



RESEARCH REPORT

MAPPING THE BACKLASH AGAINST WOMEN'S RIGHTS AND GENDER JUSTICE IN THE BOLSONARO ERA (2019-2022) ¹

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ABSTRACT

In January, 2020, the Nucleus of Interdisciplinary Studies on Women – NEIM, of the Federal University of Bahia, initiated a new partnership with the Institute of Development Studies – IDS, and a group of other institutions, to develop the action-research program, *Countering the Backlash project, Reclaiming Gender Justice*, in our countries. One of the venues of this research was the mapping of policies and practices regarding these issues throughout the life of the program (which, given the delays caused by the Covid 19 pandemics, will run for six years). Thus, after undertaking a literature review of such issues in Brazil, we chose to map and analyze four areas in which the backlash – and the counter-backlash – against women's rights and gender justice have been especially intense during the period of the Bolsonaro government in Brazil (2019-2023): a) conditional cash transfers; sexual and reproductive rights; gender-based violence; and education and culture (Sardenberg; Mano; Sacchet, 2020). In this report, we bring an updating of policies and practices on these issues, covering the period between May, 2021, through July, 2022. This corresponds still to the period of the Covid-19 pandemics, but one in which vaccines to combat it were available and applied free of cost to all the population that sought it. Yet, as we shall see ahead, it was a period still marked by unemployment, famine, increased rates of violence

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against women, particularly domestic violence, and an anti-gender standing on the part of government and institutional violence against women's sexual and reproductive rights.

Key words: Backlash Against Women's Rights; Conditional Cash Transfers; Sexual and Reproductive Rights; Gender Based Violence; Anti-Gender Ideology in Education

RESUMO

Em janeiro de 2020, o Núcleo de Estudos Interdisciplinares sobre a Mulher – NEIM, da Universidade Federal da Bahia, iniciou uma nova parceria com o Instituto de Estudos do Desenvolvimento – IDS, e um grupo de outras instituições, para desenvolver um programa de pesquisa-ação sobre combatendo a reação contra os direitos das mulheres e a justiça de gênero em nossos países. Um dos caminhos dessa pesquisa foi o mapeamento de políticas e práticas sobre essas questões ao longo da vigência do programa (que, devido aos atrasos causados pela pandemia de Covid 19, terá duração de seis anos). Assim, após realizar uma revisão da literatura dessas questões no Brasil, optamos por mapear e analisar quatro áreas em que a reação – e a contra-reação – contra os direitos das mulheres e a justiça de gênero foram especialmente intensas durante o período do governo Bolsonaro em Brasil (2019-2023): a) transferências monetárias condicionadas; direitos sexuais e reprodutivos; Violência baseada no gênero; e educação e cultura (Sardenberg; Mano; Sacchet, 2020). Neste relatório, trazemos uma atualização das políticas e práticas sobre essas questões, abrangendo o período de maio de 2021 a julho de 2022. Corresponde ainda ao período da pandemia de Covid-19, mas em que as vacinas para combatê-la foram disponibilizados e aplicados gratuitamente a toda a população que os procurou. No entanto, como veremos adiante, foi um período ainda marcado por desemprego, fome, aumento dos índices de violência contra a mulher, principalmente violência doméstica, e postura antigênero por parte do governo e violência institucional contra os direitos sexuais e reprodutivos das mulheres .

Palavras-Chave: Reação Contra os Direitos da Mulher; Transferências Monetárias Condicionadas; Direitos Sexuais e Reprodutivos; Violência baseada no gênero; Ideologia anti-gênero na educação

INTRODUCTION

In January 2020, the Nucleus of Interdisciplinary Studies on Women – NEIM, of the Federal University of Bahia, initiated a new partnership with the Institute of Development Studies – IDS, and a group of other institutions from different countries,⁵ to develop the action-research program, *Countering the Backlash, Reclaiming Gender Justice*, in our countries. One of the focuses of this research was the mapping of policy and practices regarding these issues throughout the life of the program (which, given the delays caused by the Covid 19 pandemics, will run for six years). Thus, after undertaking a literary review of such issues in Brazil, we chose to map and analyze four areas in which the backlash – and the counter-backlash – against women’s rights and gender justice have been especially intense during the period of the Bolsonaro government in Brazil (2019-2023): a) conditional cash transfers; b) sexual and reproductive rights; c) gender-based violence; and f) education and culture (Sardenberg; Mano; Sacchet, 2020).

In this report, we bring an updating of policies and practices on these issues, covering the period between May, 2021, through July, 2022. This corresponds still to the period of the Covid-19 pandemics, but one in which vaccines to combat it were available and applied free of cost to all the population that sought it. Yet, as we shall see ahead, it was a period still marked by unemployment, famine, increased rates of violence against women, particularly domestic violence, and an anti-gender standing on the part of government and institutional violence against women’s sexual and reproductive rights.

In our work, we consider ‘backlash’ as those negative reactions against the advancement of gender equality and women’s rights in defense of the patriarchal power structure, which, as known, has generally favored white men of the upper classes. Counter-backlash, in turn, are actions on the part of women and other subordinated segments to repeal, redress and reconquer the lost ground, the strength and success of these countering actions being depended on the intensity of the backlash in question, and, more importantly, on their strength and capacity to mobilize.

It should be noted that the backlash against women's rights/gender equality in Brazil, observed in the last fifteen years or so, is part of a growing trend led by the far

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right, imposing conservative and authoritarian values the globe, which affect human rights in general and women's rights in particular. In Brazil, as it will be seen in the following sections, this trend became particularly marked with the election of Jair Bolsonaro in 2018. He governed with the support of far-right and religious fundamentalist groups, who waved the flag of “moral panic”, supposedly in defense of Christian values, despite lashing against feminists, women’s and LGBTQUA+’a rights.

His government was disastrous during the COVID-19 pandemics, leading to more than 700.000 Covid-related deaths, and to placing Brazil back in the “hunger maps”, with millions of families facing extreme poverty.

1. Poverty, Hunger, and Conditional Cash Transfers

Indeed, poverty in Brazil deepened and increased considerably in the period here examined, hitting women and children the hardest. A combination of an economic, political and health crises, driven by the Covid-19 pandemic, and inadequate policy decisions by the government has resulted in more than 47.3 million Brazilians ending the year of 2021 in poverty and another 20 million in extreme poverty. This meant, according to data of IBGE's Continuous National Household Sample Survey, that between 2020 and 2021 the proportion of people living in poverty rose by 42,1%.⁶

A direct effect of this increase in poverty has been famine. According to the Penssan Network (Brazilian Network for Research on Food and Nutrition Sovereignty and Security), in 2022, 33.1 million Brazilians were suffering from hunger and 125.2 million were experiencing some degree of food insecurity as a result of not having full access to food every day.⁷ These rates match those of the 1990s, that is, before policies specifically designed to fight poverty were in place.

Women were the group most directly affected by this growth in poverty and hunger. According to Penssan Network, between 2020 and 2022, while households headed by women had an increase in hunger from 11.2% to 19.3%, those headed by men had an increase from 7.0% to 11.9%. Children were also strongly impacted. In households with children under 10 years of age, hunger increased from 9.4% in 2020 to 18,1% in

⁶<https://www1.folha.uol.com.br/mercado/2022/06/23-milhoes-de-pobres-vivem-com-menos-de-r-7-ao-dia-no-brasil.shtml>

⁷<https://pesquisassan.net.br/2o-inquerito-nacional-sobre-inseguranca-alimentar-no-contexto-da-pandemia-da-covid-19-no-brasil/>

2022. Thus, data evince a context of rising vulnerability, particularly amongst members of groups that are usually hit harder by economic, social and health hazards.

During the years of the pandemic, we saw the government trying to politically profit from policies implemented only as a result of strong pressure from social groups and political opponents. When the pandemic started Bolsonaro proposed to create an emergency aid for people who were unable to work, at a very low rate. The *Auxilio Emergencial*, as it was called, amounted to a voucher of BRL 200 per family, paid for three months only. But, as a consequence of social and political pressure, the value of the stipend went up to BRL 600 for people in general, and to BRL 1.200 for single mothers and it was extended to five months.⁸ Then when it was about to stop, even though the pandemic was at its highest and social isolation protocols were still in place in most cities, the government faced a new round of mobilization and it extended the payment for three more months, although its value was cut in half for both groups (single mother BRL 600 and other people BRL 300). In January 2021, when a new wave of the pandemic was hitting Brazil hard and social and economic conditions in the country were still chaotic, to say the least, *Auxilio Emergencial* came to a halt for a period of three months. It was then restored at a lower value for seven more months. In all these occasions pressure from social and political agents prevented the *Auxilio Emergencial* from being extinguished, but the government tried to politically profit from the situation by publicizing as his own initiatives he had first actively countered.

Auxilio Emergencial made levels of poverty drop to historical levels. But when it was stopped for three months levels of poverty escalated again in the country. With the end of *Auxilio Emergencial*, in October 2021, only people in Bolsa Familia, which existed alongside *Auxilio Emergencial*, were entitled to cash transfers. *Auxilio Emergencial* covered 33 million families, while Bolsa Familia only 17 million ones. So, with the end of *Auxilio Emergencial* a large number of poor families became unassisted by the State amidst a context of widespread high unemployment and inflation rates.

Important to highlight the role concerted actions had in extending the Emergency Aid consecutive turns and promoting a better paid cash transfer scheme. When the

⁸ It is worth mentioning that the Emergency Aid could only be adopted because the Federal Constitution of 1988 (which secured a number of social rights fought for by civil society groups through specific mechanisms of popular participation, and as a consequence was nicknamed “citizenship constitutions”) and normative regulations that followed from it, accounted for the creation of emergency social protection schemes.

pandemic started and the government proposed a very low-income transfer, nearly 300 social organizations coalesced around a campaign called “The Basic Income We want” to fight for a higher value of stipends and a better policy design. Besides bringing to the fore the debates and arguments in favor of a permanent basic income program (instead of a minimum income one), this campaign managed to organize a strong mobilizing coalition and to employ an array of strategies that were successful in pushing parliamentarians and the government to take onboard their demands, managing as a result both to increase the amount of the stipend paid and the length of time it was paid for.

In terms of mobilizing strategies, the first time they came together, when the BRL 200 voucher was proposed by the government, campaigners organized an on-line petition, which in just three days managed to gather 430,000 signatures. They published articles and gave information for reports on the issue to communication vehicles of national circulation, such as *Folha de São Paulo*, *Estadão* and *O Globo*, managing to highlight specific issues in the debate and their claims. They also built a strong coalition with Left-wing representatives in Congress and with State governors, having one of them, Flávio Dino, the Governor of Maranhão, as their focal point and closer ally. Liaison with the Women’s Secretariate in the House of Representatives was paramount in managing to double the amount paid to single mothers.

When *Auxílio Emergencial* stopped in January 2021 a new round of mobilizations started. This time 11,000 e-mails reached Federal Representatives and more than 2,000 phone calls were made to party leaders (Renda Básica que Queremos, 2020). A petition was signed by more than 65,000 people and then was handed to the president of the National Congress by leaders of the coalition. A “twittaço” (massive twitting), they organized and which was supported by high-profile public figures, was among the trending topics on twitter. They recruited young artists to design creative posters which were then placed in public spaces of larger cities; they lobbied and made alliances with high profile politicians of the opposition. Sixteen of twenty-seven State governors signed a letter defending the continuation of the Emergency Aid. These events and the movements demands were publicized in more than 50 newspapers (Renda Básica que Queremos, 2020). They also coordinated with the local, periphery and community alternative media, which through their community radio, papers and so on, helped give the campaign capillarity. Thus, besides reaching the policy and civic spaces through publicity in the alternative and mainstream media, the campaign was also able to expand

knowledge about their claims and raise support to their demands in popular spaces. As such, the pandemic offered a window of opportunity for civil society activists to coordinate actions with political allies in parliament, the States and the media to put pressure in the government to approve better Emergency Aid and to defend an alternative policy scheme in the format of a basic income.

Bolsa Familia was eventually extinguished in November 2021, being then replaced by *Auxílio Brasil*. With *Bolsa Familia* went a number of other supporting initiatives to train and help family members to find paid employment, such as *Pronatec*, or to support beneficiary mothers through a specific childcare policy and fulltime education for children, such as *Brasil Carinhoso*, and they were replaced by poorly designed ones. For example, some programs that were supposedly designed to help people find work were conditioned on them being employed. This was the case with the Urban Inclusion Aid, established to encourage entrepreneurship, microcredit and entry into the formal job market, but which required proof of finding a job, so as to get the State off the hook concerning its responsibility for creating jobs opportunities. As a consequence of the gender division of labor and the fact that women are the majority of those in informal positions and to be sent home from work in times of economic crisis, they tend to be penalized the most. In addition, throughout Brazil there is dramatic shortage of places in public day care centers, which contributes to the non-insertion of women in the formal labor market.

A program called Citizen-Child (*Criança Cidadã*) has been the government's response to lack of vacancies in public daycare centers. It provided a voucher in the amount of BRL 200 to BRL300 per child aged 0 to 48 months, for single-parent families, to provide for day care service in private institutions. It replaced *Brasil Carinhoso*, a program that had been in force since 2012 and which transferred federal funds to municipalities for both the construction of public daycare centers and the creation of new vacancies in existing ones with specific incentives when catering for beneficiaries of *Bolsa Familia*. Programs such as *Criança Cidadã* in other countries like Chile have contributed to reinforce inequality among children by inducing the creation of a low-cost and low-quality private sector to provide for children of poor families. This program leaves it up to the families, in fact mothers, to find care for their children in the market for the low value voucher provided by the government. What makes matters worse is that to be entitled to receive this voucher mothers have to be formally employed.

Because *Bolsa Familia* was closely associated with PT, *Auxilio Brasil* was instituted in 2021 to replace it, and it had clear electoral intentions. Before becoming President, Bolsonaro had openly manifested his views against income transfer policies arguing that they made people lazy and that governments should instead push people to fend for themselves. Income transfer policies were subjected to full frontal attack by him, who argued they provided an incentive for families to have children in order to get more money from the State. If at all, it should only be granted under conditions related to “birth control”. These were arguments put forward by Bolsonaro when as a Federal Representative; in fact, in 2000, he was the only member of parliament to vote against the institution of a cash transfer benefit, *Bolsa Escola*, that was afterwards incorporated into *Bolsa Familia* upon its creation. But when in power as a president he had to be more subtle concerning his views of receivers of *Bolsa Familia*, so his power had to be exercised in more hidden ways. But still, it became quite evident that he drastically reduced investment in social assistance, made it more difficult for people both to have access to and to remain in *Bolsa Familia*, particularly people from the Northeast Region that had strongly favored his opponent from PT, the Workers’ Party in the 2018 elections (Sardenberg; Mano; Sacchet, 2021). The neoliberal perspective of a minimum state was clearly the driving force behind governmental decisions. In such a situation of cuts in public investment in social services and childcare policies, the poor, who consist primarily of blacks and women, who are the main beneficiaries of this program, had to pay the highest prices.

However, in the electoral year of 2022 Bolsonaro framed his newly created *Auxilio Brasil* from a different perspective: as a right citizens should be entitled to. Here is when we see a combination of power dimensions at play. The new cash transfer scheme implemented paid higher amounts to people in poverty, but it paid the same amount to families irrespectively of the number of people in them. It was set up to stop in December, 2022, that is, two months after general elections. Average transfers to families in *Bolsa Familia* were of BRL 200 (and payment was proportional to the number of family members), but *Auxilio Brasil* started paying a flat rate of BRL 400, and then three months before elections, after opinion polls indicated the eminent victory of his opponent ,Luiz Inácio Lula da Silva, already in the first round of the election, it was raised to BRL 600 in an attempt to win over votes from women and poor people, who the opinion polls showed to be the less likely to vote for him. The increase in the benefit to BRL 600, illegal

otherwise given the proximity of the elections, was managed through a number of political maneuverings and alliances with a right-wing caucus (the *centrão*) and individual politicians in parliament. Thus, the government had visible power to coordinate a political alliance so as to avoid the limits imposed by the national constitution and increase the amount of cash transfer with the (hidden) intention of electorally benefiting from it. That is to say, visible and hidden power were at play here. However, when framing his reasons for this increase as a means of promoting the right of people to have access to a descent basic income, Bolsonaro's intention was to lead them into believing he cared for the disadvantage, women in particular, as they were the large majority of those entitled to the stipend (93%), invisible power was at play.⁹

In the past couple of years changes have also been seen in the ways mechanisms created to better monitor and understand social constraints have been approached. One such change was seen in relation to the Single Registry for Social Programs of the Federal Government (Single Registry, or *Cadastro Único*), which, built along the years, was a registry meant to be the gateway to social policies, important to help the government to map and better understand the conditions of low-income families and to provide them with more adequate assistance. It was established in 2001, but it gained visibility and relevance with the creation of *Bolsa Família*, in 2003, being the source of identification of the program's beneficiaries. The Single Registry gathers information on families with a monthly income of up to half a minimum wage per person and three minimum wages per family. Women are the majority of those registered in it as the person responsible for the family unit. As such, they are more easily granted access to other social programs related, for instance, to housing, discount on electricity bills and access to electricity in rural areas, job qualification and so on. The updating of the Single Registry with reliable information on family units was designed to be the main informational tool for governments of the three federative levels.

The Bolsonaro government has always claimed that the implementation of cash transfer policies needs simplification, which actually, in tune with the neoliberal perspective of the minimum State, meant reducing spending and collapsing a whole supporting system that has been in place to cater for the needs of the most vulnerable more effectively. This has been evinced in the drastic reduction of the budget for social security. In 2020, the federal government cut 67% of the resources destined to services

⁹ For a discussion of different forms of power, such as 'hidden' power, 'invisible' power, etc. see...

provided by social assistance (Fonseas, 2020). Thus, besides neglecting and trying to dismantle the Single Registry it has also underinvested in the Social Assistance Network which organizes the entire social protection system.

For the Emergency Aid program, the government chose to abandon the main structure of social assistance, which is the Referencing Center in Social Assistance (CRAS), and which is responsible to run the Single Registry at the local levels. Instead of using the existing system it carried out registrations via a mobile app linked directly to the bank paying the benefit – the *Caixa Econômica Federal*. However, in 2022, the whole database generated through the information collected via cellular app was abandoned and people were again required to go back to the Single Registry to apply for *Auxílio Brasil*, creating great confusion and distress among people. The growing number of people in situations of extreme social vulnerability has made people spend days and nights in lines in front of CRAS to register. Most of these people are women, and many of them have to carry their children to the waiting line.

In addition to the fact that issues related to social vulnerability and poverty tend to impact women the hardest, a number of other issues related to the ways cash transfer policies have been planned contribute to worsen the situation for them. A well-known critique of feminists to conditional cash transfers refers to the fact that women are included in these programs for their role as mothers (what Molyneux has termed “mothers at the service of the State”) and, as such, the fact that they are made to comply with conditionalities related to children’s health and education reify traditional gender roles. Thus, feminists have claimed that cash transfer programs rely on women's social capital and on the role women have traditionally performed in social reproduction (Molyneux, 2006; Tabbush, 2010; Sacchet, 2021), hindering their opportunities to participate on equal grounds with men in the public sphere of politics and work (Sacchet, 2021). In this sense, although money transferred to women might be good for them in distributive terms, it is limited in helping both change unequal cultural norms concerning gender relations that discriminate and oppress women, limiting their presence and influence in public spheres.

Women were more than 90% of *Bolsa Família* card holders. In this program conditionalities referred to a complete vaccination card for children under 5 years of age, minimum school attendance of children and adolescents, and prenatal care by pregnant women. During pandemic conditions for receiving both *Bolsa Família* and *Auxílio Emergencial* were abolished, for obvious reasons. But now, *Auxílio Brasil* seems not only

to have reinstated the old ones but also created new rules for entitlement to programs that were previously freely accessed. For example, access to vouchers of day care centers are now conditioned to proof of formal employment.

Neither *Bolsa Familia*, nor *Auxilio Brasil* had women's interest and gender justice at the core of its policy design and objective. However, both schemes have given priority to women in terms of entitlement to cash transfers thus being central in considering setbacks concerning gender relations, particularly among poor black women. For all that has been said here and for many other reasons related to the backlash on gender, it is unlikely that *Auxilio Emergencial* will progress into being any more effective in terms of helping create a more gender balanced political culture where gender roles are destabilized. Besides, greater fiscal austerity, cuts in social spending and high inflation is likely to help worsen the living conditions of women, particularly black women, and increase their vulnerability both in the private and the public spheres.

2. Gender Based Violence (GBV) under the Covid-19 Pandemics and the Bolsonaro Pandemonium

Since March 2020, when the World Health Organization – WHO declared the Covid-19 pandemics, social distancing measures have been at play throughout most countries, Brazil including. And as it so happens in most of these countries, so too in Brazil these measures have had impairing repercussions in interpersonal relationships, especially between intimate partners and between parents and their children, as well as other close relatives sharing the same domestic space. Indeed, the surge of cases of domestic violence in the context of the pandemic has indicated that the home is often not the desired loving space, but rather a place of fear and abuse (Marques, et al, 2020).¹⁰

Indeed, data pertaining to the period of the pandemics in Brazil indicate that the situation regarding domestic violence against women, children, and adolescents has continued to grow in this period (Bohnenberger; Bueno, 2021; Cerqueira et al, 2021).¹¹ There has been a surge of gender-based violence of all types and in all spheres, resulting not only from the stress and confinement that the pandemics has implicated, but also to

¹⁰ MARQUES, Emanuelle, et al. A violência contra mulheres, crianças e adolescentes em tempos de pandemia pela COVID-19: panorama, motivações e formas de enfrentamento. *Cad. Saúde Pública* 2020; 36(4):e00074420

¹¹ Data computed and analyzed by the Forum of Public Security, which is the agency responsible for reporting these data, pertaining to 2022, will only be available on 2023.

the neo-fascist environment created by the Bolsonaro government. While on the one hand this government foments a moral panic on Christian fundamentalist lines, on the other, spills hatred and intolerance, promoting a gun-culture and, as such, contributing to the escalation of violent acts throughout Brazil.

As shall be seen, an important aspect of the Bolsonaro-led backlash on the important advancements on women's, Lesbians, Bisexuals, Transvestites, Trans, Asexuals, Pansexuals and others- (LBTAP+'s), blacks', and human rights in general, has taken the form of considerable slashes on budgets allocated to assist victims of violence, and worse still, in a drastic under-spending of what was left of those cuts .

It is import to stress, however, that Brazilian society has not taken backlash lightly. In what follows, we will bring some high-profile cases which have gathered support for the victims through social networks, suggesting how strength in numbers, in so-called 'popular spaces', can engage social organizations and social movements active in the 'civic spaces', so as to bring positive changes in 'policy spaces.' These cases suggest, as well, how mobilizing in terms of 'power with', promoting collective actions, remains as the most effective tool in countering backlash.

Before moving into a discussion of the cited high-profile cases, we will provide an update of data regarding the rise of gender-based violence in its different forms during the period in consideration (2020-2022).

According to data from Ligue 180 – a national access line to report cases of gender-based violence in Brazil - already in the first month of social distancing in the country, there was an increase of about 17% in the number of calls reporting cases of violence against women. In Rio de Janeiro, data from the State Prosecutors' Office revealed a 50% increase in domestic violence cases in the first weekend after the state decreed the proposed social distancing, most of the cases referring to violence against women. Likewise, in Paraná, there was a 15% increase in domestic violence instances recorded by the Military Police during the first weekend of social distancing, with similar situations being reported in the states of Ceará, Pernambuco and São Paulo (Marques et al, 2020).

Increases on cases of domestic violence were also reported by the network of institutions geared to protecting women, children, and adolescents in Brazil, even if social distancing has resulted in lower visibility of violent situations, not only due to the recommendation to stay at home, but also to the closing or shortening the working hours

of protection services, such as the women's police station, councils for children's protection, schools, etc. They call attention to the fact that in scenarios of domestic violence against women, in most cases, there is also violence against children and adolescents (Marques et al, 2020; (Bohnenberger; Bueno, 2021; Cerqueira et al, 2021).

As noted, so far, the existing information regarding gender-based violence indicates that domestic violence against women, children, and adolescents has continued to grow in this period. For instance, recent statistics compiled by the Ministry of Women, Family and Human Rights - MWFHR showed that in the first semester of 2022, there were 4,486 complaints registered regarding sexual violence against children and adolescents through Call 180/ Dial 100. In 2021, 18,681 complaints were received by the National Human Rights Ombudsman. The Brazilian Public Security Forum¹² also informed that, in 2021, 56,098 reports of rape of girls and women were registered. This means that, in 2021, a girl or woman was a victim of rape every 10 minutes, this data referring only to cases that have been registered by law enforcement authorities. This situation is particularly worrisome since, as we shall discuss ahead, access to legal abortions in Brazil, which is already narrow, has become even more difficult under the Bolsonaro government.

For now, it is important to observe that, according to a survey published in 2021,¹³ one in each four women interviewed reported having suffered some form of violence (physical, sexual, psychological, etc.) in the previous year, a proportion which represents about 17 million women in situations of violence in the country. To be sure, whereas in 2020 there was a total of 1,352 officially recorded femicides in the country, in 2021, this number had fallen to 1,319, representing a decrease of 2,4% in the number of victims. However, the ratios presented were still quite high: in 2021, the average was one woman victimized by femicide every 7 hours!

Not surprisingly, the research survey "Domestic and Family Violence against Women" developed by the DataSenado Research Institute (BRASIL - Senado Federal 2021), carried out in partnership with the Observatory of Women against Violence (OMV), concluded that the percentage of women who perceive an increase in violence

¹² Available at: <<https://forumseguranca.org.br/wp-content/uploads/2022/03/violencia-contra-mulher-2021-v5.pdf>>. Access on June 28 2022.

¹³ Relatório Visível e Invisível: A vitimização de mulheres no Brasil - 3ª Ed. 2021. Available at : <<https://forumseguranca.org.br/wp-content/uploads/2021/06/relatorio-visivel-e-invisivel-3ed-2021-v3.pdf>> Access on: 06 June 2022.

committed against females in 2021 followed an ascending line, totaling 86% of the interviews, while for 10% violence against women remained the same in the last 12 months, and 2% indicated that there seemed to be a reduction.

Despite these dire statistics, the expansion and intensification of the Covid-19 pandemics in Brazil and its consequences, such as the increasing numbers of instances of domestic violence here mentioned, have been met by negligence and omission on the part of the Bolsonaro government. An analysis of the budget for public policies for women for the period 2019 to 2021, produced by the Institute of Socioeconomic Studies (Inesc), showed that, in 2022, the MWFHR allocated the lowest budget to policies for women since the beginning of the Bolsonaro administration.¹⁴ In other years, resources allocated to women's policies were not fully spent. According to Inesc, when the resources destined to public policies are not spent, this means a violation of human rights. In the same report, Inesc informed that such a violation occurred in 2021: 70% of the resources devoted to the fight were “left over”, representing R\$93.6 million. This amount was not allocated to states and municipalities to finance the women's service network, as it was prescribed (INESC, 2022). In reply to media exposure of this information, President Jair Bolsonaro claimed that “the fight against violence against women in Brazil is a matter of women's attitude, behavior change and not money”.¹⁵

A survey carried out by the digital journal *Gênero e Número* (2022)¹⁶, based on data from the Federal Government's Integrated Planning and Budget System (SIOP), showed that the MWFDH prioritizes the Ligue (Dial) 180 program/100. Dial 180 is a toll-free telephone service that registers complaints of violations of women's rights. On May 23, 2021, it was integrated into Dial 100, which receives complaints of all human rights violations.¹⁷ However, this aggregation can represent a weakening of the Dial 180 when agglutinating the services, without prioritizing women. Yet, it is precisely this program/service that receives the largest allocation of resources from the MMFDH. In 2021, while 17.45 million reais were paid to Ligue 180/100, no amount was earmarked

¹⁴ Available at : <https://www.inesc.org.br/wp-content/uploads/2022/03/8-de-Marco_Orcamento.docx.pdf>. Access on: 06 June 2022.

¹⁵ Available at: <<https://brasil.estadao.com.br/noticias/geral,nao-e-dinheiro-e-postura-diz-bolsonaro-apos-reduzir-verba-de-combate-a-violencia-contra-a-mulher,70003185966>>. Access on: 06 June. 2022.

¹⁶ Available at: <<https://www.generonumero.media/orcamento-mulheres-2022/>>. Access on: 28 June 2022

¹⁷ Available at: <https://www.gov.br/mdh/pt-br/direitoshumanosparatodos/disque-100-e-ligue-180> Accessed on 10 September 2022.

for the payment to support the implementation of the *Casa da Mulher Brasileira* and *Centros de Atendimento à Mulheres*, which were programs created during President Dilma Rousseff's government, despite the resource allocation of 6,04 million reais for that purpose. As for services to assist women in situations of violence, 2.56 million reais were allocated, but with execution of only 200 thousand reais in 2021 (Gênero e Número, 2022).

For 2022, the federal government provided 29.5 million reais for Dial 180/100, but only around 6 million reais to support the implementation of the *Casa da Mulher Brasileira* and the *Women's Service Centers* and, finally, a million and a half reais to assist women in situations of violence. This highly unequal budgeting supports the notion that efforts to combat violence against women *lato sensu* have moved towards a policy of expansion of the Penal State, a concept by Loïc Wacquant, used by Beatriz Malcher (2016) to describe marriage between part of feminist criminology with a neoliberal logic of individualizing the social responsibilities of the state, contributing, on one hand, to the reduction of social policies and, on the other, to the expansion of the state's penal apparatus, either through laws to increase penalties, or through a policy of encouraging freedom-restricting penalties.

Unfortunately, in this way, the legislators abandon the paradigms established by the Maria da Penha Law - Law nº 11.340, of August 7, 2006, which, in 2021, completed 15 years, and has received positive reviews in combatting domestic and family violence against women, linking it to an autonomous legal system governed by its own rules, as well as to the construction of a comprehensive system in the treatment of domestic violence (Campos and Carvalho, 2011).

Let it be noted that in response to outcries by women's and feminist organizations, and the pressure from feminist legislators in both Houses of Congress, Law No. 14,188, of July 28, 2021, was passed, instituting the "Red Signal Program against Domestic Violence". This program establishes cooperation among the Executive Branch, the Judiciary, the Public Ministry, the Public Defender's Office, and public security bodies with private entities participating in the program, in order to establish a communication channel so as to provide assistance and security to the victim, from the moment the complaint is made through the code "signal in X", preferably handmade and in red. On the same occasion, the crime of psychological violence was typified, in the following terms:

Cause emotional harm to the woman that affects and disturbs her full development or that aims to degrade or control her actions, behaviors, beliefs and decisions, through threats, embarrassment, humiliation, manipulation, isolation, blackmail, ridicule, limitation of the right to go and come or any other means that causes harm to their psychological health and self-determination. (BRAZIL, 2021)

The typification provides for imprisonment, from 6 (six) months to 2 (two) years, and a fine if the conduct does not constitute a more serious crime. A qualification was also created for the crime of bodily harm if it is committed against a woman, for reasons of the condition of the “female sex” (sic.).

When we turn to the issues regarding violence that affects LBTAP+, the scenario of lacking public policies and insufficient allocation of funds is repeated. Indeed, based on data obtained through the Access to Information Law (LAI), Guilherme Amado, a writer for *Época*¹⁸ magazine, has reported that, in the period between January 1 and December 7, 2020, the Federal Government did not spend any money of the R\$4.5 million budgeted for the Directorate of Policies for the Promotion and Defense of LBTAP+ Rights!

Not surprisingly, there was a surge in cases of violence against the trans and transvestite population. According to the National Association of Transvestites and Transsexuals (Antra)’ “Annual Dossier Murders and Violence against Transvestites and Transsexuals”,¹⁹ during 2020 and 2021, 315 trans people were murdered in Brazil. In 2020, 175 homicides were committed against trans people and, this year, all deaths were of transvestites and transgender women. In 2021, five of the 140 murders were against trans men and transmale people, whereas the remaining 135 victims were transgender and transvestite women, corresponding to about 96.4% of the total number of transsexual people murdered.

Due to the imposition of social distancing, although in the beginning of 2020 there was a 42% increase in murders compared to the previous year, in 2021 there was a 20% drop. The Brazilian states where there are more deaths of trans people are São Paulo, in first place; Bahia in second place, and Rio de Janeiro in third place. Indeed, the Southeast and Northeast regions of the country concentrate the highest numbers of murders of

¹⁸ Available at: <https://oglobo.globo.com/epoca/guilherme-amado/damares-nao-usou-verba-para-politicas-lgbt-em-2020-24828323>. Access on: 28 June, 2022.

¹⁹ Available at: <<https://antrabrasil.files.wordpress.com/2022/01/dossieantra2022-web.pdf>>. Access on 28 June 2022.

transgender people. In 2020, 43 murders were recorded in the northeast region and 34 in the southeast region. In 2021, 34 murders were recorded in the northeast region and 35 in the southeast region.

The profile of the victims' points to an overwhelming majority of blacks and browns: a percentage of 81%. In 2020, black and brown women represented 78% of those murdered. Also, according to the Dossier, there is a substantial difference in the type of sexual violence committed against trans women: while cisgender women are raped mostly in the domestic environment, transgender women are raped in public spaces. In 2021, crimes committed in public places accounted for 77.5% of murders of trans women, while in 2020 this percentage was equal to 71%

Among the institutional initiatives to reduce transphobic violence, stands out the one by councilor Erika Hilton, who presided over the São Paulo City Council's Parliamentary Inquiry Commission on Violence Against Trans and Transvestites. It investigates in a multifactorial way the elements that generate violence against the trans and transvestite population.

In contrast, homo-transphobic attitudes on the part of President Jair Bolsonaro and his entourage have not only 'encouraged' but incited this type of behavior. In point of fact, in October, 2018, again, he declared that he was proud to be a "homophobic".²⁰ And recently, on July, 2022, as reported by the daily *Folha de São Paulo*, the main newspaper in Brazil, he was recorded affirming that "Johnny should remain as Johnny for his entire life", and "Mary as Mary":

President Jair Bolsonaro (PL) made a speech on Wednesday night (13) loaded on the customs agenda, with homophobic and transphobic expressions, in Imperatriz (MA), when receiving a commendation at an evangelical event — a segment that is a of his bets on the reelection campaign. He defended that "Joãozinho be Joãozinho all his life", that "Mariazinha be Maria all his life" and repeated that his family model is composed of "man, woman and offspring". In defending barring bills that are not conservative, he said that during the Lula (PT) government there was an attempt to "deconstruct heteronormativity". "What we want is for Joãozinho to be Joãozinho for life. Mariazinha to be Maria for life, for them to constitute a family, for their character not to be distorted in the classroom."²¹

²⁰<https://catracalivre.com.br/cidadania/sou-homofobico-sim-com-muito-orgulho-diz-bolsonaro-em-video/>

²¹<https://www1.folha.uol.com.br/poder/2022/07/bolsonaro-adota-fala-homofobica-e-defende-que-joaozinho-seja-joaozinho-a-vida-toda.shtml>

In response to Bolsonaro's homophobic expressions, on July 14, 2022, Councilwoman Erica Hilton (PSOL-SP), of the City Council for the City of São Paulo, "filed a criminal complaint with the STF (Federal Supreme Court) against Bolsonaro, on the grounds that the president's speeches have an "obvious homophobic and transphobic character".²²

Contrary to what happened in other cases, petitions in support of LGBTQIA+ victims of violence have yet to raise an outcry on similar terms. Nonetheless, since June 13, 2019, homo-lesbo-transphobia has been criminalized by the Supreme Court by equating it to racism and, as such, making it a crime, inserted in the Law of Racism (7.716/1989), now applied to Bolsonaro.

Since the coup that ousted President Dilma Rousseff in 2016, much attention has been paid to instances of gender-based political violence, which rose to unexpected heights with the assassination, in 2018, of Councilwoman Marielle Franco and her driver, by militia men connected to President Bolsonaro and his sons. To this day, although the killers have been found and jailed, those behind it have yet to be appointed and prosecuted.

Marlise Matos²³ (2020) investigated political violence in Brazil during the 2020 municipal election process, identifying and categorizing as well other types of manifestations in addition to political gender violence, such as racist political violence, homophobic political violence, and intersectional political violence. A study carried out by the Marielle Franco Institute²⁴ indicated that black women are more vulnerable to political violence. According to the survey, which investigated political violence against black women candidates in the 2020 elections, all of them had suffered some type of violence, 78.1% of those interviewed having suffered violence online. The survey also looked at institutional violence, revealing that 32% of respondents received less funding from their political parties than what was allotted to their male counterparts. As for racist political violence, 52% of black women interviewed stated that they had suffered racist attacks both during as well as after the electoral process.

²² <https://www1.folha.uol.com.br/poder/2022/07/bolsonaro-adota-fala-homofobica-e-defende-que-joaozinho-seja-joaozinho-a-vida-toda.shtml>

²³ The complete study was published in: MATOS, M. Definindo violências e a Violência Política de Gênero e Contra as Mulheres. In: D'ÁVILA, M. (Ed.) Instituto E se fosse Você? Porto Alegre, 2021 p. 219-224.

²⁴ Instituto Marielle Franco is an organization that continues the legacy of Marielle Franco, a victim of political femicide in 2018. The complete survey can be accessed on the platform <https://www.violenciapolitica.org/>. Accessed on Jun 29 2022.



Regarding political violence against LGBTQIA+, the organization VoteLGBT²⁵ conducted a survey on the agenda, where 29% of the people interviewed, who ran for office in the 2020 elections, said that they had suffered attacks because of their gender identity, 49% reporting that they had suffered attacks because of their sexual orientation. The most voted woman in the 2020 elections in the city of São Paulo was a transgender woman, Erika Hilton (PSOL), who reports that, since the electoral process, she has been a constant target of political gender violence.

AZMina Magazine, through the MonitorA platform,²⁶ followed the electoral process for mayor of Porto Alegre, Rio de Janeiro, Salvador and São Paulo in the 2020 elections for mayors and municipal councils. Manuela D'avilla, who ran for mayor of Porto Alegre by the Communist Party of Brazil (PCdoB), and Joice Hasselmann, who was running for mayor of São Paulo by the Social Liberal Party, even though she supported Jair Bolsonaro for president in 2018, both self-declared white, suffered more misogynistic attacks during the election period than any other women, being constant targets of fake news.

During the same elections held in 2020, Benedita da Silva, who was running for mayor of Rio de Janeiro by the Workers' Party (PT) and Olívia Santana (PCdoB), who was running for mayor of Salvador, self-declared black, suffered more racist attacks. The research highlighted how racism and sexism operate within electoral processes in Brazil, with social networks as the most vulnerable space for women candidates.

As a response to social media campaigns following indignation with the level of violence directed to women candidates, Law No. 14,192 of August 4, 2021, was enacted, amending Law No. 9,096, of September 19, 1995 (Political Parties Law). It criminalizes political violence against women, while ensuring the participation of women in electoral debates in proportion to the total number of candidates in each instance.²⁷

The Law passed on political violence is still very recent and has not yet gone through any electoral process – this October 2022, will be the first. Therefore, it is not yet possible to analyze its impacts. However, to protect themselves and their families, some

²⁵ The complete survey can be accessed on the organization's site: <https://votelgbt.org/pesquisas>
Accessed on Jun 29 2022.

²⁶ Revista Az Minas seeks to map political violence on digital platforms, publishing biannual reports. Content can be accessed on the platform: <https://azmina.com.br/projetos/monitora/>. Acesso em 19 de jun 2022.

²⁷ <https://www2.camara.leg.br/legin/fed/lei/2021/lei-14192-4-agosto-2021-791631-norma-pl.html>

women, such as former congresswoman Manuela D'Ávila, have already announced that they do not intend to run in the upcoming October 2022 general elections.²⁸

Gender-based violence against women in Brazil does not seem to find limits. A striking fact of gender violence in the workplace occurred on June 22, 2022, in the Municipality of Registro, in the interior of the state of São Paulo, where the local attorney general, Gabriela Samadello Monteiro de Barros was beaten, during working hours, by her subordinate, also attorney, Demétrius Oliveira Macedo. Both Gabriela Monteiro and other civil servants in the premises denounced the misogynistic attitudes of Demétrius de Macedo. The shocking video of the beating circulated in the national media, as well as on social media, raising outcries of indignation. According to CNN Brasil,²⁹ in a statement to the São Paulo Justice, the Prosecutor revealed: “despite being a complicated person in personal relationships, he had never had problems with hierarchical superiors. male, his personal problems started when he began to work under a female director.”

Within the first weeks of July/2022, another striking news hit the media, making public a scandal involving Pedro Guimarães, President of the Brazilian Federal Credit Union. He was forced to resign after a series of allegations of sexual and moral harassment. The case revealed a dangerous work environment, especially for women. In news accounts of Pedro Guimarães' abusive behavior, employees say they felt intimidated and then pressured to remain silent. But they decided it was time to break this silence, as one of the women involved so declared:

“It is possible to prove, based on what so many people have already said and so many people who will be encouraged to speak out, that our strength is the truth. Nobody is making it up, nobody is increasing it, nobody is victimizing themselves. We are not proud to be victims.”³⁰

Both cases unfolded during the months of June and July of 2022, as we were closing our windows of observation, and still did not know how they ended. But there was much public outcry in social media networks regarding them, so we can expect – for

²⁸ <https://g1.globo.com/rs/rio-grande-do-sul/eleicoes/2022/noticia/2022/05/28/manuela-davila-descarta-concorrer-nas-eleicoes-de-2022.ghtml>

²⁹ Available at: <https://www.cnnbrasil.com.br/nacional/em-depoimento-procuradora-agredida-em-registro-disse-temer-pela-vida/>. Access on: 28 June 2022.

³⁰ <https://g1.globo.com/fantastico/noticia/2022/07/03/chega-a-10-o-numero-de-denuncias-de-assedio-envolvendo-dirigentes-da-caixa.ghtml>

now, just hope- that some changes may come about in favor of women's and human rights in general as a result.

Before concluding this section, two other high-profile cases and their developments deserve here special attention here. The first, known as *The Pamela Holanda Case* happened as follows: on June 11, 2021, Pamela Holanda, a known media influencer, denounced an instance of domestic violence perpetrated against her by her then-husband, Iverson, a singer and DJ known as DJ Ivis. At the time, Pamela published videos in her Instagram account, showing Ivis physically assaulting and cursing her in front of her mother, her nine-month-old baby daughter, and a driver. The case had great national repercussion and raised the debate about the production of evidence of violence, considering that the filming was a key element to avoid questions about the veracity of the report. However, Pamela was also blamed for publicizing this instance of domestic violence, although it did establish the discussion about the role of men close to the aggressor in guaranteeing the public rejection of the conduct.

Of course, most of the blame came from men who supported the DJ. This was an example of men not being ashamed of showing their support for abusive colleagues, at the same time that growing support to women victimized by Gender Based Violence increased!

But this particular case gets a little more complicated. On another post on Instagram made a little over a couple of months after the one with the videos, Pamela complained about the slowness of the judicial process in granting her a protective measure. She also observed that the requested provisional payments – different from alimony – that were supposed to be sent to her on an urgent basis were still not made:

"I literally want to demand what is mine and my daughter's by right. I understand the repercussions, today I am aware of the dimension that took my case and everything I experienced. I am here today to demand justice in the literal sense of the word [...] I want to ask the Judiciary to move forward, to define it".³¹

In a more recent development, Pamela was accused by her gay assistant of making homophobic sneers towards him, who posted her offences in exchanges through whatsapp and Instagram. As noted earlier, homophobia is now a crime in Brazil, so

³¹ Available in: <https://www.uol.com.br/splash/noticias/2021/09/28/pamela-hollanda-cobra-justica-por-decisao-sobre-medida-protetiva.htm?cmpid=copiaecola>

Pamella is now facing two contrasting juridical processes: one in which she is a victim, the other where she is the accused, both of them regarding gender-based violence! In one of them she is the “victim”, while in the other she is accused as the “victimizer”. There have been outcries in both cases, and still, no final conclusion to either. But we will be following the developments as they become reported.³²

The other case that calls attention is *The Mariana Ferrer Case*, which is even worse. Mariana Ferrer, or ‘Mari Ferrer’ as she is widely known, reveals how deeply patriarchy is inserted in the Judiciary structure, demanding continuous monitoring and denouncement on the part of feminist and women’s movements. Although this case began in 2018, the judiciary process has been slow as usual, extending until November, 2021. It has given rise to loud protests, both by social organizations and movements active in the “civil” space, provoked by outcries in the “popular” spaces, leading in time to the passage of new legislation regarding judicial proceedings.³³

In December, 2018, Mari Ferrer and her mother went to the Women’s Police Station in the city of Florianopolis, Santa Catarina, to file a complaint accusing André de Camargo Aranha of raping her at the Café de La Musique, where she worked as an “ambassador” (a sort of receptionist). She affirmed that she was drugged and then raped, an allegation first refuted by the accused, who later admitted having ‘consensual’ sex with her (but not drugging her), after DNA analysis of semen found in her clothing matched DNA samples taken from his saliva. Despite a considerable amount of evidence being presented against him, the accused was eventually tried and declared ‘innocent’, under the excuse that he did not know she was drugged when he had sex with her. As an ‘influencer’ in social media, Mari Ferrer began to use Twitter and Instagram to present her case to the public, gaining much support, as well as the usual ‘machista’ responses. But the case took a new turn when the reporters from the media Intercept published the transcripts and video of the trial session, in which the defense lawyer for the accused used improper language and machista comments disrespectful to the victim.

³² <https://g1.globo.com/ce/ceara/noticia/2022/05/03/assessor-de-pamella-holanda-presta-queixa-contra-a-influencer-por-suposta-homofobia-e-assedio-moral-em-fortaleza.ghtml>

³³ <https://www.uol.com.br/esporte/colunas/milly-lacombe/2022/12/15/o-caso-mari-ferrer-quatro-anos-e-uma-vida-interrompida.htm>

Indeed, she was victimized again, this time the proofs amply stamped and shared in social media. In less than 48 hours, a petition placed in her favor gained more than 4.5 million signatures, an all-time record for Brazil!³⁴ Although the accused was found innocent again in a higher court, the outcry in social media and by social organizations of civil society was such that it brought the attention of legislators, in both houses of Congress. This led to the Women's Bureau at the Senate to compile and present a 'dossier' of the case to the Attorney General, showing the various instances in both trials in which those responsible on the part of the Judiciary had fell short of fulfilling their duty, and should thus be incriminated.

Indignation as well was expressed with the way Mari Ferrer was re-victimized in court by the lawyer for the accused and the judge's do-nothing attitude in this regard, prompting, in time, the elaboration and final approval in both Houses of Congress of the "Mariana Ferrer Law", which was sanctioned by the President as Law nº 14.245/21, of November 21, 2021. As explained by the feminist lawyers, Thais Pinhata de Souza and Raquel Rosa³⁵:

With regard to substantive law, the law in question provides for an increase in the penalty for those who commit the crime of coercion in the course of the process when it involves a crime against sexual dignity. Regarding Criminal Procedural Law, there were changes in the Criminal Procedure Code and in the Special Courts Law, establishing that, in a hearing, the physical and psychological integrity of the victim is preserved, under penalty of civil, criminal and even administrative liability of those involved in the act. procedural. In this sense, the law provides that it is the judge's duty to ensure that, during the hearing, there is no manifestation of circumstances or elements unrelated to the object of investigation in the records, nor the use of language, information or material that offends the dignity of the victim or witness, creating necessary limits to urbanity between the parties.

This is a clear example of how mounting pressures in the 'public space' can in fact counter-backlash, interfering in the civic space, and, eventually, in the policy and practice space, forcing, in time, the enacting of legislation that can bring a significant change in favor of women victims of sexual violence.

³⁴ https://changebrasil.org/2020/11/06/caso-mari-ferrer-abaixo-assinado-atinge-42-milhoes-e-quebra-recorde-no-brasil/?gclid=Cj0KCQjwidSWBhDdARIsAloTVb3fDYn3xjEBFgkK_OYzhFMXktDFRxc1B9itfaWBA1An_J4gFXk09n4aAmVPEALw_wcB

³⁵ <https://www.conjur.com.br/2021-nov-26/pinhata-rosa-lei-mariana-ferrer-tribunal-juri>

To close this section on gender-based violence against women, we bring the unbelievable case, reported on July 7, 2022, of the anesthesiologist who raped women while they were on the operating table having a caesarian section. He doped them way beyond the needed amount and forced them into oral sex, while they were out. He acted behind a curtain placed between the patient's head and the rest of her body, used to prevent the patient from seeing the operation. His attitude was such that rose the suspicions of operating room nurses and attendants. In time, they placed a cell phone so as to film what was going on, their suspicious then being confirmed. They immediately denounced what was happening to the Women's Police Station, their sheriff charging the rapist doctor in flagrant delict and holding him in jail. The case is still being processed, but it already has raised much commotion in all the 'spaces' – policy, civic and popular -, and promises to keep the discussion on sexual violence against women in the headlines.³⁶

3. SEXUAL VIOLENCE AND REPRODUCTIVE RIGHTS: Access to Abortion Previewed by Law

In August 2020, the case of a pregnant ten-year-old girl made headlines and became emblematic of the Bolsonaro government's policies towards rape victims. The girl was repeatedly raped by her paternal uncle from the age of six on and was denied a legal abortion in her home state of Espírito Santo. With the support of feminist groups, she was granted legal permission to have the intervention performed in another state, yet, Evangelical Pastor Damares Alves, Brazil's Minister of Women, the Family and Human Rights (MWFHR) and leader of the 'Brazil Without Abortion' movement for many years, obtained personal information about the girl and the clinic that would assist her, passing it on to religious followers who publicized it in social networks. Thus, when the girl arrived at the clinic, a group of the Minister's cronies (including elected members of the local City Council) was there to harass her, calling her and the attending doctor 'murderers', and attempting to invade the clinic to stop the intervention. This was one of many instances in which religious fundamentalist morals have been at play against the exercise of women's reproductive rights and freedom from sexual violence in the country.

³⁶ <https://g1.globo.com/rj/rio-de-janeiro/noticia/2022/07/15/anestesista-flagrado-em-estupro-de-mulher-durante-o-parto-vira-reu.ghtml>



Although this issue took place nearly two years ago (, Sardenberg, Mano, Sacchet, 2020), it calls for closer attention here, as it exposed backlash actions against women's and girls' reproductive rights and assistance to victims of sexual violence, alerting feminists groups and organizations as to what is at play under Bolsonaro in relation to issues regarding access to legal abortions in public health facilities, and how to best organize to combat it.

It is well to recall that, in Brazil, according to Article 128 of the Brazilian Penal Code Decree Law no.2848/40, pregnancies can be legally terminated on two grounds: a) if the pregnancy is a result of rape; and, b) if it incurs in lethal risks to the pregnant woman or girl. In April, 2012, after an epidemic of zica virus in Brazil - which can cause serious damages to fetuses, such as impeding the growth of a brain rendering them anencephalous - the Supreme Court (STF) ruled that the interruption of a pregnancy in such case could be legally undertaken.³⁷ During President Dilma Rousseff's government, new rulings were established to facilitate the process in the case of pregnancies resulting from rape, such that no police complaint needed to be presented. But with Bolsonaro, other rules stipulated by the Ministry of Health (MH) together with the support MWFHR have overridden them, requiring that the hospitals and clinics notify the police in case the pregnancy resulted from rape, making it more difficult for women and girls to seek the needed assistance. This was the case of Ordinance 2.282, which will be discussed more closely further ahead.

Let it be recalled that the MWFHR was then headed by Damares Alves, who is a Pentecostal Pastor and a staunch opposer of abortion rights. She had a strong influence on Michelle Bolsonaro, the First Lady, and, through her – who is supposedly a devoted Evangelical and exerts not a necessarily “official” power, but one not that “hidden” as well - on the President Bolsonaro and he, in turn, on the other ministers, the head of the MH including. It is well to point out, in fact, that his MH at the time was the third physician to occupy this post since Bolsonaro took office, but it became obvious that his compromise was not to defend Public Health, but to obey Presidential orders to guarantee his permanence as Minister. Despite not identifying himself as Evangelical, he followed

³⁷ Supremo decide por 8 a 2 que aborto de feto sem cérebro não é crime .
<https://g1.globo.com/brasil/noticia/2012/04/supremo-decide-por-8-2-que-aborto-de-feto-sem-cerebro-nao-e-crime.html#:~:text=Ap%C3%B3s%20dois%20dias%20de%20debate,de%20anencefalia%20n%C3%A3o%20%C3%A9%20crime.>

orders. Indeed, he did so regarding the Covid 19 epidemic and was implicated and questioned in the Parliamentary Investigation Committee on Executive Actions to combat Covid (CPI da COVID). This Committee was officially installed in the Federal Senate on April 27, 2021, and extended until July 14, 2021, being concluded with the presentation, and voting of the final report on October 26, 2021, finding fault in the MH.³⁸

The Ministry was also at fault in relation to women's health issues. Indeed, studies conducted on the provision of legal abortions in the public health network have shown that not only very few hospitals and clinics provided these services, but more importantly perhaps, all sorts of difficulties were then created to carry them out (Almeida et al, 2021). According to M. Silva's (2020) findings following the problems faced by the 11-yr-old girl who was refused legal abortion procedures in her native state, among the major difficulties were: a) the refusal of doctors to interrupt the pregnancy based on conscientious objections; b) the lack of knowledge of health professionals about the technical and legal procedures and the fear of committing something illegal; c) the bureaucracy imposed in the search for care; d) the itineraries required in the search of an abortion; e) the inquisitorial processes; and, f) institutional and social violence against the victims. Most of these difficulties were at play in the case of the 10-year-old pregnant girl from the State of Espírito Santo.

Nonetheless, the fact that the abortion procedures were eventually performed on the girl sparked a series of moves by the government against the right to legal abortion in Brazil. In the month of August 2020, in retaliation, the MH issued the previously mentioned Ordinance n. 2,282, which brought to the health professional the responsibility of notifying the police authority if the hospital unit receives requests to perform an abortion in the case of pregnancy resulting from sexual violation. This opened the way for investigations against rape victims who sought legal abortions, going against patient's rights to privacy and the rulings to facilitate these procedures established during President Dilma Rousseff's government.

Note that Ordinance 2,282 is controversial because, although it has a bias to harden and allow more elements that can prove the authorship of a crime of rape, it confuses the hospital space - which should value medical secrecy and reception - with an

³⁸ <https://www12.senado.leg.br/noticias/materias/2021/10/27/cpi-da-pandemia-entrega-relatorio-final-ao-presidente-rodri-go-pacheco>

inquisitorial environment. But, in time, countering backlash, by means of public protests through social media networks and petitions presented to sympathetic legislators, led to the formulation of a Draft Legislative Decree, that suspended the referred Ordinance.³⁹ As such, health facilities should no longer be obliged to notify police authorities in case of the performance of legal abortions on rape victims.

There was also a resistance movement within the Judiciary, since Ordinance n. 2,282 was the subject of two lawsuits filed in the Federal Supreme Court (STF), which led the MH to revoke it. Nonetheless, they maneuvered such that although revoking the previous ordinance through a new one - Ordinance 2,561 of September 2020 -, the same procedures requiring notifications were maintained.

This new Ordinance (2,561) has also been the focus of confrontation in the legislative field, taking place through several instruments, currently all proceeding together.⁴⁰ It is important to note that all these instruments have been presented by legislators filiated to left-leaning political parties, and thus clearly opposed to Bolsonaro's government. They are the ones who regularly can be seen counteracting backlash in the legislative sphere.

Note that regarding access to legal abortion procedures, we have seen power struggles clearly going on between the Executive, through ordinances from the MH and the Judiciary, as well as between the Executive and the more progressive members of the

³⁹ Presented on 28/08/2020 by the following legislators: 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), Erika Kokay (PT/DF) e Maria do Rosário (PT/RS). TAA

⁴⁰ They constitute law projects, as follows: 1) PDL 409/2020, presented on 24/Sept/2020, by congresswomen: 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), Professora Rosa Neide (PT/MT), Luiza Erundina (PSOL/SP), Fernanda Melchionna (PSOL/RS), Áurea Carolina (PSOL/MG), Talíria Petrone (PSOL/RJ) e Gleisi Hoffmann (PT/PR); 2) PDL 410/2020, presented by: Sâmia Bomfim (PSOL/SP), Áurea Carolina (PSOL/MG), David Miranda (PSOL/RJ), Luiza Erundina (PSOL/SP), Ivan Valente (PSOL/SP), Glauber Braga (PSOL/RJ), Talíria Petrone (PSOL/RJ), Marcelo Freixo (PSOL/RJ) e Fernanda Melchionna (PSOL/RS); 3) PDL 413/2020, presented by: Enio Verri (PT/PR), Maria do Rosário (PT/RS), Beto Faro (PT/PA), Waldenor Pereira (PT/BA), Nilto Tatto (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), Airton Faleiro (PT/PA), Frei Anastacio Ribeiro (PT/PB), João Daniel (PT/SE), Gleisi Hoffmann (PT/PR), Patrus Ananias (PT/MG), Rui Falcão (PT/SP), Padre João (PT/MG), José Airton 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) e Alexandre Padilha (PT/SP); 4) PDL 428/2020, presented by congressman Mário Heringer (PDT/MG; and 5) PDL 136/2021, presented by Congressman Shéridan (PSDB/RR).

Legislative. The greater public pressure, from the public and the civil spheres, are generally against the Legislative, where there are more avenues opened to dialogue. But it has also been the case that, during the Bolsonaro government, the Judiciary has also been opened to counter backlash reactions, particularly against the Executive, as noted in the back-and-forth exchange regarding the ordinances. Of course, these disputes within governmental power spheres suggest a “hegemony crisis” on Gramscian lines at play, which facilitate counter-backlash interventions.

In regard to the legislative’s reaction to counteract attempts by the Bolsonaro government to violate women’s and girls’ reproductive rights, it is worth mentioning the performance of the Feminist and Anti-racist Parliamentary Front.⁴¹ They organized a virtual seminar to discuss the need to guarantee respect for women’s rights to sexual and reproductive freedom, especially focused on the agenda of legal abortion, which was broadcasted live on the social network Facebook through the Front's profile. The invited experts were: CLADEM: Sandra Lia Bazzo; Doctors for the Right to Decide: Cristiano Rosas; Front Against Criminalization of Women and for the Legalization of Abortion; Evangelicals for Gender Equality: Simony dos Anjos; Representatives of movements in defense of the rights of children and adolescents.⁴²

The issue of abortion was also the target of political articulation resulting from the situation of social isolation imposed by the condition of Covid-19. Law no. 13.979/2020, that dealt with this emergency in the context of Brazilian public health and defined measures such as quarantine and social isolation. One of the reflexes was the enactment of Law no. 13,989 in April 2020, authorizing the use of telemedicine in Brazil. Since there is an obligation to offer the health service of legal abortion as a measure to guarantee reproductive justice, it was necessary to make its continuity possible during the Covid-19 pandemic.

It was in this context that physician Helena Paro, a gynecologist and obstetrician at the Hospital das Clínicas de Uberlândia, requested the implementation of what is also known as ‘teleabortion’, authorizing the monitoring of the abortion service through the use of the internet and the use of abortive medication. The measure began to be implemented by the Center for Integral Attention to Victims of Sexual Assault

⁴¹ Available at: <https://www.camara.leg.br/noticias/693411-FRENTE-PARLAMENTAR-DISCUTE-DIREITO-AO-ABORTO-LEGAL>. . Access on 06 May, 2022.

⁴² https://www.facebook.com/watch/live/?ref=watch_permalink&v=616843499201303



(Nuavidas), linked to the Federal University of Uberlândia (UFU), in the state of Minas Gerais.

Meanwhile, a study conducted by the feminist NGO, CFemea, revealed that between January 2021 and June 29, 2022, thirteen bill projects were presented in the House of Representatives, seven of them proposing to further restrict abortion in Brazil. Among the clauses they present are an increase in the punishments for those who perform this procedure; the demand of a report from the victims of sexual violence; the prohibition of any testing, marketing and disposal of embryos; and an amendment legislation to establish the rights of an unborn child. Only one bill project proposed to enlarge clauses allowing access to legal abortions, while nearly all the others, besides seeking to restrict the practice, propose the criminalization of any type of propaganda or distribution of material about abortion, the waging of campaigns against the practice, and the prohibition of partnerships between the public administration and civil society organizations that promote the theme.⁴³

While the right to abortion is facing strong resistance to be implemented in Brazil, in February of 2022, in the wake of what has been happening in other Latin American countries, the Constitutional Court of Colombia decided to decriminalize abortion. With five votes in favor and four votes against, the voluntary interruption of pregnancy ceased to be a crime, if carried out until the 24th week of pregnancy.⁴⁴

The day after the decriminalization of abortion in Colombia, the hashtag #leftgenocidal was on Twitter's trending topics. Congressmen and other politicians from the Bolsonarista wing, such as Carla Zambelli, Bia Kicis, Chris Tonietto, in addition to President Jair Bolsonaro himself, made a series of tweets containing phrases such as: “Today in the Plenary, I expressed my repudiation of the genocide of innocent babies, until 24 weeks (6 months), by the Constitutional Court of Colombia, as well as demonstrations of celebration by parliamentarians and politicians from the Brazilian left”⁴⁵ , “this is a murder of babies in the mother's womb”, “to celebrate this is to applaud once again, the massacre of so many innocents”⁴⁶ , “[...] it is about the life of a baby

⁴³ <https://www.bbc.com/portuguese/brasil-62041902>

⁴⁴ <https://www.cnnbrasil.com.br/internacional/colombia-descriminaliza-aborto-ate-a-24a-semana-de-gestacao/>

⁴⁵ https://twitter.com/biakicis/status/1496259751524683784?s=21&t=ATVkcCIFlopMrPJ_3A1RWNO .

⁴⁶ https://twitter.com/toniettochris/status/1496090370547101700?s=21&t=ATVkcCIFlopMrPJ_3A1RWNO

who already has touch, smell, taste and who already hears the mother's voice. What is the limit of this dehumanization of an innocent being?"⁴⁷

In June 2022, the MH prepared a document named "Technical Attention for the Prevention, Assessment and Conduct in Abortion Cases" (BRASIL, Ministério da Saúde, 2022), which corroborates Ordinance No. 2.561/2020. The document speaks openly about the right of the unborn child to be born, in addition to taking a stand against the use of the term "legal abortion" in order to establish that in Brazil the practice of abortion is not legal⁴⁸

The publication of this Technical Note (*Cartilha*) by the MH provoked strong reactions in the popular space of social media networks, which had repercussions in civic spaces and, in time, in the legislative, feminist Congresswomen demanding explanations from the MH. The Minister declared that he would hold a "public hearing" in Congress, to which he was supposed to invite groups and organizations both pro and against the legalization of abortion. However, on the day of the hearing, most feminist organizations and other pro-choice groups were barred from entering the room where the hearing was being held, such that the majority of those speaking were so called 'pro-lifers.'⁴⁹ Nevertheless, as a member of Parliament, Congresswoman Sâmia Bonfim, claiming her right as a legislator to make a pronouncement, took the microphone and strongly chastised the MH and the Bolsonaro government for distorting the legislation, and misinforming health providers.⁵⁰

The previous month (on June 11, 2022), in Orlando, Florida, President Jair Bolsonaro stated in his speech that we are living "a fight of good against evil", and restated that "we are against abortion, against gender ideology, against drug legalization, we defend the family, private property, freedom for the use of weapons. We are normal people, we can live even without oxygen, but never without freedom."⁵¹ Once again, in his speech at the Summit of the Americas in Los Angeles, Bolsonaro ratified his previous anti-abortion speech stating: "we have a government that believes in God, respects its

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https://twitter.com/toniettochris/status/1496090370547101700?s=21&t=ATVkcIFlopMrPJ_3A1RWNO

⁴⁸ The Agency opens a typical discussion of criminal law that raises that all abortion in Brazil is a crime, but in some cases, there is an exclusion of illegality and not of crime - in other words, all people who abort are criminals, even if they are not arrested.

⁴⁹ <https://oglobo.globo.com/saude/noticia/2022/06/ministerio-da-saude-realiza-audiencia-publica-para-discutir-cartilha-antiaborto.ghtml>

⁵⁰ <https://catarinas.info/audiencia-publica-sobre-aborto-legal-vira-espetaculo-de-odio-as-mulheres/>

⁵¹ Disponível em: <https://www.youtube.com/watch?v=1pYofVWHJDQ> Acesso em: junho, 2022

military, is pro-life since its conception, defends the family, and owes loyalty to its people.”⁵²

On June 20, 2022, through a report published by the news media *The Intercept* and *Catarinas* (Guimarães, Lara, Dias, 2022), images of a hearing were released where a female judge, Joana Ribeiro Zimmer, induces an 11-year-old girl, a victim of rape, to give up her right to have a legal abortion. Two days after the pregnancy was discovered, the child in question was taken by the mother to the hospital, but the medical staff refused to perform the abortion. This is because, according to the rules of that unit, the procedure could only be done up to 20 weeks of gestation, and the girl’s pregnancy was already 22 weeks and two days long. It is well to remember, once again, that according to Brazilian legislation, since 1940, abortion has been allowed in cases of sexual violence, without any limitation of weeks of pregnancy and without the requirement of judicial authorization. However, the child was kept by the justice of Santa Catarina for 40 days in a shelter to prevent her from having a legal abortion, every week she was forced to carry the pregnancy forward increasing the risks to which she was exposed due to her young age.

After the intense commotion generated by this news, the justice authorized the return of the girl to her home. The Internal Affairs Department of the Court of Justice of Santa Catarina then opened an investigation against the judge, and the Federal Public Ministry launched an investigation to ascertain the reason for the hospital's refusal to carry out the procedure. On June 22, the Attorney General's Office recommended that the Hospital designated for the abortion procedure, do so without restrictions imposed by law. After the cited recommendation, a twenty-four-hour period was opened for the hospital's administration to respond.

The fact that the institutionalized violence to which the 11-year-old girl was subjected was denounced in the media reminds us of the importance of information vehicles in promoting the abortion agenda: it usually arouses public manifestations and puts pressure on governmental officials. Thus, as of November 2021, our Research Project started to follow up more closely all the news about reproductive rights in the following news media: *Globo*, *Uol* and *Folha de São Paulo*. From the mapping of the reports, it was possible to verify that, before the event with the 11-year-old girl, the abortion agenda was almost not discussed in the media, with the exception of two contexts

⁵² Disponível em: <https://www.youtube.com/watch?v=9uxUm9868Ao> Acesso em: junho, 2022.

that shed light on the discussion. The first of them was in April 2022, when the former President of the Republic and current candidate for the presidency, Luiz Inácio Lula da Silva, defended that every woman should have the right to abortion in Brazil, and that the issue should be treated as a public health issue. This speech by Lula, which took place in the debate “Brazil-Germany – European Union: progressive challenges and strategic partnerships”, provoked a strong reaction, especially from Bolsonaroistas and evangelicals. Two days later, Lula publicly stated that he was personally against the procedure but ratified the need to make abortion a public health issue.⁵³

The second context that brought media visibility to the agenda was precisely the discussion around the case of the 11-year-old girl. In fact, during the entire period analyzed, they were the only two moments in which the issue of abortion appeared among the most prominent reports on all three channels.

Recently, another high-profile case hit the media, this time against a young actress who had become pregnant as a result of rape and was forced to carry out the pregnancy to full term, given that she was not aware of her pregnancy until it was long past the allowed number of weeks for a legal termination. She decided to give up the baby for adoption, which she did, following all the required legal procedures. She did not want to publicize the situation but ended having to come forward in her Instagram account, as a nurse that tended to her, upon recognizing who she was, tipped a sleazy news radio station, the information hitting the social media networks, committing the criminal act of invasion of privacy. The awful part is that she was chastised for placing the baby for adoption, even if it was the fruit of a painful rape situation.⁵⁴

Just as we were finalizing the elaboration of this updating report, news came on informing that – as incredible as it may seem – the Justice Ministry (sort of Attorney General) announced that it was opening investigation procedures against the doctors who performed the abortion on the 11-yr-old girl from Santa Catarina, who suffered at the hands of the woman judge!⁵⁵ And worse still, a group of fundamentalists, bolsonaroistas congresswomen proposed to commend this same judge with an “applause session” in Congress!!! Such an outrage brought a prompt response from the organized feminist and

⁵³ Available at: https://www.youtube.com/watch?v=o7vbHc_Up4 Access on June, 2022.

⁵⁴ <https://www.uai.com.br/app/noticia/famosos/2022/07/05/interna-famosos,291040/investigacoes-no-caso-de-klara-castanho-sao-interrompidas-apos-hospital-neg.shtml>

⁵⁵ <https://g1.globo.com/politica/noticia/2022/07/15/governo-tenta-abrir-investigacao-sobre-medicos-que-fizeram-aborto-legal-em-crianca-vitima-de-estupro.ghml>

women's movement. They called for a special intervention in Congress, bringing a number of activists to Brasília for meetings and conversations with sympathetic and supporting congressmen and women. We are happy to report that two of our researchers participated in this intervention, doing "participant-observation" as well as interviewing other participants and congress people.⁵⁶

On October 2 of this year (2022), Presidential elections took place in Brazil and the repercussion of the speech of the candidate Lula and the constant negative reaction of Jair Bolsonaro about the right to abortion made it an important agenda in the race for the Presidency. In a survey developed by Locomotiva and the Patrícia Galvão Institute,⁵⁷ that sought to raise perceptions about the right to abortion in the event of rape, made public on March, it was revealed that 64% of the population considers that abortion should be discussed as a public health and women's rights issue. In a similar vein, a survey carried out by the Datafolha Institute⁵⁸ pointed out that the share of the population that wants to ban abortion in any case in Brazil has dropped from 41% to 32%. Yet, close to one-third of those consulted still express very conservative views regarding the issue, and we can expect that they will cast their votes for far-right candidates in the upcoming elections.⁵⁹

As final considerations regarding these issues, it is important to reemphasize that the countering backlash against women's and girls' reproductive rights in Brazil, specifically in relation to access to legal abortions, has moved in a process similar to what was observed in relation to gender-based violence. Outcries in the 'public space', particularly on social media networks, along with pressures from feminist organizations operating in the "civic space", bring the needed pressure and support for feminist legislators to push against the backlash, and defend gender equality and women's rights in the country.

As a concluding note to this section, it is important to observe that many of the events here discussed took place within the first semester of the 2022, therefore much of the discussions are still not taking place in academic journals. However, a recent study

⁵⁶ It is important to report as well that many of the organizing groups are represented in our Observatory, a discussion group that is operated as part of the IDS research programme.

⁵⁷ Available at: https://assets-institucional-ijpg.sfo2.cdn.digitaloceanspaces.com/2022/03/IPatriciaGalvao_LocomotivaPesquisaDireitoaoAbortoemCasodeEstuproMarco2022.pdf . Access on: 24 jun. 2022

⁵⁸ Pesquisa noticiada em: <https://g1.globo.com/saude/noticia/2022/06/03/datafolha-cai-de-41percent-para-32percent-parcela-da-populacao-que-quer-proibir-aborto-em-qualquer-caso-no-brasil.ghtml> . Acesso em: 24 jun. 2022.

⁵⁹ <https://www.uol.com.br/universa/noticias/redacao/2022/07/21/pesquisa-aborto-catolicas.htm>

published in August, 2022, analyzes much of governmental actions, such as the ones here described for the Ministry of Health, as part of what the authors term “institutional harassment and the dismantling of the State” under Bolsonaro: “The dismantling of the social State or of social policies, which constitutes institutional harassment itself, is part of a project of reorientation of governmental policies, that has as main objective to benefit the more privileged social segments, in detriment of the greatest part of the population” (Cardoso, Jr., et alli, 2022, p. 55, our translation). This goes along the lines of what Wendy Brown (2015) has termed as “undoing democracy” under neoliberalism, by means of a so-called “authoritarian neoliberalism” (Bruff, 2014).

4. Anti-Gender Ideology in Education

In Brazil, education has been, in recent years, an important area of political and ideological dispute. Since the far right came to power, conservative narratives about gender and sexuality, based on traditional gender roles and binary gender expression, have gained traction. Agendas such as same-sex marriage, adoption of children by homosexual couples, sex education, and transsexual people’s rights were strongly contested, seen as challengers of religious doctrines. Therefore, despite the legal support given by the Federal Constitution to issues involving human rights, citizenship and gender equality, the rights of women and LGBTQIA+ community have not been secured in practice. In such context, what should be considered as non-doctrinal policies, i.e., educational policies to address gender violence, are seen as doctrinal ones (Htun and Weldon, 2018) and have been an object of dispute between progressive forces and conservative groups. Disputes are happening mainly within the Executive and the Legislative levels.

Over the last few years, several bills have been proposed to control and veto issues related to gender and sexuality in schools, as well as to shame educators who address these issues. Here we highlight the bill 'Escola sem Partido' (“School without political party”) (PL nº 246/2019), presented in the Congress by several deputies, men, and women, and which has the explicit support of President Bolsonaro. To oppose this initiative, political parties and more progressive opposition groups presented another bill, the 'School without muzzle' (PL nº 502/2019), built by deputies from the Socialism and Freedom Party (PSOL), which gained highlight on the press and social media. So far, neither of those bills were discussed and voted in the Congress.

However, there were a number of similar local initiatives, such as the one approved by the municipality of Novo Gama (GO), which imposed a ban on the dissemination of materials and information in municipal schools of what they called “gender ideology”. The subject was contested in court and, in 2020, in a unanimous decision, the eleven ministers of the Superior Supreme Court (STF) judged it unconstitutional. The decision⁶⁰ indicated that it is the exclusive competence of the Federal level to issue general norms on matters of education and the states should only complement federal legislations, with no prohibitions. Shortly after the decision, President Jair Bolsonaro said that the General Secretariat of the Presidency of the Republic would present a bill to “prohibit” “gender ideology”⁶¹. Bolsonaro's pronouncement happened at a public event with a priest, Pedro Stepien, and a group of children who were taken for a tour in the government headquarters. One of the messages children read to Bolsonaro said: “we, children, do not want gender ideology”. Here, the dispute put Legislative, Executive, and Judiciary Powers in tension. It is also evident the movement of conservative groups in the dispute of this agenda, such as the Catholic and the evangelical churches. As invisible powers, they are articulated in the civic space to influence the policy space, setting the agenda. The debate on whether or not to include a gender perspective in school's administration and teaching materials has also appeared in the popular space, where there is a large circulation of materials about the “indoctrination” of children into “becoming” homosexuals. The manipulation of a moral panic (Miskolci and Campana, 2017) is a powerful weapon in this arena.

As Corrêa (2018), Miskolci and Campana (2017), Reis and Eggert (2017) and Garbagnoli and Prearo (2017), among others have indicated, “Gender Ideology” is a term that was first propelled onto a global level in 1995, by the reaction of the Catholic Church leadership to the World Conference on Women in Beijing, when the word “woman” began to be substituted by the word “gender” (Almeida, 2018: 35). With the passage of time, this discourse was taken up by other Christian sectors and gained social capillarity in countries such as Poland, Hungary, the United States, France, Columbia, Peru, Argentina and Brazil.

⁶⁰ <https://portal.stf.jus.br/noticias/verNoticiaDetalhe.asp?idConteudo=442331&ori=1>

⁶¹ <https://www1.folha.uol.com.br/cotidiano/2020/05/apos-stf-barrar-lei-municipal-bolsonaro-promete-enviar-projeto-contra-ideologia-de-genero.shtml>



Another six similar cases on gender in schools were judged in the Federal Supreme Court until August 2021, all of them reaffirming the decision regarding Novo Gama. Now, the Court must rule on a lawsuit filed in 2018 by PSOL which calls for the overthrow of two municipal laws – from Petrolina and Garanhuns, both in the state of Pernambuco – to prohibits gender in school teaching materials. The judge responsible for the case is Minister Nunes Marques, appointed by Bolsonaro. There is still no date for the trial⁶².

A rather relevant episode where the ongoing dispute becomes evident concerns LGBTQIA+ rights in universities. In 2019, the Federal University for the Integration of Afro-Brazilian Lusophony (UNILAB) offered admission slots reserved exclusively for transsexual and intersex people. However, this initiative was suspended by the Ministry of Education on the grounds that this quota would harm the isonomy of the institution⁶³. Bolsonaro himself posted the decision on Twitter⁶⁴, sparking a debate on that social media between his supporters and opponents.

It is also important to notice the role of the Ministry of Education during these past few years. There were five ministers appointed in the past four years – the instability is itself a relevant information –, all of them were, obviously, conservatives. The first was Ricardo Vélez, a Catholic theologian appointed to the job by Olavo de Carvalho – Bolsonaro’s “guru”, a writer and self-declared philosopher who passed away recently⁶⁵. His central agenda was the defense of morals and the family values, going so far as to prevent questions about gender and sexualities from being included in the National High School Exam (ENEM). After Vélez's resignation in April 2019, Abraham Weintraub, a professor from Federal University of São Paulo, took over, based on articulation between Catholics and Evangelicals. He not only continued, but also deepened the persecution of what he called propagators of “gender ideology”. After announcing, in April 2019, a cut in annual funding for three public universities (Universidade Federal da Bahia,

⁶² <https://noticias.uol.com.br/politica/ultimas-noticias/2021/12/24/mendonca-vai-analisar-lei-que-proibe-ensino-sobre-genero-nas-escolas.htm?cmpid=copiaecola>

⁶³ <https://vestibular.brasilecola.uol.com.br/noticias/universidade-federal-cancela-vestibular-trans-intersexuais-pedido-mec/345864.html>

⁶⁴ https://twitter.com/jairbolsonaro/status/1151193920988221441?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1151193920988221441%7Ctwgr%5E%7Ctwcon%5Es1_%2F%2Fvestibular.brasilecola.uol.com.br%2Fnoticias%2Funiversidade-federal-cancela-vestibular-trans-intersexuais-pedido-mec%2F345864.html

⁶⁵ <https://www.theatlantic.com/international/archive/2019/12/brazil-olavo-de-carvalho-jair-bolsonaro/604117/>

Universidade Federal Fluminense and Universidade de Brasília) for being places of “disruption”⁶⁶, large street demonstrations took place in defense of public education. Shortly after, the cut in funds was also extended to other federal institutions of higher education. There were demonstrations in more than 200 Brazilian cities, being one of the biggest street protests against the Bolsonaro government⁶⁷. Unions and student organizations were the ones responsible for the mobilizations, acting as mechanisms of pressure from the civic space on the policy space. The cuts, however, remained and were even larger in the following years. Weintraub was involved in many controversies and left office just after a year. Then, in June 2020, Carlos Alberto Decotelli was appointed to head the Ministry, but he did not take the post because he had lied about his formal education and experiences.

On July 16, 2020, the Ministry of Education was assumed by Milton Ribeiro. Milton's curriculum involves a degree in theology and a PhD in education. He is a Presbyterian minister and claimed to be defending the family and fighting “gender ideology”. In the midst of controversies, including corruption and prioritizing more funds to city halls whose representatives were evangelical pastors, Milton Ribeiro left the Ministry. Today, the minister is Victor Godoy Veiga, who was already a member of the Ministry during Milton Ribeiro's turn. He also does not have experience in the field of education. On 06/22/2022, Milton Ribeiro and the pastors involved in the corruption complaint were arrested. It is evident the importance of evangelical representatives in the Ministry of Education, who acted as hidden powers influencing the management.

It is noteworthy that, in 2019, during the administrations of Véllez and Weintraub, the Secretariat of Continuing Education, Literacy, Diversity and Inclusion (SECADI), which was supposed to implement inclusive educational initiatives, was extinguished. Among the courses implemented by SECADI was the Training Course for teachers in Gender and Diversity, offered by NEIM/UFBA to teachers from elementary schools.

Regarding public research institutes, the cut of funding began in 2016, after de coup against Dilma Rousseff and the approval, by the National Congress, of an amendment to the Constitution, freezing investment in education, health and social assistance by 20 years. In 2020, the Ministry of Science, Technology, Innovations and Communications

⁶⁶ <https://veja.abril.com.br/brasil/universidades-com-balburdia-terao-verbas-reduzidas-diz-weintraub/>

⁶⁷ <https://g1.globo.com/educacao/noticia/2019/05/15/cidades-brasileiras-tem-atos-contra-bloqueios-na-educacao.ghtml>

decided to cut the research budget in the areas of humanities and arts, claiming that they did not contribute to Brazil's economic progress. After protests, humanities and arts were reincorporated into the budget⁶⁸. In 2021, the Ministry of Women, Family and Human Rights launched a public call for funding, together with Capes (Higher Education Personnel Improvement Coordination), aimed at “enabling the establishment of public policies for the family, based on scientific studies of the different social contexts of family life in the country's homes”⁶⁹. The terms “gender” or “women” were not used in the call. The call was questioned by scientific organizations, such as the National Association for Research and Graduate Studies in Psychology (ANPEPP)⁷⁰, which released a note stating that “it is possible to observe that the call does not dialogue and, in numerous aspects, is in direct confrontation with what the most current scientific investigations have shown and are committed to the social reality of Brazil in the field of studies on families, gender relations and sexualities”. The ANPEPP letter draws attention to the fact that, throughout the text, the call refers to the family in the singular, suggesting a limited conception of the family. The note also recalls that on 01/05/2021, Minister Damares Alves, in a live broadcast with federal deputy Bia Kicis, said that the proposal for the call “(...) is an idea that was born in 2011 for us to revolutionize the academy, for us to make a big change in the academy, that we will no longer have doctors trained in gay saunas, in orgies, but in public policies (...)”⁷¹. The call was kept as it was, despite being criticized.

While budget cuts are imposed on public universities, privatization has advanced in the educational field. An example of this was, in 2022, the resumption of the Constitutional Amendment Project which aims to institute tuition fees in public universities under the most diverse allegations. Here what is presented is the neoliberal logic of scrapping and dismantling what is public in order to then attempt to privatize these spaces. It is also worth noting, in terms of hidden power, that the sister of the Minister of Economy, Elizabeth Guedes, is vice-president of the National Association of Private Universities (Anup), which represents the interests of private educational groups such as Anhanguera, Estácio, Uninove and Cogna (formerly called Kroton). Opponents to this Amendment, unions, research associations and student movement organizations

⁶⁸ <https://www.andes.org.br/conteudos/noticia/embora-com-restricoes-mCTIC-inclui-humanas-e-sociais-como-prioridades-para-cNPq1>

⁶⁹ <https://www.adusp.org.br/index.php/conj-pol/3984-capes-mm>

⁷⁰ https://www.anpepp.org.br/boletimartigo/view?ID_BOLETIM=22&ID_BOLETIM_ARTIGO=195

⁷¹ https://www.anpepp.org.br/download/download?ID_DOWNLOAD=345

are advocating for the approval of another Constitutional Amendment Project which makes the budget execution foreseen for the maintenance and development of Education mandatory. These groups are acting in the National Congress, pressuring deputies' members of the Constitution and Justice Commission, where the subject will be discussed. It is interesting to notice how conservative discourses such as accusing public universities of being places of "disruption" or training camp for "orgies" contributes to the devaluation of it. By questioning the importance of public university, conservatives make it easier to be privatized. In this sense, we can see how neoliberalism nourishes conservatism – which is well shown on the work of Wendy Brown – but also how conservatism nourishes neoliberalism.

In addition to these cuts and attempts at privatization, there is also the militarization of public schools (schools whose management process is transferred to the police command), which began to be implemented in 2020 by the Ministry of Education, and the approval of homeschooling by the Chamber of Deputies in May 2022 – still under discussion by the Senate. Both lead to control and discipline of bodies and reinforcement of stereotypes related to gender roles. There are already claims of racist and sexist practices involving haircuts and clothing for girls and boys in militarized public schools – which shows an effect imbricated with race because most students are black. Regarding homeschooling, there are many elements to consider that point it as a risky choice, such as lack of sociability, doubtful quality of teaching and learning (the main argument used by the ones who advocate for it is the necessity to better supervise the content learned), food insecurity (children coming from low-income families often eat at school) etc. Besides all that, considering the sexual division of labor, women most likely will be responsible for the education of these children, intensifying gender hierarchies. In medium term, both the militarization of schools and homeschooling will certainly have an impact in psychological and ideological terms, focusing on socialization processes – a form of change in the invisible power.

A new cycle on the educational arena should begin in 2022, with the IV National Conference on Education (CONAE), from which the preliminary text of the new National Education Plan will emerge, an episode that we consider to be of fundamental importance to accompany the *Countering the Backlash project, Reclaiming Gender Justice*. CONAE is promoted by the federal government and has broad participation from civil society, but this space has deteriorated after the 2016 coup, and an alternative was constituted at the

National Popular Conference on Education, to be held between July 15 and 17, 2022. The current Plan is valid for 10 years, which expires in 2024, when its new version must be approved by the National Congress and implemented at the federal, state, and municipal levels. It is in these spaces, between 2014 and 2016, where the main confrontations took place in relation to the guidelines of gender and sexuality for Brazilian education.

In general, we could say there is an evident use of the public machine – therefore, visible power –to promote values contrary to human rights, often in a full-frontal attack, supported by the invisible power of Christian doctrine – catholic charismatic renewal and neo-Pentecostal evangelicals – and stimulated by priests, ministers and others who influence as hidden powers. This is combined with the belief that they are fed in the popular space regarding a supposed “stimulus” to homosexuality and transsexuality. The ways of resisting have been through pressure in Congress, in actions in the Judiciary, in public letters from civil society organizations and street demonstrations. In all the episodes mentioned, there were only gains in favor of women's rights and LGBTQIAs in the Judiciary sphere. Furthermore, it is important to understand the overlap between the neoliberal agenda that impacts the future of education in Brazil and cis-hetero-patriarchal thought. As Verónica Gago explains, 'the privatization of public services or the restriction of their reach is translated into the fact that these tasks (health, care, food, etc.) must be supplied by women and feminized bodies as unpaid and mandatory tasks' (Stutterer, 2020). Thus, to implement neoliberal reforms, it is necessary to reinforce the hierarchically inferior position occupied by women in the sexual division of labor. To quote Gago again, ‘there is no neoliberal capitalism without patriarchal and colonial order’ (Gago, 2020).

FINAL CONSIDERATIONS

On October of 2022, Brazil held general elections, Luiz Inácio Lula da Silva winning for president over Jair Bolsonaro by a small margin, despite de various maneuvers enacted by the latter’s team to keep him in power. Emulating what took place in the United States of America two years earlier, on January 8, 2023, just a week after President Lula was inaugurated, a coup was attempted by Bolsonaro and his followers, involving the invasion and destruction of the National Congress and the Supreme Court of Justice headquarters, as well as the Planalto Palace, the Presidential Palace. Even though Bolsonaro had fled to Miami a few days before Lula’s inauguration, a Mixed

Congressional Investigation Commission (CPMI) has just recently found him as the major orchestrator of the coup, filing for his indictment and of many of his cabinet members and military assistants.⁷²

In order to win the election, Lula was forced to gather a coalition of parties from Center Right to the Left. Furthermore, despite losing the presidential elections, Bolsonaro was influential in the election of a very conservative, fundamentalist Congress, which is creating all sorts of barriers to Lula implement his governmental plans. We foresee, therefore, a continuation of backlash attempts against the advancements of women's rights and gender equality, and continuous countering backlash actions in response in the near future, which we plan to map and analyse in our research projects in the upcoming year.

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⁷² <https://www.camara.leg.br/noticias/1008264-cpmi-do-8-de-janeiro-aprova-relatorio-que-pede-o-indiciamento-de-bolsonaro>



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