>
<td>Paulo Victor Leite Lopes</td>
<td>Rio de Janeiro</td>
<td>PhD Student at the State University of Rio de Janeiro</td>
</tr>
<tr>
<td>Murillo Mota Interview, 07/15/2016</td>
<td>Rio de Janeiro</td>
<td>Professor at the Federal University of Rio de Janeiro</td>
</tr>
<tr>
<td>Bruno Zili</td>
<td>Rio de Janeiro</td>
<td>Post-Doc at the State University of Rio de Janeiro</td>
</tr>
<tr>
<td>Marcelo Carvalho Loureiro</td>
<td>Rio de Janeiro</td>
<td>Law Student at the Federal University of Rio de Janeiro</td>
</tr>
<tr>
<td>Cleber Macedo</td>
<td>Niteroi</td>
<td>Doctoral Student at the State University of Rio de Janeiro</td>
</tr>
<tr>
<td>Adriana Velsco</td>
<td>Brasilia</td>
<td>Doctoral Candidate in Political Science at the University of Brasilia</td>
</tr>
<tr>
<td>Nayara Macedo</td>
<td>Brasilia</td>
<td>Doctoral Candidate in Political Science at the University of Brasilia</td>
</tr>
<tr>
<td>Flavia Biroli</td>
<td>Brasilia</td>
<td>Professor of Political Science at the University of Brasilia.</td>
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**Appendix B - Activists**

<table>
<thead>
<tr>
<th>Name</th>
<th>Organization</th>
<th>Description of Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jandira Queiroz Interview, 07/18/2016</td>
<td>Amnesty International Brazil Liga Brasileira de Lésbicas</td>
<td>Works on protecting and expanding human rights. Jandira focuses on programming pertaining to LGBT rights education in primary schools, and combating racism in Brazil Her mother is a former Brazilian Senator.</td>
</tr>
<tr>
<td>Name</td>
<td>Title/Position</td>
<td>Description</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Bruno Bimbi</td>
<td>Author, Activist, Political and Legislative Coordinator for Jean Wyllys</td>
<td>Currently working for the only openly gay Brazilian deputy. Working on creating and progressing legislation protecting LGBT folk. Interviewed in his capacity as an activist.</td>
</tr>
<tr>
<td>Indianara Sophia</td>
<td>Casa Nem (Founder)</td>
<td>Founder of Casa Nem. A shelter for Brazilian transgender and transvestite youth. Offers training, workshops, shows, and debates.</td>
</tr>
<tr>
<td>Luisa Escher</td>
<td>Casa Nem Lesbian Coalition</td>
<td>A shelter for Brazilian transgender and transvestite youth. Luisa specifically focuses on educational training for the individuals residing in the shelter.</td>
</tr>
<tr>
<td>Sonia Onufer Corrêa</td>
<td>Sexuality Policy Watch (SPW)</td>
<td>SPW is a global forum composed of researchers and activists from a variety of countries and regions. SPW hails as a credible source of up-dated information, research findings and public debates around sexual rights areas, such as:</td>
</tr>
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abortion, gender-based sexual violence, sex work, LGBT rights, HIV and AIDS.

<table>
<thead>
<tr>
<th>Name</th>
<th>Role</th>
<th>Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adelia Zimbrão</td>
<td>Women’s rights activist and Researcher</td>
<td>Self-identified activist whose dissertation work focuses on how religious conservatism is impacting the progression of women’s rights</td>
</tr>
<tr>
<td>Thiago Bassi</td>
<td>Tem Local</td>
<td>Tem Local documents, maps and reports instances of Homophobia and homophobic violence. They work with LGBT folk, police and lawyers to protect people from LGBT direct violence.</td>
</tr>
</tbody>
</table>

**Appendix C - Politicians**

<table>
<thead>
<tr>
<th>Politician</th>
<th>Political Party/Organization</th>
<th>Pro or Anti LGBT rights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deputy Jair Bolsonaro</td>
<td>Social Christian Party (PSC)</td>
<td>Anti LGBT rights</td>
</tr>
<tr>
<td>Deputy Eduardo Bolsonaro</td>
<td>Social Christian Party (PSC)</td>
<td>Anti LGBT rights</td>
</tr>
<tr>
<td>Deputy and Pastor Eurico da Silva</td>
<td>Humanist Solidarity Party (PHS)</td>
<td>Anti LGBT rights</td>
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<tr>
<td>Deputy and Pastor Marco Feliciano</td>
<td>Social Christian Party (PSC)</td>
<td>Anti LGBT rights</td>
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<td>President of the Commission of Human Rights</td>
<td>Anti LGBT rights</td>
</tr>
<tr>
<td>Deputy Jô Moraes</td>
<td>Communist Party of Brazil (PCdoB)</td>
<td>Pro LGBT rights</td>
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<tr>
<td>Deputy Erika Kokay</td>
<td>Workers Party (PT)</td>
<td>Pro LGBT rights</td>
</tr>
<tr>
<td>Deputy Maria do Rosario</td>
<td>Workers Party (PT)</td>
<td>Pro LGBT rights</td>
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**Appendix D - Political Aids**

<table>
<thead>
<tr>
<th>Name</th>
<th>Role</th>
<th>Organization</th>
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<tbody>
<tr>
<td>Gerson Luiz Scheidweiler Ferreira</td>
<td>Press Secretary</td>
<td>Secretariat of Women</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Professor at the Catholic University of Brasilia</td>
</tr>
</tbody>
</table>
Talita Victor  
Interview, 09/06/2016  
Policy Advisor  
Socialism and Liberty Party (PSOL)  

Marina Basso Lacerda  
Interview, 09/08/2016  
Policy Advisor  
Researcher at the Institute of Social and Political Studies of the State University of Rio de Janeiro  

Allessandra Ramos  
Interview, 07/27/2016  
Policy Advisor  
Socialism and Liberty Party (PSOL)  
Works for deputy Jean Wyllys  

Appendix E – Religious Leaders

<table>
<thead>
<tr>
<th>Name</th>
<th>Political Party</th>
<th>Church</th>
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<tr>
<td>Deputy and Pastor Eurico da Silva</td>
<td>Humanist Solidarity Party (PHS)</td>
<td>Igreja Evangélica Assembleia de Deus em Pernambuco</td>
</tr>
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<td>Interview, 09/14/2016</td>
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<td></td>
</tr>
<tr>
<td>Deputy and Pastor Marco Feliciano</td>
<td>Social Christian Party (PSC)</td>
<td>Catedral do Avivamento Assembleia de Deus</td>
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<tr>
<td>Interview, 09/12/2016</td>
<td>President of the Commission of Human Rights</td>
<td></td>
</tr>
</tbody>
</table>
Appendix F - LGBT 'Criminalization of Homophobia' Bill in the Chamber

Anti-Hate Legislation
Bill 5003/2001
Introduced in Chamber
By Lara Bernadi
(PT Workers Party)

2001 - Bill Sent to committee on Constitution, Justice and Citizenship (CJC)

CJC - 2001 - 2005
2003 - Deputy Boifacio Andrada receives
2004 - Deputy Boifacio Andrada steps down. New rapporteur Aloysio Ferreria makes minor edits
2005 - Deputy Luciano Zica appointed rapporteur. Condenses bill, characterizes homophobia in bill and sends to house plenary

2006 - House Plenary votes on bill - Passes
This was a result of the bill being presented as an emergency vote. The Evangelical voting bloc was not mobilized for the vote. The bill is sent to the senate
Appendix G - 'Criminalization of Homophobia' Bill in the Senate

Senate - PLC 122/2006
Steering committee of Federal Senate sends to two committees before recommendation to plenary

Human and Participative Legislation Rights Committee (CHR)

Constitution, Justice and Citizenship (CJC)

2006 - Recommend for 3 public hearings
2007- Re-enters CHR agenda for vote. Chaired by Evangelical Senator, Marco Crivella. No Quorum.
2007 - Because of lack of progress, steering committee sends to committee on social affairs

2007 - Committee on Social Affairs (CSA)
Appendix H - 'Criminalization of Homophobia' Bill in the Senate (2)

2007 - Fatima Cleid (LGBT supporter) appointed rapporteur.
2008 - Fatima Cleid calls for approval and debate. Vote delayed for request of collective view (Maneuver technique)
2008 - Some rejected the bill, others (Marco Crivella) proposed changes.
2009 - Fatima Cleid makes edits to appease religious bloc granting religious freedom and expression. The CAS approves and the bill is sent back to the CHR

2009 - Human and Participative Legislation Rights Committee (CHR)

2010 - Marco Crivella and Magno Malta request 3 public hearings on bill. Request was approved. 2010 - The bill did not walk. Public hearings were not scheduled 2011 - Bill was shelved

2011 - Senator Marta Suplicy (LGBT supporter) re-opens the bill

2012 - Marta Suplicy faces harsh criticism. Makes changes to appease both sides 2012 - Marta Suplicy steps down. Paulo Paim becomes rapporteur

2014 - Finished proceeding at Congress 2015 - Bill has been archived

Countermovement mobilization. Mass protest led by telvangelicial Silas Malifia
Loss of support from LGBT social movement
Appendix I - Activist - Interview Questions

Begin with talking about bill 122/06 - Anti Homophobia bill
What has happened to it, where it is now.

- How does religion or religious conservatism impact policy change in Brazil? How extensive is their impact in politics and society?
- What happened with bill 122/06? DID IT LOSE MOMENTUM? Why did it lose momentum? Did religious conservatism impact this bill?
- Bill 122/06 changed a lot throughout the process of passing through the chamber and senate. Was the LGBT activist community a part of that change?
- What was the role of activists in creating this bill, and was the activist community engaged with politicians throughout the process?
- Who were the main actors in creating change to the bill?
- Is the activist community still interested in this bill? If no, what is the LGBT activist community focusing on in terms of LGBT rights? Is criminalizing homophobia still a focus of the LGBT activist community?
- In your opinion, as a result of the rise in (religious) conservatism within Brazilian political institutions, Is it effective to attempt passing legislation through the Brazilian congress and senate? Or is using the supreme court a more likely avenue for creating change? Or are there other avenues?

Questionário de entrevista com Ativistas

Começar conversando sobre o PROJETO DE LEI DA CÂMARA nº 122, de 2006 - Criminaliza a homofobia
<http://www25.senado.leg.br/web/atividade/materias/-/materia/79604>

O que aconteceu com o Projeto de Lei, onde está agora.

- Como a religião ou o conservadorismo religioso impactam as mudanças políticas no Brasil? Qual a extensão de seu impacto na política e na sociedade?
- O que aconteceu com o Projeto de Lei 122/06? Ele perdeu relevância? Por que ele perdeu relevância? O conservadorismo religioso teve impacto neste projeto?
- O Projeto de Lei 122/06 mudou muito durante a tramitação na Câmara e no Senado. A comunidade ativista LGBT participou desta mudança?
- Qual foi o papel de ativistas na criação deste Projeto de Lei? A comunidade ativista estava em contato com políticos durante o processo?
- Quais foram os principais atores na mudança do Projeto de Lei?
- A comunidade ativista ainda tem interesse neste Projeto de Lei? Se não, qual o seu foco em termos de direitos LGBT? A criminalização da homofobia ainda é um foco da comunidade ativista LGBT?

Na sua opinião, como resultado do aumento no conservadorismo (também religioso) nas instituições políticas Brasileiras, tem eficiência tentar aprovar uma legislação pelo Congresso e Senado? Ou utilizar a Suprema Corte um canal mais apropriado para introduzir modificações? Haveriam outros canais?
Appendix J – Questions for Congressmen of the Countermovement

1. Pesquisas recentes mostram que houve um crescimento de deputados religiosos no Congresso Nacional. Isto é um reflexo da sociedade brasileira?
2. Religião e fé são fatores importantes nos valores dos deputados, principalmente na maneira como votam?
3. Qual sua opinião sobre o Projeto de Lei 122/06, que criminaliza a homofobia? Por que você acha que ele não teve sucesso?
4. Qual a sua opinião sobre reivindicações de direitos para LGBTs no Congresso Nacional? Existe apoio ou resistência?
5. Você acha que a sociedade brasileira está se tornando cada vez mais religiosa? Por que você acha que isso acontece?
6. Poderia comentar sobre a importância da religião na política?
Appendix J – Questions for Trans Participants

Activist - Interview Questions for Trans Participants

Begin with talking about bill 122/06 - Anti Homophobia bill
What has happened to it, where it is now.

- Can you talk about the work you do for the trans community?
- Do you feel that the state/government offers you any support to trans or travesti individuals?
- Where does this violence against Trans and trasvesti people come from? Is it a societal thing? Is it religious?
- Is the Trans/travesti movement strong in Brazil? Is there a lot happening in terms of LGBT people working for trans rights? Is there a division at all within the movement?
- Are you aware of any bill that will impact the trans or travesti community specifically?
- How does religion or religious conservatism impact policy change in Brazil? How extensive is their impact in politics and society?
- What happened with bill 122/06? DID IT LOSE MOMENTUM? Why did it lose momentum? Did religious conservatism impact this bill?
- Bill 122/06 changed a lot throughout the process of passing through the chamber and senate. Was the LGBT activist community a part of that change?
- What was the role of activists in creating this bill, and was the activist community engaged with politicians throughout the process?
- Who were the main actors in creating change to the bill?
- Is the activist community still interested in this bill? If no, what is the LGBT activist community focusing on in terms of LGBT rights? Is criminalizing homophobia still a focus of the LGBT activist community?
- In your opinion, as a result of the rise in (religious) conservatism within Brazilian political institutions, Is it effective to attempt passing legislation through the Brazilian congress and senate? Or is using the supreme court a more likely avenue for creating change? Or are there other avenues?
Appendix K – Questions for Politicians

1. How much lobbying have LGBT organizations participated in to pass anti-discrimination legislation?
2. How effective would a federal anti-discrimination law be that included sexual orientation and gender identity?
3. What impact have particular voting blocs had on the progression of this bill?
4. How has religion impacted the progression and stalling of the bill? Have religious institutions lobbied against or for the bill?
5. Why has the bill been pending in the senate for 8 years?
6. What is to happen to this bill? Will it progress or will it continue to stall? What are the factors impacting it?
7. Does the LGBT community see this as an important piece of legislation? What is the LGBT community doing to support this bill?
8. Are there any key actors or politicians who are fighting against the bill?
9. Are there any key actors or politicians who are fighting for the passing of the bill?