

Forum on Rahul Rao's *Out of Time*, Part I: Queer Mutations and Repressions

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Abstract: In this Forum, six scholars reflect on Rahul Rao's recent book *Out of Time: The Queer Politics of Postcoloniality* from other geographies, themes and radical possibilities. Part I offers dialogues with *Out of Time* from Trump's USA and Brazil's 'hetero-military' dictatorship and Portuguese colonial roots. Emerson Maione and Renan Quinalha explore how Rao's elaborations of homonationalism, homocapitalism, homoromanticism and 'pink-washing' more generally travel in new contexts and how the 'fetishization of law' can mislead investigations of queer-, homo- and transphobias.

Keywords: Queer; (de)criminalization; United States; Trump; LGBTIQ; repression; Brazil; colonization; dictatorship.

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Queer Mutations in the Time of Global (De)criminalization

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Introduction

In February 2019, then US ambassador to Germany Richard Grenell announced the launch of a global campaign against the criminalization of homosexuality. Its targets would be the more than 60 countries that criminalize it. The announcement was made in an article denouncing the hanging of a supposed homosexual in Iran (Grenell 2019), which by itself brings to mind controversies surrounding western activism regarding LGBTQ+ rights in Iran over the last two decades (see Long 2009; Puar 2017a: xvii-xix; Rao 2010: 179-189). Grenell claimed full support from President Donald Trump, who initially appeared to be unaware of the campaign when asked to explain it, but who months later announced it officially (Persio 2019). The campaign was planned with activists from Eastern Europe and the USA, and promoted meetings (Johnson 2019) at the UN, the US embassy in Berlin, and a few international conferences.¹ Nonetheless, its achievements remain difficult to assess – so much so that some call it a rhetorical effort to detoxify the image of the Trump administration or to demand that its actions go beyond ‘just talk’ (Crehan et al. 2020). Grenell himself and his aides did not identify the countries that were its specific targets because for him this would just ‘empower our enemies and our opposition and so I hesitate to give a list of countries that we’re targeting,’ but he did mention Lebanon and the Caribbean (Grenell and Milk 2020). Grenell also claimed the support of a few countries that supposedly would join the decriminalization movement, like the United Kingdom, France, Serbia and Kosovo. He said there was a different strategy for all the more than 60 countries that ‘still’ criminalize homosexuality.

In this piece, I use a specific case study – the Trump administration’s global campaign to decriminalize homosexuality – to revisit some of the central concepts and arguments in Rahul Rao’s (2020) recently published book. I suggest there are a number of reasons why this case study provides an original angle through which to enter the debates that Rao sparks, in particular:²

1. The endurance/continuity of these homocapitalist strategies between the Obama and the Trump administrations, which raises questions about the extent to which the processes Rao describes are facets of liberal global governance or are rather more hegemonic and able to be adapted/wielded by people of various ideological leanings (from Obama-era multilateralism to ‘America First’ Trumpism);
2. The mobilization of a public display of penitence regarding the historical imposition of anti-homosexuality laws towards the implementation of neocolonial policies and imperialist posturing; and

3. The coalition that homocapitalist strategies are able to forge between state and non-state actors.

The latter two points reveal this case study to be a prime example of the dynamics that Rao seeks to capture in his book, and make a strong case for engaging with his explanatory framework. How can this campaign be interpreted in relation to Rao's work on homoromanticism, in which he criticizes the movement to sideline the agency of post-colonial elites as if they had little to do with the preservation of colonial era anti-sodomy laws after so many decades (let alone the enactment of new ones)? How can the concept of homocapitalism help us to make sense of the initiative of this 'decriminalization campaign' to bring on board multinational corporations 'to put more pressure' on countries that criminalize homosexuality?

The first point (which regards the endurance of these strategies across the political/ideological spectrum) is an observation whose implications I will draw out in more detail. What does this ideological alliance between far-right populists and establishment liberals tell us about the nature and function of homoromanticism? The Obama administration famously made LGBTQ+ rights a priority of US foreign policy (see Clinton, 2011; Burack 2018a).³ The Trump administration did not abandon it completely, as contradictory as it was (Maione 2020). It interests me to analyse the persistence that the promotion of LGBTQ+ rights might be acquiring across different administrations. How can a subject so politically charged gain political traction with both establishment liberal multilateralists and far-right populists? Since the Trump/Grenell campaign had the support of leading Democrats, like Stuart Milk, what can this alliance tell us about the adaptability of queerness to serve so many different interests? Here I want to heed Rao's figuration of 'queer mutations.' Is it possible that this political plasticity of queerness in the US context highlights another dimension or operationalization of the concept?

Overall, I discuss Rao's concepts of 'homoromanticism,' 'homocapitalism,' and 'queer mutations,' highlighting how they are relevant or need extending/engaging through the encounter with the case. Engagement and extension regarding these concepts helps to analyze how this global campaign by the Trump administration reduced the agency of Global South actors (at the same time that its 'domestic' context was influenced by these very actors); how it used multinational corporations to put more pressure on states that criminalize homosexuality; and how the adaptability of queerness enabled the endurance of these strategies from Obama-era multilateralism to 'America First' Trumpism.

Trump's global campaign for the decriminalization of homosexuality

For my purpose here, what matters about this campaign is that it reveals the endurance that promotion of LGBTQ+ rights might have been acquiring in US foreign policy – although Mike Pompeo seemed hostile⁴ – and the strategies purportedly employed to pursue decriminalization. It is important to note that Grenell was a full supporter of the 'America First' style and criticized the Obama administration's approach to the

promotion of LGBTQ+ rights for ‘largely hav[ing] taken a back seat [...] over the years’ and how ‘we’ve tried to quietly fund and do things under the radar, and I just found that was really unacceptable’ (Grenell and Milk 2020). And so, he approached the White House to say ‘how do we get this to be louder? How do we get this to be at the forefront?’ For him, this meant, among other things, being ‘in the lead, as to organizing the gay community, helping push forward programs that reach out to policy makers, reach out to the media, reach out to the important voices’ (Grenell and Milk 2020).

It may be useful to highlight two aspects of this campaign that illustrate his approach. The first is the legal issue. For the former American ambassador, ‘the reality is’ that the French, British and American colonies ‘largely, and I emphasize largely, cut and pasted their Constitutions from the French, the British and the American Constitutions’ (Grenell and Milk 2020). And doing this sometimes meant that ‘they pick up some of our bad habits and some of our bad laws.’ So trying to get these countries to decriminalize homosexuality ‘is really something that *I think is the responsibility of the Americans, the French and the British who gave them this document that is not very good*’ (Grenell and Milk 2020; emphasis added). Given this supposed special responsibility, he approached the governments of Britain and France to find ways of working together to develop a team of legal experts that will try to obtain repeal of some of these laws on the books in these countries. He added that now the next step was to try to get these teams to go forth and work with these countries. Grenell concluded that in order to push harder for a legal strategy, ‘we need this State Department International Strategy to unapologetically have our embassies take part in this and pour more money into this and try to make as much progress as possible’ (Grenell and Milk 2020).

Second is the financial/economic strategy. In US domestic politics, in response to the intense criticism that the Trump administration received on LGBTQ+ issues, Grenell said that ‘most or almost all of those [critiques] are small government versus big government’ (Grenell and Milk 2020).⁵ So, dozens of administrative measures on education, labour, health, military affairs, refugees and asylum-seekers, among others, that negatively impact the lives of American and foreign LGBTQ+ people (and were targeted especially against the transgender population) were treated as the side effect of the neoliberal agenda, or as if Obama’s pro-LGBTQ+ regulations were ‘legal overreach,’ as stated by a Log Cabin Republicans’ spokesperson (Haberman 2020).

On this economic front regarding this campaign, Grenell stated that ‘I’m a firm believer that we have to get the private sector community,’ which means holding to account private sector companies that are still doing business with and in countries that criminalize homosexuality (Grenell and Milk 2020). He explained that in his experiences of talking to big company CEOs, they told him they need to make progress, ‘but then they go and sign big fat contracts with these countries.’ He stated that he learned not to be ‘a purist,’ so he was ‘not demanding that companies stop doing business in all 69 countries that criminalize homosexuality’ (Grenell and Milk 2020). In this sense, there is a lot of work that can be done ‘on the outside,’ including working towards getting a team together ‘to put more pressure on corporations that are working in these countries’ (Grenell and Milk 2020).

Reading Trump's global campaign on decriminalization with Rao's Out of Time: among homonationalism, homocapitalism and homoromanticism?

When it comes to Grenell's politics, it seems that we are in the terrain and at the limits and exclusions of US white/multicultural homonormativity (Duggan 2003; Ferguson 2004, 2005) and homonationalism (Puar 2017a [2007]). He is one of the leading voices of the Log Cabin Republicans, an organization inside the US Republican Party that pushes for gay and lesbian rights (see Walsh-Haines 2018; Michelson and Schmitt 2020), and one of the strongest supporters of ex-President Trump. Under Trump, the workings of homonationalism took off any varnish they might have acquired under Obama. 'With Trump in office, the terrain of homonationalism is less forgiving than it once was, less yielding of tolerance from the state,' pointed out Puar (2017b: 225). An example was his promises to protect US LGBTs from radical Islam after the Orlando massacre in 2016. This was a promise he probably felt was kept with the many versions of the Muslim ban. From then on, the US state would conjugate queering in a different way, something I discuss in the next section. This form of conjugation was readily picked up by gay conservatives. In an article on the Orlando massacre published at the Fox News website, Grenell (2016) stated: 'Every American woman and man who acts Western are targets. Gays are not separate from this agenda. This is the real war on women. This is the real war on gays. This is a war on the West.'

What is striking is that the strategy disclosed above by Grenell, that all that is needed to change those countries is 'to be louder,' to act 'unapologetically' and to 'pour more money into this,' might seem as buttressing 'a claim about the indispensability of Western intervention [...] as an attempt to mitigate the damage wrought by earlier civilising missions' (Rao 2020: 115), referring to the so-called 'anti-sodomy' laws. I argue that it betrays a facet of what Rao calls 'homoromanticism,' an affective stance which is 'complicit in reiterating a view of Africans as lacking the agential capacity necessary to function as authors of innovative and indigenous forms of queer and anti-queer affect' (Rao 2020: 34). This has the effect of obscuring 'the agency of postcolonial elites in retaining and resignifying such laws' (Rao 2020: 115).⁶ Furthermore, Grenell's smug diplomatic approach may also entail exactly the kind of 'atonement for post-colonial anti-sodomy laws' that 'delivers insult in the same breath as it offers apology by sublimating an exaggerated sense of responsibility for these laws into a moral obligation to lead the struggle against them' (Rao 2020: 115).

Grenell's economic strategy may be read as what Rao calls the 'business case' for LGBT rights or 'homocapitalism,' a 'temporal and specifically futural response (...) in which LGBT rights are hailed as harbingers of economic growth, productivity, and dynamism' (Rao 2020: 139). The reasoning that economic growth, or economic pressure and conditionality, as preferred by Grenell, could be instrumentalized to guarantee rights to certain subjects encourages us to forget the many ways in which 'these enterprises can be radically antithetical to one another' (Rao 2020: 172). In focusing on the political economy of homophobia, Rao calls attention, on the one hand, to the way foreign actors usually try to disconnect themselves 'from the problems they profess to want to alleviate'

(Rao 2020: 163), such as the material precariousness that feeds moral panics, as he meticulously details in the case of Uganda. On the other hand, recognizing that the 'LGBT movement owe their very origins to the dynamism and reach of neoliberal capitalism,' he is interested in the 'constraints that this imposes on the prospects for a queer anti-capitalist politics in the global South' (Rao 2020: 166), with regards to, among other things, struggles against displacement, deregulation, and privatization. Hence, the increasing salience of homocapitalist assemblages may be 'making capitalism friendly to queers but also rendering queers safe for capitalism' (Rao 2015: 47). He notes how LGBTI rights organizations in Uganda, and certainly elsewhere, had to adapt their structure in order to receive money from international donors and how this restructured their activism 'away from community-based work towards an increasingly narrow agenda focused on the courts, media and fundraising' (Rao 2020: 166). And he expresses concern that the transnational 'non-profit industrial complex' can effectively halt 'any major critique of those [capitalist] structures' (Rao 2020: 166, quoting S.M. Rodriguez 2019: 83).

It may be that the kind of strategies adopted by the Trump-Grenell campaign widened the gap between those organizations in the global South that receive this money (causing them to focus specifically on issues like decriminalization – which they may not have chosen in the first place – with emphasis on the media, courts and politicians to the detriment of community work, for instance) and those that do not. What kinds of local organizations were most probable to suit the Trump-Grenell approach (and how much did it differ from the Democrats' approach)? This is important to consider when analysing the prospects for queer anti-capitalist politics in the Global South, since the USA is putting its weight in favour of a specific version of LGBTQ+ politics (local homonormativities), aiming at a singular goal (decriminalization) and dealing with specific agents (policymakers, journalists and business people). Indeed, attentive to the queer movement's many hierarchies, Rao (2020: 167) suggests that 'the critique of homocapitalism marks a schism running through a heterogeneous field of mobilisations around gender and sexuality.'

This process of US engagement, embraced more strongly over the last decade, is central to queer struggles globally, and the many frictions existing between Western powers and activists from the Global South have to be taken into account. Even when local activists depend on the money donated by an 'unreliable rescuer' (Rao 2014: 198) or an 'ambivalent executive branch of government' (Rao 2020: 73) like in the USA, they can take 'matters into [their] own hands' and use its tools as seems fitting to their own purposes 'in ways that both reinforce and undermine it' (Rao 2020: 216), no matter how hard it is to resist and/or adroitly navigate the pressures of donors to conform their own agenda to those of outsiders, despite all the talk of 'local ownership' or that they are 'always led by the needs of local activists' (Human Dignity Trust 2021).

Queering like a state

The importance of this campaign might be the way it reflects a tendency that is here to stay, that is, states considering issues relating to sexual orientation (maybe even gender

identity) in their foreign policies – something that may not totally disappear even in a homophobic (and especially transphobic) administration such as Trump's, despite all the contradictions. What strikes me the most about the strategies of this global campaign and the way it was expressed in words by its main articulator are the nuances and ambiguity that Rao's method and style (so eloquently articulated by Khalili in this Forum) brings to the global/local politics of queer struggles, and how this kind of discourse can put the spotlight on policies (and scholarship) that so 'unapologetically' tries to reduce the agency of Global South actors. Granted, we were faced with a far-right agitator and provocateur who is contradictory, cynical and smug just like his boss (see Barkins and Coppins 2019). But beyond any stereotypical characterization, which is always reductionist and unfair, this is the attitude of many so-called liberals or progressives throughout the Global North when it comes to dealing with the people from the South. What are the differences between multilateralist establishment liberals and far-right populists on LGBTQ+ rights promotion? I ask about the substantive differences, not only procedural ones about bureaucratic structure and programs developed by one and not by the other. These last ones are important to map, but I want to suggest that, beyond difference in general approach, what allowed queerness to be instrumentalized by both administrations was that the US state and social institutions incorporated in their foundational national grammars both homonationalist and homocapitalist stances that reproduce it through foreign policy, while also helping to consolidate it as facets of liberal global governance.

Throughout the book, Rao evinces the grammar and 'the lifeworlds that are (dis) allowed by it' (2020: 214) through which state and social institutions apprehend queerness in Uganda, India, Britain, International Financial Institutions, and to a lesser extent, the USA. They might apprehend it and make sense of queer difference through the lens of race, class, caste, imperialism, anti-imperialism, and so on. The grammar of states and international institutions, thus, sets 'the patterns of inclusion and exclusion that are foundational to its institutions' (Rao 2020: 215). These are the results of operations that Rao (2020: 217-218) suggests are 'conjugating like a state,' or the semantic distance of conjugation as an operation of grammar, that is, 'in the sense of regulating what combinations and associations are (and are not) permissible.' The apprehension of queerness through the lenses of race, class, capability, and cisgenderism⁷ by the US state might take the form of what can be called 'queering like a state.' The US government conjugates queering in ways that are able to accommodate both liberal progressives (with a more inclusive version of this conjugation) and far-right populists with supremacist and transphobic policies.⁸ It articulates a radical gap of lesbian and gay rights from trans rights that specifically targets transgender people of colour. Some Trump administration officials 'acknowledged that they see targeting transgender rights as different from gay rights' (Haberman, 2020). This is why it is important to heed what Rao (2020: 12-16) calls 'Queer Mutations,' the versatility and plasticity of queerness to mutate from one scene of friction to another, *becoming* as many different categories of oppression and privileges as there are fights to be fought. This should generate more research into the specificities of these links in many different places. Above I suggested that this policy plasticity of

queerness in the US context might highlight another dimension or operationalization of the concept.

Richard Grenell and Stuart Milk both emphasized that destigmatization is also central to this global campaign. According to Milk, ‘criminalization is the ultimate stigma’ (Grenell and Milk 2020), hence their insistence on visibility as a way to fight stigmatization. But they discussed it in the US context and then supposed that this is also crucial everywhere, with little mediation and contextualization. This also reveals a way of seeing homophobia as ‘merely cultural’ (all they need is to realize that ‘we are normal too’ or that ‘in order for the LGBT community to be accepted, we have to be known to people’), as Butler (2016) criticized the limited view of its redistributive consequences. Rao (2020: 140; 152-154) extends this to the global political economy, stating that this understanding ‘perpetuates the homonationalist tropes of cultural backwardness,’ while absolving foreign agents of ‘the production of the material conditions in which the homophobic moral panics thrive.’ Grenell’s and Milk’s views when they talked about sexuality in Iran, India, Turkey and elsewhere reveal that they looked at other places with the yardstick of what is meant to be LGBTQ+ in the USA in measuring ‘progress.’ Those views might reflect what Rao describes as a ‘hegemonic sensibility,’ by which he means the way many state and non-state actors describe a narrative of progress by suggesting that ‘we are all on a road, *the same road*, governed by a common set of rules’ that ‘must culminate in an ultimately unified subject,’ the global gay (Rao, 2020: 37; emphasis in the original – in dialog with Hoad 2000 and Altman 1997; see also Rao 2018; Prata, 2019; Richter-Montpetit 2017).⁹

For instance, in Grenell’s ‘exaggerated sense of responsibility for these laws’ and how this fuels ‘a moral obligation to lead the struggle against them,’ as cited above, Rao has been there before. Dealing with British atonement for the colonial anti-sodomy laws, he deals with politicians and NGOs of this kind extensively (see also Waites 2017; Lennox and Waites 2016). And here he goes straight to the matter, with no euphemisms. He states that ‘British decriminalization [...] fuels the sense of triumph and superiority vis-à-vis the object (we have progressed, they have stagnated) [that] [...] effectively constructs the objects of reparation as passive, inferior, and in need of a “helping hand”’ (Rao 2020: 118). This is alongside the contrasting forms of atonement for the colonial injuries of enslavement (with no more than an ambivalent expression of ‘deep sorrow’) and anti-sodomy laws (with categorical recognition of responsibility), which might have been so ‘forthcoming precisely because it is thought to furnish the requisite standing for a moral crusade in which the United Kingdom can assert leadership’ (118).

But we see the political (tactical, I would add) and analytical value of a scholarship that pays close attention to questions of race, class and gender, and the impact they have on the never-ending processes of national identity formation and at the same time do not minimize the more subtle reestablishment of hierarchy, even during anticolonial struggles and their contemporary reproductions. For instance, when national colonial elites in India, Uganda, Iran and elsewhere appropriate European sexual behaviours as their own, Rao (2012) explains that this is not a story of ‘straightforward imposition,’ but rather ‘one of a discursive encounter in which non-European elites responded to

the challenges of the imperial civilizing mission, in part, through strategies of mimicry of what was thought to be a more advanced modernity? It is in this historical and present sense that the concept of *homoromanticism* gains traction, since all these were appropriated and used locally with many different purposes and resonated with popular audiences more broadly. This is why Rao's decade of research on homophobia is a prime example of how to analyse this topic – see Quinalha in this Forum using Rao's theoretical warnings to delve into the colonial archives to trace the changing mutations of cisheteronormative violence throughout Brazilian history.

In order to account for the many different local agencies, he engages extensively with Ugandan authors and activists, priests and pilgrims, as well as the colonial archives, and covers the multiple aspects from domestic politics to media discourse, the political economy of homophobia, the role of different Christian denominations, the history of gender and same-sex relations, the politics and everyday life of the LGBTI community, and the global politics of homophobia and the Christian Right (Rao 2020: 10-11). He effectively takes it to multiple scales and dimensions, countering orientalist, homocapitalist, and homonationalist discourses of locating homophobia in a 'dangerous place' of the Global South (on the relations and overlaps between homonationalism and homocapitalism, see Puar in this Forum).

Rao's leftist queer thought has also been at the forefront of another burgeoning tendency in recent years: that of linking capitalism and sexuality within the rankings of queer studies but never being restricted to them (see also Chitty 2020; Smith 2020; Stoffel 2021). This tendency will probably grow stronger now that the Covid pandemic has exposed how vulnerable groups are more at risk due to material precariousness. Since Rao has called attention to the many facets of homophobia, its link with material precariousness and racism has been one of the beds on which homophobia rests. This should also generate more research into the specificities of this link in many different places. A vision of queerness focused only on sexual and gender dissidence that is not tied to others' experiences, plural and complex, of identities and relations of power, may not speak to the realities of the Global South (Rea and Amancio 2018; Bakshi, Jivraj and Posocco 2016; Díaz Calderón, 2021). Those rights or social recognition alone (or even both combined) will not suffice if queers do not have adequate access to health, education, jobs, and the verities of social services one needs to lead a dignified life. This would effectively reverse the homocapitalists' casual story that places rights and recognition as priorities, and as something that will eventually lead to redistribution (Rao 2020: 162-163, 165).

Conclusion

In this piece I used some of Rao's concepts and insights to read the Trump-Grenell global campaign on the decriminalization of homosexuality. In mapping some of the decriminalization campaign's methods, I highlighted three ways in which to enter the debates sparked by Rao's book. First was the endurance/continuity of these homocapitalist strategies between the Obama and the Trump administrations. Here I heeded Rao's concept of 'queer mutation' and how states 'conjugate' their foundational national grammar in order

to regulate the combinations and associations within it. Rao calls that ‘conjugating like a state.’ Reading it in the US context, I suggested that its particular conjugation reflects a ‘queering like a state’ that betrays the plasticity of queerness in its polity (a more or a less inclusive version of it), which helps to make sense of the endurance of these strategies from Obama-era multilateralism to ‘America First’ Trumpism. Second was the recognition of the historical influence on the anti-sodomy laws of the ex-colonies, and based on that, the assumption of a special responsibility for its elimination nowadays. Here, based on the concept of homoromanticism, I highlighted the ways this decriminalization campaign reduces the post-colonial elites’ agencies and the Global South’s possibilities of enacting innovative and indigenous queer and anti-queer affect.

Lastly, I addressed the coalitions that homocapitalist strategies are able to forge between state and non-state actors. I showed the specific coalition between the US state and multinational corporations that this decriminalization campaign started to forge. This had the specific aim of putting ‘more pressure on corporations that are working in these countries’ (Grenell and Milk 2020). Based on the concept of homocapitalism, I read this specific formation as a way to depict foreign actors as modernizing anti-homophobic forces disconnecting themselves from the partial responsibility for the material conditions that feed moral panics. Importantly, this means also trying to influence the way queer movements in the Global South are organized, to redirect which demands they should pursue and how. In doing so, I make a case for engaging with Rao’s explanatory framework to analyse states’ and international institutions’ promotion of LGBTQ+ rights and queer social struggles more broadly.

Notes on *Out of Time: A Dialogue about Brazilian Repression against LGBTIQ+*

Renan Quinalha

The book *Out of Time: Queer Politics of the Time* by Rahul Rao offers significant contributions to the understanding of structural violence against LGBTIQ+ people in Brazil.

Although written from other local realities, namely Africa, the theoretical contributions about colonialism enable fruitful dialogues between this work and the reality that has plagued us from 1500 until today. In this article, we will discuss how Rao's reflections on colonialism and homophobia can help us to understand aspects of Brazilian reality.

Many differences can and should be noted between the colonization processes imposed on Brazil and Uganda. The former was triggered by the mercantilist context of European explorers, with Portugal at the forefront. The colonial regime was characterized by a reliance on slavery and agricultural production on large estates, with a strong participation of the Catholic Church in the religious life and everyday practices of those under Portuguese influence. In 1822, a political and formal independence took place. At the end of the nineteenth century, decades after Brazil separated from Portugal, Uganda was subjected to a British colonial regime, a situation that lasted until 1962.

During the process of Portuguese colonization, a series of images about Brazil developed. Among their devastating effects was the creation of a narrative about the country as a location of cultural mixtures, ethnic-racial miscegenation, regional diversity, gender democracy, and permissive sexuality. The combination of the notion of Brazil as a 'virgin land' to be discovered and penetrated by the 'discoverers,' with its exuberant nature, tropical climate, and native population that is both dangerous and attractive, ended in an official narrative of a sexual paradise (Simões 2016).

This pride in a land of sweetness and cordiality, in which antagonistic poles are emptied of tension and positioned as complementary, produces invisibility and the naturalization of the violence in different social relations. This effect is further enhanced by the carnivalization of gender and sexuality roles (Green 2000),¹⁰ a perverse operation that claims to dilute hierarchies at parties, festivities, and other celebrations of irreverence.

All of these cultural elements have created an important tradition of Brazilian social thought that is considered part of our national character and has fed a narrative of Brazil's uniqueness in the world. Without a doubt, every nation has its specificities. However, in Brazil, this singularity is produced as the exotic, as the anti-norm, as the point outside the curve, which, therefore, is impossible to be compared to other cases or apprehended by more general concepts or rules.

An example of this, in the theme of sexual diversity that interests us most closely, is the argument that our country, unlike other lands that have also undergone European colonization, has not witnessed an institutionalized and legalized criminalization of dissident sexualities.

This explanation, it is worth stating, adds conservative views to understanding of the national reality. Peter Fry, one of the pioneers in sexuality studies in Brazil and an astute scholar of our culture, in a preface to Edward MacRae's (1990) now classic ethnographic study of the first LGBT group in the country, reproduces, to a certain degree, this type of view by claiming that there is no 'visible or legal repression,' adding that 'Brazil is a rare case because it has never had any homophobic legislation' (Fry 1990: 13).

According to this view, the fact that prejudice was not materialized in an institution or law delayed the rise of the LGBT movement among us. Indeed, this lack of a more clearly identifiable enemy, so the argument goes, made it difficult to organize the struggle for diversity, something that would only happen at the end of the civil-military dictatorship, more precisely in May 1978 with the founding of the group Somos in São Paulo.

Without entering into a complex discussion of the theory of social movements, it is necessary to note that this idea that homophobia in Brazil has always been veiled and devoid of legal backing cannot be substantiated. In fact, Brazil, during the colonial period, had homophobic legislation for several hundred years. Since the Portuguese invaded the territory and imposed their culture, religion, and political-legal institutions, the persecution of sodomy has been present.

The Ordinances of the Portuguese Empire contained sparse laws and regulations. They developed over time and took the name of the reigning monarchs at a given moment: Ordenações Alfonsinas, Manuelinas and Filipinas. Religion and law combined to regulate even the most intimate dimensions of human existence (Bicalho 2000: 225). And their effects were also felt in the colonies.

The Philippine Ordinances, which were in force in Brazil from 1603 until the beginning of the 19th century, in the last and fifth book on criminal law, prescribes that 'every person . . . who commits the sin of sodomy in any way should be burned and turned into dust by fire so that there will never be a memory of his body or grave, and all his goods should be confiscated by the Crown of our Kingdoms, and if there are descendants, their children and grandchildren will be punished and ostracized, as are those who commit the crime of treason.'¹¹

It should be noted, therefore, that for centuries there was a harsh criminalization of sodomy, considered a crime comparable to that of treason (*lèse-majesté*) in its gravity, with very severe penalties. Several studies document the cases of sodomites and pederasts in the courts of the Holy Inquisition (Mott 1992; Rocha 2016; Vainfas 1989).

It is only in 1830, with the establishment of the Brazilian Criminal Code, that is, after independence in 1822, that sodomy was removed from criminal law for civilians.¹² However, even if there were no longer an explicit criminalization of homosexuality, the roots of homophobia in legal, religious, criminological, journalistic, literary, and medical-scientific discourses would not disappear overnight. The fetishization of law as the only source of criminalization (or even the most important one) is insufficient to deal with the complexity of the matter.

In this sense, right at the beginning of his new book, Rao (2020: 8) sheds light on a fundamental aspect for understanding the meaning of homophobia among us. He claims that the criminalization of sodomy was only one element of the colonial biopolitical

apparatus, which involved other dimensions of regulating bodies, practices, desires, and identities, such as prostitution, concubinage, control of venereal diseases, child rearing, sexual division of labor, eugenic practices of population management, among others.

Thus, the colonial legacy is much broader and deeper than a tangle of laws, rules, and decrees. It is a conjunction of discourses of different orders that frame subjects in defined places. Just as Rao points to the deeper capitalist and sexual determinations of the colonial process, Anne McClintock (2010), with another focus, also highlights how mercantile capital, racism, and patriarchy are complexly combined in the imperialist projects of modernity.

If, on the one hand, there is a current misunderstanding in underestimating the impacts of colonialism (perhaps due to a limited comprehension of the matter) on Brazilian homophobia, on the other hand there is an opposite tendency that, without due historical mediation, attributes all the ailments of the present to colonial past.

Faced with this type of reasoning, Rao (2020: 19) presents in his book another warning that seems as fundamental as the first one. If it is necessary to broaden the understanding of the effects of a colonial biopolitics on the regulation of dissident sexualities, it is also necessary to put in perspective the view that homosexuality would be only a typically Western creation. This is because the reification of a pre-colonial past ends up building the illusion of an entirely indigenous space-time in its purity, without Western ‘contamination’ or any other external influence.

Without diminishing the perverse effects of colonialism, which are, in fact, one of the book’s privileged subjects, Rao warns of the danger of ‘pinkwashing’—albeit implicitly—the pre-colonial past. The risks involved, in addition to the aforementioned idealization of a fanciful narrative about native peoples and their cultures, is to assign full responsibility for homophobia to colonization. Such a tight and ahistorical view of the past does not allow for tracing a genealogy of the structures of discrimination and prejudice. This is because one loses sight of the different ways in which post-colonial states have not only inherited, but chosen to cultivate traditional family, sexuality and gender values.

In relation to Brazil, a prominent example of a combination of long-term structures that go back to colonization with a specific update of the pattern of violence is undoubtedly the recent hetero-military dictatorship (Quinalha 2021a). Temporally distant from the colonial past, the authoritarian regime implemented from 1964 to 1985 reveals specific features for understanding anti-queer violence that cannot be reduced to the colonial legacy.

It is evident that, as already indicated here, standards of public morality did not invade the political arena with the beginning of the Brazilian dictatorship. It was not this that inaugurated the weight of discrimination against vulnerable populations that, for centuries, had already marked Brazilian culture. Attempts to frame and normalize dissenting sexualities date back to periods well before the formation of the Brazilian state.¹³

However, realizing that there has always been homophobia and transphobia among us is a truism that explains little, since it does not take into account the different historical manifestations of a regulatory power of sexual ‘deviations’ and their particular characteristics in each historical situation. It is essential, therefore, to understand not only

the structures of continuity and permanence that mark the culture of prejudice, but also what is specific regarding the changes and displacements related to the violence undertaken in each historical context.

As the National Truth Commission pointed out, during the civil-military dictatorship, State authoritarianism also used an ideology of intolerance that was materialized in the persecution and attempted control of social groups considered to be a social threat or danger. The creation of the figure of an 'internal enemy' took advantage of not only political contours in accordance with the Doctrine of National Security, but also moral ones, in associating homosexuality with a form of degeneration and the corruption of youth.¹⁴

The rhetoric of 'morality and proper manners' (*moralidade e bons costumes*) was central to the construction of the ideological structure that supported the 1964 dictatorship. The defense of traditions, the protection of the family, and the cultivation of Christian religious values were all, at the same time, motives that animated a real repressive crusade against sectors classified as undesirable and considered threatening to the moral and sexual order.

The military elites, who led the coup with the decisive support of civil sectors, did not take long to catalyze this diffuse reactionary feeling into a cohesive discourse of more security, defense of traditions, and respect for the order that was being lost along the tortuous path of development. The markedly anti-communist rhetoric in favor of national security presented itself in perfect historical congruence with the conservative desire for the preservation of the family and Christian values.¹⁵

Cid Furtado, rapporteur of the draft constitutional amendment that legalized divorce, argued, in his opinion contrary to the proposal in the Federal Chamber, that 'development and national security are not structured only with tractors, laboratories or cannons. Behind all of this is the family, one solidary compact, a sanctuary where father, mother, and children shape the character of nationality.' This sentence is perhaps one of the most perfect syntheses of the sexual policies of the dictatorship. His indignation with the divorce, in fact, referred to much deeper concerns about the revolution in customs and about sexual liberation, with the greater presence of women in the labour market and in the public space, with the visibility of homosexuals and transvestites, with less and less modesty in assuming their sexual or gender identities.

Private life, the intimate sphere, and everyday activities were also the object of the regulatory anxiety and authoritarian control of the Brazilian dictatorship. People were monitored and in dossiers produced by the media, the possible suspicion, or even the categorical certainty of being a 'passive pederast,' was registered as a taint, as if that diminished or disqualified the integrity and the character of the persecuted person. As a homosexual, the person was less human and therefore considered less respectable in her or his dignity. Publications with erotic or pornographic material were monitored and, often, apprehended and destroyed for violating the ethical code of hypocritical discretion that prevailed in a society that voraciously consumed this type of content.

Films and theater plays were censored or banned. Musical lyrics were prevented from circulating for violating morality, especially when they made an 'apology of homosexuality.' On television, soap operas and live-audience programs suffered direct intervention

by censors, who cut scenes with the presence of 'effeminate' characters, who with their simple existence, affronted modesty and therefore caused shame to viewers.

Transvestites, prostitutes, and homosexuals present in the urban ghettos were also an uncomfortable presence for those who cultivated the traditional values of the Brazilian family. For this reason, they began to be persecuted, arbitrarily arrested, extorted and tortured for having the dissenting signs of sexuality or gender identity on their bodies.

Editors and journalists working in the gay media were indicted, prosecuted, and their lives were devastated, often with the support of the justice system, because they treated homosexualities outside of the prevailing standards of stigmatization and ridicule.¹⁶

These examples point out how behavioral issues have also become a *raison d'état*. Sexuality became a national security issue for the military. Desires and affections were subject to the weight of an authoritarian regime with the intention of morally sanitizing society and even creating a new subjectivity.

The 1964 coup, by structuring a complex and functional apparatus of violence for its purposes, provided the trustees of the morality of others with the means they needed to carry out a purification project of state agencies. This meant that these moral standards, formerly private and restricted to certain groups, were then elevated to the status of public policies and ended up, by extension, endowed with the same legitimacy as the State.

It is in this sense that one can speak of a hetero-military dictatorship, in which there was an official and institutionalized sexual policy to control manifestations considered as 'perversions' or 'deviations,' such as eroticism, pornography, homosexuality, and transgendered identities.

However, a closer look at the sources of that time shows that there was not one, but several official policies of the dictatorship in relation to moral issues. This issue becomes even more complex when one examines different government agencies, with different competencies that implemented different measures of standardization in the field of sexuality, with specific focuses within their orbits of influence and spheres of action.

Sometimes, the motivations that justified the repression carried out by each of these bodies were very similar and even coincided. For example, in general, the governing bodies expressed concern about the corruption of family institutions and youth considered fragile and easily influenced by worldly temptations. But this was not always the case, and it was not uncommon for them to diverge among themselves over the seriousness of the conduct and behavior considered unacceptable. This becomes clear when it is noted that some censors saw homosexuality as something disgusting and objectionable, but preferred to release a play because the eventual veto could result in greater projection and dissemination of the work, and have the opposite effect of what was intended.

It is also evident that it was recurrent in documents, especially those produced by the intelligence community, that pornography, eroticism, and homosexuality represented a threat to national security and political order, reducing them to being a perverse tactic of the 'international communist movement.' Such an understanding deprives sexual 'deviations' of their own status as a way of life and location for the organization of desires, making them merely an appendix or accessory to the 'greater' political struggle, which sought to effect broader transformations in society or capitalism. Sexual 'perversions'

would thus be simply at the service of politics and ‘adverse psychological warfare’ to undermine Western institutions.

At other times, however, the free expression of sexuality was understood in a more strictly moral framework, that is, as an affront, in and of itself, to the traditional values cultivated by Brazilian Catholic families that, supposedly, represented the average national ethical conscience that should be protected by the State. Attacks against morals could even be exploited, in an opportunistic way, by political opponents who wanted to overthrow the regime, but this was not the key to understanding the dynamics of this universe of dissident sexualities. Sin, lack of shame, abnormality, degeneration, and even illness, were the most traditional keys of this vision that honored the specific situation of sex in a society that was undergoing profound changes in social behavior and customs.

It is important to note that these two poles are not so pure and are not even opposites of each others. Both, in practice, were often combined, and the policies of the dictatorship fluctuated between their extremes, always mobilizing the entire arsenal of weapons available to delegitimize and disqualify non-normative sexual experiences.

Political order, on the one hand, and sexual order, on the other, overlapped with the moral tutelage that the authoritarian regime tried to impose on society. The fact that the circuit of control of dissident sexualities did not follow the same pattern and form of political repression in the strict sense does not mean that there was no specific and official sexual policy.

Despite these findings, there is also a fundamental ambiguity in the late 1960s and early 1970s. Nightclubs, bars, spaces for sociability among homosexuals grew and prospered despite the repression of the State. As long as they remained in the shadows of the anonymity of the closets or in the ghettos in which they hid, homosexuals could exist and do whatever they wanted with their bodies. The problem was when they came to light and occupied the public space, claiming an existence and a political place in society.

It was the homosexuals and transvestites belonging to the popular classes who most intensely felt the weight of the dictatorship’s repressive action on their bodies and desires. While many middle-class homosexuals, generally closeted and with a double life, participated freely in society through the market and through access to good employment opportunities, poor LGBTs who were not so lucky were classified as ‘vagrants’ (*vadios*).

Thus, the core of the dictatorship’s sexual policy was not to physically exterminate these vulnerable groups in the same way as they did political subversion. The objective was to reinforce the stigma against homosexuals and to ‘desexualize’ the public space by expelling these segments and to force relations between people of the same sex into the private sphere. The function of the dictatorship was to make bodies and collectives invisible so that they could not claim recognition of their rights and freedoms. Undoubtedly, the dictatorship left fertile ground for the practice of abuses and violence against homosexuals to be committed by public agents, given the lack of limits and even the presence of incentives to do so.

Thus, to analyze whether the dictatorship consistently supported an official policy of persecuting dissident sexualities is not just to identify and count the number of documents in the archives that attest to state violence. Rather, it is necessary to understand

how the sexual morality of the dictatorship imposed, from the agencies of social control and communications, as well as the dissemination apparatus, a profusion of discourses that standardized sexuality within the field of tradition, morals and good mores. In that period of the formation of the homosexual identity, a negative representation was established thanks to the repressive actions of the State. More than interdicting and silencing homosexualities, the dictatorship modulated a series of positively normative discourses that socially stigmatized certain representations of men who loved other men and women who loved other women.

Undoubtedly, there is a line of continuity between colonial temporality and the most recent period that traverses the dictatorship and reaches the present, earning Brazil the title of one of the most violent countries in the world against the LGBTQIA+ population. However, there are also shifts in the field of power that, as Rao warns us, cannot be reduced or underestimated under the risk of not understanding how violence structures operate on queer bodies, in a complex game of temporalities, throughout history.

Notes

- 1 [Note by Maione] An analysis of these meetings will be presented in a forthcoming essay.
- 2 [Note by Maione] I thank one of the reviewers for pointing these out to me.
- 3 [Note by Maione] An important point that I do not have the space to develop, but mention in passing, is that if one is interested in mapping the way 'collaboration and transaction across the North/South divide' provide the epistemological strategy of 'demonstrating the mutual constitution of core and periphery' (Rao 2020: 219), one also has to ask if the global frictions around the Ugandan Anti Homosexuality Act were not an important catalyst of the Obama administration's idea of 'gay rights as human rights' in the first place. The timing seems right, and since Rao (2020: 10) evinces how international reactions to this Act 'set new precedents and institutionalized new forms of global governmentality in relation to LGBTI rights,' the question arises of whether it influenced the foreign policies of the United States (or of the UK and any other like-minded European states). Have these nations not felt they should lead the world to 'the right side of history,' to recall Hillary Clinton's (2011) reference to a human rights slogan in the US context? This point is suggested throughout Rao's book, and it would be worth developing it further. No 'collaboration and transaction across the North/South divide' can be found, for example, in a book like Burack's (2018a). Its institutionalist approach (in my view, better consulted as a general source of information than for the restricted analyses) focuses too much on processes that are constructed as if they were mainly or exclusively endogenous to the USA. To the very limited extent that she engages with the Global South (which is not her focus, although there are a few pages on Uganda, for example), their agencies seem to be only fit to ask for money, the 'demand side' as she puts it (2018b).
- 4 [Note by Maione] As is known, Pompeo had a clear anti-gender agenda, pursued under an expanded 'Mexico City Policy' or 'Global Gag Rule,' which severely limited US support to women's reproductive rights in the Global South (see Gramer and Lynch 2020). For the formation of an anti-gender transnational alliance, see Selis and Prado (2021) and Drummond and Rebelo (2023), while with regard to Pompeo's efforts with an anti-LGBTQ group that shocked many officials in the State Department, see Wilner et al. (2020).
- 5 [Note by Maione] He refers specifically to the Human Rights Campaign's (2021) criticism.
- 6 [Note by Maione] Another dimension of the concept of homoromanticism is addressed in this Forum by Chamon. It is the one that explores the contemporary contours of the politics of time and memory as a way of romanticizing 'the indigenous pre-colonial as a spacetime of unmitigated tolerance' (Rao 2020: 45) and its contemporary repercussions.

- 7 [Note by Maione] Although that might be slowly changing. On transnormativity, see Fisher (2019). Indeed, this is one of the main schisms running through conservative and progressive views on LGBTQ+ issues in the USA.
- 8 [Note by Maione] Since I am talking about ‘foundational grammars,’ this plasticity in the apprehension of queerness reflects longstanding divisions in the LGBTQ+ movement since the 1950s; see D’Emilio (1983), Duggan (2003), Bersani (2010 [1987]), and Ferguson (2018). In the USA, the ground of queerness is so large and fractious that the hegemonic parts of this distinction claim their own version and lobby for it in the body politic.
- 9 [Note by Maione] In the US context, a fruitful way to extend and deepen the analysis of the contradictions of this global campaign is through the perspective of Queer of Color Critique. It contextualizes homonormative formations within the genealogy of whiteness and outlines ‘the connections between the political economies of race within and outside the nation’s border’ (Ferguson and Hong 2012: 1059). On the critique of ‘unified subjects,’ including the ‘global gays’ it has contributed greatly. For instance, Ferguson (2005: 62) states that ‘presuming that homosexuality is the same in all people opens it to white racial formation,’ since it is a way to regulate differences of race, gender, class, nationality, culture, among others. In this way, judging other countries’ and peoples’ sexuality by western standards perpetuates a logic that ‘presents coming out as the standard of liberation and modernity and racializes the closet as the symbol of premodern backwardness’ (Ferguson 2005: 64). See also Reddy (2011).
- 10 [Note by Quinalha] The carnivalesque ritual of inversion as a key of interpretation for Brazilian identity can be found in Damatta (1997).
- 11 [Note by Quinalha] In the original: “toda pessoa... que pecado de sodomia por qualquer maneira cometer, seja queimado e feito por fogo em pó para que nunca de seu corpo e sepultura possa haver memoria, e todos seus bens sejam confiscados para a Corôa de nossos Reinos, poso que tenha descendentes; pelo mesmo caso seus filhos e netos ficarão inhabiles e infames, assim como os daquelles que commetem crime de Lesa Magestade” (Quinalha’s translation), <https://www.diariodasleis.com.br/legislacao/federal/209239-livro-v-ordenacoes-filipinas-titulo-xiii-dos-que-cometem-pecado-de-sodomia-e-com-alimarias.html>
- 12 [Note by Quinalha] For military personnel, however, pederasty (homosexuality) was criminalized until recently. Art. 235 of the Military Penal Code regulated the crime of pederasty or libidinous acts. Among the twenty-nine recommendations of the National Truth Commission, number 23 prescribed precisely the ‘elimination, in the legislation, of discriminatory references to homosexualities,’ citing, as an example, this article. Only on October 28, 2015, when judging the ADPF n. 291, the Supreme Court declared the terms ‘pederasty or other’ terms, whether ‘homosexual or not,’ expressed in the Military Penal Code, are not valid under the 1988 Constitution.
- 13 [Note by Quinalha] For a historical analysis of dissident sexualities in the colonial period, see Trevisan 2018.
- 14 [Note by Quinalha] See National Truth Commission of Brazil, ‘A Ditadura e Homossexualidades’ (2014).
- 15 [Note by Quinalha] About this articulation between national security and conservative morality, including before the 1964 coup, see Cowan 2016.
- 16 [Note by Quinalha] For a more detailed analysis of these different mechanisms of repression, persecution and censorship, see Quinalha, 2021a; 2021b.

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Fórum Out of Time, de Rahul Rao, Parte I: Mutações e repressões Queer

Resumo: Neste Fórum, seis acadêmicos refletem sobre o recente livro de Rahul Rao, *Out of Time: The Queer Politics of Postcoloniality*, a partir de outras geografias, temas e possibilidades radicais. A Parte I oferece diálogos com *Out of Time* a partir dos EUA de Trump e da ditadura “hetero-militar” do Brasil e das raízes coloniais portuguesas. Emerson Maione e Renan Quinalha exploram como as elaborações de Rao sobre homonacionalismo, homocapitalismo, homoromantismo e “*pink-washing*” em geral viajam em novos contextos e como a “fetichização da lei” pode induzir a investigações equivocadas de queer-, homo- e transfobias.

Palavras-chave: Queer; (des)criminalização; Estados Unidos; Trump; LGBTIQ; repressão; Brasil; colonização; ditadura.

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