

# Curriculum Policies of Gender and Sexuality in Brazil: Between Biomedical, Socio-Juridical and Neoconservative Discourses

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#### Introduction

This article analyzes, from a poststructuralist matrix, the trajectory of the curriculum policies of gender and sexuality in Brazil. It conceives curriculum policies as disputes to constitute meanings about/in the curricular text (Lopes, 2018), discursive articulations produced continuously from a negotiation with other existing discourses and that involves different instances as: multilateral agencies, media, ministries, secretariats, schools and social movements (Lopes & Macedo, 2011, Macedo, 2013). Producing meanings, in this sense, always involves a pedagogical dimension - which attributes to discourse an authority that is based on the pre-established and reiterated - and a performative dimension - that obliterates any previous or original presence (Bhaba, 2005, p. 206).

Like all discursive formations, curriculum policies are mutable and polysemic codifications, characterized by a "radical contingency" or by their "intrinsic instability" (Glynos & Howarth, 2018). They move intentionalities, establish symbolic places for subjects and institutions. Despite their fluid and decentered property, they are momentarily fixed when, through articulatory practices, a text is produced. The fixation is only possible within the hegemony. It is important to emphasize that "articulation implies the construction of a new synthesis in which the reconstitution of the fragments is artificial, contingent. It does not restore an original organic unity "(Burity, 1997, p.54). What makes the regularity of discursive structures possible are the "nodal points" (Laclau & Mouffe, 2015), points of reference in a discourse that connect partially fixed systems of meaning and create a chain of equivalence between them.

Totality - though unachievable - is an inescapable imaginary ideal. Curriculum policies are also organized, therefore, under the projection of this ideal horizon. The articulation of chains of equivalence and difference around the nodal points is what produces the illusion of the totality of the structure. The construction of these articulations only becomes possible in the context of a relation with the constitutive exterior in a disputed (inter)discursive field. The articulation requires the presence of a difference, a constitutive exterior to those who oppose it. The relation between the logics of difference and equivalence, then, is what guarantees the temporary closing of discursive systems. As Macedo (2008) highlights, discourses that condense demands from different groups and also add elaborated senses in earlier times by institutions that maintain their authority

are always more effective in the displacement of the social structure, because they generate the fantasy of completeness, of overcoming the radical contingency of social relations. "The discourse starts to present itself not as an alternative within the system, but as the political alternative to the system itself". (p.15)

Based on these assumptions, we discuss the curriculum policies of gender and sexuality produced in Brazil, trying to reveal their contingency, historicity, the structures and conditions that made them possible, especially the contexts of hegemonic dispute and processes of articulation of different logics and theoretical, moral and political practices. In accordance to Carrara (2015) we have been experiencing a transition from what Foucault (1988) postulated as the modern *sexuality device*, based on the articulation between an anatomo-politics of the human body and a biopolitics of the population, to a new *device* or *regime* of articulated sexuality, specially, over the notions of *human rights* and *sexual rights*. At the same time that the principles of the modern device subordinated the legitimacy of sexual relations to their reproductive potential and the strengthening of affective bonds between reproductive couples, the new regime assumed sexuality from the criteria of pleasure and well-being of individuals and collectivities. This change in the field of morality would also correspond to a transformation in the fields of rationality and sexual politics.

In the field of rationality, while the sex ratio of the modern regime would operate mainly through the biomedical and psychiatric logics of *natural instincts* and *sexual pathologies*, the rationality of the new regime would assume the cultural, socially constructed, plastic and dynamic character of sexuality and its relations with the gender, affectivity and other dimensions of life. In the field of sexual politics, in particular, the articulation between the discipline of bodies and the biopolitical governance of populations by the state, in the name of categories such as *race* or *body of the nation*, would be definitively challenged by notions such as recognition, access to citizenship, protection of vulnerable groups and guarantee of sexual rights.

For Carrara (2015), the possible advent of a new sexuality regime since the last two decades of the 20th century has been the result of a complex and multifaceted sociohistorical process that has been developed, specially, from the political activism of feminists and LGBT movements, in the period post-World War II. The fight for gender equality, for the consolidation of the dignity and the citizenship of LGBT people and for national and international policies in the field of protection and combat to sexual violence and other types of violence against women, children, gays, lesbians, bisexuals, transvestites, transsexuals, and other vulnerable groups would have played a crucial role in shifting the themes of the debates on sexuality and sexual morality from the biomedical and psychopathological field to the field of human rights. In this sense, most feminist and LGBT activists and intellectuals tend to notice the features of the constitution of this new regime as important political advances in relation to the dominant sexuality device. Nevertheless, Carrara (2015) highlights that the new regime also presents its own models of classification and hierarchical sexual behaviors and identities, as well as its mechanisms of standardization, regulation, patrolling and controlling, which may be linked to mechanisms and strategies of governance and biopower.

It is also important to mention that Carrara (2015) does not postulate the relationship between these two sexual regimes as being a simple opposite relation, mutually exclusionary, or a historical succession. Carrara admits that the proposed hypothesis is an attempt of formalization - it does not have the intension to be a direct representation or an exhaustive explanation of reality - which seeks to contribute to the



construction of an interpretive framework founded on an extremely complex and dynamic context, crossed by lines of force and escape points that are often unpredictable.

It is noticeable, therefore, that sexual politics, in its heterogeneous and unstable character, articulates, in each historical moment and national context, conceptions, values and intervention techniques of both regimes. This, obviously, does not mean that in this patchwork quilt, that are contemporary sexual politics, some colors and shapes do not predominate or that some lines of force are highlighted and draw a possible horizon of transformations. [...] Finally, sexual policies are dynamic and the destiny of the sexuality device remains undefined. As stated above, the postulation of these two secular regimes of sexuality and, most importantly, the process of transition from the first to the second is a formal construction. Its value must be stablished only when it becomes able, from the elaboration of a more comprehensive interpretative framework, to contribute for the generation of new ethnographic research or other results from different ethnographic investments already made. (Carrara, 2015, pp. 335-336)

Based on the hypothesis outlined by Carrara (2015), we propose an expansion of the elements and analysis strategies on the trajectory of curriculum policies of gender and sexuality in Brazil, over the last two decades. Thus, we investigate first, to what extent and how it is possible to observe in the field of curriculum policies this displacement of hegemony in discourses centered on the biomedical, hygienist and eugenic models of control of sexuality for a hegemonic regime of articulated discourses around the sociojuridical notions of citizenship and rights.

Initially, there is a presentation of some elements that allow us to observe how the logics, theoretical, moral, and political practices of the biomedical/biopolitical regime directly and indirectly influenced the process of *modernization* of Brazilian education at the beginning of the republican period and maintained a hegemonic posture about curricula policies throughout the whole twentieth century. However, it is important to emphasize that other logics, practices and contestation movements also emerged and acted in the education field- even if peripherally - during this period.

Next, we seek to highlight how the emergence and strengthening of socio-juridical discourses in the field of sexuality - especially through social movements and international fora and agencies - have increasingly influenced curricular policies in Brazil, starting in the 2000s, but have been strongly challenged over the last few years by the articulation and intensification of the work of neoconservative movements in the country.

Finally, we propose the appropriation of concepts such as discursive field, hegemony and identification – as considered by Laclau and Mouffe's Discourse Theory (2015) – as important resources to enable a more nuanced analysis of emergency processes, consolidation and crisis of dominant sexuality regimes in the field of education, as well as of the permanent tensions, conflicts, negotiations and articulations between different discourses and logics in this scenario. Such resources may be productive, even to question how the humanist logics of guaranteeing rights and defending diversity can be - as they have been in some periods - contingently articulated to neoliberal and neotechnicist educational logics, helping to compose new models of hierarchy and control in the context of *sexual politics* (Weeks, 1989).

This paper also indicates a possible interconnection between the notions of fantasmatic logics (Oliveira, Oliveira & Mesquita, 2013; Glynos & Howarth, 2007) and moral panic (Miskolci, 2017; Rubin, 1989) as a promising way to discuss how the emergence of a structured sexuality regime based on socio-juridical discourses has now



been disputed by neoconservative discourses of a religious and secular matrix in the educational context.

### Biomedical Logics in the production of curriculum discourses

In the first decades of the twentieth century, the newly born Brazilian state developed, as well as other Latin American countries, a series of public policies linked to an eugenic project of population control (Stepan, 2005). Aiming the constitution of a national identity and from a modern model of scientific status, the movement activated strategies of medical-family education focused on the control of social markers of difference such as race, social class, sexuality and gender. At the same time that the public education was expanded, students and teachers were segregated and regulated. In this context, as emphasized by Ribeiro and Souza (2003), some institutions formally teach sex education classes with the purpose of preventing *venereal diseases*, promoting *healthy reproduction* and preparing women for marriage and maternity.

From well-established perspectives, an open sexuality discussion and not its omission was an important factor in the Brazilian educational discourse. If we associate the schooling process to children and young people's bodies discipline, we will notice that sexual education has found its privileged place in school since very early. Thus, "educated sex" presented itself as a fundamental part of the schooling process. (César, 2009, p.40)

Some sexual education experiences, therefore, have emerged throughout the first half of the twentieth century, especially in the southeastern region of the country. The Círculo Brasileiro de Educação Sexual, a study group founded in Rio de Janeiro, was crucial at that moment (Felício, 2011; Russo & Carrara, 2002; Ribeiro & Reis, 2003) because it was responsible for editing, between 1933 and 1939, the Boletim de Educação Sexual, a tabloid with national and international circulation, in which articles on hygiene and sexual morality were published. In the Circulo there was also a center of studies in andrology, a museum. a counseling room and an art gallery.

During the 1960s, there were observable changes in this approach, modestly influenced by the sexual revolution and the feminist movement, in effervescence, mainly in the United States and Europe. Gradually, debates on the *taboo of virginity*, contraceptive methods and *free love* are inserted in some schools. Instead of sanitarians, educational counselors begin to coordinate classes. However, with the 1964 Brazilian Military Coup and the growing rapprochement between the government and conservative Catholicism - represented mainly by the Integralist movement - the emphasis on traditional values becomes the cornerstone of curricula, especially in public education.

Since the mid-1970s, sex education classes restarted, especially to meet the demands of Law 5.692/71, which determined educational guidance as mandatory and established the directives and bases for elementary, middle and high levels of schooling. In addition to that, sex education returned to schools, because of the strengthening of the feminist movements, which have claimed for sexual education, and because of the debate about the reality of women as part of the project to fight for the redemocratization of Brazil. The UN proclaimed the period from 1976 to 1985 as the *UN Decade for Women*. For countries like Brazil, which was coming out from a moment of strong repression with the government of General Medici, these measures were extremely relevant to legitimize the still embryonic and clandestine claims and actions of the feminist movement (Pinto, 2003).



The gradual decline of the military dictatorship and censorship allowed, from that period on, the emergence of diverse cultural manifestations addressing sexualities. Exiled intellectuals and artists returned to the country and brought with them the influences of the new social movements. Homosexuality, as Trevisan (2004) postulates, becomes a subject of articles published in the main magazines of national circulation, advertising campaigns and theater plays<sup>3</sup>. In the late 1970s, the homosexual movement was organized in Brazil<sup>4</sup>. During the 1980s, there was widespread use of information about sexuality in the media. The "Sexual Behavior", attraction presented in the "TV Mulher" program, was streamed in a free-to-air channel and several encyclopedias on sexuality were released and sold on newsstands. This was also the period of discovery of the Human Immunodeficiency Virus - HIV. Discourses on homosexuality multiplied. At the same time that there was a rise in homophobia - AIDS was widely represented as a gay cancer - the political identity of the gay community was strengthened and, under the demand of disease prevention, non-governmental organizations, political sectors, schools, community groups, churches and the media began to treat compulsively - well or badly on the subject.

In a few years, the AIDS virus reached a stage that not even the most well-intentioned homosexual rights movement would have reached in many decades: to make it clear to society that homosexual exists and is not the other, towards a continent apart, but is very close to any ordinary citizen [...] Thanks to the characteristic of stigma that AIDS historically has acquired, it is impossible to hide the desire: it is there, being identified, caught and denounced through the disease [...] Benefiting from the socially imposed metaphor, homosexuality tended to become a less invisible social reality: the deviation came to the surface and, in a sense, avenged itself, attacking in the form of a mortal virus. The disease was "sharpened". Sharpened were too the efforts to defend from it. There was panic because the immune system of society found himself fragile and on the verge of becoming ill - from a disease that AIDS only means. The gestures of defense have been desperate, but we no longer know what is most feared: whether physical disease, whether the social "disease" of desire. (Trevisan, 2004, p. 462)

Thus, a scenario of displacement is outlined, revealing the contingency of heteronormative discourse logic and its *phantasmic identity* (Butler, 2003). The urgency of addressing the public health problem forces governmental bodies and civil society to articulate their discourses around *prevention and sexual rights*. Decisions, laws, administrative measures and scientific statements are elaborated. The Ministries of Education and Health publish the Interministerial Ordinance no 796, 29th of May, 1992, recommending the implementation of educational projects on HIV transmission and prevention at all levels of education. Also, in the 1990s, the National Curricular Parameters (*PCNs*)<sup>5</sup> for elementary school are organized.

Sexual orientation is proposed as a cross-cutting theme and is based on the logic of sexual and reproductive rights: Sexual Orientation in school is one of the factors that contributes to the knowledge and appreciation of sexual and reproductive rights. These concern the possibility for men and women to make decisions about their fertility, reproductive health and child rearing, having access to the information and resources needed to implement their decisions. This exercise depends on the validity of public policies that meet these rights. (Brasil, 2001, pp. 139-140)



Among the objectives of the Sexual Orientation work there is the preparation for the *exercise of citizenship* through the care and respect with oneself and with the other. The topic Gender relation is registered as one of the basic axes for discussion of any topic, as well as the body and the STDs<sup>6</sup> and AIDS prevention:

Issues related to sexuality are not restricted to the individual sphere. On the contrary, in order to understand personal values and behaviors it is necessary to contextualize them socially and culturally. It is in social relations that are defined, for example, the patterns of gender relations, what men and women can and should do for being men and women, and especially, what are and what should be the rights of citizenship linked to sexuality and reproduction. The high rate of unwanted pregnancies in adolescence, sexual abuse and child prostitution, the growth of the AIDS epidemic, and discrimination against women in the labor market are some of the social issues that demand a change in order to guarantee dignity and quality of life that we desire and that are endorsed by the Brazilian Constitution. (Brasil, 2001, p.307)

The emphasis on confronting discrimination based on sexual orientation and gender stereotypes, strongly present in Brazilian curricula policies between the years 2004 to 2014, is already presented in NCPs:

Work with Sexual Orientation presupposes reflecting on and opposing the stereotypes of gender, race, nationality, culture and social class linked to sexuality. It implies, therefore, to stand up against discriminations associated with expressions of sexuality, such as homosexual and bisexual attraction, and sex workers. (Brasil, 2001, p.316)

A homosexual connotation is frequently attributed to a behavior or attitude that is less conventional expression of a way of being a man or a woman. It escapes gender stereotypes, like a more delicate or sensitive boy been called "fag" or a more aggressive girl to be seen as lesbian, attitude these discriminatory. In each historical period and culture, some expressions of masculine and feminine are dominant and serve as reference or model, but there are as many ways to be male or female as there are people. Each has its own way of living and expressing its sexuality. This needs to be understood and respected by youths. (Brasil, 2001, p. 325)

Even if the allusion to these signifiers points to discursive displacements, the positioning of NCPs on sexual orientation is still strongly linked to the health field, with emphasis on disease prevention, especially AIDS (Altmann, 2001). Its elaboration process was strongly centralizing and prescriptive (Carvalho, 2004; Bonamino & Martínez, 2002; Lüdke, 1998), with the absence of several relevant political-institutional instances in the debate, arriving in schools in a strongly verticalized way.

#### Emergence of socio-juridical logics in curriculum discourses

In analyzing the flows of pedagogical discourses in Brazil, we also perceive a plurality of organisms and institutions that compete for hegemony and are articulated in the production of meanings about gender and sexuality. Among them, the role of non-governmental organizations (NGOs) stands out. As Céli Pinto (2006) points out, since the 1990s, social movements undergo a process of restructuring and the formation of NGOs becomes a trend, working mainly in two directions: 1) the unorganized society, with the aim of strengthening self-image of sidelined populations, decrease vulnerabilities,



promote qualification and carry out *advocacy*; 2) the State, through the training of workers and assistance in the implementation of public policies.

Some organizations have partnered with government agencies. From a visit to their websites, we realize that they have developed programs, books, booklets, videos, seminars and continuing education courses in education departments in several Brazilian municipalities. Thus, the sectors authorized to speak, to define patterns about sexuality and gender have been multiplied: "alongside traditional institutions such as the State, churches or science, now other organized bodies and organizations claim their truths and their ethics" (Louro, 2001, p.541).

The growing participation of NGOs in the Brazilian political scene was the subject of discussions on the relationship between civil society and the State (Gohn, 1991); philanthropy, market and education (Coutinho, 2008) and their role in teacher education (Almeida, 2006). As Céli Pinto (2006) highlights, this phenomenon reveals the democratic strengthening of the period and the vanguard position of these organizations, especially in the mobilization for rights and in the insertion in the political field of themes that have always lived with historical resistance - such as the rights of women and the LGBT population - also encourages us to reflect on the possibilities of NGO action. Studies on the "ongnization" of Latin American feminist movements (Alvarez, 1998; Pinto, 2003) highlight an anti-state stance towards a negotiating relationship with the State and international agencies. They also point out that this was a period of great investment in gender policies for the "social and economic modernization of countries", a logic strongly linked to an agenda of public policies inspired by the model of liberal democracy.

As Alvarez (1998) mentions, it seems that some NGOs have become to the state and to intergovernmental organizations "convenient partners" of civil society, giving up their hybrid identities: intervention in *politics* (through the elaboration and implementation of public policies that aim at the administration of antagonisms) and in the *political* (representatives of civil society who fight for changes in the cultural, symbolic and power relations). This fact is also closely related to the decrease in international financial investment in projects developed directly by NGOs. The refusal by some of these organizations to submit to the "rules of the game" has often resulted in their isolation and marginalization, which has led to the need to develop a less critical stance with the State (Alvarez, 1998). Such negotiation generated a context of *discursive accommodation*, hindering a line of autonomous argumentation that would explain the most problematic discursive nodes: sexuality, family and gender (Grau, Olea & Pérez, 1997, p.91)

In this period, the development of academic studies on "gender and sexuality" also emerged, reaching, since 2002, great diversification and multiplication in universities and research centers (Citeli, 2005; Facchini, Daniliauskas & Pilon, 2013). Scientific journals of reference in the area are also founded on this occasion, the same happens to the propagation of research groups. Specifically in the area of education, the GT-23 - Gender, sexuality and education was established during the 27th Annual Meeting of *ANPEd*, in 2004, expanding the contact between different research groups in the country, municipal education departments and NGOs and granting recognition to the area of study in postgraduate education.

The articulation of different social groups (religious, indigenous, blacks, women, LGBT, environmentalists); the emergence of networks of social movements (World Social Forum, Brazilian LGBT Association) and the signing of international human rights



agreements had a great influence in the elaboration of curriculum policies of gender and sexuality in Brazil. With the implementation of the II National Human Rights Program (*PNDH II*), in 2002, economic, social and cultural rights were elevated to the level of civil and political rights, which included in the agenda of public policies the fight against violence against women and the right to freedom of sexual orientation. With regard to LGBT rights, several achievements are prominent in the early years of the 21st century:

- The creation of the National Council to Combat Discrimination, in 2001;
- The establishment, in 2003, of the Permanent Thematic Commission to receive complaints of human rights violations, based on sexual orientation;
- The administrative resolution of the National Immigration Council (*CNI*), in 2003, in which Brazil began to recognize, for the purpose of granting visas, the union of persons of the same sex, in a situation of stable union;
- The launch, in 2004, of the Program Brazil without Homophobia;
- The creation, in 2005, of Reference Centers to Prevent and Combat Homophobia;
- The foundation, in 2006, of the Centers for Research and Promotion of Homosexual Citizenship in several Brazilian universities;
- The launch in 2009 of the National Plan for the Promotion of Citizenship and Human Rights of LGBT (Brasil, 2009).
- The organization of National Conferences on Public Policies and Human Rights of LGBT (2008, 2011 and 2016).
- Resolution No. 175 of May 14, 2013, of the National Council of Justice, which prohibits the competent authorities from refusing to authorize, enter into a civil marriage or to convert a stable marriage into a marriage between persons of the same sex.

In accordance to these facts, a new regime of truth about sexuality anchored in sexual and reproductive rights emerges as part of human rights. The exercise of sexuality, previously associated with marital, reproductive and/or civic obligations, starts to be based on the idea of personal fulfillment, health and well-being. Sex is not approached as strictly physiological anymore and becomes conceived as technology of itself. Biomedical language is progressively abandoned and gives rise to socio-juridical. The political strategies for regulating subjects are justified only if they are based on the promotion of citizenship or health (Carrara, 2015).

The focus on "human rights" enters the formal education, inviting the schools to propose ways to deal with the other (Ramos & Frangella, 2013). In this direction, there is the launching of the National Human Rights Education Plan, which has among its principles the "fight against racism, sexism, social, cultural, religious discrimination and other forms of discrimination" (Brasil, 2003, p. 17). There is also a series of proposals for school education in the Brazil without Homophobia Program (Brazil, 2004), the National Policy Plan for Women (Brasil, 2005a) and the National Plan for the Promotion of Citizenship and Human Rights of LGBT (Brasil, 2009).



The new educational demands force the creation of an official *locus* that presents alternatives for the conjuncture. Thus, the Continuing Education, Literacy and Diversity Department (*Secad*) was established by MEC in 2004, and its scope was broadened in 2011, being reformulated into Continuing Education, Literacy, Diversity and Inclusion Department (*Secadi*). The materials produced by *Secad* present their guidelines and actions in accordance to the significant "Quality Education for All", globally disseminated since the Jomtiem Conference (1990). It is an instance that has as a proposal the articulation of different educational discourses: for the education of youths and adults, LGBT, indigenous, quilombolas, rural dwellers, blacks, of child and adolescent protection - creating a chain of equivalence between them and at the same time, a strategic space for managing the differences and meeting the goals established by international agreements to which Brazil is a signatory.

Today, the greatest challenge of any government instance is to steadily reduce social inequalities. It is with this focus that the federal government, through the Ministry of Education (*MEC*) created the Continuing Education, Literacy and Diversity Department (*Secad*) in 2004. *Secad* works with a series of actions aimed at building a public policy that transforms into reality UNESCO's main guideline: to provide quality education for all throughout life [...] In order to do that, the issue of ethnic-racial, cultural, regional, gender, environmental, generational and sexual orientation has to be addressed in the day-to-day classroom. (Brasil, 2005b, p.5)

Secad developed its actions based on three lines of action. Planning and management headed the first line and was responsible for encouraging the production of monographs and didactic materials on ethnic-racial relations, gender and sexual orientation. Access and permanence of women, LGBT, quilombolas and natives at all levels and forms of education consisted of their second line of action, however, a report created by Secad (Brasil, 2007) does not specify the work developed in this area. The actions cited in this document seem to be associated with the logic of proposing public policies, the allocation of resources for continuing education, and especially the partnership with organized civil society.

It is important to recognize that the majority of education initiatives for gender equality and respect for sexual diversity have played a role in the social movement. Thus, there would be no way to give solidity to the governmental initiatives in these areas without first listening and seeking the collaboration of these sectors, establishing with them partnerships. In the case of actions with focus on gender, the work of the Department was largely instigated by the dialogue and partnership established since the beginning with the Department of Policies for Women of the Presidency of the Republic [...] The work of the National Council (CNE) has been crucial in improving the performance of the Ministry as a guideline for curricular policies, as was the case with Law n. 10.639/03, which deals with ethnic-racial relations in education [...] Secad encourages the approximation between universities and education systems, by encouraging the development of joint projects for the education of education professionals. (Brasil, 2007, p.38)

Continuing education encompassed the third line of action of the Department. Four project funding call notices between 2005 and 2007 were implemented, one on teenage pregnancy and three on sexual diversity in school: *Training of education professionals for citizenship and sexual diversity, Sexual diversity and gender equality in* 



school and Gender and diversity in school (GDE). The projects were developed in partnership with non-governmental organizations, had a theoretical-practical profile and aimed at the training of multipliers. The debate on human rights; coping with homophobia, machismo and sexism; and the discussion on social inclusion were the main themes of the courses. The students presented as final product intervention projects in schools. This strategy seemed to be problematic in the first moment because the interventions encountered structural, material and human obstacles - for example, the inexperience of students in working with gender and sexuality, the resistance of the school community to discuss the subject and the fact that the departments of education and schools do not have specialized pedagogical teams to support "multipliers".

Another obstacle concerns the very conception of formations based on the dichotomy proposed/implementation of curricular policies (Oliveira & Lopes, 2011). There were few reflections about discourses of gender and sexuality in circulation at school and how the deconstruction of active meanings triggers complex processes of negotiation of meanings and articulatory practices that enable hegemonization (Laclau & Moufee, 2015). In an attempt to develop pedagogical strategies "for sexual diversity" in school, for example, the students articulated the logics worked in the courses to family, school and religious referents, triggering legalistic, charitable, tolerance and victimization discourses of LGBT students.

As Vianna and Cavaleiro (2001) postulate, during the government of the Workers' Party (PT), the MEC reoriented its educational policies to embrace "diversity" and even changed the organizational structure of some secretariats. In the first administration of the Lula government, there were twenty-four programs focused on diversity policies in progress (Moehlecke, 2009), however, the lack of integration between them hindered the development of actions involving different audiences. In an attempt to overcome this obstacle, there was a strong commitment to the transversalization of the debate and the elaboration of decentralized actions, focusing on the coordination, articulation and incentive of policies involving the three levels of government and civil society. These strategies disseminated by MEC as channels of dialogue and collective participation were also mechanisms to alleviate tensions between the government and its various allies - both progressive and conservative. Probably, the mediation attempts, typical of this period, failed to realize the strengthening and the articulation of these groups around a politicalmoral grammar - such as gender ideology - which culminated in the intense hegemonic struggle that we are experiencing today on body, gender and sexuality in curriculum policies.

The kick off of this collision of political forces happened in 2010, in a seminar held at the National Congress to present the *School without homophobia*. The two-year project had been developed through a partnership between a network of NGOs and *MEC/Secad* and involved three lines of action: 1) the creation of some anti-homophobia policies in different states and municipalities, under the responsibility of the "*Pathfinder do Brasil*"; 2) a research on homophobia in schools, under the supervision of "*Reprolatina* - Innovative Solutions in Sexual and Reproductive Health"; and 3) the elaboration and publication of didactic material to be distributed in public schools, under the guidance of "ECOS - Communication in sexuality" (Oliveira & May, 2017; Leite, 2016).

The didactic material produced was presented and denominated an "educational material kit", composed by a notebook with the same project title, six newsletters, a poster, a cover letter and five videos. The Seminar was tense and permeated by conflicts, reflecting the strong crisis experienced between the government and its political allies. In

the following months, a vast articulated action - between the mainstream media, conservative sectors of civil society, fundamentalist parties of the National Congress and deputies from progressive parties dissatisfied with the government - was activated to suspend the *School without homophobia* alleging that it lured children. The "educational kit" became pejoratively called a "gay kit". Different experts and institutions - Federal Council of Psychology, Unesco, UN - were consulted and gave favorable opinions to the project. The controversy lasted for months and involved different disputes and political articulations, until its suspension in November 2011 by the President.

Some years later, the polarization radicalized and had a serious repercussion in the field of Brazilian education. One of the main impacts of this crisis was the withdrawal of the National Education Plan (*PNE*) - approved by Congress and sanctioned by the president (Brasil, 2014) - of the reference to the promotion of racial, regional, gender and sexual orientation. This fact reverberated in several legislative assemblies and municipalities and resulted in the exclusion of the reference to gender inequalities and sexual orientation in a significant part of state and municipal education plans in the whole country (Reis & Eggert, 2017).

After the parliamentary coup that deposed President Dilma Rousseff in 2016, Vice-president Michel Temer became the president, supported by a strong right-wing coalition, and imposed a series of drastic reforms explicitly guided by the conservative agenda of various sectors. In this context, the Ministry of Education (*MEC*) reconfigured the National Education Council (*CNE*), which became predominantly composed by representatives of the interests of business groups, and summarily withdrew all references to gender and sexual orientation of the Brazilian National Common Curricular Bases (*BNCC*) which was in the completion phase. As Frangella (2016) observes, the *BNCC* proposal implies not only the definition of minimum "curricular contents", but it involves a whole project of redefinition of the models of formation, teaching performance, evaluation and accountability.

In relation to the civil society, the "Escola Sem Partido" movement has built an intense political articulation to pass a law that changes LDB in order to prevent public schools and teachers from "promoting their ideological preferences" or "applying postulates from gender theory or ideology" (Amorim & Salej, 2016, p.33). Alongside this movement, several conservative groups have encouraged parents and students to send out extrajudicial notices to teachers to prohibit them from dealing with "gender ideology" in schools, as well as to denounce and prosecute teachers and principals who insist on addressing this issue and/or in questioning established gender and sexuality patterns.

# Conservative logics and the crisis of curriculum discourses of gender and sexuality

It is interesting to notice, in the context of this debate, maintaining the focus on the journey of sexual policies in Brazilian education and the thesis - strongly consistent - of the development of a new *device* or *regime* of sexuality based on the notions of human rights and citizenship in the last two decades, as both the concept of *device* and *regime of truth* are (re)configured in Foucault's work (2011, 1988), from the 1970s, seeking to articulate the patterns of production of statements that he considers as properly *discursive* to the institutional models of governing bodies and life that he treats classically as *non-discursive* (Agambem, 2009; Revel, 2005). The strength of the notion of device is precisely in its proposal to put in relation, through the same term, a



heterogeneous and interactive set of dynamics of knowledge production, of truth and structures and practices of organization and government. As the author himself points out in an interview on the *History of Sexuality*:

Through this term [device] I try to demarcate, in the first place, a decidedly heterogeneous set that encompasses discourses, institutions, architectural organizations, regulatory decisions, laws, administrative measures, scientific statements, philosophical propositions, moral, philanthropic. In short, the said and the not said are the elements of the device. The device is the network that can be established between these elements. Secondly, I would like to demarcate the nature of the relationship that can exist between these heterogeneous elements. Thus, such discourse can appear as a program of an institution or, on the contrary, as an element that allows justifying and masking a practice that remains mute; can still function as a reinterpretation of this practice, giving it access to a new field of rationality. In short, between these elements, discursive or not, there is a type of game, that is, changes of position, modifications of functions, which can also be very different. (Foucault, 1979, p. 244)

It is in this sense that the device of sexuality analyzed by Foucault (1988) in *History of Sexuality* encompasses rationality, moral and politics. While the dimension of rationality predominantly identifies the accepted regime and the games considered valid in the production of statements and truths about sexuality - such as biomedical, psychiatric or socio-juridical discourses - morality articulates these truths to the promotion of common values - such as biological reproduction or well-being - and politics associates these truths and values with strategies and practices of biopolitical classification and control.

Foucault (1979) clearly indicates that a device does not need and may not be seen as a closed, stable, and coherent system of relations. He describes the device as a dispersed or dynamic *formation* or *network*, in which the elements can vary between different positions and functions from an initial *strategic objective*, which constitutes them. He also points out that the type of game that is established between the various elements that are articulated in a device basically takes the form of two distinct processes. The first is the process of *functional overdetermination*, in which each effect - coherent or contradictory - produces a reaction of resonance and readjustment in the other elements. The second is the continuous process of *strategic fulfillment*, in which even the unpredictable and contradictory effects of some practices are often reassumed and reused from the strategic goal of the device.

It is in the movement of this open and dynamic game that Carrara (2015) affirms that it is possible to perceive several processes of conflict, negotiation and articulation between the logics and practices of the *old* biomedical device and those that point to the *new* regime of sexuality that slowly seems to develop.

Obviously the opposition between these two regimes, presented here as ideal types, is mainly heuristic. One of the complexities of this process is that although they are datable, they are not successive in time, but they tensely coexist in the contemporary scenario. In different modes of articulation, collision or confrontation, they design different sexual policies and styles of moral regulation. In addition, they interact and articulate with the prevalent Christian moralities. Thus, if it is possible to speak of a historical process of transformation or passage from one regime to another, it is undoubtedly built



slowly, through continuities, ruptures and, sometimes, unexpected commitments. (Carrara, 2015, p.333)

Although Foucault (1979) recognizes - as Carrara (2015) also points out - that a device does not constitute a closed and fully coherent system, the emphasis of concepts such as device and regime remains on the dynamics of articulation and negotiation between the different elements directly involved in the networks that constitute them. Foucault (1988, 1979) The school genres and the (im)possible silencing of difference in the curriculum does not problematize the question and, consequently, does not develop its own analytical strategies and tools to investigate how this possible relation between two devices or discursive formations that dispute a position of regime of truth would occur. Or even how could the relation between a dominant regime of truth and other logics, practices or discursive formations - such as the Christian moralities pointed out by Carrara (2015) or other ones - assume a peripheral position of persistent tension - for better or worse - in respect of that regime.

It is from the relevance of these questions to the analysis of contemporary dynamics in sexual policies and, especially, of the policies of gender and sexuality in the context of education, that this paper aims at exploring the feasibility of appropriation of some propositions and concepts of the theoretical framework of Laclau and Mouffe's Discourse Theory (2015) as productive resources for the expansion of a further debate that has been developed. This proposal of appropriation tends to assume here -it is important to highlight - a *supplementary* position, in a Derridean sense (Derrida, 1999), in relation to the perspective outlined by the work of Carrara (2015). It means that, the proposal is not only to complement the conceptual framework that has been worked up so far, but, to the extent that the new questions and terms evoked change the horizon of meaning of the text itself, they produce a retroactive effect, about the notions articulated earlier. Thus, following, there are some considerations about how a dialogue with the Discourse Theory can contribute to open new possibilities, fronts and senses of analysis of the current scenario of disputes between different discursive formations that seek to constitute the sexual policies in the Brazilian education.

The first aspect to be considered is that the theoretical perspective of Laclau and Mouffe (2015) radicalizes - in accordance with the work of Derrida (2005; 1999), Lacan (2005) and Heidegger (2001) – the discursivity of phenomenological and ontological reality. It thus breaks with the distinction, still held by Foucault (1979), between discursive and non-discursive elements in social reality. It does not mean, as Laclau and Mouffe (2015) urge, to deny the materiality or objectivity of reality, but, on the contrary, to affirm that every reality constituted as such will always be crossed and conditioned by discursive games of meaning. "Every object is constituted as an object of discourse, since no object is conceptualized outside any discursive condition of emergence" (Laclau & Moufee, 2015, p.180). It is interesting to notice that Foucault (1979) himself advances in this sense by realizing that the production of statements and institutional practices participated indistinctly in the same game for reality configuration. He was explicitly confronted with this question since the debates on the History of Sexuality and on the concept of device, but chose not to go further into this investigation.

Guy Le Gaufey: But to return to the non-discursive, beyond the statements, what exists in a device that is not "institution"?

M.F. [Michel Foucault]: It is generally called institution any behavior more or less coercive, learned. Everything that in a society functions as a system of



coercion, without being a statement, that is, any social non-discursive is the institution

J.A.M. [Jacques-Alain Miller]: The institution is evidently at the discursive level.

M.F. [Michel Foucault]: As you wish, but in relation to the device, it is not very important to say: this is what is discursive, that is what is not. [...] I do not think it is very important to make this distinction, since my problem is not linguistic. (Foucault, 1979, p. 247)

The affirmation of the discursive feature of all reality assumes, however, a significant importance in the current debates. It provides a discussion to increase the analysis of devices, regimes and/or discursive formations specific to the (inter)discursive context of interactions, clashes, negotiations and articulations between the different logics and discursive formations. It is necessary to emphasize that the discourse, in this perspective, is no longer formulated like only a pattern of production of verbal or linguistic utterances. It comes to be perceived as a - regular and dispersed - pattern of production of articulations and senses that crosses and operates in all instances of reality: everyday conversations, professional practices, institutions, laws, architectural structures, cultural artifacts, consumer products etc. As Glynos and Howarth (2007, p. 104) observe, "Every social practice is also articulatory", consequently it has a discursive feature and necessarily updates or challenges established discursive logics or regimes.

In this sense, it is no longer possible to think of a relation of mutual exteriority between non-discursive institutions or practices - with pre-discursive identities and characteristics - and discursive formations and regimes that would influence and be influenced secondarily by these institutions and practices. Each discursive formation or regime - such as devices or regimes of sexuality and moral or religious logics - can only be accurately analyzed and problematized when placed in relation to a field of discursiveness from which its own identity and the senses of its action are continuously negotiated, challenged and/or reaffirmed. Another important issue is that the *strategic objective* of a device can no longer be conceptualized as something totally anterior and external to the discursive field in which the device operates, but only becomes possible as an unstable effect of the conflicts and negotiations that cross the field. The distinction between the notions of device and regime thus tends to become rather tenuous and circumstantial.

A second aspect to be highlighted in relation to the potential of the dialogue with Discourse Theory, in the context here presented, concerns the way in which the work of Laclau and Mouffe (2015) seeks to recover the concept of *hegemony* as a theoretical and methodological resource for interrogating the processes of constitution, stabilization, crisis and political transformation of social reality. If every social reality is discursive and every social practice confirms, contests or displaces an established discursive regime, every social reality is constituted through a process of hegemonic dispute and articulation.

The hegemonic dispute thus emerges not as a specific and particular phenomenon within society, but as a radical and permanent principle of (de/re)constitution of society itself. As a recurrent attempt to articulate all possible elements in a given social field, establishing a (new) *regime* of practices and logics or a (new) *horizon* of reality. "Any discourse is constituted as an attempt to dominate the field of discursivity, to arrest the flow of differences, to construct a centre" (Laclau & Moufee, 2015, p.187). It is valid for both the analysis of a broad social reality and the analysis of specific and partially autonomous contexts or sectors - such as sexuality or sexual policies in education - that



participate in this social reality. Discursive devices or formations that compete to be established as hegemonic regimes, therefore, do not only seek to control reality from an external position of power, they act to (re)constitute their own sense and the (im)possibility conditions of objects and subjects that participate in this reality.

However, no *hegemonic formation* can fully articulate and totalize all elements or even any element in particular - in a determining social field. Because, firstly, every speech depends, to constitute itself, of the opposition to *another* or to an *outside constituent* (Laclau & Moufee, 2015,); and, secondly, because of the logic of the production of meaning and identities entails an insurmountable lapse or slip - *différance* (Derrida, 1999) - which prevents pure repetition (Deleuze, 2006). In this sense, all hegemonic formation is necessarily precarious, partial and contingent. Even if a discursive formation can stabilize, to a large extent, a certain social horizon -consolidating a hegemonic regime- there will always be boundaries, vanishing points, fluctuations, contradictions, tensions, conflicts and potential adversaries that will challenge stability, coherence and the articulation capacity of the established regime. When these tensions and challenges - usually from some disruptive or traumatic *event* or *occurrence* - are sufficient to significantly destabilize the hegemonic regime, then a *hegemonic crisis* is unleashed.

The crisis of a hegemonic regime is characterized by the systematic fragilization of the reach and strength of several articulations and, consequently, of social practices and logics that configure this regime. Once a hegemonic crisis was established, discourses and logics that had hitherto remained renegade, in peripheral position or partially submitted to the established hegemonic regime, tended to strengthen, opening new fronts of tension and conflict. In this context, either the hegemonic discursive formation suffers a significant displacement to accommodate the conflicts and reestablish a horizon of normality in the social field, or a new discursive formation, often constituted against the main logics and practices of the previous regime, starts to articulate the majority of the identities and elements present in the field, constituting a new hegemonic regime. Thus, while the periods of stabilization of a regime tend to be represented by a multiplication of small agonistic differences (Moufee, 2013) between identities and discursive formations - or games of truth (Foucault, 2011) - that undergo and adjust, to a lesser or greater degree, to the logics and rules established by the hegemonic regime, the hegemonic crisis scenarios, after a process of rupture and denaturation of the relations established by their dominant practices and logics, tend to move towards a polarization scheme of the social field around two lines of antagonistic discursive formations, that begin to dispute the hegemony, in this field, seeking to articulate around its practices and logics most of the identities and social elements.

The Discourse Theory, therefore, analyzes the emergence movement of a new regime of sexuality and, in particular, the implications of this movement for curriculum policies of gender and sexuality in Brazil, as a process of successive hegemonic crises, in a scenario of attempted - yet contested - consolidation of a new hegemony. If we assume that what is observed throughout the 2000s, in the Brazilian context, is characterized as a conflictive but evident process of affirmation and consolidation of a new regime of hegemonic sexuality, in conjunction with the development of a new sexual politics in the country. It is also necessary to assume that the strengthening of discourses and actions of religious and secular (neo)conservative movements, especially from 2010 on, as well as their direct participation in the articulations that led to the parliamentary coup of 2016



demonstrate that this hegemonic duel remains opened and that there is no guarantee that the process started will continue in the same direction.

A third and final aspect to be taken into consideration in the debate proposed by this paper is related to the question of how and why social logics and discursive formations conquer the identification and the imagination of the subjects in the processes of social reality constitutions. How and why, in contexts of stabilization of a hegemonic regime, most of the subjects identify themselves with the logics articulated by the dominant discourses, reproduce their practices and ignore their boundaries and contradictions. In the same extent, in scenarios of hegemonic crisis, how and why many subjects break important identifications and begin to identify with the design of a new discursive perspective, while others tend to identify themselves with a diverse discourse posture. In other words, what mobilizes and sustains the identifications of the subjects with the speeches? What establishes the meaning, strength or fragility of these identifications? In order to deal with these issues, based on the Discourse Theory, Glynos and Howarth (2007) propose an articulation of the theoretical debates about the discursiveness of social reality and about the hegemonic political processes with the Lacanian concept of *fantasy* (Lacan, 1998; Žizek, 1996).

The notion of fantasy, in Lacanian psychoanalysis, seeks to name the imaginary narratives articulated by the subjects to cover or *suture* the limits and contradictions - the *lack* or radical *rupture* - that prevent the full realization of an identity and challenge the possibility of completeness of reality itself. Syntactically, *fantasmatic narratives* are narratives that point to a horizon of total realization to be achieved - the *beatific* dimension of fantasy - which is prevented by the presence and performance of another/enemy that, if not overcome, threatens the integrity of the subject and reality itself - the *horrific* dimension of fantasy. Thus, while fantasies act to placate or minimize the *anguish* of subjects in relation to their own incompleteness and the impossibility of totalizing reality, they also function to structure the *enjoyment* of these subjects, their desire and frustration with an object that remains suspended in their horizon (Glynos & Stavrakakis, 2008).

Glynos and Howarth (2007), in dialogue with Žižek (1996), emphasize that the notion of fantasy might be very productive for the development of political and social analysis. Since subjects are constituted and structured through socially and politically articulated discursive formations and logics, fantasmatic narratives are also socially negotiated and disseminated and play a primary role in the constitution of individual and collective subjects. For instance, Glynos and Howarth (2007), analyzing the emergence of *Thatcherism* in England, point out that the fantasmatic narrative of the *single irresponsible mother* - who drained state resources through public *welfare* policies - contributed decisively to the formation, dissemination and strengthening of neoliberal discourse between the 1970s and 1980s. In this sense, the authors develop the concept of *fantasmatic logics*, together with the notions of *social logics* and *political logic*, as a resource to investigate how certain fantasmatic narratives act to produce and to maintain the identification of the subjects with the logics and practices of the hegemonic discourses or, in crisis contexts, with new discursive projects (Oliveira, Oliveira & Mesquita, 2013).

At the same time that fantasies seek to cover and suture voids and contradictions, they often present incoherent, inconsistent, and logically unsustainable narrative elements - such as the enemy who is both stupid and extremely clever. The force of fantasy, however, does not come from its power of logical conviction, but from its capacity to produce joy. Hence, fantasmatic logics are rarely consciously, explicitly or publicly claimed and assumed by the subjects. In general, they appear in the form of jokes, implied



allusions, cartoons, slogans, artistic expressions, myths, dreams, delusions and other forms of *discourse of the other* (Authier-Revuz, 2004, 1998). And it is not because of this that they lose or weaken their ability to structure enjoyment and to guide and sustain the identification of subjects with certain discursive logics and formations. The fantasmatic narratives can be based on *cynicism* (Safatle, 2008; Žizek, 1996); it is not necessary to believe or consciously agree with its suppositions for its effect. In contexts of open hegemonic crisis, however, fantasmatic logics can move from a more peripheral position, such as implicit and ambiguous assumptions, to be publicly asserted and affirmed.

The appropriation of the notions of fantasy and fantasmatic logics in the analyzes of the current hegemonic crisis of the sexuality regime, as well as, the knowledge about the curriculum policies of gender and sexuality in Brazil, can be very interesting and productive, in order to investigate how the identification of social subjects have been related to the main discourses or discursive formations presented in this area of study. The socio-juridical discourses on sexual rights seem to produce the identification of the subjects with their logics and practices around the - classic liberal - horizon of full citizenship for all people, especially LGBT women and people, against the threats of discrimination, exclusion and sexist and LGBT-phobic violence. Neoconservative discourses, on the other hand, have been gaining a surprising dimension in the public debate, in a relatively short period of time, from the mobilization of an identification with the so-called traditional family - a full-harmony dream that is based on the heteronormative pattern of the bourgeois nuclear family – but, above all, that vociferously goes against the danger of gender ideology and the demands for recognition of the feminist and LGBT movements for the psychological, moral and spiritual integrity of society and especially of children.

Several analysts (Miskolci & Campana, 2017; César & Duarte, 2017) have already suggested that the mobilization of a significant part of the population on neoconservative discourses, especially convened by catholic and evangelical religious leaders, has been conquered mainly through the strategy of spreading *moral panic* through the generation of the category *gender ideology* and its association with gender studies and with feminist and LGBT identities and demands. As Gayle Rubin's (1989) classic work points out, the spread of moral panic has been a recurring strategy in a number of historical periods - Victorian England or the American culture post-World War II - to support legislation, policing, and the disciplinary control over the population. Especially in periods threatened by political crisis and risks of social conflict. The fact is, in times of widespread political crisis and polarization, such as the one we are currently experiencing in Brazil, the threat of *gender ideology* can be easily articulated - as it has been - to the horror of other monsters such as the *Communist threat*, *banditry*, *terrorism*, *macumba*, etc., amplifying its reach and its strength. While categories such as citizenship and rights are seen with significant mistrust and have their appeal greatly reduced.

For those people who agree with the feminist and LGBT demands and oppose the neoconservative hegemonic project, a question arises over the ways to weaken the appeal of fantasmatic logic characterized by moral panic about the danger of *gender ideology*. Perhaps, carefully differentiating the way in which distinct groups and identities - religious, social status, national, gender - have been mobilized by this appeal and deconstructing or problematizing the equivalence - allegedly natural - between these subjects. Likewise, it may be necessary to provoke a deeper reflection on categories such as citizenship and rights, forcing their meaning beyond the boundaries, in which they are



usually claimed to belong to, to allow, therefore, the articulation of demands that are not currently contemplated in the horizon of socio-juridical discourses.

The purpose of this paper, as stated above, was not to address, or even less to deepen, all aspects related to the discussion proposed here. Such a task would be virtually unfeasible, even for a labor of greater breath. The proposal of the text was to expand the debate on the hypothesis of the emergence of a new regime of sexuality, presented by Carrara (2015), to investigate to what extent and how this emergence can be perceived in the trajectory of the policies of gender and sexuality in the Brazilian education and finally, to explore, in a preliminary way, how the appropriation of some propositions and concepts of Laclau and Mouffe's Discourse Theory (2015) could contribute to open new questions and ways of analysis in the discussion of this problem. We hope that this objective has been at least partially achieved and that the issues raised here can still be retaken and developed in other texts and interlocutions.

#### **Notes**

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- <sup>3</sup> According to Trevisan (2004), in the first semester of 1978, eleven out of twenty five plays performed in São Paulo were, somehow, connected to homosexuality.
- <sup>4</sup> There were two important events at this period: the launch of the first Brazilian gay newspaper "Lampião da Esquina" and the foundation, in São Paulo, of the NGO "SOMOS", the first Brazilian entity to defend homosexual rights.
- <sup>5</sup> Deeper analyses on these documents can be found in Bonamino and Martínez (2002) and Altmann (2001).
- <sup>6</sup> Currently, Sexually Transmitted Infections (STIs) have been adopted in place of the term Sexually Transmitted Diseases (STDs), because it emphasizes the possibility of a person having and transmitting an infection, even if they do not show signs and symptoms.

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