

Disputes on abortion and sexual diversity in the Chamber of Deputies in the early years of the Bolsonaro government: the art of marking differences

Naara Luna

Universidade Federal Rural do Rio de Janeiro, Seropédica, RJ, Brasil

Abstract

The present article explores the disputes in the Brazilian Chamber of Deputies about abortion and sexual diversity during the first two years of the Bolsonaro government (2019-2020). Focusing on the controversial moral themes of abortion and sexual diversity, the article examines legislative dynamics by analyzing statements made by congresspeople in the Chamber of Deputies and the legislative proposals they submitted. This article is based on qualitative research, observing the discursive dynamic of mutual accusations and inversion of arguments. Particularly noteworthy in this context was the heavy engagement of religious actors in the defense of conservative positions.

Keywords: abortion; sexual diversity; Chamber of Deputies; Bolsonaro government.

Disputas sobre aborto e diversidade sexual na Câmara dos Deputados nos anos iniciais do governo Bolsonaro: da arte de marcar as diferenças

Resumo

O artigo quer explorar as disputas na Câmara dos Deputados acerca dos temas do aborto e da diversidade sexual nos dois primeiros anos do governo Bolsonaro (2019-2020). Com o foco nos temas morais controversos do aborto e da diversidade sexual, o artigo vai examinar dinâmicas próprias do Legislativo por meio da análise de pronunciamentos enunciados por parlamentares na Câmara dos Deputados e das proposições legislativas submetidas. Trata-se de pesquisa qualitativa. Observa-se uma dinâmica discursiva de acusações mútuas e inversão de argumentos. Salienta-se o grande engajamento de atores religiosos na defesa das posições conservadoras.

Palavras-chave: aborto; diversidade sexual; Câmara dos Deputados; governo Bolsonaro.

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The present article seeks to explore disputes in the Chamber of Deputies on the issues of abortion and sexual diversity during the first two years of the Bolsonaro government (2019-2020).¹ The 2018 elections were the culmination of a process built over previous years which brought conservative segments to power in Brazil (Almeida, 2019), both in the Executive branch, where President Jair Bolsonaro served as an icon of the extreme right, and in the Legislative, where the PSL (the party of President Bolsonaro) elected the largest segment of the Chamber of Deputies and advanced upon the positions of the center (PSDB) and center right parties.

Focusing on the controversial moral issues of abortion and sexual diversity, the article analyzes the dynamics of the Legislature through an examination of pronouncements made by congressmen in the Chamber of Deputies and the legislative proposals they submitted.

This analysis will be done in the context of the lower house of congress, the Chamber of Deputies, an institution that is part of the Legislative Power in the Brazilian State. In this sense, the objective of this article is in line with “seeking to understand the State through its agents, the different interests that move them, their practices and strategies of struggle, and the devices of power that operate in different situations, whether spectacular events or daily routines. This is what we have called in our investigations ‘researching the making of the State’” (Teixeira, Lobo and Abreu, 2019, p. 10-11).

Looking at this “making a State”, specifically in the legislative sphere, several aspects can be explored. For example, the first year of a congressperson’s tenure in the legislature allows them to make their inaugural presentation speeches, where they put forward their main focuses and objectives of their mandate. Another aspect is the use of speeches and different types of legislative proposals. Speeches are a means of conveying denunciations and accusations or of publicly advertising certain values. Often, a sequence of speeches is structured around a particular controversial topic. On other occasions, issues such as abortion and sexual diversity are not discussed per se but are foci for disputes over the positions of the left and right, employed as accusatory categories. There is also the differentiated scope of legislative proposals: the bills and projects (laws, complementary laws, constitutional decrees, proposed amendments to the Constitution) that aim to regulate matters, creating or changing rules and legislation. Official requests, on the other hand, have different objectives from mobilizations: they seek to acquire information, mark a commemorative date, convene a hearing, or institute a Commission of Inquiry. Many disputes become visible regarding the themes studied here (sexual diversity and gender) through provocations and responses which show up in speeches and propositions.

¹ The present article results from the “Religious values and controversial moral themes: customs, conservatism and resistance”, research project, financed with a level 2 research productivity grant from CNPq. I would like to thank my research assistant Renan Benevides Chiletto, CNPq scientific initiation fellow, for surveying the legislative material.

One last aspect of this scenario which must be observed is the relationship between the Legislature and the other powers: particularly the inspection of the Executive branch's activities, which shows up as criticism or praise. There are also clashes with the Judiciary, especially with the Federal Supreme Court regarding the attributions of powers. These are often replete with accusations of judicial activism.

Considering the group that supports Bolsonaro and those who oppose him, congresspeople on both sides present their own group as being persecuted and attack opponents. In addition to the fact that these debates employ accusations against the left and against the Bolsonaro government, as well as criticisms of the judicial activism of the STF, one finds thematic cores that are privileged in the speeches and legislative proposals congresspeople present. These include anti-gender perspectives (or "anti-gender ideology"), defenses of the traditional heteronormative family, criticism of the LGBT movement, accusations of privileges, declarations of the rights of the fetus, defenses of religious freedom, and criticism of cultural productions. Other topics include the denunciation of violence and discrimination against LGBT people by the State and civil society, measures to protect LGBT people, and the defense of the right to legal abortion.

These thematic nuclei reveal the nodes around which conflicts are structured. In the words of Natividade and Oliveira (2013), these are the "new sexual wars", like the religious wars of the past, "wars are fought around certain sexual differences" (2013, p. 25) and around reproductive governance, I would add, as in the case of the debate on abortion and fertility control.

Another point highlighted in these conflicts concerns religious expressions/manifestations, especially during plenary pronouncements, that are opposed to the separation of Church and State, which historically refers to the "emancipation of the State and public education from ecclesiastical powers and all religious references and legitimation" (Mariano, 2011, p. 244). The present article wants to understand the dynamics of legitimacy formation processes (Montero, 2012); how these are built even in tension with the competing principles they are associated with.

As a topic of current affairs, there are also references to the management of the pandemic, answered by anti-abortion speeches and in defense of the traditional family.

Methodology

Support for accessing the discourses under analysis comes from textual sources containing "methodologically relevant and socially significant information" (Giumbelli, 2002: 102).

This article deals with speeches given in the Chamber of Deputies and with legislative proposals as textual sources, that is, the result of a procedure carried out by a State institution. These are documents produced in the context of State institutions:

The documents produced by State institutions can be plagued with formalisms, technical terms, rules of courtesy, and redacted imperatives taking the form of objectives or attributions. This bureaucratic format... challenges the investigator with the need to learn a highly formulaic and cryptic vocabulary (Muzopappa and Villalta, 2011, p. 31).

The research behind this article was carried out through using the search engine of the Chamber of Deputies portal, in the legislative activity menu, by searching for the keywords of the thematic axes in the options 1. legislative proposals; and 2. speeches. Documents were first classified according to their position: whether anti-abortion, pro-choice, or undefined; or if favorable to sexual diversity, against it, or undefined. In the thematic axis regarding abortion, 37 speeches and 31 legislative proposals were found in 2019. Regarding sexual diversity, 262 speeches and 51 legislative proposals were found in 2019, and 63 speeches and 29 legislative proposals in 2020. Due to the excessive amount of material, it will not be possible to analyze all these documents

in the present article. We thus chose 2019 as the most representative year for debate dynamics. In 2020, the selection was restricted to documents referring to major controversies that involved both sides, or which contained content with the potential to forcefully affect the exercise of rights. 85 pronouncements from 2019 and 2020 are effectively analyzed in this article along with 48 legislative proposals.

In addition to document classification, our initial survey sought to outline the profile of congresspeople with regard to their training, professional activity, and religion,² using the data available in their profiles on the Portal of the Chamber of Deputies, the statements made in the documents surveyed, their profile on social networks, and press material.

The methodology used to examine the material we collected was content and discourse analysis. “Content analysis takes the text as a restricted document to be understood as an illustration of a situation, limited to its own context. In this case, it starts from the structure of the text in order to interpret it” (Cappelle, Melo and Gonçalves, 2003, p. 13). Discourse analysis was also used, considering how the text “works in a given social and historical context” (Cappelle et al., 2003, p.13). With regard to discourse, “this work is interested in both aspects: discourse as an instrument for the social construction of reality and discourse as an instrument of power and control”. (Barros, Bernardes and Pinto, 2018, p. 219)

The biggest difference between the two forms of analysis is that DA [discourse analysis] works with meaning and not with content; CA [content analysis] works with the content, that is, with linguistic materiality through the empirical conditions of the text, establishing (p. 683) categories for its interpretation. While DA searches for the effects of meaning related to discourse, CA focuses only on the content of the text, without establishing relations beyond this. (Caregnato and Mutti, 2006, p. 683-684)

The units of collection and analysis used for content analysis are pronouncements given by congresspeople of the Federal Chamber of Deputies in the 2019 and 2020, as well as legislative proposals put before the Chamber.

The keywords used in the legislative house’s search engine to locate such speeches and proposals constitute our categories of analysis, extracted from the major thematic axes of abortion (which includes the status of the unborn child) and sexual diversity.

² In the case of religion, for the present article, the last conference was held at the Platform Religion and Power, organized by ISER, using the database of the 56th legislature. Available at: <https://religioepoder.org.br/>

Table 1 – Keywords used in searches, according to thematic axis

Abortion – status of the unborn child	Sexual diversity
abortion	LGBT, LGBTQI
embryo	sexual orientation
unborn	homosexual, homosexuals
in vitro fertilization	homosexuality, homosexuality
assisted reproduction	gay, gays
	lesbian, lesbians
	homophobia
	lesbophobia
	transphobia
	transgender
	transvestite
	same-sex marriage
	civil union
	civil partnership
	sexual option
	gender ideology

Source: Chamber of Deputies Internet Portal

Based on the units of analysis (speeches and legislative proposals) located through the keywords, it was possible for us to delineate thematic nuclei, or categories of analysis, which will be discussed below.³

Methodology studies oppose content analysis and discourse analysis due to the different histories of the creation of techniques and principles of formulation. Rocha and Deusdará (2005) suggest that there is a positivist bias in content analysis. This is in contrast with discourse analysis, which does not dissociate discourse from society, proposing “the understanding of a discursive plan that articulates language and society, interspersed by the ideological context” (Rocha and Deusdará, 2005, p. 308).

The perspective of the present work employs the proposal made by Cappelle, Melo and Gonçalves (2003) regarding the convergent use of these techniques, considering both content and the context and their implications. Chaves states that, in discourse analysis, text and context are the object of examination:

Context is the historical-social situation of a text, which involves human *institutions* and other texts. It is *the frame of a text* or the situational and circumstantial frame in which a text occurs. It involves elements from both the author’s and the interlocutor’s realities. Analyzing these elements helps determine meaning. When interpreting a text, the author and his/her social and historical identity must be considered. In discourse, the identity of the author is constructed. Therefore, the same phrase can change its meaning in different interpretative contexts (Chaves, 2016, p. 492).

³ Since this is an eminently qualitative research proposal, procedures established by specialists in categorical content analysis (Sampaio and Lycarião, 2021) -- such as the elaboration of a codebook and coding spreadsheet -- will not be used.

The objective of this article, in analyzing discursive disputes, certainly leaves the scope of content analysis and falls into discourse analysis, as this study is constantly confronting which actors speak through pronouncements and legislative proposals, situating these actors as supporters of the Bolsonaro government or its opponents. Here, the ideological divisions of “right” and “left” do more than refer to the political spectrum: they become a significant part of the speeches, employed as categories of accusation.

Discourse analysis in the present study was carried out according to the following steps, based on Chaves (2016).

1. Formulation of the research problem and its objectives; in this case, verifying the disputes around abortion and sexual diversity in the first two years of the Bolsonaro government.
2. Definition of the material *corpus* in accordance with the proposed investigation. The main base is the pronouncements (speeches) of congresspeople given in the Chamber of Deputies in 2019 and 2020. A second base is the legislative proposals presented in that same year.
3. Selection of documents using the keyword search tool of the Chamber of Deputies Portal. The keywords are extracted from two thematic axes: abortion (including the status or condition of the unborn child) and sexual diversity.⁴
4. Classification and categorization of the empirical material based on the research objectives. Here, a careful reading shows regularities around topics addressed in pronouncements and legislative proposals. Thematic nuclei are formulated based on topics that are highlighted in the speeches and legislative proposals: anti-gender perspectives (or “anti-gender ideology”), defense of the traditional heteronormative family, criticism of the LGBT movement, accusation of privileges, defense of fetal rights, defense of religion and religious freedom, criticism of cultural production, and criticism of judicial activism on the part of the STF, the latter being a point associated with several topics in this set. On the other side of the debates, the thematic nuclei are denunciation of violence and discrimination against LGBT people by the State and civil society, measures to protect LGBT people; defense of the right to choose abortion, defense of sexual diversity, and defense of the gender perspective.
5. Organize in chronological terms the material extracted from the speeches, associating the thematic nuclei with discursive dynamics, such as a dynamic of provocation and response with an exchange of accusations, similar to the so-called game of challenge and response (Bourdieu, 1965). Here, we go beyond the content of pronouncements and legislative proposals to analyze their use and argumentative strategies. We see that a significant part of the speeches are structured to criticize the left and disqualify its claims while at the same time serving as a support base for the Bolsonaro government. This discursive set is opposed by a second set critical of the Bolsonaro government. Analysis shows that there is a dynamic of provocation and response within the universe of speeches made in the Chamber of Deputies. This dynamic also has repercussions upon external facts that are brought into this arena, such as a case that turns into a scandal involving the authorization (or denial) of legal abortion and the connections surrounding it. This analytical material is especially interesting, and goes beyond content analysis by demonstrating how arguments are wielded.

The article will initially address the debates in 2019, the first year of the Bolsonaro government and the new legislature, and then looks at highlights from 2020, a year marked, from mid-March on, by the pandemic.

⁴ These are the same words used above for searching during the content analysis methodology.

2019: speeches in the inaugural year of the Bolsonaro government

2019 saw the inauguration of several parliamentarians elected in the “Bolsonarist wave” that claimed it intended to moralize Brazil after a succession of elected leftist governments. Although the impeachment of President Dilma Rousseff took place in 2016, with the departure of the PT from power, the rhetoric deployed in 2019 marked the beginning of a new era. Below, I describe the pronouncements and propositions made in this year based on the thematic nuclei, chronologically ordering to reveal the development of the debates.

Defense of religion and freedom to be conservative

I first want to highlight opening speeches by two congresspeople who will have an major role in the themes we discuss here.

On 02/05/19, Deputy Chris Tonietto (PSL – RJ) thanked voters for helping her win the 2018 elections and signed a commitment to “*Christ, King of the Universe, Our Lady of Aparecida, Patroness of Brazil*” for a mandate guided by Catholic morals in the “*defense of life, from conception on, in defense of the family, and of Christian values, in the fight against abortion, gender ideology, corruption, and criminality*”.

In addition to being an inauguration speech, showing the main objectives of the deputy’s mandate, the speech explicitly employed religious language. There are other examples.

On 02/20/19, Deputy Pastor Sargento Isidório (Avante – BA) began his speech by thanking God and his voters for his mandate and read a verse from the Bible: “With the Bible in hand, I read Psalm 133”. The deputy also talked a little about his life story and the social work he carried out at Fundação Dr. Jesus. Here we have two congresspeople with public religious identities. Chris is Catholic and Isidório is Evangelical. As seen in several other studies (M.D.C. Machado, 2017; L.Z. Machado, 2017; Vital da Cunha and Lopes, 2013), religious agents have been the most active in the political arena regarding issues such as abortion and sexuality, exercising a conservative religious influence (Vaggione, 2012).

Congresspeople stood out among those who most frequently employed explicitly religious language. Deputy Chris Tonietto (PSL – RJ), began her speech on 7/4/2019 by saying a Hail Mary in the plenary and talking about the motivations that led her to politics. “*Brazil was born Catholic and will never cease to be so in essence!*” She highlighted that during her 5 months in office, she produced several projects to “*combat the murder of babies in the maternal womb*”.

On 6/5/19, Pastor Sergeant Isidório (AVANTE – BA) spoke about “ex-gays”, using religious discourses to impose heteronormativity as a divine creation: “God created male and female, God created male and female, and blessed them. And what goes beyond that, according to the word of God, is of evil origin.”

Such speeches point to the problem of freedom of religious expression and attack the principle of separation of Church and State. Thus, on 7/4/2019, Evangelical Deputy José Medeiros (PODE-MT) says: “A pastor cannot be branded as homophobic because he believes, because his faith is like that. (...) I make this balance, this counterpoint so that we can have religious tolerance, so that we don’t mix the political struggle with our ideological bias, with people’s faith”. Religious freedom is here the justification for the defense of conservative positions.

In addition, several newly minted congresspeople will defend their positions alleging persecution and intolerance towards the Christian religion. On 04/25/19, in a critical speech to the STF for passing judgements upon the criminalization of homophobia and the decriminalization of abortion, Eli Borges (SD - TO), evangelical and pastor of the Assembly of God, claimed that there is persecution of Christians around the world. He defended that people have the freedom to choose their religions and that any “Christophobic” attitudes are to be repudiated. It is in this sense that Borges began his discourse on homophobia and abortion. Regarding abortion, the deputy used the Bible to support his opinion and said:

The Bible says, in Psalm 139.16, that God knows and knew the body of each one of us still without form. And we have to understand that, from the moment we are conceived, there is already a life, and it belongs to God.

On 06/17/19, Eli Borges (SD – TO) once again took up religious arguments when questioning whether the STF would consider the Bible to be a homophobic book, as homoaffectivity is “*contrary to the principle of creation, which is the principle of science and biology*”. He questioned whether the STF considered itself to be “above” the Bible. Pastors, priests and faithful, in tBorges’ conception, do not promote hatred towards the LGBT community by preaching their faith. Borges (SD – TO) went on to state that most crimes against the LGBT population are crimes of passion, denying LGBTphobia and claiming that there is, in fact, a Christophobia:

We are left here, allowing someone, by repeating it several times, to start to get into the minds of Brazilians that homophobia is a practice in Brazil. Now, we have much more Christophobia here.

Borges uses the inversion of accusations of intolerance and persecution as rhetoric, something that will frequently recur in the discursive disputes analyzed here. This rhetoric manifests the process of minoritization, that is, of constituting a policy of minorities claiming rights, a process that was identified by Burity and Giumbelli among religious actors (2020), especially in the evangelical milieu. Aspects of minoritization pointed out by Burity among Pentecostals are the encouragement of intragroup solidarity and organization against supposed secularist threats to religious freedom (Burity, 2016, p. 120). The examples found above portray exactly this type of alleged “Christophobic” persecution by secular means. According to Burity and Giumbelli, “Evangelicals have been shrewdly managing the alternation between constituting themselves as a minority and asserting themselves as part of a majority” (2020, p.11), thus sometimes placing themselves as a persecuted minority, sometimes joining Catholics to demonstrate the strength of the Christian majority in Brazil. This rhetoric is quite visible when Christian congresspeople (Evangelical or Catholic) claim to be victims of Christophobia (or that Christophobia is more intense than homophobia) at times, while at other times they characterize Christianity as a majority to defend conservative agendas.

Criticism of cultural manifestations

This defensive conservative position was also manifested in reaction to cultural manifestations judged to be offensive to religious people. On 06/13/19, Fernando Rodolfo (PL – PE), an evangelical, denounced blasphemy in cultural events: a concert by singer Johnny Hooker, who said that Jesus was a fag, a *travesti* and a transsexual⁵; the front commission of the Gaviões da Fiel Samba School, which took to the avenue at Carnival portraying a clash between Jesus and Satan⁶; and a YouTube video on the channel Porta dos Fundos, which showed a homoaffective kiss between Jesus and Judas⁷.

5 Available at: <https://oglobo.globo.com/cultura/johnny-hooker-alvo-de-noticia-crime-apos-show-polemico-em-pernambuco-22935738>. Accessed on: 09/08/19.

6 Available at: <https://veja.abril.com.br/entretenimento/o-bem-vence-no-final-diz-coreografo-da-gavioes-da-fiel-sobre-desfile/>. Accessed on: 08/09/19;

7 Available at: <https://observatoriog.bol.uol.com.br/noticias/2019/05/novo-video-do-porta-dos-fundos-mostra-beijo-gay-entre-judas-e-jesus-assista>. Accessed on: 09/08/19.

Anti-gender perspectives

One of the favorite themes of this moralizing wave revolved around the accusatory category of “gender ideology”, especially invoked in the context of early childhood education. The discourse of criticism of a supposed gender ideology began in the Brazilian congress, especially in the context of debates on the national education plan in 2014, a process discussed by several authors (Teixeira and Biroli, 2022; Luna, 2017). It has a strong presence among agents who have a religious identity, although it is not restricted to this segment. The origins of the anti-gender movement are described by Machado (2018) as arising from a reaction by intellectuals linked to Catholicism against the inclusion of the category of gender in the social conferences of the United Nations.

On 05/16/19, Otoni de Paula (PSC – RJ), evangelical and pastor of the Assembly of God, spoke about “gender ideology” in the schools. He began his speech by stating that Brazil had a lost generation in terms of sexual health and, even though he “*respects citizens with homosexual orientation, I cannot tolerate gender ideology within our schools*”. The congressman then called schools a “*factory for gays and lesbians*”. According to him, children and teenagers are confused about their sexuality in schools, but teachers and psychologists can’t do anything about it because “*LGBT patrols don’t allow it*”. This accusation of the sexualization of children is recurrent when the category “gender ideology” is activated (Luna, 2017; Teixeira and Biroli, 2022)

Criticism of the LGBT movement and accusation of privileges

The end of the above speech leads to another point that is often repeated in the pronouncements analyzed here: criticism of the LGBT movement and accusations of privileges, a process analyzed by Cesarino (2019). On 07/11/2019, for example, Deputy Otoni de Paula (PSC-RJ) made a statement that focused on the issue of special entrance exams for transgender and intersex people in public universities, criticizing the use of public money for this purpose.

Other speeches further emphasized these accusations of privilege, as in the pronouncement made on 05/23/19 by Marcelo Brum, (PSL – RJ), evangelical, from the Assembly of God:

The Constitution and Justice Commission of the Senate approved the criminalization of homophobia this week, and I am concerned, as the Christian that I am, with the family. I’m worried about the family. Why would a class of people want to be superior? Why would a class want to have a special law just for its protection? It means a division of society. We are all equal before the law. There cannot be a special law for a class of people.

Here, the protection of minorities is resignified as a privilege. In a similar sense, derision is formulated at accusations of discrimination as “poor behavior” and “victimism”, which repeated the mockery of candidate Jair Bolsonaro during his election campaign.⁸ In this discursive dynamic, accusations of “victimism” against the claims of identity politics is denounced as a divisive factor in Brazilian society (Cesarino, 2019).

On 06/17/19, Otoni de Paula (PSC – RJ) and Deputy Bibó Nunes (PSL – RS), Catholic, made speeches in response to Deputy Sâmia Bomfim, as a few minutes earlier, she had stated that Deputy David Miranda (PSOL - RJ) had suffered homophobic attacks in the Chamber of Deputies. Bibó Nunes stated: “I heard, here in this house, a deputy say that there was a homophobic attack. This deputy is contumacious in their *coitadismo* and victimism”. Thus expression “coitadismo” (poor-me-ism), a term coined by Bolsonaro, was here recovered and repeated by supporters of the president.

8 Stephen Bertoni. “‘Everything is victimism’, says Bolsonaro about blacks, women and northeasterners”. See, 10/23/2018. Available at: <https://veja.abril.com.br/politica/tudo-e-coitadismo-diz-bolsonaro-sobre-negros-mulheres-e-nordestinos/>. Accessed on 10/10/2022.

Criticism from left and progressive segments

A significant part of the references to the themes of abortion and sexual diversity take place in the context of accusations and criticisms from the left. On 02/13/2019, Deputy Daniel Silveira (PSL – RJ) gave a speech in reaction to statements by deputies from leftist parties. He claims that leftists in congress were suddenly interested in morality, after having been silent during years of left-wing government, which financed works in other countries and was favorable to the sexualization of children, abortion, and the decriminalization of drugs.

Analyzing the pronouncement, we note that these themes are not debated, just blurted out in order to disqualify the leftist opposition.

These themes are also mentioned in controversies involving statements by members of the federal government, which reverberate among and are defended by members of Congress. Universities and the studies developed within then are criticized, disqualifying research due to morality. In April 2019, Minister of Education Abraham Weintraub announced that the Universities that had low academic performance and promoted “chaos” would receive budget cuts⁹. This statement generated controversy and protests throughout Brazil. On 05/15/19, Deputy Carlos Jordy (PSL – RJ), a Catholic, also spoke about the theme. He declared that the statement by the Minister of Education regarding the supposed turmoil in the Universities was true and highlighted examples. Commenting on the title of Victor Hugo de Souza Barreto’s doctoral thesis (from the Department of Anthropology at the Fluminense Federal University), which studied homosexual orgies in Rio de Janeiro¹⁰, the deputy questioned whether this was what a university was for. The second case cited also involved UFF. Jordy read the title of a G1 article about satanic parties on the University campus: “UFF will investigate accusations of parties with satanic rituals, drugs and orgies”¹¹. On the same day, Deputy Dayane Pimentel (PSL – BA), an evangelical member of the Assembly of God, criticized investment in research, citing two master’s dissertations in the field of Psychology on account of their titles: “Here are some products [of the universities]: “... desire, excitement and pleasure among male escorts with homosexual practices in Recife “. [Or], if you prefer, “Revelry of the prolapsed assholes: bizarre pornography and sexual pleasure among women” - Federal University of Pernambuco”.

It is noteworthy that these examples of work considered to be unworthy of funding are both research into sexuality, in contexts associated with practices considered to be licentious.

An example of the dynamics with disputes from opposing sides emerged after a commemorative event in the Chamber on 06/24/19: the Solemn Session regarding the 50th anniversary of Stonewall,¹² when singer Daniela Mercury, one of the honorees, kissed her wife. On 06/26/19, four parliamentarians spoke out against the kiss, accusing it of being disrespectful: Otoni de Paula (PSC-RJ, pastor of the Assembly), Bibó Nunes (PSL – RS), Pastor Eurico (PATRIOTA – PE- Evangelical, Assembly of God), Glaustin da Fokus (PSC – GO, evangelical, Assembly of God). Three pronouncements defended the legitimacy of the kiss, however. These were made by David Miranda (PSOL – RJ), Fernanda Melchionna (PSOL – RS), Jandira Feghali (PCdoB – RJ).

9 Available at: <https://educacao.estadao.com.br/noticias/geral,mec-cortara-verba-de-universidade-por-balburdia-e-ja-mira-unb-uff-e-ufba,70002809579>. Accessed on: 8/9/19.

10 Available at: <https://www.gazetadopovo.com.br/educacao/em-universidade-federal-doutorado-sobre-orgias-gays-tempparticipacao-especial-de-autor-3eppke8i3rfdghp29hacdbj6l/>. Accessed on: 09/08/19.

11 Available at: <http://g1.globo.com/rj/regiao-dos-lagos/noticia/2014/05/uff-vai-apurar-denuncia-de-festa-com-ritual-satanico-drogas-e-orgias.html>. Accessed on: 09/08/19.

12 This was the Stonewall Uprising that took place on 6/28/1969 in New York. Considered to be the birthplace of the LGBT movement, when customers resisted a police raid on a gay bar. “Stonewall riots gave birth to the current movement for LGBTQIA+ rights”. Available at: <https://www.nationalgeographicbrasil.com/cultura/2021/06/gay-lgbt-revolta-de-stonewall-movimento-atual-pelos-direitos-lgbtqia>

Commenting on the main themes of the speeches in favor of sexual diversity in 2019, most of these were related to allegations of violation of the rights of the LGBT population. There were also a series of speeches criticizing the federal government or the president for allowing violence against the LGBT people or for making directly LGBTphobic or homophobic statements. Another set are complaints against the violence suffered by LGBT subjects or statistics regarding deaths and violence among this population. There are speeches honoring individuals for their struggles. The person most mentioned in these speeches was Councilor Marielle Franco, a city councilwoman from Rio who was in favor of LGBT rights. Psychiatrist Nise Silveira is also mentioned twice for her role in improving the treatment of mental patients, in a context in which discriminated social categories were hospitalized, with homosexuals being mentioned. There are some mentions of the exercise of professors' and teachers' work, criticizing gag rules, movements such as Escola sem Partido (School Without Parties), and the dissemination of false ideas such as "gender ideology". There were also mentions of fake news. In a similar sense, one speech referred to the ideological construction of ENEM college entrance exams, indirectly referring to, but not explicitly mentioning, the themes under analysis here. There was a speech defending a trans congresswoman (State Deputy Érica Malunguinho of the PSOL, from São Paulo). Deputy David Miranda sometimes spoke up to defend himself against offenses and accusations, situating himself as a discriminated LGBT person who also belonged to other minorities (black; from the favela). The vast majority of these pro-diversity speeches were given by left-wing parliamentarians, but there were some demonstrations by parliamentarians from center and right-wing parties.

Legislative propositions, 1st semester, 2019

Another major part of parliamentary activity occurred through the authorship of legislative proposals.

The fetal rights theme group

The militancy of a young Catholic deputy in her first term stands out with regards to the thematic axis of abortion, Chris Tonietto (PSL – RJ) was the author of Bill No. 564/2019, which "*provides for the representation and defense of the interests of the unborn child*". The project stripped mothers of the right to legally respond for the fetus in cases in which there is a "*conflict of interest between the mother and the unborn child*".

Tonietto was also the author of Request N° 1983/2019, which "*Requires the creation of a Joint Parliamentary Front against Abortion and in Defense of Life*". The objectives of the Front were "*supervising and monitoring programs and government public policies aimed at protecting and guaranteeing the rights to life of pregnant women and unborn children and that act against the criminal practice of abortion*". Both are examples of militancy for fetal rights which, although they mention defense of pregnant women's lives, subordinates women to fetuses, which are understood to be an independent subject with interests. We found no pro-choice legislative proposals in the 1st half of the legislative session of 2019, which suggests the low engagement, already revealed in previous surveys, which show a tendency towards a reduction in the number of pro-choice demonstrations (Luna, 2019; Miguel, Biroli, Mariano, 2017).

With regard to the sexual diversity thematic axis of, some legislative proposals during this period were clearly anti-diversity:

Table 2 – Anti-gender perspective legislative proposals (2019)

Congressperson	Party	Legislative proposal	Subject of the proposal
Carla Zambelli	PSL – SP	Bill No. 3492/2019	Amends Arts . 75, 121 and 129 of the Penal Code to provide for homicide and bodily harm to children and adolescents as qualifying circumstances for the crime of homicide and bodily harm, and art. 1 of Law nº 8.072/1990, to include homicide against children and adolescents and to impose gender ideology on the list of heinous crimes.
Bia Kicis	PSL - DF		
Eduardo Bolsonaro	PSL - SP		
Chris Tonietto	PSL – RJ	Application No. 136/2019	Requests the holding of a Solemn Session to celebrate the Day of Combating Gender Ideology.
Pastor Sergeant Isidório	AVANT - BA	Bill No. 2587/2019	Regulates the profession of Psychologist to allow the treatment of cases of adjustment problems and psychological disorders, including those related to gender identity and sexual orientation.

Source: Chamber of Deputies Internet Portal

The criminalization or combating of gender ideology and defenses of the so-called “gay cure” are in the thematic sphere of criticism of the concept of gender and the defense of the heteronormative family. These positions contrary to sexual diversity were taken by congresspeople, almost all of whom have a public religious identity: Chris Tonietto and Bia Kicis (Catholics), Eduardo Bolsonaro (Baptist evangelical), and Pastor Sargento Isidório (Evangelical, Assembly of God).

Opposition to the Federal Supreme Court (STF) – discursive strategies

Another aspect of this right wing militancy were the positions taken against Federal Supreme Court’s (STF) liberalizing decisions regarding the rights of women and LGBT people (L.Z. Machado, 2017), which are accused of being judicial activism. Deputy Márcio Labre (PSL - RJ), a Catholic, was the author of Bill No. 3266/2019, which adds a *Parágrafo Único* ao Artigo 1º da Lei nº 7.716/1989, punishing discrimination or prejudice based on race, color, ethnicity, religion, and national origin. The paragraph to be added determines that “*It does not fit, not even in an analogous way, under any circumstances and at any time, in the typifications of a crime of racial or color prejudice, homophobia or [prejudice against] another form of sexual orientation.*” This was a reaction to the decision of the *Ação Direta de Inconstitucionalidade por Omissão 26* (ADO 26), criminalizing homophobia and transphobia in “translating expressions of racism... understood in its social dimension”.¹³

¹³ Cf. <https://www.conjur.com.br/dl/teses-stf-criminalizacao-homofobiai.pdf>. The trial concluded on 06/13/2022. Cf. <https://jus.com.br/artigos/74804/marco-inicial-da-eficacia-vinculante-da-decisao-na-ado-26-e-ampliacao-do-conceito-de-racismo-somente-no-ambito-da-lei-7-716-89>.

In addition to several speeches protesting against the so-called “judicial activism” of the STF,¹⁴ especially regarding abortion and the criminalization of homophobia, congressmen employed the tactic of claiming to be defenders of life and the traditional family -- that is, against the legalization of abortion and the exercise of sexual diversity. They presented legislative proposals to demonstrate to their base that the National Congress was not ignoring these problems and was therefore the only legitimate actor to comment on legislation. Along these lines, Sóstenes Cavalcante (DEM – RJ) became the author of Bill No. 3453/2019 that amends the Penal Code “to insert, in crimes of homicide and bodily injury increased penalties when these crimes are motivated by the transsexuality and/or sexual orientation of the victim”. This amendment sought to increase the penalties in these cases from 1/3rd to half. The Deputy also submitted Requerimento N° 1757/2019, sending a Indication to the President of the STF, Minister José Antônio Dias Toffoli, requesting the suspension or postponement of the judgment of ADO 26, due to the processing of the aforementioned bill. In the justification for both bills, Cavalcante argued that: “once the alleged legislative omission has been removed, there is no justification for the continuation of the aforementioned judgment, since the reasoning of ADO 26 is limited precisely to the alleged need to fill the legal vacuum...” The strategy here was to propose a bill that was unlikely to be approved by the National Congress, in order to remove judgement on the crime in question beyond the immediate reach of the STF.

In the same sense, Eli Borges (SDD - TO) submitted Requerimento N° 1757/2019, requesting the reconsideration of all bills that dealt with the subject of homophobia. The bills pointed out by him were: PL n.º 2.057/2019; PL n.º 7.582/2014; PL n.º 2.138/2015; PL n.º 8.540/2017; and PL 3.453/2019. In justifying his position, Borges pointed out that the STF was making judgments regarding the issue and that he believed this was properly the bailiwick of the National Congress. He proposed “the joining together of all the projects that deal with the subject, with the aim of unifying the debates, thus allowing the debate to be expanded, and [assuring] that the legislation produced reflects the representations and desires of society.” Another initiative came from Deputy Pastor Marco Feliciano (PODE – SP), evangelical (Assembleia de Deus), author of Projeto de Lei N° 2672/2019, which “Amends Law No. 7,716, of January 5, 1989, to provide for crimes resulting from discrimination or prejudice based on race, color, ethnicity, religion, national origin, or sexual orientation”. The PL sought to amend the very law on which the STF was deliberating in ADO 26, by including “sexual orientation”. In the First Paragraph of Article 1, it protects from the law “those who profess a dissenting view regarding certain social behaviors, provided that these take place in the context of the regular use of the rights of freedom of belief and free exercise of religion, and that they do not incite the practice of violence”. However, on 5/8/19, the Deputy also presented Requerimento N° 1410/2019, that removed Projeto de Lei N° 2672/2019 from the floor of Congress.

It is important to remember that in these discursive dispute there were also several pronouncements in favor of the STF’s decisions regarding the interpretation of homophobia as a crime: Bacelar (PODE – BA) on 02/20/19, Alencar Santana Braga (PT – SP) on 05/23/19, Erika Kokay (PT-DF) on 02/13/19, 02/21/19, 05/23/19 and 06/14 /19, Edmilson Rodrigues (PSOL – PA) on 02/20/19, Camilo Capiberibe (PSB – AP) on 05/23/2019, Friar Anastacio Ribeiro (PT – PB), Catholic, on 05/23/19 and Sâmia Bomfim (PSOL – SP), on 06/17/19.

14 These congresspeople spoke against the judicial activism of the STF regarding the themes of abortion or sexual diversity and against the criminalization of homophobia: Eli Borges 02/14/19, 04/25/19, 06/14/2019, 06/17/19, Bia Kicis (PSL – DF) on 02/14/19, Filipe Barros (PSL – PR, evangelical, Presbyterian) 02/13 /19, Sóstenes Cavalcante (DEM-RJ, evangelical Assembly of God), Aroldo Martins (PRB – PR, evangelical IURD) 02/25/19, Otoni de Paula (PSC – RJ) on 02/12/19, 02/19/19 and 02/21/19. Deputy Fábio Trad (PSD – MS) took a stand on 02/21/19 in favor of the criminalization of homophobia, but by the Legislative Power. Regarding abortion: Eli Borges (SD – TO) on 04/25/19, Sóstenes Cavalcante (02/19/19), Otoni de Paula (PSC – RJ) on 05/14/19. Sometimes the speeches referred to both topics, as was the case with Deputy Chris Tonietto (PSL – RJ), on 7/4/2019. Against the judicial activism of the STF 06/5/19, Eli Borges (SD – TO).

Propositions favorable to sexual diversity

Many pro-diversity propositions were also defended on the floor of Congress, a significant part of which dealt with discrimination.

Some legislative proposals addressed discrimination within the State, such as those presented in the table below. Of these, two propositions aimed at questioning or ceasing policies implemented by the Bolsonaro government (in the National Council to Combat Discrimination -- CNCD -- and the Ministry of Tourism), while the third aimed to curb discrimination by public health and safety bodies.

Table 3 - Legislative proposals against discrimination within the scope of the State (2019)

Congressperson	Party	Legislative proposal	Subject of the proposal
David Miranda	PSOL – RJ	Draft Legislative Decree No. 487/2019	Suspends Decree No. 9,883, of June 27th, 2019, which provides for the National Council to Combat Discrimination.
Marcelo Calero	CITIZENSHIP - RJ	Information Request No. 732/2019	Requests information regarding the non-inclusion of the LGBT+ public in the National Tourism Plan guidelines of 2018-2022, approved by Decree No. 9791, of May 14, 2019.
Maria do Rosário	PT - RS	Bill No. 3774/2019	Establishes rules and criteria for recording criminal and administrative offenses that may be motivated by prejudice or discrimination on grounds of sexual orientation, gender identity and expression by public safety and health agencies in national territory.
Luizianne Lins	PT - CE	Application No. 55/2019	Requires holding a Public Hearing to discuss censorship against LGBT cultural expressions

Source: Chamber of Deputies Internet Portal

There were also initiatives to incorporate discrimination against LGBT in Brazil's racism law, shown in the table below. These include a request by Erika Kokay and two bills by Luiz Flávio Gomes. In addition to these, Expedito Neto, Marília Arraes, Edna Henrique and David Miranda authored different bills aimed at combating discrimination, as well as a policy project to combat discrimination in schools, authored by PSOL deputies David Miranda (RJ), Fernanda Melchionna (RS) and Sâmia Bomfim (SP).

Table 4 - Legislative proposals to combat LGBT discrimination (2019)

Congressperson	Party	Legislative proposal	Subject of the proposal
Erika Kokay	PT - DF	Application No. 30/2019	Requires the holding of a public hearing, in conjunction with the Human Rights and Minorities Commission, to discuss PL No. 2,138/2015, which “Amends Law No. 7,716/1989, to punish discrimination or prejudice regarding gender identity or sexual orientation .
Luiz Flavio Gomes	PSB – SP	Bill No. 1051/2019	Amends Law 7,716/1989, which defines crimes resulting from racial or color prejudice, to include sexual orientation.
Luiz Flavio Gomes	PSB – SP	Bill No. 2057/2019	Amends Law 7,716/1989, which defines crimes resulting from racial or color prejudice, to include sexual orientation and gender identity.
Expedited Netto	PSD - RO	Bill No. 4468/2019	Amends art. 65 of Law nº 9.605/1998, to insert a qualifier in the crime of graffiti.
Marília Arraes	PT - PE	Bill No. 713/2019.	Amends art. 61 of the Penal Code to consider as an aggravating factor race, color, ethnicity, religion, origin, sexual orientation, gender and/or disability in the commission of a crime.
Edna Henrique	PSDB - PB	Bill No. 321/2019	Prohibits discriminatory practices for admission, promotion or permanence in employment.
David Miranda	PSOL – RJ	Bill No. 2653/2019	Provides for the protection of people in situations of violence based on sexual orientation, gender identity, gender expression or biological or sexual characteristics.
David Miranda; Fernanda Melchionna; Sâmia Bomfim	PSOL – RJ PSOL – RS PSOL – SP	Bill No. 3741/2019.	Creates the School without Discrimination Program to combat violence against the LGBT population.
Talíria Petrone	PSOL – RJ	Bill No. 2777/2019	Establishes the need to collect, process data, and create statistics on the LGBT population in health, social assistance, and public safety services

Source: Chamber of Deputies Internet Portal

Finally, there was a proposal by Deputy Talíria Petrone aimed at increasing the collection of information about the sexually diverse segments of the Brazilian population, which could inform future public policies.

Proposals also served to hold commemorative events: for example, seven requests from twelve different congresspeople to hold the XVI LGBTQI+ Seminar of the National Congress¹⁵. Another, signed by fifteen deputies, was to hold a Solemn Session in Congress to mark the *50th anniversary of the Stonewall Uprising* and honor personalities who have stood out in the fight for LGBT rights.¹⁶

Speeches in the second half of 2019

In the second half of 2019, the discursive dynamic continued, with the mention of abortion and sexual diversity in speeches against the left and in defense of the government.

Criticism of the left

Accusations sought to mark the contrast between the government's supporters (and the president's party) and the left and the LGBT movement, as is well illustrated by a speech given on 8/8/19 by Luiz Ovando (PSL – MS), Baptist evangelical:

What the Left needs to learn from the PSL is that we are the defenders and helpers of the perpetuation of life. Not the Left. Why? Because it defends abortion, it defends gender ideology, which is nothing more than thanatoideology, which is sterile and does not allow for the renewal of life.

Continuing, Ovando says he is a defender of sexual choice and disqualifies the work of the left in defense of the environment, because the human species is threatened by this:

I respect everyone's sexual orientation, but I didn't come here simply to defend life, using the issue of the environment, when, in fact, the biggest problem we face is the threat to the human race. This is happening precisely because of the dissemination and imposition of the unfortunate situation of making our children affected by gender ideology. This is thanatoideology.

On 9/5/19, Deputy Caroline de Toni (PSL – SC), a spiritist, gave a speech repudiating of the representation filed by the Federal Attorney's Office against Minister Damares Alves, accusing the Deputy Attorney General for Citizens' Rights, Deborah Duprat, of being a "progressive militant" and leader of the movements for the liberation of abortion and marijuana.

Criticism of the LGBT movement

Criticism of the left was added to criticism of the LGBT movement. It is important here that such criticism disqualified only the movement and not individual subjects, an attitude observed by Cesarino (2019). The discursive dynamic against the left was like that employed against the LGBT movement in terms of being declaring difference and reversing accusations.

¹⁵ Alice Portugal (PCdoB – BA) Application No. 55/2019; Luiza Erundina (PSOL/SP) and Glauber Braga (PSOL – RJ) Application No. 21/2019; Lídice da Mata (PSB – BA) and Marcelo Freixo (PSOL – RJ) Application No. 35/2019; PSOL trio Edmilson Rodrigues (PA), Glauber Braga (RJ) and Ivan Valente (SP) Application No. 117/2019; Erika Kokay (PT-DF) Application No. 43/2019; PSOL duo Sâmia Bomfim (SP) and Fernanda Melchionna (RS) Application No. 28/2019; another PSOL duo David Miranda (RJ) and Áurea Carolina (MG) Application No. 32/2019;

¹⁶ Authors include parliamentarians David Miranda, Ivan Valente, Luiza Erundina, Glauber Braga, Áurea Carolina, Talíria Petrone, Edmilson Rodrigues, Fernanda Melchionna, Marcelo Freixo, Sâmia Bomfim (PSOL), Erika Kokay, Maria do Rosário (PT), Túlio Gadelha (PDT), Tereza Nelma (PSD), Christiane Yared (PR), which includes parties of the left, center-left, center and right, with the predominance of the left.

Thus, Bibó Nunes (PSL – RS), on 1/10/19, claimed that those “*who preach hatred between the classes, between white and black, between short and fat, between rich and poor, between heterosexual and homosexual - is the left*”. The following day (2/10), Bibó Nunes (PSL – RS) took up his criticisms once again:

I do not accept an opposition deputy coming here to say that Bolsonaro’s party is the party of hate, the government of hate. Those who used hatred in this country were the left, based on Lenin’s decalogue: “we are going to end society and youth, we are going to preach the class struggle, the poor against the rich, the homosexual against the heterosexual, the skinny against the fat”. Those who employ hate are the left. If it’s for the love of country, Bolsonaro employs it.

On 10/9/19, in a speech criticizing Preta Gil for not singing without a fee at an LGBT event, Otoni de Paula (PSC – RJ) declared that: “*the homosexual citizen needs to understand, once and for all, that the LGBTI movement is a political movement, created with public money, and that it does not represent the good citizen who is homosexual*”.

On 11/28/2019, Otoni de Paula (PSC – RJ) also stated that the mainstream media sponsors of the LGBT movement:

Unfortunately, [...] the LGBT Movement does not represent the homosexual citizen. It is, in fact, a political movement that aims to deconstruct heteronormativity and the values of the Judeo-Christian culture. To do this, it directly attacks our children and adolescents within the schools and uses the media, or part of it, to construct fallacious data on the persecution and genocide of homosexuals in the national territory, as if this were a country that kills homosexuals.

Curiously, this speech uses the vocabulary of gender studies -- “heteronormativity” -- within the logic of the cultural wars (Natividade and Oliveira, 2016) to claim that “the values of the Judeo-Christian culture” are being deconstructed. He also claims that one of the main arguments of the LGBT movement -- denouncing the deaths of LGBT people -- is based on fallacious data.

The anti-gender perspective

The so-called fight against gender ideology was one of the most important themes during this period, associated with the school environment, the protection of children, and the defense of the family:

On 09/03/19, there was a debate between deputies about “fake news” aimed at the Fortaleza, Ceará city government. According to a document released on video, Fortaleza was supposedly training teachers to teach “gender ideology”, in the form of the erotization of children in schools. The city government of Fortaleza denied the claim and exposed the video as a montage¹⁷. This was the trigger for a sequence of discourses on gender ideology within Congress.

Eli Borges (SD – TO) returned to this theme on the same day but targeting day care centers and schools. According to Borges, “gender ideologues” use children in their cognitive phase to imprint their ideology. Borges illustrates how the eroticization of children is taught in schools: “*they put little children, still tiny, into the bathtub and tell the little girl that she has the padlock and that, the little boy has the little key to the padlock.*”

Without citing “fake news”, Bibó Nunes (PSL – RS) then spoke against gender ideology: “*We are totally against gender ideology. Making a 4, 5 or 6-year-old child choose their gender is an aberration.*”

¹⁷ Available at: <https://diariodonordeste.verdesmares.com.br/metro/prefeitura-desmente-video-sobre-suposto-treinamento-de-educacao-sexual-para-criancas-em-fortaleza-1.2144261>. Accessed on: 07/14/19.

Also on 09/03/19, Pastor Sargento Isidório (AVANTE – BA) gave a speech about the devaluation of bus drivers and fare collectors in Bahia, but he soon changed his theme. With the debate about gender ideology taking place in the plenary, Isidório directed his speech to President Jair Bolsonaro, regarding the Deputy's Projeto de Lei N° 1239/19:

Regarding gender ideology, I want to tell President Jair Bolsonaro that he can look at my project in this House that prohibits the use of municipal, state, and federal public resources to deceive our children, by telling the boy that he can be a girl and the girl that she can be a boy. This is a big mistake. God created male and female. Male and female the Lord God created and blessed them. A man with a man does not make a child. Woman with woman doesn't make children either.

It is noticed that these three discourses repeat the accusation of early sexualization and of inducing changes in gender identity. The opposition to gender ideology involves the repetition of supposed risks to childhood and the family (Teixeira and Biroli, 2022). Pastor Sergeant Isidório employed religious language to make these claims, a rhetorical inclination presented in several pronouncements.

The Defense of the heteronormative family

Although the theme of the family appeared on different occasions, it is worth mentioning here the mobilization that occurred around a bill presented by a Deputy from the left. Projeto de Lei 3369/15 by Deputy Orlando Silva (PCdoB-SP) attempted to institute the Statute of 21st Century Families. The project was being processed by the Commission on Human and Minority Rights,¹⁸ but became the subject of debate in the plenary on 08/20/2019.

On 08/20/19, Captain Augusto (PL – SP) gave a speech criticizing the bill. According to the Deputy, *"This project induces the freedom, for the new family of the 21st century, for marriage between parents and children and marriage between siblings, in addition to marriage between a person and several women, so-called 'polyamory'".* Calling the bill an aberration, Augusto requested that the left respect Congress, as the project *"completely disrespects the Brazilian family, Christianity -- which is still the majority in this country -- [and] good men and women"*. According to the Deputy, the Bill was such an affront that it *"reminds us of the days of the gay kit"*.

Aroldo Martins, evangelical (Republicanos– PR), on 08/20/19, also spoke about the Bill. *"In the name of a country of the 21st century"*, he claimed the bill sought to mock the *"sacred family, which was instituted by God, to mock and try to legalize any type of union, including what we all know as incestuous relationships"*.

Eli Borges (SD – TO) also criticized Bill No. 3369/15 on 08/20/19: *"And here an open family model is proposed. It is not possible to effectively convince me that incest is not implicit here, even if indirectly"*. Finally, he requests that the author of the bill remove it from the agenda and write a more specific text, *"because this opening will bring to light a model of family that is extremely affronting to the true family of science, of biology - and I quote the Bible - of creation as it is inscribed in the Holy Book"*.

It is important to emphasize here the content of the discourse, because, in addition to accusations of a moral nature regarding incest, it puts Science (Biology in this case) and the Bible on the same foot in defining the family, a posture characteristic of religious fundamentalisms that recurrently appears in the course of my research (Luna, 2017; Luna, 2019) and which also appears in the discourse of the Catholic magisterium, when combating the gender perspective, on the place of women (Machado, 2018) .

¹⁸ According to the procedure form available on the Portal of the Chamber of Deputies, available at: <https://www.camara.leg.br/proposicoesWeb/fichade-tramitacao?idProposicao=2024195>. Accessed on 7/6/2022.

Other questions were based on the supposedly majority conservative disposition of Brazilian society of the Christian religion. On 08/20/19, Marcos Feliciano (PODE – SP), evangelical and pastor of the Assembly of God, asked:

How is it that in a country where 88% of people openly declare themselves to be Christian, in a country where conservatism is today rampant, a deputy from the Communist Party of Brazil presents a project trying to legalize polygamy and incest? This is making fun of the Brazilian people. It is making fun of us Christians.

On 08/20/19, Milton Vieira (Republicanos – SP), evangelical (IURD), accused the bill of “assaulting the Brazilian family”. The pronouncement of Deputy David Soares (DEM – SP), evangelical (Igreja Internacional da Graça de Deus), on 08/20/19, presented the family as historically immutable: “[this is] the family of all centuries, because that is how we reproduce: man and woman come together and produce a child”. On the same day, Deputy Roberto Alves (Republicanos – SP), evangelical (IURD), also spoke against the bill, stating that it “legalizes polygamy and incest”. After stating that it is written in the Bible that “God created the family”, Pastor Sargento Isidório declared that Deputies “will not lower themselves to call a sexual group a family” and stated that, in the future, the proponents of the bill would want to include zoophiliac arrangements as a family. Finally, Alves pointed out that Brazil is a Christian country and that the family cannot be offended in a way which would transform the country into a “true whorehouse”.

On 08/20/19, Deputy Orlando Silva (PCdoB – SP) countered the criticisms of his bill. Silva described the accusation that he was trying to legalize incest in Brazil as untrue and “fake news”, which sought to use “social networks in search of likes, seeking -- who knows -- to attack a leftist party, to undermine political leadership”. Regarding his bill, Silva claimed:

[...] At the present time, we must recognize all relationships based on affection, on love, without distinction of sexual orientation, respecting homoaffective ties. When I referred in the text to blood relations, this refers to adoption. It is revolting to watch a Member of Parliament insinuate that this proposes to legalize incest, which is a secular taboo, based on all religions and civilizations known to humanity.

The following day, on 08/21/19, Alex Santana (PDT – BA), evangelical (Assembleia de Deus), took up the theme once again and stressed the importance of the Bill being withdrawn from the Chamber’s agenda: “We are attentive to everything that is happening here in this House that may hurt the traditional family, not relying solely on religious feeling, but on a feeling of natural protection of the family”. The defense of the family is imbued here with a religious vision of reproducing Christian values that it is the mission of these deputies, almost all of whom have a public Christian religious identity (Evangelicals and Catholics) to defend, a point also identified by Barros, Bernardes and Pinto (2018).

Against the Supreme Court (judicial activism)

One of the moments in which the discursive disputes that constitute the State became evident and went beyond the debate in the Legislature were the accusation of judicial activism leveled against the Federal Supreme Court. In the second half of 2019, several Deputies spoke up against the STF, accusing the court of judicial activism. Dr. Jaziel (PL - CE), evangelical (Assembleia de Deus) spoke twice on the subject -- once on 08/8/2019 and again on 09/10/2019 -- in speeches criticizing ADO 26 (which equated homophobia with the crime of racism). In his second pronouncement, Jaziel mentioned two bills:

In an effort to try to curb the STF's activist impulse, we presented Projeto de Lei nº 4.370 of 2019, which determines compliance with the principle of legal reserve in criminal law; that is, that the State ceases to apply penalties without a prior legal definition of the crime. In different directions, there are other measures that have my support, as these try to bring back institutional balance and the value of popular suffrage. For example, Projeto de Lei nº 4.754 of 2016, authored by Deputy Sóstenes Cavalcante and others, whose objective is to typify as a crime the usurpation of competence of the rights of the other Powers by the Ministers of the STF.

This Deputy wanted to restrict the STF in usurping Congress' role by defining penalties without having previously defined a crime (the case of equating homophobia with racism). Jaziel also spoke against the judicial activism of the STF. On 10/3/19, Chris Tonietto (PSL – RJ) called on Congress to “react” and fight against judicial activism. The Deputy cited ADPF 54 (dealong with abortion in case of anencephaly), ADPF 442 (voluntary abortion) and ADI 5581 (referring abortion in cases where the mother had been exposed to the Zika virus), in addition to ADO 26.

Recently, we [saw the Court take up] the case of homophobia, under the allegation that we [Congress] had not made propositions in this direction. Now, thank God, they've removed the liberation of drugs from the agenda, but that doesn't mean they won't debate this issue again. They also want to legislate on abortion.

The controversy over judicial activism by the STF was taken up again on 10/29/19 by Deputy Otoni de Paula (PSC – RJ), who stated that the STF was usurping Congresses' power by legislating on a topic specific to the Legislative Branch, citing the criminalization of LGBTphobia and ADPF N°442 which judges upon the decriminalization of abortion in Brazil. The complaint against the STF came precisely in the midst of the sequence of decisions that went against conservative guidelines; decisions that were touched upon by the deputies in their speeches, as seen above.

Criticism of cultural production

Another highlight is the war that was waged in the area of cultural production. The largest number of speeches in this respect was given by deputy Otoni de Paula (pastor of the Assembly of God).

The Bienal do Livro (Book Bienal) episode was the subject of several speeches. In this, Mayor Marcelo Crivella ordered the removal from the event of a Marvel Comic depicting a gay kiss between two male characters. Otoni de Paula (PSC – RJ) spoke about this on 09/10/19. According to him, the removal was not about prejudice or “discrimination against a homosexual citizen, but [it was defending against] an attack on an ancient culture on which our society is formed, which is the heteronormative culture”. In his words, homosexuality has always existed and will exist, but what happens today is “an ideological war led by gay culture, created and invented by the LGBT movement”. On the same day, in speeches in solidarity with Mayor Marcelo Crivella, Sóstenes Cavalcante, (DEM – RJ), evangelical from the Assembly of God, and Jorge Braz (REPUBLICANS – RJ), evangelical (IURD). Pastor Eurico (PATRIOTA – PE) spoke out, declaring that the Bienal “*must be rejected for disrespecting our children. This dirty game by the homosexual movement is disrespectful to our children.*” Finally, on 09/26/19, Otoni de Paula (PSC – RJ) announced he was forwarding of a motion to repudiate the nomination of Youtuber Felipe Neto as a recipient of the Legislative Merit Medal in the Chamber of Deputies, for his protests during the Book Biennial:

So what did Felipe Neto do? Distributed 14,000 books talking about homosexuality for children. Instead of having the age group warning clearly listed on the book, this was written in a mocking tone: ‘This book is inappropriate for backward, retrograde, and prejudiced people’. He thus insultingly despised the diversity of ideas and thoughts that he himself claims to defend.

Again the inversion of arguments appears here, with the other side accused of being intolerant.

The most mentioned subject in 2019 regarding culture was the criticism of the Christmas special made by Grupo Porta dos Fundos and broadcast on Netflix. On 12/9/19, Eli Borges (SD – TO) repudiated Netflix and the Porta dos Fundos channel for making a Christmas special portraying a homosexual Jesus and drunken disciples during the Holy Supper. On the same day, speeches were given by Gilberto Nascimento (PSC – SP) and Pastor Sargento Isidório. The following day, on 12/10/19, Pastor Sargento Isidório (Avante – BA) leveled new criticisms: with regards to Netflix, the streaming service responsible for distributing the film, he said that it distributed a film about “homosexuality” that makes youth sick and that the duty of the media is “to care for social and religious peace and for our children, adolescents, and young people who are still forming their character and who need to preserve the good customs of the Brazilian family”. Finally, the congressman criticized homosexuality: *“A man with a man makes a werewolf, a woman with a woman makes an alligator. A man with a man does not make a child. Woman with woman doesn’t make children either. This would be the extermination of our generation”*. On 12/10/19, Otoni de Paula (PSC – RJ) stated that the left-wing demonstrations against Christianity had grown and that Netflix was sponsoring *“aberrations against the Christian faith”*, because they know that *“the Christ they offend always taught love, and perhaps none of his followers will rise up and attack them [Netflix]”*. Paula challenged Netflix to make a film with a gay Mohammed or Allah. On 12/10/19, Sóstenes Cavalcante (DEM – RJ), repudiated Netflix and announced that he would sue the company in the Judiciary for religious vilification. On 12/12/19, Otoni de Paula (PSC – RJ) took up the theme again, claiming Netflix had offended 80% of Christians. On 12/17/19, Julio Cesar Ribeiro (Republicanos – DF), evangelical (IURD), spoke about the approval of the request to summon a representative of Netflix and Porta dos Fundos into Congress to clarify the film *“The First Temptation of Christ”*. On 12/17/19, Bibó Nunes (PSL – RS) also protested against Netflix.

On 12/18/19, Eduardo Bolsonaro (PSL – SP) took to the podium to assert the need for the political right to appropriate the cultural agenda in politics. The first step taken in this direction was the nomination of Abraham Weintraub as Minister of Education. Weintraub’s purpose was to stop “gender ideology” and put civic-military schools into operation. In addition, Bolsonaro stressed that under Weintraub’s management, ENEM would carry out high-quality college entrance exams without ideologization. Weintraub mentioned that, in the past, ENEM had cited feminism and the “transvestite dictionary”. According to him, “for the first time, we will have a test that’s, let’s say, normal”. The Deputy also stated that the right cannot make the same mistake as the “military regime”, when “there was an economic miracle”, but the cultural agenda was forgotten, allowing “gramscist ideology” to take over universities and form political militants.

It is important to highlight here the fact that this particular Deputy is President Bolsonaro’s son and that his speech showed a broader conception of the cultural agenda as a government project, including the performance of the then Minister of Education Weintraub. Criticism of cultural production as offensive to religion represents one of the facets of the minority process analyzed by Burity (2016), in which Christians place themselves as a minority threatened by secularist attacks. It is one of the moments that pop up in discursive disputes in which the inversion of accusations occurs most often, given the accusation of intolerance and the comparison with the supposed “respect” shown for other religions, such as Islam.

Accusation of LGBT movement privilege

Another constant item in the repertoire of conservative speeches was the accusation that the LGBT movement sought privileges and the promotion of differentiated form of citizenship. On 10/15/19, there was a vote on amendment No. 72 of Medida Provisória N°886/19, which provided for the organization of the Presidency of the Republic and the Ministries. The amendment included as a guideline the promotion of LGBT rights. Deputy Arthur Oliveira Maia (DEM – BA) understood the amendment to be discriminatory for

specifying the rights of only part of the population instead of the entire population. On the same day, Otoni de Paula (PSC – RJ) also spoke about the amendment. He stated that it was an attempt by the PT (Workers' Party) to include the LGBT population in the guidelines of the Ministry of Women, Family, and Human Rights. After criticizing the LGBT movement for not representing individuals, who would supposedly be respected by the government, he says that this measure “will not establish first-class citizenship in this country”. On the same day, Pastor Sergeant Isidório (AVANTE – BA) made a speech on behalf of his party, using the Bible:

Avante understands that it is widely written in the Bible that God created male and female; male and female the Lord God created and blessed, and we have an obligation to respect every citizen, regardless of what they fantasize about doing with his gender. But when a child is born, their identity already comes between their legs. God created male and female, male and female. All are equal before the law. Gays and lesbians are all accepted by Criminal and Constitutional Law; they are citizens with the right to education, health, employment, income; and we cannot turn them into gods. The way things are going, soon we heterosexuals - the family of one man plus a woman equals a child - will have to lower our heads for them to pass. We want respect.

In addition to denouncing the supposed privilege of gays and lesbians who were above equality before the law, the observation “we cannot turn them into gods” shows the speech mixing religious and legal language, to contradictorily assert respect for the individual and equality before the law while at the same time demanding respect for the heterosexual family, which should not have to lower its head. While defending equality, Isidório's discourse pushes LGBT people to know their place and stay there.

On 10/22/19, Otoni de Paula took to the podium to denounce what he calls the “*gay dictatorship*” or “*gayzism*”. The deputy reported that a text posted on his social network was deleted due to the mass denunciation of members of the LGBT movement in its comments section¹⁹: “*This ‘gayzism’, this gay dictatorship that searches us out and makes us hostages on social networks, needs to end, because we live in a Democratic State of Law.*”

Religious expression and accusations of Christophobia

With regard to religious expressions, in addition to the quotations from the Bible made by some congresspeople, more frequently by Pastor Sergeant Isidório but also by Otoni de Paula (also a pastor), the denunciation of persecution of Christians often pops up. On 12/10/19, Otoni de Paula (PSC – RJ) took to the podium with an image of Our Lady and a Bible, highlighting the importance of these symbols for the Christian faith and stating that the “Christophobic left” had already used these symbols for *its manifestations*. Similarly, Otoni de Paula stated, speaking about the Porta dos Fundos video on 12/12/19, that if the film were a satire of African-derived religions, the left would be “*belligerent, crazy, shouting, and screaming*”. The left did not do this when the Christian faith was offended because “*the left has chosen Christianity as its enemy*”. By placing themselves in the position of the victim, or of a persecuted minority, these congresspeople mimic the discourse of denouncing religious intolerance, ironically comparing the defense of their beliefs with the defense of religions of African origin, which was supposedly a leftist position. Here again, we see the discursive dynamics of the inversion of accusations.

¹⁹ In the policies of social networks -- such as Twitter and Facebook --, texts, photos, and comments can be deleted by moderators if they receive complaints and are considered intolerant or hate speech.

Criticism of the Bolsonaro government: the left strikes back

Disputes also involved the opposing camp. A significant part of the references to the themes of abortion and sexual diversity were made in pronouncements criticizing the government without actually debating the themes, being authored by congresspeople from leftist parties. These were most often accusations against the government and against the president. In his speech on 08/6/19 Gervásio Maia (PSB – PB) disapproved of Jair Bolsonaro as “*prejudiced, homophobic and with speech full of hate*”, saying that “*he sent a message to the Northeast*”. Ivan Valente (PSOL – SP) criticized Jair Bolsonaro’s growing authoritarianism on 8/7/19, as “*defending machismo, racism, homophobia, violence, torture, and dictatorship!*”. Erika Kokay (PT-DF) also criticized the Bolsonaro government on 08/15/19, stating it “*forgets the wounds on the bodies of the Brazilian people, women, the LGBT population, and blacks*”. On 08/20/19, Kokay declared: “*this Government has deepened inequalities in this country, because it makes a Brazil where the Brazilian people do not fit; because it makes a Brazil where violence against women, against the poor, against the LGBT population is naturalized.*” Erika Kokay (PT – DF) also said, on 08/28/2019, that the Bolsonaro government was “*misogynistic, LGBT-phobic, racist, and says that the problem in Brazil is the indigenous peoples*”. In addition, on 09/10/19, Leônidas Cristino (PDT – CE) made a short speech criticizing the Bolsonaro government in the area of national education: “*Instead of valuing the teacher, we see them fighting against gender ideology and [promoting] the foolishness of the Escola Sem Partido project*”.

Some speeches reacted to the execution of government public policies, such as in the area of culture. On 08/20/19, Edmilson Rodrigues (PSOL – PA) criticized the Ministry of Citizenship and President Jair Bolsonaro for attacks on the National Film Agency (ANCINE). He repudiated the suspension of a public notice for financing audiovisual content focused on gender diversity and sexuality.²⁰ On 10/7/19, the Federal Court of Rio de Janeiro determined the suspension of the ordinance that interrupted the notice. Deputy Áurea Carolina (PSOL – MG) celebrated this feat the following day, on 10/8/19. Denouncing discrimination by the State, on 10/15/19, Edmilson Rodrigues (PSOL – SP) offered solidarity to directors and artists who had their projects barred due to ideological conflicts with the government. Among these, the Deputy mentioned the company “*Dos à Deux*”, which had their show with a *travestí* character barred.

Denouncement of violence and discrimination against LGBT in State policies

On 10/15/19, Medida Provisória N° 886/19 was voted on, providing for the organization of the Presidency of the Republic and the Ministries. The MPV was the subject of criticism by left-wing Deputies for several reasons, but mainly because it was considered as exclusionary to the LGBT population. Friar Anastacio Ribeiro (PT – PB) made a brief speech against government monitoring of councils. Anastacio Ribeiro stated that the government wants the councils for the rights of women, blacks, and LGBT people “*to be under its feet*”. Maria do Rosário (PT – RS) criticized the proposal, claiming that “*the Government intends to create a system not of monitoring, but of policing civil society organizations*” by creating “*an inspection mechanism, under the General Secretariat of the Presidency of the Republic, to monitor NGOs*”. Regarding the LGBT population, she protested against the non-inclusion of LGBT rights in the human rights secretariat. Hours later, Maria do Rosário returned to the podium to make new criticisms of the MPV, stating that the Bolsonaro Government goal with the measure to “*remove the right of recognition of gay, lesbian, transsexual, and transgender people*”. Talíria Petrone (PSOL – RJ) stated that it was a measure contrary to diversity: “*It is impossible to think of a restructuring of the Ministry of Human Rights while denying the need for this Ministry to recognize that Brazil is the country that most murders transsexual people and travestís and does not recognize them; that there is still the murder and rape of lesbian women; and that the right of gays and bisexuals to love is denied*”. The amendment was also criticized by Deputy Alice Portugal (PCdoB – BA).

²⁰ Available at: <https://www.folha.uol.com.br/ilustrada/2019/08/edital-com-series-lgbt-criticadas-por-bolsonaro-em-live-e-suspenso.shtml>. Accessed on: 05/14/2020.

At the end of her speech, she mentions the LGBT population, and concludes: “it [the text of the provisional measure] *deepens exclusion and inequality, rejects populations, rejects the LGBT population, and appropriates, for a group of enlightened people, the possibility of deciding the future of the Brazilian State*”. Deputy Sâmia Bomfim (PSOL – SP) stated that the amendment corrects the atrocities committed by the government by removing the LGBT population from the remit of the Ministry of Human Rights. The Deputy declared that it was necessary to specify the promotion of the rights of this population, as

We are talking about a trans population that has a life expectancy of 36 years in our country; we are talking about the country that most kills and most subjects to the LGBT population to violence; we are talking about people who are expelled from home, are expelled from school, and who even have very little representation in this Parliament, which is the result of discrimination and “LGBTphobia”, so present in our society.

Regarding the amendment and in response to Deputy Otoni de Paula, Maria do Rosário highlighted that the PT was not trying to *include* the LGBT agenda, the rights of this group were already included and the Bolsonaro Government was trying to remove them. In addition, she stressed that not specifying the promotion of the rights of this population meant ignoring the citizenship of the LGBT population.

Defense of sexual diversity and the gender perspective

There was also a reaction to the comic censored at the Book Biennial for containing gay kisses and the outrage over support for Youtuber Filipe Neto. This was the subject of a speech by David Miranda (PSOL – RJ) on 09/10/2019. The Deputy announced the filing of a suit against Marcelo Crivella (Mayor of Rio de Janeiro) for censoring the comic book. On the same day, Jandira Feghali (PCdoB – RJ) also spoke out on the subject, more specifically in defending Youtuber Felipe Neto, who was criticized in the Chamber due to his distribution of books regarding LGBT issues. Also speaking out on that same day were Fernanda Melchionna (PSOL – RS) and Valmir Assunção (PT – BA). On 09/10/19, Crivella’s attitude was also criticized by Deputy Ivan Valente (PSOL – SP), who extended his criticism to the Mayor of São Paulo, João Dória, stating that the two mayors represented today’s Brazil, where “torturers are praised, censorship is carried out and democracy is destroyed”. In the case of João Dória, Miranda denounced the mayor’s order to collect science handouts that discussed sexual and gender diversity.

Speeches were given defending against accusations, mainly with respect to gender ideology. On 09/03/19, André Figueiredo (PDT – CE) gave a speech in response to Eli Borges (SD – TO), who used fake news to accuse the City of Fortaleza of promoting the eroticization of children, suggesting that the Borges was reinforcing this fake news in order to contribute to the demonization of so-called “gender ideology”. On the same day, Talíria Petrone (PSOL – RJ) cited the persecution of gender and sexuality studies as a critical restriction of Brazilian education: “Wanting to prohibit what they call ‘gender ideology’ in school is preventing schools from being an instrument to break the extreme sexual violence that victimizes many adolescents -- violence that comes from the family itself”. Jandira Feghali (PCdoB – RJ) also spoke on the same day, explaining that “gender ideology” is not on the agenda of the left or feminism, that it was, instead, an accusatory term contrary to gender studies and debates.

Defense of the LGBT population and rights

Some speeches denounced the problems of LGBT people. On 09/10/19, Iracema Portella (PP – PI) spoke about the launch of a monitoring tool for Laws and Policies related to AIDS by the Joint United Nations Program on HIV/AIDS – UNAIDS. In its description, the “*site that presents information on several areas, [...] such as the existence of laws that discriminate against transgender people*”. This was a rare pro-diversity comment made by a Congressperson from a party outside the left.

On 10/29/19, David Miranda (PSOL – RJ) drew attention to the importance of Lei nº 8.833/17, which typifies as a crime inducing children and adolescents to commit suicide and self-mutilation, emphasizing that the bullying suffered by LGBT youth increases their chances of committing suicide and that most of this happens at school.

Considering the pro-diversity speeches, the vast majority of these used the theme to criticize the current government for being misogynistic, homophobic, for wanting to take away rights, for revoking policies, and for making this sexual minority invisible. There were reactive discourses against fallacious concepts like “gender ideology” and also discourses explaining concepts. Few speeches mentioned measures or rights: they consisted mainly of generic denunciations referring to the higher number of deaths and incidents of violence suffered by LGBT people, but most of the discourses did not go into specific cases.

There was also a dynamic of accusation. Government supporters accused the left of creating divisions. They accused movements of demanding privileges. They admitted that individual subjects should not be discriminated against, but they accused the LGBT movement of misrepresenting their cause. They criticized the left for its immorality, accusing it of defending abortion, sexualizing children (gender ideology), promoting drugs, destroying the family, and being against the Christian religion (with accusations of Christophobia and against cultural manifestations such as the Porta dos Fundos video) .

Legislative proposals

The defense of religious freedom

Discursive disputes also occurred through legislative proposals.

A proposal worthy of mention here is that of Deputy Otoni de Paula (PSC – RJ/Evangélico), who, with a view of heading off the equation of LGBTphobia with the crime of racism by the STF, created Projeto de Lei Nº 4949/19. The purpose of this bill was to qualify crimes resulting from discrimination based on sex or sexual orientation, while excluding intolerance based on individual freedom of belief. In Paula’s justification, he stated that the STF’s decision attacked the right to religious manifestations, and that it was necessary to “*protect this right*”, even to the extent of protecting the right of businessmen or traders to stop providing services to homosexuals or transsexuals.

It is notable that Otoni’s proposition safeguarded the right to discrimination and intolerance, a point we will develop further below.

Several proposals were mobilized along these lines.

Table 5 - Legislative proposals against LGBT rights (2019)

Congressperson	Party	Legislative Proposal	Subject Of The Proposal
Sóstenes Cavalcante	DEM - RJ	Application No. 173/19	Requires holding a Public Hearing to hear the testimony of people who stopped being gay and discuss their position and the problems faced, from then on, in society.
Abilio Santana	PL - BA	Application No. 154/19	<i>I request that a public hearing be held to discuss the prejudice suffered by former homosexuals, a minority within a minority.</i>
Pastor Eurico	PATRIOT - PE	Bill No. 5490/19	Repeals item “i” of item IV of § 3 of art. 3 of Law No. 11,350/06, which provides for Community Health Agents to carry out home visits to homosexuals and transsexuals.
Otoni de Paula	PSC - RJ	Bill No. 4949/19	Amends Law No. 7,716/1989, to define and punish crimes resulting from discrimination or prejudice based on sex or sexual orientation, but does not criminalize conduct based on individual freedom of belief.
Dr. Jaziel	PL - EC	Draft Legislative Decree No. 520/19	Suspends the application of Resolution No. 1/18, of the National Council of Education, which defines the use of the social name of transsexuals and <i>travestis</i> for official use in school records.

Source: Chamber of Deputies Internet Portal

These proposals were contrary to sexual diversity and defended the figure of repentant homosexuals as victims of discrimination. They also sought to eliminate the rights of LGBT people through their non-recognition (defining them as biologically men and women with regard to health policies) and the prohibition of the use of social names in schools. The proposals also used the argument of individual freedom to ensure that discriminatory actions would go unpunished.

Pro-diversity and anti-discrimination proposals

On the other hand, there were several proposals that identified with the cause of diversity, promoting public policies to protect or combat discrimination.

Table 6 - Legislative proposals for public policies to protect LGBT (2019)

Congressperson	Party	Legislative Proposal	Subject Of The Proposal
Marcelo Freixo	PSOL - RJ	Bill No. 6350/19	Amends the Penal Execution Law to determine that <i>travestis</i> and transsexuals are taken to the appropriate establishment for their gender identity.
David Miranda	PSOL - RJ	Bill No. 5096/19	Establishes, within the scope of the National Policy for the Prevention of Self-Mutilation and Suicide, clippings and content aimed at the LGBTI+ population.
Bacellar	CAN - BA	Bill No. 6499/19	Includes sexual orientation as a reason for recognition of refugee status.
carolina aurea	PSOL - MG	Application No. 69/19	Requests the Minister of Citizenship, Mr. Osmar Terra, to provide information about the statements made by President Jair Bolsonaro when he vetoed resources for audiovisual productions with themes of LGBT and Racial Diversity.
Luizianne Lins	PT - CE	Application No. 81/19	<i>“Requires the holding of a Public Hearing to discuss censorship against LGBT cultural expressions”.</i>

Source: Chamber of Deputies Internet Portal

2020 highlights

The 2020 legislative year began in February after the congressional recess.

The COVID pandemic interfered with legislative activity as of March 2020, when a health emergency was declared in Brazil. Because of this, the number of speeches and legislative proposals relating to our themes was reduced.

We examined 2019 in greater detail, above, demonstrating the main thematic cores and discursive dynamics. As we have seen, our thematic axes were not always debated, but often served as elements of accusation and response between the opposing groups in Congress. For 2020, we will focus on the analysis of a handful of cases that were representative of the controversies being fought over in the Chamber of Deputies. These were often outside events that mobilized congressional passions.

The defense of religious freedom: the FUNAI appointment

I want to highlight a speech from the beginning of the year, before the health emergency was declared, an appointment from outside the technical staff of FUNAI (Brazil’s Indian affairs agency) caused controversy and was interpreted by evangelical congressmen as religious persecution and Christophobia. On 02/11/2020, Eli Borges (SD – TO) declared his repudiation of the Federal Public Ministry’s filing a civil action against the appointment of former evangelical missionary Ricardo Lopes Dias to the position of General Coordinator of Isolated and Recently Contacted Indigenous Peoples²¹. The Deputy stated that *“in Brazil there is much more Christophobia than homophobia”* and that *“despite being peaceful, we have to react, so that, someone cannot be condemned for being a Christian and thus not to assume a public position, a public function”*.

²¹ Available at: <https://oglobo.globo.com/brasil/funai-nomeia-ex-missionario-evangelico-para-protecao-indios-isolados-1-24230513>. Accessed on: 08/19/2020.

Criticism of the Bolsonaro government

Beginning in March, we can identify documents responding to the COVID pandemic that are also related to one of our two thematic axes. In criticizing the Bolsonaro government's actions during the pandemic, the values defended by the left are contrasted with those defended by the government. In these discourses, leftist Congressmen associated the defense of life with respect for diversity.

On 05/14/2020, Ênio Verri (PT – PR) made a long speech criticizing Jair Bolsonaro's actions in the fight against the Covid-19 pandemic, stating that Bolsonaro's government had no concern for life, and that Congress' objective, in comparison "is the maintenance of life, the maintenance of our Nation. *And this is done with respect to each person, regardless of their income, their religion, their color, or their sexual orientation*".

Some speeches reacted to the criticisms made by the opposition to the mismanagement of health policies by President Bolsonaro, responding with the same accusations against the left already presented in 2019 and described above.

Accusations of the left and defense of the government

Deputy Reinhold Stephanes Junior (PSD – PR), a Catholic, criticized the left-wing demonstrations, both by civilians and congresspeople, against President Jair Bolsonaro, on 6/2/2020. He began his speech by criticizing a demonstration against the Federal Government held in Curitiba, amid the Covid-19 pandemic: *"They defend the liberation of drugs, marijuana; they defend abortion, but they don't want medication to be released. When talking about hydroxychloroquine, it's horrible. Oh my God! And these are the people who defend the liberalization of abortion and drugs?"*

Defense of fetal rights

With respect to legal abortion in 2020, there was a reaction to the WHO recommendations regarding the reproductive and family planning rights of women in vulnerable situations during the international Covid-19 crisis. Two parliamentarians took a stand with decrees against the technical note of the Ministry of Health regarding access to sexual and reproductive health in the context of the Covid-19 pandemic. The document took into account the WHO recommendations in the sense that the health units that offer these services were to continue to do so during the pandemic in order to reduce cases of unplanned pregnancies. According to the Ministry of Health: "International projections estimate that approximately 47 million women in 114 low- and middle-income countries may not have access to contraceptives and, therefore, it is possible for more than seven million unplanned pregnancies to take place among adolescents and women". In the Chamber of Deputies, federal Deputy Chris Tonietto (PSL – RJ) was the author of Projeto de Decreto Legislativo Nº 250/2020, which attempted to bar Nota Técnica Nº 16/2020 – COSMU/CGCIVI/DAPES/SAPS/MS, published by the Ministry of Health, which deals with access to sexual and reproductive health during the context of the Covid-19 pandemic in Brazil. Tonietto's decree would have repealed the technical note in its entirety. In justify their position, the Deputy stated that the note was cover for performing abortion in the country and it went against basic precepts of the Federal Constitution.

The second decree was authored by Dr. Jaziel (PL – CE): Projeto de Decreto Legislativo Nº 251/2020. His proposition had the same objectives and effects as Chris Tonietto's in that it attempted to bar the technical note, with the following justification: "The current rules of the Ministry of Health on 'legal abortion' were created by PT administrations and open loopholes for abortions to be performed even during pregnancies that were not the result of rape, as well as creating for impunity for rapists, since a sexual violence report is not required [to get permission for the abortion]."

Four anti-abortion legislative proposals stand out in the first half of 2020, formulated in order to guarantee fetal rights. Three of these were authored by Catholic deputy Chris Tonietto (PSL – RJ).

Table 7 - Pro-fetal rights anti-abortion legislative proposals (2020)

Congressperson	Party	Legislative proposal	Subject of the proposal
Chris Tonietto	PSL – RJ	Bill No. 1945/2020	Amends Article No. 127 of the Penal Code to include a cause for increased penalties for abortions performed due to microcephaly or any other malformation of the fetus.
Chris Tonietto	PSL – RJ	Bill No. 1979/2020	Amends the Statute of the Child and Adolescent to include the unborn child within the scope of the protection of the law.
Chris Tonietto	PSL – RJ	Indication No. 505/2020	Requires sending a Referral to the Federal Public Defender General in order to suggest the creation of a thematic group, within the scope of the Public Defender of the Union, for the purposes of legal and extrajudicial assistance to unborn children.
Paula Belmonte	Citizenship - DF	Bill No. 537/2020	Extends the rights of children during infancy to unborn children from conception on.

Source: Chamber of Deputies Internet Portal

Proposals such as the inclusion of unborn children in the ECA (Children and Adolescents' Statute), providing legal assistance for unborn children, and including them in policies for early childhood showed the growing tendency to extend the rights to the fetus from conception on, a theme analyzed by Dworkin (2003). It should be noted in this context that congresswoman Paula Belmonte is a spiritist (União do Vegetal) and Tonietto is a Catholic, as discussed above. These measures provide yet another example of the engagement of religious agents in the anti-abortion agenda.

Sexual diversity against discrimination

In 2020, more speeches favorable to sexual and gender diversity were also made. Criticisms of President Jair Bolsonaro's stance on diversity were frequently added to the speeches in favor of diversity made by left-wing parliamentarians against the President.

Among the legislative proposals presented was Projeto de Lei N° 3598/2020, by João H. Campos (PSB – PE/no identified religion), which regulated blood donation by gay men. This proposal was in line with the decision of the STF, which in May 2020 decided that the ban on homosexuals from donating blood was unconstitutional²².

²² Available at: <http://portal.stf.jus.br/noticias/verNoticiaDetalhe.asp?idConteudo=443015&ori=1>. Accessed on: 09/30/2020.

Against LGBT rights

In the first half of 2020, there were several regressive legislative proposals regarding LGBT rights, continuing the tone set by the proposals from the previous year. Three similar proposals were identified which sought to suppress the rights of the transgender population in Brazil.

Table 8 - Legislative proposals against the rights of transgender people (2020)

Congressperson	Party	Legislative proposal	Subject of the proposal
Carla Zambelli	PSL – SP	Draft Legislative Decree No. 28/2020	Suspends the effects of Resolution No. 2,265 of September 20th, 2019 of the Federal Council of Medicine, which provides for specific care for people with gender dysphoria or transgender people and revokes Resolution CFM No. 1955 of 2010.
Chris Tonietto	PSL – RJ	Draft Legislative Decree No. 19/2020	Suspends the effects of Resolution No. 2,265 of September 20th, 2019 of the Federal Council of Medicine, which provides for specific care for people with gender dysphoria or transgender people and revokes Resolution CFM No. 1955 of 2010.
Vitor Hugo	PSL – GO	Draft Legislative Decree No. 47/2020	Suspends the effects of Resolution No. 2,265 of September 20th, 2019 of the Federal Council of Medicine, which provides for specific care for people with gender dysphoria or transgender people and revokes Resolution CFM No. 1955 of 2010.

Source: Chamber of Deputies Internet Portal

The proposals of these three PSL deputies all suspend the effects of Resolução n° 2265/2019 of the Federal Council of Medicine, which discusses care for transgender people, and also revoke Resolução N° 1955/2010, which provides for gender reassignment surgery in Brazil. Arguments from the areas of health and law were used to support these proposals. Zambelli said hormone therapy treatment is invasive for children and adolescents and its long-term effects are unknown. Tonietto added that the stipulated age for the right to treatment is an affront to civil legislation, because *“if the minor is not fully developed to bear the penal consequences of his choices, as critics of the reduction of the penal age say, why would he be able to choose to go through drastic interventions, which give rise to irreversible changes”* The justifications for the proposal submitted by Vitor Hugo was in the same sense as Tonietto’s. Chris Tonietto and Vitor Hugo are both Catholics.

The right to choose: the case of the Capixaba girl

Contrasting the first half of 2020 with the second, we can see a greater balance in progressive actions in relation to the agenda of abortion and sexual diversity. In the first semester, no pro-choice legislative proposition was identified, but we found thirteen in the second. This is because congressional activities take place in constant dialogue with and in reaction to events in civil society. When analyzing the purpose and justifications of these proposals, it is possible to discern relationships with the controversies involving significant events that mobilized society, such as a case that involved a girl from the State of Espírito Santo.

When analyzing the speeches and propositions about abortion in 2020, one can notice the predominance of documents related to the controversy involving the 10-year-old girl from the State of Espírito Santo who had a legal abortion after becoming pregnant following a rape committed by her uncle.²³ The case gained media coverage and even more visibility after right-wing activist Sara Winter disclosed, on her social networks, the victim's data and the hospital where the procedure would be performed. Winter mobilized her supporters to hold face-to-face and virtual demonstrations against the termination of the pregnancy²⁴. In response, proposals were presented in Congress to guarantee the victim's access to legal abortion. Deputies from the PSOL proposed measures creating a protection zone around health establishments that provide legal abortion services in Brazil, evoking the protests that took place in front of the hospital where the Capixaba girl was waiting for care. Also in this context is the bill by Marreca Filho (Patriota – MA), which pleads for priority in the judgment of requests for termination of pregnancy when they involve cases of child victims of sexual abuse. Both Marreca was Catholic, and this was a rare case of progressive action undertaken by a religious Congressman.

In addition to these proposals, several requests were also submitted to the Ministry of Women, Family and Human Rights and to Minister Damares Alves, which sought to clarify the Minister's involvement in the case of the Capixaba girl and whether she had disclosed confidential information to Sara Winter. These included requests for clarifications from Minister Damares, in addition to requests for clarifications from the Minister of Health about her omissive conduct, and to the Minister of Foreign Affairs about an international alliance against legal abortion.

In a somewhat divergent strategy, Deputy Diogo Garcia (Podemos-PR), a Catholic member of the Charismatic Renewal Movement, asked the Minister of Health for information from DATASUS on pregnancy in childhood and adolescence and the resulting mortality rates, probably in order to minimize the problem and confront the rhetoric that the forced pregnancy of a 10 year old girl was a public health problem.

23 The girl was abused by her uncle and, at the age of 10, she became pregnant, a fact that generated media and political repercussions after the leak of the process that authorized the termination of her pregnancy resulting from rape, provided for by the law. Available at: <https://g1.globo.com/es/espírito-santo/noticia/2020/08/28/menina-de-11-anos-fica-gravida-apos-estupro-no-norte-do-es.ghtml>. Accessed on: 07/07/2021.

24 Sara Winter was one of the figures responsible for the movement against abortion, having exposed the name of the victim and the address of the hospital where the procedure was performed. Available at: <https://www.uol.com.br/universa/noticias/redacao/2020/08/16/sara-winter-divulga-endereco.htm>. Accessed on: 07/07/2021.

Table 9 - Legislative proposals on abortion: the case of the Capixaba girl (2020)

Congressperson	Party	Legislative proposal	Subject of the proposal
Sâmia Bomfim	PSOL SP	Bill No. 4297/2020	Provides for the creation of a protection zone around health facilities that provide legal abortion services and services that provide specialized care to women who are victims of sexual violence.
Luiza Erundina	PSOL SP		
Carolina Áurea	PSOL MG		
Fernanda Melchionna	PSOL RS		
Marreca Filho	PATRIOT - MA	Bill No. 4550/2020	Provides for the protection of children and adolescent victims of sexual violence, so that child victims of sexual abuse will have priority in the judgment of requests for termination of pregnancy.
Marreca Filho	PATRIOT - MA	Application No. 2187/2020	Requests the presence of Minister Damares Alves to provide clarification on the attempt to interfere in the abortion performed by a girl from Espírito Santo and on the relationships of the right-wing activist Sara Winter (Giromini) with the Ministry of Women, Family, and Human Rights.
Alice Portugal	PCdoB - BA	Information Request No. 1283/2020.	Requires clarification from the Minister of Women, Family and Human Rights, Damares Alves, on the actions of the Minister and her team to prevent a ten-year-old child, raped by her uncle, from having the right to a legal abortion.
Sâmia Bomfim	PSOL - SP	Information Request No. 1039/2020	Requires the Acting Minister of Health, Mr. Eduardo Pazuello, information regarding the omissive conduct of the Ministry of Health in the episode of the ten-year-old girl from Espírito Santo who was the victim of rape and who found it difficult to perform a legal abortion in the SUS, as well as the demonstrations against legal abortion by the leader of this Ministry.
Sâmia Bomfim	PSOL - SP	Application No. 2328/2020.	Requires the summons of the Minister of State for Foreign Affairs, SR. ERNESTO ARAÚJO, to clarify the alliance with the USA for an international initiative against legal abortion.
Diego Garcia	CAN - PR	Information Request No. 1207/2020	Asks His Excellency the Minister of Health information concerning DATASUS and pregnancy in childhood and adolescence, as well as mortality resulting from abortion in childhood and adolescence.

Source: Chamber of Deputies Internet Portal

In these speeches, Minister Damares Alves was accused of having tried to prevent the interruption of the girl's pregnancy by sending representatives who would try to convince the victim's family to give up the abortion and transfer the girl to a hospital in São Paulo, where she would wait for the delivery of the baby²⁵. Speeches questioning the Minister involved Jandira Feghali (PCdoB-RJ) on 08/18/2020, Alice Portugal (PCdoB – BA) on the same day and again on 09/21/2020²⁶, day the Minister was also targeted by Lídice da Mata (PSB – BA) and Sâmia Bomfim (PSOL – SP). The speeches given on 09/21 were made when the theme of abortion was once again taken up due to the SUS ordinance, a point that will be analyzed below.

The case was also the target of anti-abortion speeches, which classified it as murder. These were made by Soraya Manato (PSL – ES), evangelical, on 08/18/2020, who stated that it was no longer an abortion, but a premature birth, called by her a “crime” and “infanticide”, emphasizing that the “child was 23 weeks pregnant”. She concluded defending Minister Damares: “*she is in favor of life, just as we Christians - I am evangelical - are in favor of life, not death*”. On the same day, Eros Biondini (PROS – MG), a Catholic, stated that one barbarity (rape) could not be fought by carrying out another (abortion) and defended that the pregnancy should be continued and that the baby should be given up for adoption at birth. On that same date, Gilberto Nascimento (PSC – SP), an evangelical, spoke in defense of Damares, stating that the Minister was not responsible for leaking the news of the pregnancy and abortion.

On 11/3/2020, Soraya Manato (PSL – ES) began her speech by claiming to be right-wing, conservative, and Christian and taking a stand against the Federal Public Prosecutor's (MPF) Office that had filed a public civil action for the implementation of referral services for abortion in two hospitals in Espírito Santo. It is possible that the MPF's action was in response to the difficulty of the Capixaba girl in obtaining a legal abortion.

Fetal rights vs. right to choose: the controversy over the abortion ordinance

Still with regards to the thematic axis of abortion, another highlight of the year was the ordinance that regulated legal abortion (and it made more difficult). This generated a set of anti-abortion and pro-choice speeches and legislative proposals. This was Portaria N° 2.282/2020, of August 27th, 2020, published by the Ministry of Health, regarding the justification and authorization of termination of pregnancy in cases provided for by law. It should be noted that the Ministry of Health issued the ordinance a few days after the case of the request for a legal abortion by the girl from Espírito Santo reached the press and became a major controversy.

In the Chamber of Deputies, congress peoples from the PSOL, PT²⁷, PCdoB, PSB, PSDB, and PDT²⁸ parties²⁹ criticized the ordinance and presented Draft Legislative Decrees to halt its effects, as they understood that the ordinance would make it more difficult to carry out abortion procedures by forcing health professionals

25 Available at: <https://www1.folha.uol.com.br/cotidiano/2020/09/ministra-damara-alves-agiu-para-impedir-aborto-de-crianca-de-10-anos.shtml>. Accessed on: 07/07/2021.

26 “Mrs. Damares, this was a child's body. Children are not mothers. Ten-year-old girls can't give birth, Mrs. Damares. It is very important that you know this, because it is a body still in formation”.

27 Another block of parliamentarians who presented a legislative proposal to stop Ordinance No. 2282/2020 was from the PT, in which 41 male and female deputies signed the Draft Legislative Decree No. 413/2020. São eles: Enio Verri (PT - PR), Maria do Rosário (PT - RS), Beto Faro (PT - PA), Waldenor Pereira (PT - BA), Nilton Totto (PT - SP), Arlindo Chinaglia (PT - SP), Erika Kokay (PT - DF), Benedita da Silva (PT - RJ), Vander Loubet (PT - MS), Vicentinho (PT - SP), Merlong Solano (PT - PI), Professora Rosa Neide (PT - MT), Marcon (PT - RS), Afonso Florence (PT - BA), Paulão (PT - AL), Leonardo Monteiro (PT - MG), Paulo Guedes (PT - MG), Valmir Assunção (PT - BA), Rogério Correia (PT - MG), Natália Bonavides (PT - RN), Aírton Faleiro (PT - PA), Frei Anastácio Ribeiro (PT - PB), João Daniel (PT - SE), Gleisi Hoffmann (PT - PR), Patrus Ananias (PT - MG), Rui Falcão (PT - SP), Padre João (PT - MG), José Aírton Félix Cirilo (PT - CE), Helder Salomão (PT - ES), Célio Moura (PT - TO), Pedro Uczai (PT - SC), Margarida Salomão (PT - MG), Carlos Veras (PT - PE), Luizianne Lins (PT - CE), Alencar Santana Braga (PT - SP), Zé Carlos (PT - MA), Jorge Solla (PT - BA), Paulo Teixeira (PT - SP), José Guimarães (PT - CE), Bohn Gass (PT - RS), Paulo Pimenta (PT - RS).

28 Mário Heringer (PDT - MG), in Draft Legislative Decree No. 385/2020,

29 Members Jandira Feghali (PCdoB - RJ), Fernanda Melchionna (PSOL - RS), Perpétua Almeida (PCdoB - AC), Alice Portugal (PCdoB - BA), Sâmia Bomfim (PSOL - SP), Luiza Erundina (PSOL - SP), Lídice da Mata (PSB - BA), Natália Bonavides (PT - RN), Áurea Carolina (PSOL - MG) and Erika Kokay (PT - DF) presented the Draft Legislative Decree No. 381/2020.

to call the police whenever the procedure is requested by the victim in cases of rape. The measure also called for requiring mothers to undergo an ultrasound to visualize the fetus. This was understood as an attempt to embarrass the victim and push her to abandon the abortion and keep the unwanted pregnancy. In defense of the issue, Soraya Manato (PSL – ES) spoke out, congratulating the Bolsonaro government for Ordinance 2282/20 and celebrating that police officers are informed about pregnant women who are victims of rape and that, now, doctors should preserve the material evidence of the crime for investigative purposes and proclaimed: “congratulations, President Bolsonaro, for yet another attitude towards preserving lives ! ”. Sâmia Bomfim (PSOL-SP), Erika Kokay (PT – DF), Alice Portugal (PCdoB – BA) twice, Lídice da Mata (PSB – BA), in addition to Jandira Feghali (PCdoB – RJ) who directed her speech to rebut Soraya Manato .

On September 23rd, the Ministry of Health published a new Portaria N° 2561/2020 on the same topic and did not change the articles that received criticism from the left congresspeople. The new ordinance was the target of more criticism and of other Legislative Decree Proposals to stop its effects. In combating the new decree, Congresspeople Jandira Feghali (PCdoB – RJ), Alice Portugal (PCdoB – BA), Erika Kokay (PT – DF), Maria do Rosário (PT – RS), Sâmia Bomfim (PSOL – SP), Tereza Nelma (PSDB – AL), Lídice da Mata (PSB – BA), Professor Rosa Neide (PT – MT), Luíza Erundina (PSOL – SP), Fernanda Melchionna (PSOL – RS), Áurea Carolina (PSOL – MG), Talíria Petrone (PSOL – RJ), and Gleisi Hoffmann (PT – PR) all presented Projeto de Decreto Legislativo N° 409/2020, which suspended the newly published ordinance.

Despite the increase in pro-choice proposals located in the second half of 2020, it can be seen that these were more reactions than pro-choice actions in Congress. Parliamentarians were more active in guaranteeing the sexual and reproductive rights of women that had already been conquered and in preventing setbacks than in expanding the permission for legal abortion in Brazil. No proposals were found that pushed for this objective. Events in civil society directly influenced parliamentary action, since a controversy involving legal abortion figured in a large part of the speeches we found, whether by those in favor or those against abortion. There were also several proposals to guarantee safe abortion in cases permitted by law.

Discursive dynamics: against discrimination and for the freedom to discriminate

One of the main issues with reference to the thematic axis of sexual diversity revolves around accusations of discrimination and privilege, a point extensively explored in the 2019 documents we uncovered. We will now examine an emblematic case of this debate. In the Chamber of Deputies, with respect to the issue of discrimination against LGBT people, there was intense debate around Requerimento de Urgência N° 2793/2020, authored by Enio Verri (PT – PR) and others, requesting the urgent processing of Projeto de Lei N° 1531/2020 which prohibits discrimination in access to or maintenance of employment due to sexual orientation, race, chronic illness, HIV/AIDS, and religion. The debate took place on 12/22/2020. In response, Otoni de Paula (PSC – RJ) said it was another attempt to impose “gender ideology” and claimed that it was an employer’s right not to want to hire an evangelical, a woman, or a gay man. Eli Borges (SD – TO), in turn, stated that he did not see the need for a proposition like this because he did not see “*any boss discriminating against a competent employee*”. He also stated that there is no discrimination in churches: “*I am challenging people and asking where in Brazil there is a pastor expelling homosexuals from the church or where in Brazil there is a boss expelling competent homosexuals from their jobs?*” Among the manifestations in favor of the project, Sâmia Bomfim (PSOL – SP) pointed out that the LGBT population faces difficulties in getting and keeping jobs due to prejudice. Erika Kokay (PT – DF) stated that human diversity is natural and, therefore, people cannot be hierarchized, emphasizing that it is “*unbelievable that we are here discussing whether or not people can be discriminated against in the world of work*”.

Against STF activism: religious freedom and the anti-gender and anti-diversity perspective

In relation to sexual and gender diversity, several accusations of usurpation of the Legislature by the STF in judging issues that guaranteed rights to the LGBT population were filed. The PSOL filed ADI N° 5668 with the STF, with the objective of combating homophobic bullying based on gender identity and sexual orientation in schools. The action was the victim of the dissemination of “fake news” in civil society which was also repeated in speeches in the Chamber of Deputies. Congresspeople accused the STF of “legislating” in favor of “gender ideology” and of imposing its will on the Brazilian population and the other Powers of the republic. These congressmen understood the issue to be specific to the Legislative Power. On 10/27/2020. Eros Biondini (PROS – MG), Catholic of the Charismatic Renewal Movement, defended the approval of PL N° 4754/2016, which “*typifies the usurpation of competence of the Legislative Power as a crime for which Justices of the Federal Supreme Court are responsible*”, in order to bar decisions such as ADO 26, which criminalized homophobia and transphobia. In relation to this achievement, it is worth mentioning Projeto de Lei N° 4892/2020, presented by Léo Motta (PSL – MG), evangelical from the Assembly of God, which “clarifies that the refusal to carry out religious ceremonies involving openly homosexual people does not characterize a homophobic crime”. Motta considered this measure necessary in order to ensure that religious leaders would not be forced to hold religious ceremonies for LGBT people.

Final considerations

The analysis of the speeches and legislative proposals referring to the themes of abortion and sexual diversity in the first two years of the Bolsonaro government shows the intensification of the trend identified in recent years of the conservative reaction against the possibilities of legal abortion (Luna, 2019, L.Z. Machado, 2017) and against LGBT rights and against expressions of diversity, even in cultural manifestations. In this sense, sexual wars (Natividade and Oliveira, 2013) have become the agenda of the cultural war, expressed even in Eduardo Bolsonaro’s speech on 12/18/19.

This war also takes place on the discursive level in the Chamber of Deputies. Congresspeople who support the president disqualified the “left” as defenders of abortion, gender ideology, the legalization of drugs, and the destruction of the family. These accusations often seem persecutory, as in the debate on the Statute of Families, with false claims that the Statue promoted incest. There was a clash of referents. The left took up the memory of PT governments to praise inclusive policies for the LGBT population and associated President Bolsonaro and his supporters with death and persecution, homophobia, misogyny, and racism. Bolsonaro supporters, in turn, return the salvo with charges that the left promotes death.

One can see here the dynamics of inversion of accusations, in which Christians deny the existence of homophobia and accuse the other side of vilification and religious intolerance, which they call Christophobia.

Antagonistic ways of defending and conceiving of individual freedoms are in dispute. On the one hand, the right to religious freedom (and by extension the right to discriminate) and full rights for the fetus/embryo are claimed and supported. On the other hand, there is the defense of sexual and reproductive rights, the right to gender expression and the free exercise of sexuality, and the right to choose (in case of abortion). Such demands are all based on individualist configuration of values (Dumont, 1997).

One can see great engagement by those parliamentarians with a public religious identity in this conservative reaction, especially evangelicals, and most especially from the Assembly of God. Few congresspeople used explicitly religious language and biblical quotations, with Chris Tonietto, Otoni de Paula and Pastor Sargento Isidório being notable exceptions. A larger group of Congresspeople, however, alleges persecution of Christians

or disrespect for the Christian religion. Another aspect of this rhetoric is to claim that the conservative position, in defense of the family or against abortion, represents the opinion of most Brazilians, a point already observed in other studies (Barros, Bernardes and Pinto, 2018).

Even explicit religious language, however, seems in some cases to be combined with other languages endowed with greater legitimacy, such as scientific, or legal arguments. There seem to be different ways of building legitimacy (Montero, 2012): when congresswoman Chris Tonietto prays an Ave Maria at the beginning of her speech on 7/4/2019 (a new fact observed in these years of research), manifesting her Catholic identity, she is on par with evangelical parliamentarians who brandish the Bible. This expression, which delegitimizes her in front of those who defend separation of Church and State, strengthens the Deputy in front of her electorate. On the other hand, Tonietto herself, in her legislative proposals, manifests solid legal arguments, associating these with biological arguments in defense of the fetus.

Regarding arguments for fetal rights, previously identified patterns remain apparent. Regarding the right to life, there are two different ideas appearing in the public debate on abortion. One thesis assumes that “fetuses are creatures with interests of their own from conception on... including the right to not be killed” (Dworkin, 2003: 12). This represents the right to life perspective. According to the second thesis, “abortion is wrong in principle, because it disregards and insults the intrinsic value, the sacredness, of any stage or form of human life” (2003:13). The character of the fetus as a subject is reinforced in proposals to guarantee it legal representation, to the detriment of pregnant women who are disembodied.

In a related sense, solidarity seems to be reduced in dramatic cases of legal dispute over abortion, such as that of the girl from Espírito Santo. In a similar case that occurred in 2009 involving a girl from Pernambuco (Lamim and Luna, 2016), reactions in the Chamber against abortion were practically non-existent. This is in frank contrast with the mobilizations in favor of the “unborn child” and the new discourses of “saving both lives” that are now being seen on the floor of Congress. Praise for the government for the ordinance that makes access to legal abortion more difficult also go in the same direction.

During rise of the conservative Bolsonaro government, with regards to the subject of sexual diversity, fake news was disseminated about the sexualization of children. The right to health policies aimed at the LGBT segment were persecuted because they are “gender ideology” or a demand for privileges. Cultural manifestations were monitored for their potential to corrupt children. Overall, a concerted effort was made to make these subjects invisible or to reduce claims to “poor-me-ism”.

The mobilization of congresspeople in favor of LGBT rights and in denouncing discrimination and violence against this population was consistently much greater than defenses of the right to choose in the debate on abortion. Several legislative proposals were forwarded contemplating the demands of diversity, but none were forwarded to increase abortion rights.

In this sense, it is possible to see that the Chamber of Deputies seems more likely to guarantee rights regarding sexual diversity than to abortion. This can be deduced from the greater number of anti-abortion speeches and proposals we discovered when compared to the subject of sexual diversity and also from the absence of proposals favorable to the voluntary termination of pregnancy in this legislative house. In relation to LGBT rights, both conservatives and progressives strongly dialogued with the decisions of the STF, whether to regulate blood donation by homosexuals in Brazil, in accusations of judicial activism, or even in reframing LGBTphobic practices of intolerance as a matter of individual freedom of belief. Finally, it should be noted that the accusatory category of “gender ideology” is often used by conservatives in speeches and in the formulation of legislative proposals that seek to stop the advancement of rights for Brazil’s trans population.

Conservative segments in the first two years of the Bolsonaro government thus defended regressive guidelines regarding women's and LGBT rights. This was especially the case among congresspeople with a public religious identity. These activities, along with the rhetoric of persecution and the denunciation of alleged Christophobia in cultural manifestations, are elements triggered in processes of minoritization. The left, the opposition to Bolsonaro, the LGBT movement, and the Federal Supreme Court are those agents that constitute the instances of persecution that supposedly harass the so-called conservative and Christian minority.

In discursive disputes we have analyzed here, accusations are exchanged and reversed in order to mark differences in relation to the opposing group. In this way, abortion and sexual diversity are displayed in accusations to disqualify the opposition, and charges of misogyny and homophobia are used as offenses against the ruler and his supporters. Each side tries to present itself as a defender of life and associate the other with death.

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Naara Luna

Federal Rural University of Rio de Janeiro

<https://orcid.org/0000-0002-6137-7405>

Email: naaraluna2015@gmail.com

Dossier editors

Carla Costa Teixeira (<https://orcid.org/0000-0002-3792-9687>)

Cristiane Brum Bernardes (<https://orcid.org/0000-0001-5367-3047>)

Emma Crewe (<https://orcid.org/0000-0003-0109-219X>)