

# Brazil



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Brazilian lesbians are subject to the same socio-economic conditions that impact all women in the country. Although they comprise 35% of the paid work force, Brazilian women continue to earn, on average, less than half the salary that men make for the same type of work; Black women earn half of what white women earn. This socioeconomic system makes it very difficult for most Brazilian women to take part in the decision-making processes that affect their lives. Under these circumstances, it is particularly difficult for Brazilian women to live openly as lesbians.

## ATTITUDES WITHIN THE FAMILY

The majority of Brazilian lesbians hide their sexual orientation from their families and invent fictitious relationships or even marry in order to avoid the rejection of parents and relatives. Even when they are able to hide their lesbianism, many women experience tremendous stress resulting from

the constant fear of being discovered or from the conflicts inherent in living a lie.

Um Outro Olhar (Another Perspective), a lesbian documentation center based in São Paulo, has received reports of lesbians being expelled from their homes or subjected to physical or emotional abuse when their families discover that they are lesbians. While it is illegal to disinherit a child, many parents disinherit their lesbian daughters, and many lesbians do not assert their rights because they are not aware of the law or are reluctant to publicly declare their lesbianism.

Many Brazilians still consider lesbianism a disease. Until they reach the age of 18, girls can be subjected to psychological treatments and behavior-modifying shock therapy without any legal recourse. Although homosexuality ceased to be classified by the Brazilian medical profession as a sexual deviation or psychological disturbance in 1985,<sup>1</sup> shock therapy, as well as prescribing tranquilizers, is still practiced as a "cure for lesbianism".

The discrimination and stigma that Brazilian lesbians experience can cause feelings of marginalization, anxiety, and isolation. If these feelings lead to alcoholism, depression, or (particularly among adolescents) suicide attempts, lesbians encounter little help from the psychiatric profession. Mental health professionals often try to convince lesbians to change their sexual orientation, worsening the situation rather than providing relief.

#### HEALTH ISSUES

The majority of gynecologists work under the assumption that every woman is sexually active with men. Women who openly declare that they are lesbians run the risk of being sent to a professional psychiatrist even if they are suffering from nothing more than a routine infection.<sup>2</sup> As a result, many lesbians forego routine examinations or lie to their doctors, which can sometimes result in incorrect diagnoses.

## WORK

The majority of Brazilian lesbians lead a double life at work, engaging in fictitious relationships or arranged marriages as a survival strategy in the professional world. Sexual orientation can be a fundamental factor in both hiring and promotion in many fields, and psychological tests are sometimes administered to detect homosexuality in job candidates.<sup>3</sup> With rare exceptions, the discovery of a woman's lesbianism leads to dismissal. In these situations, employers rarely cite their sexual orientation as the cause. This, combined with the unwillingness of most lesbians to speak out publicly, makes such cases extremely difficult to challenge.

## THE LAW

Sexual relations between women are not prohibited by Brazilian law. There exist, however, a number of laws that can be used against lesbians:

- 1) Violent sexual assault (Article 214 of the Penal Code):  
"To coerce someone, using violence or serious threat, to practice or allow that a libidinous act with him/her distinct from a carnal union be practiced. Carnal union is understood here as heterosexual intercourse." Sentence: two to seven years in prison.
- 2) Sexual assault by fraudulent means (Article 216 of the Penal Code): "To induce an innocent woman by means of fraud, to practice or allow that a libidinous act distinct from a carnal union be practiced with her." Sentence: one to two years in prison, in the case where a victim is over age 18; from two to four years if the victim is under 18.
- 3) Corrupting a minor (Article 218 of the Penal Code):  
"Corrupting or facilitating the corruption of a person older than 14 and under 18 years of age, practicing libidinous acts with her or coercing her to practice them or witness them." Sentence: one to four years in prison.
- 4) Abduction (Articles 219-222 of the Penal Code) "To abduct an innocent woman using violence, serious

threat, or fraud for libidinous aims." Sentence: two to four years in prison. If the woman in question is 14 to 21 years old, her family can allege that an abduction has occurred regardless of whether the woman acted under her own free will. Sentence: one to three years.

- 5) Obscene Act (Article 233) "The practice of an obscene act in a place that is public or openly exposed to the public." Sentence: three months to one year.

All of these statutes are subject to misuse and selective enforcement by police and other officials. Parents wishing to break up their daughter's lesbian relationship can accuse their daughter's lover of assault, abduction, or corrupting a minor, even when the relationship is consensual. Article 233, which outlaws "obscene acts," is often used by police against same-sex couples in situations which would never be considered criminal for heterosexual couples (for instance, kissing in public).

#### ANTI-DISCRIMINATION LEGISLATION

As a result of the struggles of the gay and lesbian movement in Brazil, some Brazilian cities and states have passed anti-discrimination laws. In large cities such as São Paulo, Rio de Janeiro, and Salvador, it is illegal to discriminate on the basis of sexual orientation. While these laws are of great symbolic importance, they do not penalize those who discriminate, which makes enforcement difficult. Furthermore, such laws are of limited use in the face of persistent prejudices in Brazilian society. There has not yet been a chance to test their application, because no one has been willing to risk the publicity that such a situation would entail.

Despite this legislation, many government and corporate policies continue to be discriminatory. Since the concept of a couple still remains restricted to a heterosexual pair, lesbians do not receive the same benefits—such as health care and pensions—that they would if they were married to men. When one member of a lesbian couple dies, the family of the deceased woman often attempts, and in general obtains,

possession of the common property of the couple, because lesbian partnerships are not recognized by law.

In the realm of child custody, the courts often discriminate openly against lesbians. Lesbians who have children from previous marriages run the risk of losing custody of their children if their sexual orientation is revealed. Many lesbian mothers live with the constant fear of losing custody and are thus vulnerable to blackmail or extortion from their ex-husbands.

#### VIOLENCE

Lesbians encounter violence within and outside the family. Grupo Gay da Bahia (Gay Group of Bahia) has reported a number of cases in which women have been murdered for being lesbians. In 1991, 29-year-old Alice Dias do Amaral was brutally murdered by her lover's husband when he dis-

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covered that his wife was having a lesbian affair; newspaper coverage of the murder was inflammatory, with a front page picture in a Rio tabloid proclaiming that a "sapatão" ("big shoe," a derogatory term for lesbian) had been murdered.<sup>4</sup> In another case, Ana, a 23-year-old woman, was shot to death by her nephew in 1982 when she said that she was a lesbian.<sup>5</sup> In 1983, two lovers, Rita da Silva and Marly, were beaten and killed by Marly's relatives.<sup>6</sup> This violence must be viewed within the context of violence directed against all

women, which in Brazil reaches alarming levels.

#### EDUCATION

Schools are, in general, inhospitable institutions for young lesbians. The educational system can help foster prejudices against lesbians by failing to provide information about alternatives to heterosexuality and perpetuating the heterosexual nuclear family as the only "natural" model. School administrators often stand by while intolerant classmates subject lesbian students to humiliation, mockery, and physical harassment.

In recent years, there have been two known cases in which young lesbians were expelled from school for being open about their sexual orientation. In 1993, a 19-year-old student at a branch of the Miguel Couto School in Rio kissed her girlfriend in front of the school and was booed and pelted with cans by other students as a result. The next day, when the student, Claudia, returned to attend class, she was informed by the directors of Miguel Couto that her enrollment had been canceled as a way to "protect her." Claudia, who herself feared future harassment, suggested a transfer to another branch of the school, but the directors denied her request. "She wasn't expelled. The directors concluded that her situation would become unbearable, and her physical well-being threatened," said Carlos Pavan, coordinator of the school.<sup>7</sup> In a 1994 case, a young North American lesbian who was studying in São Paulo through the Rotary Club Exchange Program was returned to her country of origin under the pretext of bad behavior.<sup>8</sup> In both cases, despite all evidence to the contrary, school administrators refused to admit that the students' sexual orientation was the reason for dismissal. As with cases of employment discrimination, discrimination within the educational system is difficult to prove, and most young women who face such discrimination remain silent about it out of fear and shame.

## MEDIA

The media have often perpetuated stereotypes of lesbians and gay men, when they mention them at all. In recent years, however, this has begun to change. The print media are broaching the issue of homosexuality with increasing frequency, and many articles are written from a perspective of tolerance and acceptance. Nevertheless, the media still offer a public forum for those who wish to promote stereotypes and prejudices, such as religious authorities and mental health professionals. One can see in the media the striking contrasts that characterize Brazilian attitudes toward homosexuality: on one hand, the newspaper with the largest circulation in the country (Folha de São Paulo) sponsors a commercial on television which openly defends the acceptance of homosexuality. On the other hand, on a television channel owned by evangelists (TV Record in São Paulo), ministers preach the eradication of lesbianism by means of faith.<sup>9</sup>

## POLITICAL PARTICIPATION

No woman has ever run for elected office in Brazil as an openly lesbian candidate. Research carried out on Brazilian public opinion has revealed that voters would not vote for a gay or lesbian candidate. However, some Brazilian politicians are becoming more supportive of lesbian and gay rights, as they discover that gay men and lesbians vote and are a growing political presence. Progressive individuals in various parties have begun to carry on the fight for human rights for gay men and lesbians by proposing anti-discrimination laws, by including gay and lesbian issues in their campaign platforms, and by supporting lesbian and gay organizations.<sup>10</sup> In general, however, political parties seek to avoid broaching such a controversial issue; even if individual politicians may be sympathetic to lesbian and gay concerns, they are wary of alienating conservative voters.

Within the party system, activism by gays and lesbians

remains restricted to the Partido dos Trabalhadores (PT, Workers' Party), in which a small group of committed lesbian and gay members introduced the issue of freedom of sexual orientation into the platform of their candidate for presidency in 1994.<sup>11</sup> At the present time, the federal representative of the state of São Paulo, Marta Suplicy (PT), is considering the possibility of proposing an amendment to the Brazilian constitution to prohibit discrimination on the basis of sexual orientation. She is also considering legislation to recognize same-sex civil unions with the aim of guaranteeing social benefits and inheritance rights.

#### LESBIAN ORGANIZATIONS IN BRAZIL

Lesbian activism in Brazil began in 1979, when women started participating in the group Somos (We Are), Brazil's first gay and lesbian organization in Brazil. By 1980, however, the women's group within Somos became autonomous. It renamed itself Grupo Lésbico-Feminista (LF, Lesbian Feminist Group) and began to work primarily within the feminist movement.

LF disbanded in mid-1981, and several remaining members founded Grupo Ação Lésbica Feminista (GALF, Lesbian Feminist Action Group) which carried on the fight for lesbian human rights in Brazil until it disbanded at the end of 1990. During its years of existence, GALF produced 12 editions of the bulletin *Chanacomchana*. It also participated in international lesbian conferences, such as the Eighth Conference of the International Lesbian Information Service in Geneva in 1986, and the first meeting of Latin American and Caribbean feminist lesbians in Mexico the following year. The willingness of GALF member Rosely Roth to speak out publicly led to increased lesbian visibility on Brazilian radio and television programs at the national level in the mid-1980s.

In 1990, members of the disbanded GALF founded Um Outro Olhar information network. Um Outro Olhar collects



and disseminates information about lesbianism, homosexuality in general, and feminism as a means of raising consciousness about lesbians and attaining the full rights of citizenship. Several other lesbian groups are now in existence in Brazil: Afins (Desire) in Santos; Coletivo de Feministas Lésbicas (Lesbian Feminist Collective), Deusa Terra (Earth Goddess) and Estação Mulher (Women's Season) in São Paulo; Colectivo de Lésbicas (Lesbian Collective) in Rio; and Grupo Lésbico da Bahia (Lesbian Group of Bahia) in Salvador.

These groups focus on both the women's movement and the national and international gay and lesbian movement. Lesbian activism in mixed lesbian and gay groups, such as Dignidade (Dignity) in Parana and Estruturação Structure in Brasilia, has also begun to flourish.

#### CONCLUSION

From this brief overview of the condition of Brazilian lesbians, it can be seen that prejudice still greatly affects the life of many women in the country, depriving them of the basic rights of citizenship. In the large urban centers, there are at least some meeting places, such as bars and clubs, where lesbians can congregate and socialize. Far from the large cities, however, lesbians have few options. For lesbians in the interior of the country there is only the choice between a life lived in secrecy, with little emotional or sexual gratification, or the violence that can result from openly declaring that one is a lesbian.

#### NOTES

1 February 9, 1985, homosexuality ceased to be considered a sexual deviation or psychological disturbance in Brazil. The decision was recognized worldwide by World Health Organization on 1 January 1993.

2 Granado, Luiza, "Vivenciando nossa lesbianidade: saúde mental e gynecológica," *Um Outro Olhar* (São Paulo), No. 21, January-

March 1994, p. 21.

3 "Empresas só aceitam homossexual que 'não dá bandeira' na entrevista," Folha de Sao Paulo, 19 January 1992.

4 "Marido traído matou sapatão com 5 tiros," O POVO (Rio de Janeiro) 30 January 1991, p. 1.

5 Boletim do Grupo Gay da Bahia, N.27, March 1993. Information provided by Luiz Mott.

6 Boletim do Grupo Gay da Bahia, N.27, March 1993. Information provided by Luiz Mott.

7 "Manifestação Gay reprimida por estudantes," Folha de São Paulo, 13 January 1994.

8 "Intercambio 'devolve' americana," Folha de São Paulo, 8 May 1994

9 "Sem ética, programas de religião vendem a salvação como producto," Folha de São Paulo, 5 June 1993.

10 For example, the law proposed by Alderman Italo Cardoso, Worker's Party (PT), which would require information on real estate to be released to all prospective buyers regardless of race, sex, marital status, color, age, appearance, or sexual orientation.

11 On April 12, 1994, Luiz Inácio Lula da Silva, a well-known Brazilian politician and presidential candidate, declared to the church that he was not going to defend the rights to benefits of gay and lesbian couples. Members of the Gay and Lesbian Group of the Worker's Party sent out a bulletin on May 21, 1994, in which they declared that at a national meeting of the party homosexual rights were included in the party's program. "Lula se reúne com presidente da CNBB e diz que reconhecimento dos direitos de homossexuais também não sera tratado," Folha de São Paulo, 13 April 1994.

#### ABOUT THE AUTHOR

Míriam Martinho is co-founder of the first lesbian groups in Brazil: Grupo Lésbico-Feminista (1978-89), Grupo Ação Lésbica Feminista (1989-90) and Rede de Informação Um Outro Olhar (1990 to the present). She was the editor of the lesbian publication Chanacomchana (Woman to Woman) in the 1980s and currently publishes the lesbian magazine Um Outro Olhar (Another Perspective).