

Same-Sex Marriage in Brazil: First Results, Media Response and Visibility

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Abstract: This article presents the first results for the Civil Registry Statistics Survey regarding same-sex marriage, published by the Brazilian Institute of Geography and Statistics (IBGE) in December 2014 (with reference to 2013 data), the general response from local media and a brief discussion about the relevance of these results to LGBT visibility, equality and citizenship in Brazil. It is the first of a series of papers associated to a 2015-2019 doctoral research in Sociology taken at the Institute of Philosophy and Social Sciences of the Rio de Janeiro Federal University (IFCS-UFRJ) and sponsored by IBGE.

Keywords: IBGE; LGBT; civil rights; media.

1. Introduction

Human rights groups have been trying to guarantee civil rights equality for the LGBT population in Brazil, at least since 1987, when Pink Triangle, one of the oldest LGBT NGOs in our country, unsuccessfully attempted to add a bill of rights and criminalization of homophobia to the 1988 Constitution.

In 1995, at the 17th World Conference of the International Lesbian and Gay Association (ILGA) in Rio de Janeiro, congressional representative Marta Suplicy, along with a work group with members of various NGOs and other institutions, came up with a project for a Civil Partnership Bill. That first attempt did not use the term “marriage”, did not allow adoption of children by LGBT couples and pretty much tried to lessen any potential rejection it might face by disassociating the idea of partnership from the idea of family. Suplicy even gave interviews stating that the project would allow other kinds of partnerships, in order to facilitate matters of inheritance within a family, for example. Even so, the project stayed buried in bureaucracy for years, victim to political maneuvers and pressure from the Protestant Christian lobby.

Without a law to rule over the matter, and several processes waiting for resolution in different States, in 2011 the Supreme Court decided that the civil union between same-sex couples had the same status as that of different-sex couples, in order to conform to the Constitution and guarantee equal rights for all people. In 2013, the National Council of Justice declared that, by isonomy, same-sex civil marriages should also have the same status as different-sex ones.

Although our country has yet to approve a law or a Constitutional Amendment regarding this – a difficult task, to say the least, considering recent conservative-oriented developments in the Congress – so far the Courts’ rulings stand. As of 2013, the Brazilian Institute of Geography and Statistics, by means of the Civil Registry Statistics Survey, began including same-sex marriage information in its charts, published in the annual survey’s 2014 issue. The first data shown stay at a basic level at this time, comprising only the numbers of registries per city and state, per sex and age of partners. However, it is already possible to see and extrapolate a few specific patterns for same-sex marriages in comparison to different-sex marriages.

This article is the first of several papers intended to show and analyze this new data and create a 2013-2018 historic series. It is associated to a 2015-2019 doctoral research in Sociology, taken at the Institute of Philosophy and Social Sciences of the Rio de Janeiro Federal University (IFCS-UFRJ) and sponsored by IBGE. The research has three main strategic goals:

- a) As stated above, to analyze same-sex marriage data as IBGE publishes the annual survey and build a historic series;

- b) To gather a clipping of news articles, both in print and on the internet, regarding the survey and its results, and to analyze the way mass media deals with the theme of same-sex marriage, considering that IBGE's Coordination of Communication mediates most of the relationship between the Institute and the press;
- c) To interview with same-sex couples (those who have already registered their marriages, those who have not done it yet but intend to in the future and those who have no intention of doing that), Human Rights activists and researchers, as well as authorities, in order to gather testimonies, opinions and different points of view regarding this matter.

The research's final goal is to establish a relationship between the fact itself (same-sex marriage), the publication of the survey's results about the fact, the media's point of view (mostly mediated by IBGE's own press assistant team) and any possible feedback from society regarding it. It is the researcher's intent to check for social and cultural relevance of both the survey and mediated media coverage. In addition, it is important to note that the registry of same-sex married couples are only one of several possible ways to grant social and demographic visibility to the LGBT people. This visibility is of utmost importance to help this population conquer equal rights.

2. Demography, statistics and visibility: the Brazilian LGBT case

In 1998, social scientist Michel Bozon alerted us to the difficulties Demography still has to face in order to encompass the transformations of sexual diversity, because, in essence, Demography deals with birth and mortality rates, not with gender and sexuality (Loyola *et al.*, 1998).

The Demographic Census (IBGE, 2010) shows a practical example that illustrates this point. The only way to register the existence of LGBT people at that point was as same-sex couples; even then, they had to fulfill three requisites:

- a) Both partners had to live in the same household;
- b) One of the partners had to be the person responding the Census' questionnaire;
- c) They had to be willing to say they were a couple.

It is not difficult to imagine that the number of same-sex couples identified by the Census – around 60,000 – represented only a fraction of the national LGBT population (or even of the same-sex couples' actual numbers). The survey did not recognize single LGBT individuals, nor did it identify, for example, transgender people; all people were either male or female. However, we recognize that this was a major step towards social visibility for this population.

Visibility is the main point of several campaigns promoted by social movements. Bourdieu (2005) points out that, in order to obtain social visibility and guarantee equal rights, LGBT people might feel the need to adapt to the norm, assimilating heterosexual rites and practices such as regular marriage, instead of trying to establish their own forms of relationship. He also says that, considering the fact that we all grow up in a heterosexual-oriented society, it might seem easier to adapt than to create. Therefore, he says, LGBT people, who have spent the last decades fighting for visibility and using excesses and transgression as a major tool, might willingly become, in essence, invisible, neutral and submissive once again, in exchange for a rightful place in the same society that has always ignored them.

There has been some tension around this matter in both the social movement and the academy. At the one side, there are those who want to secure basic, equal rights for everybody and fight for changes from that point on (Jesus *in* Avila *et al.*, 2005). At the other side, there are those who say this is the best moment to try a new way of doing things and criticize the norm (Miskolci, 2012). The analysis of this tension and its ramifications is a secondary objective of this research.

3. Same-Sex Marriages at the Civil Registry Statistics Survey: First Results and Media Response

In 2013, Civil Registration Statistics identified 3.7 thousand same-sex marriages in Brazil, with 52.0% between women and 48.0% between men. The survey highlighted that the median age of same-sex spouses was 37 years for men and 35 years for women, a lot higher than the median age of different-sex spouses (30 and 27 years, respectively).

Out of the 1,775 marriages between male partners, 897 (50.5%) were held in the state of São Paulo, being 428 in the capital. In second place among the Federation Units was Santa Catarina, with 126 (10.7%) and Rio de Janeiro, with 112 (6.3%). Considering female couples, which accounted for 1,926 marriage registers, once again São Paulo, had the biggest percentage among the Federation Units, with 1,048 (54.4%), being 372 in the capital. It was followed by Minas Gerais, with 109 (5.7%), Ceará, with 104 (5.4%) and Rio de Janeiro, with 99 (5.1%).

There was also predominance of single people getting married, both among male (82.3%) and female (75.5%) couples. On the other hand, the proportion of remarriages observed (in which at least one of the partners had got married before and was divorced or widowed) was biggest among women, representing 24.3%. Among men, the proportion was 17.4%. It is important to notice that the previous marriage was with a partner of different sex, as same-sex marriages were not possible before 2013.

According to the clipping made by IBGE's Department of Communications during the day of the survey's publication and the following day, the survey's results appeared in more than 70 articles, counting both internet and print versions, out of which, 75% were about same-sex marriages. Four major TV channels also showed the results in the news, all concentrated on this theme. The Department also identified over 1,100 tweets (not counting retweets) about the survey's results, with roughly the same percentage of coverage for same-sex marriage. IBGE's page on Facebook had the topic on the survey shared nearly 200 times in the first six hours.

Regarding the quality of the articles and comments, we identified mixed results. Almost all of the news articles and stories had a neutral, mostly informative tone. However, the comment sessions of many news websites, as well as about half of the Twitter list of topics, were full of negative comments. Some people, including religious leaders and politicians, went as far as saying IBGE (and the media, by extension) contributed to the "gay agenda" by granting visibility to same-sex couples. We intend to include prints of some examples in an incoming paper dealing specifically with responses from the general population, LGBT population, activists and authorities.

It is worth mentioning that about 10% of the news titles highlighted the seemingly low percentage of same-sex marriages, 0.35% of the total marriage count. The significance (real or symbolic) of this number calls for further investigation.

4. Conclusions

Same-sex marriage is a delicate issue that is bound to face resistance from conservative groups. Even now, a Christian lobby at the Congress is trying to overrule the Supreme Court's decision, which might nullify all marriages already registered. This political and legal battle is far from its end. Meanwhile, IBGE will continue to survey the Civil Registry and publish the results on a yearly basis as usual.

So far, we can extrapolate a few hypothesis: for example, the age difference between same-sex couples and different-sex couples at the time of marriage registration may mean that same-sex couples choose to marry later in their lives as many probably suffer discrimination early and must fend for themselves before managing to have a stable love life. On the other hand, it might

simply mean that, at this first moment, only those couples that have already been together for a long time decided to registry their unions officially. Another interesting fact refers to the 17.4% of males and 24.4% of females who had already been married to a different-sex partner before engaging in a same-sex relationship. We intend to bring more answers to this question when interviewing same-sex couples during the fieldwork.

This research is taking its first steps and we hope that it will help enlighten social scientists, statistics, demographers and media specialists about the relevance of same-sex marriage, its social and cultural implications and its contribution to visibility and equality of civil rights for minority groups, which are currently invisible or nearly invisible to official surveys.

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