

# Religious and Political Fundamentalisms as a Threat to Women's Rights: Challenges in the Legislature in Brazil



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Centro Feminista de Estudos e Assessoria - CFEMEA

Kauara Rodrigues, Juliano Alessander, Natalia Mori and Soraya Fleischer

The debate about the right to safe abortion in Brazil and many countries in Latin America is closely linked to religious and political fundamentalisms that historically have been associated with the political right. However, in recent years we have observed that leftist governments and parties, to protect their own interests and political alliances, have attempted to negotiate the rights won by women—and particularly the right to legal abortion. In the specific case of Brazil, religious fundamentalisms of different origins exist in many spheres that should be secular according to the federal Constitution, including the executive, legislative and judicial branches of government.

This case study describes and analyzes the composition and strategies of the fundamentalist forces in Brazil. This analysis serves as a framework for the Centro Feminista de Estudos e Assessoria's (CFEMEA, Feminist Centre for Studies and Advisory Services) advocacy work<sup>1</sup> in the national parliament (located in Brasilia) to counteract the influence of fundamentalist groups. This case study focuses on bill [1135/1991](#) as a concrete example of this broader situation. The bill would decriminalize abortion during the first 12 weeks of pregnancy. In 2008, the bill was voted on and rejected by two parliamentary committees, whose reports quoted biblical passages. The article concludes with reflections and proposals for feminist action in the future.

### Understanding the Context of Religious Fundamentalisms in Brazil

In Brazil, the main religious fundamentalists are the Catholic, Evangelical and Spiritualist churches, as well as self-titled “pro-life” sectors. They believe that the specific values and behaviours they support are the only valid, correct and acceptable values and behaviours, and this belief forms the basis of their actions. First, they

are characterized by their belief that religion should have a strong presence and influence in all areas and institutions of public and private life, such as schools, hospitals and courts (where it is very common to find crucifixes, even though these buildings have been built and are maintained with public resources). Second, they believe and advocate, without reservation, for one traditional family model (composed of a heterosexual couple) and extreme control over women's bodies and sexuality. It is worth mentioning that they advocate for heavier penalties for behaviours they consider "deviant." This position coincides with the model of limited government, which, because of its limitations, cannot effectively address basic needs such as health.

In general in Brazil, congresspeople, officials in the executive branch and political candidates maintain close relationships with the Catholic and Evangelical Churches. Politics and religion mix openly: priests and ministers become mayors; deputies and senators finance churches and parishes; churches finance election campaigns for candidates whose proposed legislation will then be motivated by religious precepts. Spokespeople for these churches express explicit political opinions. For example, in 2007, the archbishop of the State of Rio de Janeiro recommended that his followers reject candidates that supported abortion, regardless of their political affiliation.

On November 13<sup>th</sup>, 2008, President Lula da Silva (2002-2011) signed a concordat on the legal status of the Catholic Church in Brazil. Since 2000, the Vatican had been pressuring the government of Brazil to sign this agreement to legally guarantee economic and other privileges, such as a tax exempt status, the right to teach Catholicism in public schools, and land for the construction of churches. To be ratified, the concordat required the approval of the National Congress, which was obtained in October 2009, which had repercussions on the alliances between different religious groups in parliament. As a result, Evangelicals conditioned their support on the approval of the General Act on Religions, which had been approved in the Chamber of Deputies and was awaiting discussion and a vote in the Senate. Its text is similar to that of the concordat with the Vatican, but adapted for other churches.

After intermittent support for women's rights, the Brazilian government is now lukewarm in its efforts to protect women's reproductive autonomy. In 2005, the National Conference of Brazilian Bishops (CNBB)—the most powerful Catholic entity in Brazil—spoke against the legalization of abortion and called for the federal Constitution to "protect and support the unborn." At the same time, the executive branch was supposed to send to Congress a bill that would allow abortion on demand, formulated by a Tripartite Committee,<sup>2</sup> which had

been created at the request of the First National Conference of Policies for Women (2004).<sup>3</sup> In response to the CNBB's statement, President Lula announced that his government "supported life in all ways." The Tripartite Committee's bill was never addressed by the executive branch, and, although it was approved in plenary, it was ignored in the text of the II National Plan for Policies for Women (2007). The head of the Special Secretariat for Policies for Women, Minister Nilcéia Freire, and the minister of health, José Gomes Temporão, spoke publicly in support of abortion and a secular state, especially during the Pope's visit to Brazil in 2007; however, they were the only ones in government to do so. More immediately, it is worth noting that the majority of public health posts and centres lack family planning supplies. In addition, many physicians and medical professionals in public institutions claim "conscientious objection" to avoid performing abortions in those cases permitted by law (when the woman's life is in danger or in cases of rape).

Since 2008, the judiciary has stepped up prosecutions of women who have had abortions. In April, TV Morena, a local affiliate of the most important national television company (TV Globo), which is openly Catholic, carried a news item about a clinic in Campo Grande, in the state of Mato Grosso do Sul, where 10,000 women allegedly had abortions. The state prosecutor of Mato Grosso do Sul, federal Deputy Luiz Bassuma (PV<sup>4</sup>/Bahia), and the president of the National Movement to Protect Life (who is a spokesperson for the church in the National Congress) initiated a court case against the doctor who owned the clinic. Meanwhile, Aloísio Pereira dos Santos, the judge of the Second Chamber of the Jury Trial Court in Mato Grosso do Sul, decided to also prosecute the 10,000 women whose names appeared in clinic records.<sup>5</sup> This number is now reduced to 1,500 because the charges against the other women for the alleged "crime" have lapsed or were invalidated due to other technical reasons. However, the information in the women's medical files was made public, which violated their rights to protection of reputation and to privacy. The total number of women who are currently serving a sentence for any type of crime in Brazil is almost 25,000. Not even the military dictatorship pursued such a massive prosecution.<sup>6</sup>

As noted earlier, there are other influential actors outside of the political sphere who maintain close ties to government. In the beginning of 2008, the CNBB launched the 2008 Campanha da Fraternidade (Brotherhood Campaign) focusing on the theme of brotherhood and the defence of life. Its slogan was "Escolhe pois a Vida" (roughly translated, "choose life").<sup>7</sup> The president of Brazil attended the launch of the campaign, which was in Brasilia. The campaign opposes abortion, stem cell research, assisted reproduction and euthanasia. In September 2008, the Movimento Brasil sem Aborto (Abortion-Free Brazil Movement) held a national march. The self-titled "pro-life" organizations are also involved in the

coordination, organization and implementation of all of these types of activities. The most well-known groups include Pró-Vida de Anápolis (Pro-Life of Anápolis) and Associação Nacional Pró-Vida e Pró-Família (PROVIDAFAMÍLIA, National Pro-Life and Pro-Family Association), which is part of Human Life International (Vida Humana Internacional; they consider themselves to be “pro-life” missionaries for a Christian world).

### Religious Fundamentalisms in the Brazilian Congress

The Religious Bloc in the National Congress is composed of representatives from different creeds (Catholic, Evangelical and Spiritualist) that coordinate opposition to sexual rights and reproductive health rights (SRHR) issues, such as the legalization of abortion and the criminalization of homophobia. Their discourses are based on religious and biblical arguments and values.

Some of the strategies that the Religious Bloc utilizes include:

- Creation of parliamentary alliances: In April 2007 (the year that Pope Benedict XVI visited Brazil), they created the Parliamentary Front against the Legalization of Abortion and For the Right to Life; in May 2007, the Parliamentary Front for the Family and in Support of Life, with links to the Evangelical Bloc and Catholic deputies; and in June 2007, the Parliamentary Front in Defence of Life-Against Abortion.
- Work in parliamentary committees: Representatives from the Religious Bloc chair these committees, dominate the official reports on the most important bills, and ignore congressional rules and internal protocols to benefit their peers and advance their ideas. In recent years, discussions about health, women’s SRHR and abortion are generally held by the Committee on Social Security and the Family (CSSF) of the Chamber of Deputies, and that is where these groups have focused their activities in opposition to these issues. However, they are now beginning to block debates in various other committees (the Human Rights Committee, the Constitution and Justice Committee, the Senate Committee on Economic Affairs, among others).
- Submission of bills that overturn existing rights for women and blocking the achievement of new rights: Some of the bills that these representatives have submitted for discussion and tried to get approved in the National Congress include the following: deduction of expenses caused by “unborn children” when calculating personal income tax; assistance for women who become pregnant as a result of rape, through a minimal

salary until her child turns 18;<sup>8</sup> creation of a hotline to report clandestine abortions;<sup>9</sup> the “Unborn Child Statute,” which would include abortion on the list of heinous crimes; prohibiting the distribution of emergency contraception pills (morning after pill); and creation of the Day of the Unborn Child.<sup>10</sup>

- Organizing events, masses and celebrations in parliament, such as the First National Meeting of Legislators and Government Officials for Life-Against Abortion, which was held in the Chamber of Deputies, and a series of events organized with the Brotherhood Campaign mentioned above.
- Creation of a Parliamentary Investigation Committee on abortion (or the “witch-hunting commission” as feminists call it), which was demanded in April 2008 with the signature of 220 representatives. It is clear that its main objective is to prosecute women who have had abortions as well as feminist organizations fighting for the right to safe, legal abortion in Brazil. The committee was approved by the president of the chamber, a federal deputy of the Workers’ Party (PT).<sup>11</sup> At the time this case study was written, the CPI was waiting for party leaders to name representatives to the vacant positions so its work could begin.

It is not possible to speak of party differences when it comes to the ecumenical dialogue against women’s rights: the “pro-life” leaders in Congress—who oppose the legalization of abortion—belong to different parties.<sup>12</sup>

Below we describe in detail the activities of these fundamentalist representatives with regards to bill 1135/1991, which has been pending in the Brazilian Congress for 18 years.<sup>13</sup>

### CFEMEA’s Strategies

CFEMEA is known as the foremost Brazilian feminist group that monitors proposed legislation, discourses and strategies in Congress in order to combat fundamentalist pressure in the legislature. Of the 709 bills that CFEMEA is currently monitoring, 75 impact reproductive health. Every day, CFEMEA checks the websites of the Chamber of Deputies and the Federal Senate to see which bills have been added to the parliamentary committees’ agendas. If a bill would positively impact women’s rights, the organization evaluates who is on the committee that will study it



and the influence of its author so that feminist groups can determine what actions to take to support it. If a bill would negatively impact women's rights, CFEMEA plans activities to keep it from advancing in the legislative process.

This type of coordination with feminist and women's groups mainly occurs via Internet listservs or forums, especially the *Jornadas Brasileiras pelo Direito ao Aborto Legal e Seguro* (*Jornadas, Brazilian Conference for the Right to Safe Legal Abortion*) and the reference group on abortion of the *Articulação de Mulheres Brasileiras* (*Organization of Brazilian Women*), which are the main networks working on the issue. CFEMEA belongs to both and contributes to their work. In these forums, the groups collaboratively draft technical reports, letters to parliamentarians and press releases and discuss which government officials they can ask for support.

Every year the composition of the issue-based committees of the Chamber of Deputies changes. The process involves a lot of coordination and many favours, especially within political parties and between them. CFEMEA works to influence elections for the chairs of the committees that are the most important to women's rights and that handle the bills it monitors (Committee on Social Security and the Family; Constitution, Justice and Citizenship Committee; and Human Rights and Minorities Committee). CFEMEA speaks with party leaders and with women's groups in the different states. Although CFEMEA works to ensure that these committees are chaired or have members sensitive to women's SRHR, its lack of success shows that this issue is of little import to the different parties.

Each time the members of the legislature change, CFEMEA conducts an opinion poll to learn the new parliamentarians' positions on issues that affect women's rights.<sup>14</sup>

### **Bill 1135/1991**

This case study focuses on a bill that has been before the National Congress since 1991: bill 1135/1991, which would decriminalize abortion in Brazil. The bill serves as an example of the fundamentalists' level of organization and the activities they promote. It also illustrates the kinds of activities CFEMEA and Brazilian feminist organizations in general have undertaken. As mentioned above, currently, abortion is only legal to save the life of the pregnant woman and when the pregnancy is the result of rape.

In the last 18 years, bill 1135/1991 has been discussed dozens of times by different parliamentary committees, although it has never been voted on in committee. Feminist groups, especially CFEMEA, have always been able to successfully manoeuvre to have it removed from the agenda when an

analysis has shown that the bill would not be supported by a quorum or had insufficient support for approval.

In 2007, bill 1135/1991 returned to the stage, this time with a new secretary on the Committee on Social Security and the Family, the Evangelical deputy, Jorge Tadeu Mudalen (DEM<sup>15</sup>/São Paulo), who has stated his support for continuing to punish women who have had abortions. Mudalen, serving as chair of the committee, threatened to put the bill on the agenda. In response, CFEMEA began monitoring the CSSF agenda daily and proposed some creative applications of the rules to postpone the vote while trying to obtain the votes of several deputies to even out the strength of the opposition and support. As a result, the chair began to doubt whether to bring the bill up for a vote. In collaboration with other allied feminist organizations, CFEMEA also wrote a letter outlining arguments in support of the bill, which was kept on its website during the entire process in an effort to gather supporters.<sup>16</sup>

CFEMEA's ally, Deputy Cida Diogo (PT/Río de Janeiro) negotiated with Mudalen for a postponement of the vote until the 2008 parliamentary period. Jofran Frejat (PR<sup>17</sup>/Federal District), who had announced his intention to continue the debate and that he would not postpone it again, was elected as the new chair of the CSSF. During the same week as Mother's Day, he put the bill on the agenda for a vote, omitting the already scheduled fourth and last public hearing, which representatives from the Ministry of Health planned to attend. On May 7<sup>th</sup>, 2008, committee secretary Mudalen gave his opinion that the bill should be rejected, stating that "Brazilians are increasingly opposed to liberalizing abortion."<sup>18</sup> After he read his opinion, there followed a long and impassioned debate that lasted all day. There were babies brought in by "pro-life" groups, and church members prayed incessantly and distributed leaflets with pictures of bloody foetuses. Deputy Miguel Martini (PHS<sup>19</sup>/Minas Gerais) stated that even though Brazil is a secular state, it is a religious country. "We are only here because we weren't aborted," he said. Thirty-three representatives agreed with the secretary's opinion; afterwards they stated that this number was very symbolic as it was the same as Christ's age. The group that supported continuing the discussion and holding the fourth public hearing withdrew from the debate after their repeated requests to postpone the vote were rejected. Instead of reporting on this group's protest and withdrawal, most media outlets reported that the bill was defeated "unanimously."

In May 2008, bill 1135/1991 came before the Constitution, Justice and Citizenship Committee (CCJC), which analyzes the legal, constitutional and technical nature of proposed legislation. CFEMEA's first activity was to use its opinion poll, to which 321 out of 594 representatives had responded, to map the composition of the CCJC. In this way the

organization was able to discover which representatives would support the bill. In general, 57% supported the current legislation [allowing abortion only under limited circumstances], while 15% opposed abortion in all circumstances. The first act of the CCJC chair, Eduardo Cunha (PMDB<sup>20</sup>/Rio de Janeiro) was to name himself secretary for the bill. He then called a public hearing to discuss it. He invited religious representatives: the president of the CNBB, a minister, a reverend from the Presbyterian Cathedral of Brazil, the president of the Assemblies of God Convention of Churches, and a Catholic ex-senator. The only secular representative was the health minister. The Ministry of Health questioned the composition of the audience for the hearing and suggested that representatives from social groups and the judiciary be invited. Since CFEMEA had been observing the process from the beginning, it suggested the Ministry of Justice and the Special Secretariat for Policies for Women. Finally, Deputy Eduardo Valverde (PT/Rondônia), an ally on some women's issues, proposed CFEMEA and another important feminist NGO that works on this issue, Catholics for the Right to Decide (CDD-Brazil).

The week before the hearing, Deputy Cunha put the bill to a vote, against customary congressional practice and in manipulation of the rules. He quoted entire passages from the Bible before opening the debate to the full committee. Various representatives submitted petitions for an extended period of time to better study the bill. Two reproductive rights activists—a judge in the state of Rio Grande del Sur and an anthropologist from Brasilia University—prepared a document rebutting each of Deputy Cunha's arguments. This document was posted on the Internet as a petition with a request for signatures from civil society.<sup>21</sup> More than 3,000 people have signed it. CFEMEA helped disseminate the petition and collected signatures.

The hearings to debate bill 1135/1991 were held on July 2<sup>nd</sup> and 3<sup>rd</sup>, 2008. During the public hearings, CFEMEA distributed informational materials to representatives and journalists. With other feminist NGOs and Deputy Paulo Rubem Santiago (PDT<sup>22</sup>/Pernambuco), CFEMEA also decided to hold a press conference on July 2 to provide data and present a dossier on the reality of unsafe abortion in maternity hospitals in the north-eastern part of Brazil. This was an important event, and the statistics, data and testimony made very clear the impact of illegal abortion on women's health and health services, and how the criminalization of abortion has been harmful. It was a critical moment, which made evident to the representatives that they could change this situation by supporting bill 1135/1991. During the event, CFEMEA and other NGOs working on the issue were interviewed by the media.

After the CCJC's chair manipulated the rules several times, on July 9<sup>th</sup>, 2008, during a special session called specifically to vote on bill

1135/1991, the committee rejected it. Deputy José Genoíno (PT/São Paulo), working with CFEMEA and representatives from other feminist organizations in attendance, attempted to postpone the vote until the last moment. The debates and the vote were very emotional and full of moral convictions, religious fundamentalism, and moralistic, conservative and misogynistic speeches. Only five representatives voted against Deputy Cunha's report.

Disgusted by the CCJC's decision, Deputy Genoíno promised to submit the bill for discussion in the full Chamber of Deputies. To do so he presented a petition that required the signatures of at least 10% of the 513 deputies (51 signatures). He obtained 67 signatures and now the petition is pending inclusion on the plenary agenda for discussion. This action prevented the bill from being removed definitively from the agenda, as the fundamentalist group had desired. If the petition is accepted, the bill will be analyzed and voted on by the full chamber.

While this was going on in the National Congress, CFEMEA introduced the debate on abortion and bill 1135/1991 at its own events and events organized by other feminist groups; gave dozens of interviews and published dozens of articles and readers' letters in the press; published a weekly column in a popular newspaper; updated its website daily (which is visited by an average of 2,236 people per day); and participated in three national conferences (each attended by an average of 2,500 people).

Additionally, CFEMEA, together with other organizations and networks such as the Jornadas Brasileiras pelo Direito ao Aborto Legal e Seguro (Conference for the Right to Legal and Safe Abortion), Articulação de Mulheres Brasileiras (Organization of Brazilian Women), SOS Corpo Instituto Feminista para a Democracia (SOS Corpo Feminist Institute for Democracy), Ipas Brazil, Instituto Patrícia Galvão, Comissão de Cidadania e Reprodução (Commission on Citizenship and Reproduction), Católicas pelo Direito de Decidir (Catholics for the Right to Decide), Marcha Mundial de Mulheres (World March of Women), União Brasileira de Mulheres (Brazilian Women's Union), Rede Nacional Feminista de Saúde, Direitos Sexuais e Direitos Reprodutivos (National Feminist Network for Health and Sexual and Reproductive Rights), and the Comitê Latino-Americano e do Caribe para a Defesa dos Direitos da Mulher (CLADEM-Brasil, Latin American and Caribbean Committee for the Defence of Women's Rights), organized a seminar on September 24 and 25, 2008, in São Paulo titled



Latin American Strategies for the Legalization of Abortion and Women's Reproductive Autonomy. Experiences in Peru, Uruguay and Nicaragua inspired Brazilian feminists with new strategies and arguments. The content and speeches from the seminar were organized and printed in CFEMEA's publication, *Vozes latinoamericanas pela legalização do aborto* (Latin American voices for the legalization of abortion).<sup>23</sup>

A little after the seminar, as part of the events for September 28<sup>th</sup> (Day of Decriminalization of Abortion in Latin America and the Caribbean) the National Front to End the Criminalization of Women and for the Legalization of Abortion was inaugurated with a public demonstration on the streets of São Paulo.<sup>24</sup> More than 600 people marched to the Ministry of Justice and the Courts of Justice and passed out copies of the alliance's manifesto. This alliance is a new strategy to expand the debate, attract new allies and formulate new arguments supporting women's reproductive autonomy.

### Evaluation of CFEMEA's Strategies

One of our most successful, useful and important strategies was to involve the media and to encourage press coverage. As a result, the media covered the issue and reported on legislative setbacks and the ways congresspeople attempted to and did manipulate the process. In spite of the risks associated with engaging with the media, it is important to do so because the public does not know what occurs in the National Congress. When they are given that information, they have the power to demonstrate, discuss the issue and put pressure on members of the legislature. In addition, although most of CFEMEA's activities have focused on the National Congress, the organization recognizes that the debate cannot continue to be limited to the institutional halls of power. Positions that are important to society and to constituents can be used to apply pressure to elected officials, who, after all, are governed by their need to win elections.

With regard to CFEMEA's role of providing information to other organizations, the group believes that the weekly electronic reports that it sent helped to explain the dynamics of the National Congress, which is not well understood by most women's and feminist groups or by society in general. In addition to their educational value, the reports alerted feminist organizations and leaders to the need to take action against fundamentalist initiatives in Congress. However, in our opinion, abortion is increasingly becoming less of a priority and is being devalued in comparison to other issues, such as violence, unemployment and labour relations, for example, among Brazilian feminist organizations. CFEMEA's experience with bill 1135/1991 has demonstrated that it needs to reanimate and revitalize the theoretical and practical discussions of the issue by feminist organizations around the country.

There still remains much work to be done in this area within feminist and women's organizations. CFEMEA also encountered resistance to dialogue among these organizations, which to some extent may be a reflection of the fact that SRHR are not prioritized by political parties (except by right-wing parties), as mentioned earlier. This is cause for concern. The religious right has made great gains through its churches, parishes and temples in the area of SRHR issues—especially abortion—since 2006, which have resulted in the triumph or failure of political candidates' campaigns. It is likely that in the upcoming elections, opposition to women's reproductive rights will continue to be important to conservative candidates.

In the coming years CFEMEA will need to invest in dialogue with more sectors of Brazilian society. CFEMEA believes that its strategies to combat religious fundamentalisms in the legislative arena can be important contributions to other movements, such as the LGBT or human rights movements, to scientific and medical research, and to patients hoping for treatment developed with stem cell research, who also directly experience the harmful effects of the religious fundamentalists' attempts to overturn advances.

### Some Challenges and Opportunities for the Future for Feminist Organizations...

- Brazilian feminists are not in agreement about which strategies should be used to legalize abortion and as a result still have much to debate among themselves, and between feminists and other sectors. There are sectors that believe that expanding the legal grounds for abortion in the Penal Code should be prioritized, while others talk about decriminalization and a third group focuses on political action towards legalization. CFEMEA recognizes the importance and richness that the different points of view bring to this one issue. However, many times the lack of consensus and a common vision makes dialogue and coordinated efforts difficult. As a result, this is one more challenge to obtaining the results we so strongly desire.
- Resources are another factor that affects the outcome of this fight against fundamentalisms. Funding for feminist activities is becoming increasingly scarce. This causes difficulties within groups, which then have difficulty prioritizing this struggle. In contrast, fundamentalist groups have copious resources from various sources, such as public funds, international sources and from the Vatican itself.
- CFEMEA has also identified the need for a more detailed analysis of different types of fundamentalisms, their meanings, and

the various theoretical constructions of fundamentalisms. To do so, CFEMEA is creating new strategies in order to learn how fundamentalisms operate and how they are organized, as well as to identify their relationships with international networks, with the hope that this information will help us advance our cause. The challenge of writing of this case study itself demonstrated the need for greater knowledge about fundamentalisms.

- Since the Catholic fundamentalist offensive (coordinated by the Vatican) is focused in Latin America, CFEMEA believes it is important to invest in strategies that are developed in collaboration with Latin American movements and that now is the time to collectively reformulate strategies that look to the past and plan for the future. CFEMEA's participation in the *Articulación Feminista Marcosur* (Marcosur Feminist Organization)<sup>25</sup> and its Campaign against Fundamentalisms has made possible dialogue and important learning experiences, as occurred during the last World Social Forum in Belém, Pará, in January 2009.
- CFEMEA believes that historically the debate about abortion has focused on public health arguments and data. While this perspective is very important and, together with the active participation of the medical sector, has contributed greatly to the debate, CFEMEA believes it is important to incorporate theories and arguments on the right to pleasure and to sexual freedom. These arguments are an important feminist contribution to the debate that is under attack by fundamentalists.

### ...And in General

- Given the last two years of activity by fundamentalist representatives in the National Congress, it is clear that they have learned a lot from social movements. They learned to observe the legislative process, to follow the progress of bills, and to talk to other representatives and advisors. CFEMEA's team overheard one of these parliamentarians say, "We have to be like them," (referring to CFEMEA's feminist advocacy). In contrast, however, CFEMEA is observing that in the sphere of the National Congress, those representatives who are allies in the struggle for the legalization of abortion and the defence of SRHR appear to be retreating and do not attend debates and meetings relevant to the issue.
- Coordination between conservatives from different religions is a significant change in the way the current legislature operates, and it has greatly strengthened these groups in many ways. The

situation in 1990 was very different; in those days, religious fundamentalist groups that opposed the legalization of abortion acted in isolation, each from its own religious mandate. This coordination between different religions in opposition to SRHR is not occurring with the same intensity in other countries in Latin America; there, the Catholic Church, its strength and activities, continues to be the greatest obstacle in the fight to legalize abortion. However, the situation in Brazil can serve as a warning to other countries in the region about fundamentalist religious groups' new methods of mobilization.

- CFEMEA would also like to point to the urgent need to transform Brazilian culture and the political system, which have made different sectors' (especially women's) access to the democratic system and the legislature more difficult at the same time that they allow fundamentalists to interfere in the formulation of laws.
- On the other hand, it is important to mention some recent signs of support for the right to safe and legal abortion in Brazil: the Ministry of Health's declaration that "abortion should be seen as a public health issue"; the call for tenders by the Ministries of Health and of Science and Technologies for abortion research; the National Student Union's campaign for the legalization of abortion; favourable motions approved by the Consejo Nacional del Servicio Social (National Social Service Board) and the woman's branch of the PT; and an open campaign by the woman's magazine *Marie Claire* in support of legalization. Activists must take advantage of this situation and demand that the executive branch not only submit its own bill but that it follow more closely the positive and negative bills that are working their way through the National Congress. Currently, CFEMEA is speaking with different women's organizations to develop better lobbying strategies for the executive, legislative and judicial branches of government.

### Looking Ahead

Based on the information in this case study, CFEMEA can affirm that the secular state, in which religious diversity, as well as some individuals' lack of religious affiliation, is respected and recognized and where the religion of some is not assumed to be the absolute truth for the entire population, is far from a reality in Brazil and in many countries in Latin America. When hegemonic churches influence the state, it violates the principle of separation of church and state, and it is the start of a religious fundamentalist regime.

CFEMEA believes that all religious fundamentalisms are also political; this truth has become explicitly clear in recent years in Brazil, as this case study has shown. Fundamentalisms are unleashing a systematic war against the diversity of voices and desires among women and especially against their sexual and reproductive autonomy by attempting to deprive them of rights already won as well as block advances towards new rights. Behind the religious arguments that repeatedly defend “life,” there is a systematic strategy to revoke women’s autonomy and freedom and to reinforce their domesticity and submission.

Throughout Latin America the fundamentalist influence on government and parties that have historically identified as leftist is similar. CFEMEA is concerned about political agreements and alliances with religious sectors in the name of political “governability,” in which the main currency has been women’s rights and needs.

The current political situation is maintained through alliances between great wealth, religious fundamentalisms and specific social movements that are exclusionary and depoliticized. As scholars and activists supporting a different political possibility, one of feminist transformation, we know that domination is also based on gender relations. It is this different possibility that we must put forward as an alternative in elections and in daily life, thereby rescuing the meaning of a truly just society for women and men.

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### Notes:

<sup>1</sup> The term advocacy indicates collective, political and public action based on rational values and arguments, arising out of civil society, not the state. Portuguese does not have a specific translation of this term. Almira Rodrigues, a member of CFEMEA, explores the term advocacy in the Brazilian context in “[Advocacy: uma ação política de novo tipo](#),” December 1999.

<sup>2</sup> Editor’s Note: The Tripartite Committee included people from the legislative and executive branches of government, as well as representatives from civil society organizations.

<sup>3</sup> The National Conference is a space for dialogue between the Brazilian government and the women’s/feminist movement during which public policies affecting women are proposed and evaluated.

<sup>4</sup> Partido Verde (Green Party).

<sup>5</sup> For more details about the lawsuit against clinics where abortions have been performed and against the women in Mato Grosso do Sul, see the Themis case study.

<sup>6</sup> CFEMEA wrote a letter to the Permanent Subcomisión Permanente en Defensa de la Mujer (Permanent Sub-Committee for the Defence of Women), which was also submitted to the Human Rights and Participative Legislation Committee of the federal Senate. The letter demanded that the Sub-Committee follow the progress of the criminal charges and prosecutions in Mato Grosso do Sul and that it hold a public hearing on the case. Recently, a writ of habeas corpus, submitted by feminist lawyers in the name of one of the accused women, was allowed as a preliminary measure. This is a small victory, and we are now awaiting a decision by the court on the merits of the charges.

<sup>7</sup> Editor’s Note: The campaign slogan is drawn from a biblical verse. “I call heaven and earth to record this day against you, that I have set before you life and death, blessing and cursing: *therefore choose life*, that both thou and thy seed may live,” (Deuteronomy, 30:19, King James Bible).

<sup>8</sup> At CFEMEA, we named this the “rape scholarship” (rape prize), a label that had a huge impact in the media and on feminist movements. See [PL 1763/2007](#) in the Chamber of Deputies website ([www2.camara.gov.br](http://www2.camara.gov.br)).

<sup>9</sup> [PL 2154/2007](#).

<sup>10</sup> For more information about the process of introducing bills, see “[Regimento Interno da Câmara dos Deputados](#)” (Internal Regulations of the Chamber of Deputies), available in Portuguese.

<sup>11</sup> Governing party.

<sup>12</sup> The main actors in this bloc include:

- Dr. Sergio Antonio Nechar (PV/São Paulo) and Dr. Talmir Rodrigues (PV/São Paulo), shrewd orators against the legalization of abortion who have submitted bills on the issue and write Internet articles on sites such as [Pró-Vida de Anápolis](#).
- Former PT parliamentarians Henrique Afonso, from Acre, and Luiz Bassuma, from Bahia, as well as Odair Cunha, from Minas Gerais, who is still a member of the party, organized alliances against the legalization of abortion, “pro-life” marches and submitted reactionary bills. The spiritualist Bassuma is one of the main “pro-life” leaders in Congress and has even “received” a spirit during one of the plenary sessions of the chamber.
- Bishop Robson Rodovalho (Democrats, DEM/Federal District), Minister Manoel Ferreira (Democratic Labour Party, PTB/Río de Janeiro), Minister Pedro Ribeiro (Brazilian Democratic Movement Party, PMDB/Ceará) and Father José Linhares (Progressive Party, PP/Ceará), have converted many of their allies into instruments of Christianity in the Congress and in recent years have opposed even more vigorously women’s rights.
- Heloísa Helena (Socialism and Freedom Party, PSOL), ex-senator, is considered a good example of this type of leader by “pro-life” organizations, which always invite her to events and seminars opposing SRHR.



- The main “pro-life” leaders also include Leandro Sampaio (Popular Socialist Party, PPS/Río de Janeiro), a parliamentarian who coordinates collaborations between the various alliances. Like the *petistas* (PT members), he disagrees with his party, which tends to favour the decriminalization of abortion.

<sup>13</sup> [Las Católicas pelo Direito de Decidir](#) (CDD-Brazil, Catholics for the Right to Decide) have conducted surveys and research regarding the activities of the Religious Bloc in the National Congress.

<sup>14</sup> CFEMEA has successfully conducted five opinion polls (1993, 1995, 2003, 2005 and 2008) with federal parliamentarians in Brazil. With this perspective and twenty years experience working in the Congress, CFEMEA has gained respect and credibility; as a result, many representatives now answer the surveys. On the other hand, the abortion debate has intensified in recent years so that each time there are fewer representatives that do not have an opinion or that do not wish to publicly announce their position, whether in favour or against it. CFEMEA guarantees the privacy of respondents’ replies to the survey. The surveys are available on CFEMEA’s website; the most recent is available [here](#).

<sup>15</sup> Democrats; the main right-wing party in Brazil.

<sup>16</sup> At the end of 2009, the letter had been signed by 1,955 individuals and 432 institutions.

<sup>17</sup> Party of the Republic, previously known as PRONA, representing the extreme right in parliament.

<sup>18</sup> The [speech](#) made during the vote on bill 1135/1991 is available on the website of the Chamber of Deputies, in Portuguese.

<sup>19</sup> The Humanist Party of Solidarity is a right-wing group with limited representation in the National Congress.

<sup>20</sup> Brazilian Democratic Movement Party; a centrist party that is one of the main political parties in the country.

<sup>21</sup> See the petition: “[Resposta da sociedade brasileira ao parecer do relator do PL 1135 Eduardo Cunha](#)” (Response of Brazilian society to the opinion of the rapporteur of PL 1135, Eduardo Cunha).

<sup>22</sup> Workers Democratic Party, a party allied with the government.

<sup>23</sup> Soraya Fleischer, organizer, “[Vozes latino-americanas pela legalização do aborto](#),” Brasília: CFEMEA, 2009.

<sup>24</sup> Frente nacional pelo fim da criminalização das mulheres e pela legalização do aborto (National front to end the criminalization of women and for the legalization of abortion), [Manifesto da Frente Nacional pelo fim da criminalização das mulheres e pela legalização do aborto](#) (Manifesto against the criminalization of women who have had abortions), September 2008.

<sup>25</sup> An umbrella organization created in September 2000, formed of organizations and networks from Uruguay, Brazil, Chile, Paraguay, Argentina, Bolivia and Peru.

### **Author Bios:**

**Kauara Rodrigues** has a degree in political science from the University of Brasilia. She is a member of CFEMEA’s Parliamentary and Technical Advisory Team and works in the health, sexual rights and reproductive rights department.

**Juliano Alessander** is a lawyer specializing in criminal law and is also a technical advisor with CFEMEA.

**Natalia Mori** is a sociologist. She has a master’s in sociology from the University of Brasilia and is a graduate of the Regional Training Program for Gender and Public Policy (PRIGEP/FLACSO). She is a member of the collective leadership team and oversees the Work and Social Security as well as the Power and Sexual Rights and Reproductive Rights Departments.

**Soraya Fleischer** is a professor in the anthropology department at the University of Brasilia and a guest researcher at CFEMEA.

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### **Organizational Bio:**

CFEMEA - Centro Feminista de Estudos e Assessoria, is a non-governmental, non-profit organization that works for gender equality and the rights of women as citizens. It fights for a just and democratic society and state in an autonomous and non-partisan way. Founded on feminist thought, CFEMEA actively participates in the national women’s movement as well as in international feminist networks, especially in Latin America. It also participates in different initiatives against racism. [www.cfemea.org.br](http://www.cfemea.org.br)