



Murders and violations of human rights of transvestites and transgenders in Brazil: An approach based on the antra dossier and reflections on bolsonarism and police violence

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ABSTRACT

This article seeks to reflect on Bolsonarism and police violence with a focus on the murder and violation of the human rights of transvestites and transgenders in Brazil. Our research problem is to analyze the influence of bolsonarism on police violence when it comes to the murder of trans and transvestite people. The methodology used is the bibliographic and documentary analysis of the ANTRA dossier on the murder of transgenders and transvestites.

Keywords: Human Rights, Violence, Gender.

1 INTRODUCTION

This article seeks to reflect on Bolsonarism and police violence with a focus on the murder and violation of human rights of transvestites and transgenders in Brazil.

To this end, we divided the work into three parts, in the first of which we identified transvestites and transgenders, bolsonarism, police, and violence. Below we dedicate the studies on human rights and their violations, especially of the rights of the LGBTQIA+ community.

It will be up to the third part shows the division of Brazil by Bolsonarism and the murders of trans and transvestite people.

Our research problem is to analyze the influence of bolsonarism on police violence when it comes to the murder of trans and transvestite people.

The methodology used is bibliographical, bringing authors such as Judith Butler and Agamben and the documentary analysis of the ANTRA dossier on the murder of transgenders and transvestites.

2 IDENTIFYING THE PARTIES

2.1 TRANSGENDERS AND TRANSVESTITES

For what we propose in this article, it is necessary to carry out some contextualizations.

We share the understanding that gender is a historical-social construction based on "social relations that focuses on the reproductive arena and the set of practices that bring reproductive distinctions about bodies to the heart of social processes" (CONNEL AND PEARSE, 2015, p. 48).

Given this, "if gender is the cultural meaning assumed by the sexual body, it cannot be said that it stems from a sex in this or that way" (BUTLER, 2019, p. 26).

And following the lessons of Butler (2019, p. 26) if we theorize gender as independent of sex we will see that it is fluctuating: "Man and masculine can, with equal ease, mean both a female and a masculine body, and a woman and a feminine, both a male and a female body."

We did not always have this notion, because for a long time studies related to sexuality and gender were built under the biological spectrum: the phallus (man, male) and the vagina (woman, female). Classically, it was studied that the woman was an incomplete being because she lacked a penis. Therefore, the object of female sexual desire, necessarily, was to be "completed" by the penis. And so, heterosexuality was a biologically determined rule, which indicated that desire should also be for what is opposed to biological sex. For psychoanalysis, formulated by Lacan, this idea of binary identification between the masculine and the feminine was the expected, the normal. Given this, the term "heteronormativity" was coined, under the moral, historical, and social values, aiming at the naturalization of this expression to annul or throw to the field of the strange other forms of expression of sexuality (MARTINS-SILVA, 2012).

Faced with the multiple faces of Eros, Jesus (2012, p. 7) highlights the following aspects of the "transgender" dimension:

The experience of the genre as:

1. Identity (what characterizes transsexuals and transvestites); OR as
2. Functionality (represented by crossdressers, drag queens, drag kings, and transformists).

Thus, in this article, we will address **gender identity**: transgenders and transvestites. This leads us to establish that transsexuality is an identity and not a disease or perversion (JESUS, 2012, p. 7-8). It's also not sexual orientation, and that's why we call it "transgender" instead of transsexual.

Joan Roughgarden (2004, p. 242-243) sought a physiological explanation, since "broad biological precedents support the hypothesis that different behavioral temperaments in humans, including gender expression, could arise from differences in brain organization." He asked, "Can we, for example, detect differences in the brains of transgender and non-transgender?" And so, he addressed the theme of neuroscience about the volume of the brain and the number of neurons, from the analysis of a part of the brain called BSTc (nucleus of the stria terminalis bed).

There are criticisms of this research, especially because there is a need to use feminist theories that distinguish sex from gender (GUERIN, 2020). This is a neuroethical and medical concern.

Resolution 2265/2019¹ of the Federal Council of Medicine, used for reassignment surgeries, addresses the topic of "gender identity".

Jesus (2012, p. 7) resume:

The truth is that no one today knows why someone is transgender, despite the various theories. Some say that the cause is biological, others that it is social, others that it mixes biological and social issues. What matters is that transsexuality is not a blessing or a curse, it is just a condition, like so many others. The simplest and most complete answer that defines transgender people is that: **A transgender woman is every person who claims recognition as a woman. A transsexual man is every person who claims recognition as a man.** Contrary to what some think, what determines the transsexual condition is how people identify, not a surgical procedure. Thus, many people who today consider themselves transvestites would be, in theory, transsexuals. Each transgender person is treated according to their gender: transgender women adopt a feminine name, appearance, and behaviors, and want and need to be treated like any other woman. Transgender men adopt masculine names, appearances, and behaviors, want and need to be treated like any other men. [emphasis in original]

Thus, we contextualize transgender and transvestite people, within their uniqueness, in a world that is plural, yet does not respect diversity.

To give visibility and act in the defense of rights and against violence, social movements emerged. In Brazil, the first political mobilizations of transgender people occurred in 1990, with self-organized actions in the face of police violence and mainly for the prevention of HIV/AIDS aimed at transvestites. In this context, in 1992 the Association of Transvestites and Liberated of Rio de Janeiro (ASTRAL) emerged, this being the first formalized and organized group that arises from the meeting of transvestites who prostitute themselves in the region of Praça Mauá, under the leadership of Jovanna Baby (CARVALHO and CARRARA, 2015; JESUS, 2018). This organization grew in response to police violence in places traditionally known as prostitution points, where indiscriminate arrests of transgender people occurred (CARVALHO and CARRARA, 2009).

In 2000 the National Association of Transvestites and Transsexuals (ANTRA) was created, aiming at the dissemination and mobilization in favor of the fight against violence and the HIV/AIDS epidemic, resulting in the Transvestite and Respect campaign in 2004, whose funding was given through the Ministry of Health. This campaign resulted in the milestone of Trans Visibility Day – on January 29. In this same sense, aiming at the construction of public policies in the field of health, in 2005 the National Collective of Transsexuals (CNT) (CARVALHO and CARRARA, 2015) emerged.

¹ Art. 1 Transgender or gender incongruence is understood as the non-parity between gender identity and sex at birth, including in this group transsexuals, transvestites, and other identity expressions related to gender diversity.

§ 1 - Gender identity is considered the recognition of each person about his gender.

§ 2 - Transsexual men are those born with the female sex who identify as male.

§ 3 - Transsexual women are those born with the male sex who identify as female.

§ 4 - A person who was born with one sex identifies and presents himself phenotypically in the other gender, but accepts his genitalia is considered a transvestite.

§ 5 - Gender affirmation is considered the multidisciplinary therapeutic procedure for the person who needs to adapt his body to his gender identity through hormone therapy and/or surgery.

2.2 BOLSONARISM, POLICE, AND VIOLENCE

The term "bolsonarista" has been popularly used with two connotations: one by sympathizers and the other by critics. This, in a tone of insult, is when people who identify themselves politically as "of the right" call others, divergent, "PT" or "communists".

The analysis carried out by the political scientist Jairo Nicolau (2020) about Bolsonarism indicates that Bolsonaro's election in 2018 was more due to opposition to the PT than to affinity with the government plan or Bolsonaro's ideas. That is why he says that not everyone who voted for this candidate can be called "bolsonaristas".

Research conducted by Fespsp in 2018 and IREE/UERJ in 2021, compiled in the article by Matheus Magenta (BBC, 2022) point out that the values and feelings shared by Bolsonaro supporters indicate the following:

- Feeling of "abandonment" by traditional politicians.
- Hatred of the PT related to the inclusion policies advocated by the party (whether of income, racial, social, gender, or sexual orientation).
- Rejection of the PT as a result of the corruption revealed in the mensalão and Operation Lava Jato.
- Rejection of the main political parties (also targets of Lava Jato).
- Hope for someone who will improve the policy.
- Fear of being a victim of crime.
- Defense of the use of weapons for self-protection.
- Fear of changes in the structure of the traditional family and religious freedom.
- Unease with new gender identities and sex education at school.
- Economic liberalism (i.e., minor role of the state in economic activity).
- Nostalgia for the military dictatorship and defense of military participation in politics.
- Constant criticism of the Supreme Court and news outlets for allegedly unfair coverage of the Bolsonaro government.
- Anti-communism (against so-called "Marxist indoctrination" in schools, for example).
- Defense of the flexibilization of environmental laws to facilitate the advancement of agribusiness.
- Critical stance, even if unsubstantiated, of scientific recommendations on issues that generate conflict with economic goals, such as the pandemic and global warming.

We realize that they are values and feelings that reflect the authoritarian, nationalist tone, of aversion to the "different" and exaltation of the role of a transformative leader ("myth"), the political discourse of Jair Messias is classified by Almeida (2020) as fascist. For him, this discourse recovers

meanings already produced in 1932, by the Brazilian Integralist Action², and in 1964, by the "March of the Family with God for Freedom".³ The meanings produced by the integralists have already been recovered at key moments in Brazil's history, especially in the use of the motto "God, homeland and family" – as occurred in 1964, and 2018 in Bolsonaro's campaign. From the *impeachment* of Dilma Rousseff (2016), the strengthening of the armament, ruralist and evangelical benches - associated with the context of popular dissatisfaction - resurfaced federalist thought, to which Bolsonaro's *slogan* alludes: "Brazil above all, God above all".

About the political, public, and leadership figure represented by Bolsonaro, humor draws attention as a striking feature of the president's personality. Jokes, puns, and imitations among other humorous sayings are part of the repertoire of President Jair Messias Bolsonaro. The president often makes discriminatory jokes about people of color, women, indigenous people, LGBTQIA+ people, artists, and supporters of the left. In this respect, the election of 2018 was surprising because in auditorium programs Bolsonaro often appeared as an eccentric and folkloric figure (NICOLAU, 2020). And he found millions of adherents of his mode of expression, which, taking aesthetic philosophy as a reference, borders on the tragicomic.

Thus, answering the question that ended the previous topic, it was from this (mis)government that Brazil regressed when the theme is the LGBTQIA+ community. This is because the Bolsonarist agenda removed the theme of gender from the agenda. It was forbidden to refer to this theme in municipal and state schools, as well as projects such as school "without a party", in the search to define the so-called "gender ideology" as the enemy of the nation (FERREIRA, 2018).

Among the president's supporters are police officers. This is justified since, at the launch of the campaign for the approval of the Anti-Crime Package, speaking during the ceremony, Jair Bolsonaro defended police officers who kill during operations, expressing that:

(...) Often, we see that the military policeman, who is better known, as being elevated to a function, comes to the press to say 'he has 20 acts of resistance', had to have 50, is it a sign that he works, that he does his part, and that he did not die, or wanted us to provide a job for the widow? This has to stop happening, and how? Changing legislation. No one wants to impose anything, we want to change the legislation so that the law, as Sérgio Moro says, is feared by the marginals, and not by the good citizen (Bolsonaro in the campaign for the approval of the Anticrime Package, 03/10/2019).

In this respect, We explain that, in Brazil, those who carry out most of the police activities are the Civil Police and the Military Police, which are subordinate to the state governments and have

² MAIO and CITRYNOWICZ (2003) refer to the AIB as a political movement that has Plínio Salgado as its representative and its philosophical and ideological proposal is the need for social organization and extremist values based on authority, hierarchy, order, and discipline.

³ OLIVEIRA et al (2014) understand that it is a pro-dictatorship social movement that is based on the ideology of Catholic integralism.

attributions defined in the Federal Constitution and the State Constitutions. The military police are responsible for overt policing and the preservation of public order and, being under the aegis of legality, the use of force does not constitute a crime. However, it is necessary to evaluate how physical force is used in police actions, that is, if the use of force occurs by legal prescriptions or if it exceeds its limits, injuring fundamental rights (NEME, 1999, p. 21 and 30).

In the historical context, which greatly contributes to the understanding of Bolsonarism, Gaspari (2002) points out that the use of force by Brazilian police corporations has roots in the period of the military dictatorship, a time when two specific conceptions of national security dominated, one stuck to the thought "Brazil above all", worth everything to fight those who threaten it, and another linked to the thought "if there is a threat, the military takes action, people talk and terrorism ends (GUIMARÃES, TORRES E FARIA, 2005, p. 264).

According to Santos Filho (2003), even after the military dictatorship, Brazil faces challenges to the consolidation of a democratic society, especially with the violation of human rights, we observed that police violence has reached the population of lower class and marginalized. A demonstration of such violence can be identified in a survey conducted in 2015, in which we highlight an interview conducted with a transvestite, who reports having gone through a situation of violence while prostituting when a military police officer approached her and shot her two shots at point-blank range and countless at a distance. In this context, it should be noted that many times, prostitution offers transvestites the opportunity to survive on the margins of society (EFREM, 2016, p. 329).

It is in this context of the persistence of the condition of marginal that, under the mandate of Jair Bolsonaro, the federal government chose to exclude police violence from the 2019 report on human rights violations. This report is constructed through the analysis of data collected from the records on Dial 100, which receives complaints from all over the country, regarding various types of violence, including violence committed by police officers.

This same report indicates an increase in human rights violations in Brazil since 2015, with the registration of 990 reports of police violence. In 2016, 1,009 complaints were registered, in 2017, 1,319 complaints, and 2018, 1,637 complaints. As of 2019, G1's violence monitoring reports that at least 5,804 people have been killed by police officers (G1, 2020).

In comparative terms, we identified that in a survey conducted between 2008 and 2020, there were about 122.5 murders of transvestite and transgender people each year. The year 2020 is highlighted, being 43.5% above the average of murders in absolute numbers in this time frame, and compared to the year 2008, there is an increase of 201%, from 58 murders in 2008 to 175 in 2020 (BENEVIDES and NOGUEIRA, 2021).

This brings us to the lessons of Agamben (2015, p. 80) who discusses the "sovereign police", which "lays bare, with greater clarity, the proximity and, almost, the constitutive exchange between violence and law that characterizes the figure of the sovereign". And the reflections of Mombasa (2021, p. 63) are valid when asking "Who polices the police?" ends the description of the scene by concluding that "the police in Brazil is one of the only criminal factions that is responsible for the investigation of their crimes."

In this sense, Benjamin (2017, p. 131) explains that the Law holds the monopoly of violence because it is she who establishes and who maintains the Law:

The State, however, fears this violence purely and simply because of its character of establishing the law and, at the same time, is obliged to recognize it as the institution of law when foreign powers force it to grant the right of war, and classes, the right to strike.

Therefore, the maintenance of law and order, guaranteeing the state and its sovereignty, is up to the police. And the state decides which lives matter.

3 KILLINGS AND HUMAN RIGHTS VIOLATIONS

3.1 HUMAN RIGHTS AND VIOLATIONS

By way of understanding the historical evolution of human rights and constitutionalism, briefly, we can indicate that human and fundamental rights have their origin in ancient Egypt and Mesopotamia, in the third millennium BC, a period in which mechanisms for individual protection already existed in the face of the State (MORAES, 2022, p. 29).

As the times progressed, in modernity and to the period that comprises the end of the eighteenth century, the rights of man were enunciated in a context of secularization and emancipation of society, with the supplanting of the system of social, spiritual, and religious values previously in force that ensured, to some extent, the protection of people, regardless of political order and, in this aspect, explains Hannah Arendt (1989, p. 324), "whenever an individual needed protection against the new sovereignty of the State and the new arbitrariness of society." (CORREIA, ROCHA, and MÜLLER, 2022, p. 125)

Making a historical leap, from the twentieth century the Mexican Constitution of 1917 began to guarantee individual rights with strong social tendencies, as well as the Weimar Constitution of 1919, which began to provide fundamental rights and duties to Germans (MORAES, 2022, p. 33). In the Brazilian context, the Federal Constitution of 1988, in its Title II, brought a list of fundamental rights and guarantees, segmented into individual and collective rights and guarantees, social rights, nationality rights, political rights, and rights related to the existence, organization, and participation in political parties. With this, the Constitution began "to guarantee equality before the law, without

discrimination of any kind, guaranteeing to Brazilians and foreigners residing in Brazil the inviolability of the right to life, liberty, equality, security and property, weighing the right to life as the most fundamental of all rights" (MORAES, 2022, pp. 37 and 46).

In this sense of the applicability of rights, José Castan Tobeñas expresses that human rights are fundamental rights of the human being, both in their aspect and in their community aspect, and should be recognized and respected by all power and authority (TOBEÑAS, 1976, p.13). However, when we address the rights of transvestites and transgenders in Brazil, it is not possible to identify the full exercise of rights, so we advocate in the sense that the transgender agenda demands human rights and their positivization and effectiveness through public policies. Thomas (2017) affiliating with the thought of Shannon Minter exposes that "transgenders are human beings who, as such, deserve the protections that all human beings are entitled to in any society that has committed to recognizing and respecting the modern human rights regime." It goes on to state that:

The notions have taken for granted that have been bequeathed to us by the liberal humanist tradition—that of a rational, sovereign human being, a shared human condition, a common humanity, or the existence of innate and inalienable human rights—are being challenged and criticized in both practical and theoretical fields. The already weakened foundations of the idea of classical human rights have been put under tension by the contradictions of global power politics and the transparent cynicism that surrounds such discourses as those on genocide and on "humanitarian" military interventions (THOMAS, 2017, p.5).

In the context of the recognition of rights, in 2011 the UN was a pioneer in declaring for the first time that the rights of LGBT people should be identified as human rights. The UN Human Rights Council Resolution No. L9 in the General Assembly culminated in the interpretation that a state that does not pay attention to LGBT people will not be respecting the International Human Rights Treaties and related international documents. Such pioneering of the UN resulted in a broadening of the concept of human rights and its applicability at the global level (GORISCH, 2013, p. 7).

However, just extending rights is not enough. As we stated above, public policies are necessary for guaranteed rights to penetrate society. In this sense, the jurist Norberto Bobbio expresses in his work "The Age of Rights" (2004) that at the same time, there is a challenge to human rights, which is not identified in the discussion of its foundations, but in its protection and application.

It should be noted that the Federal Constitution of 1988, in its article 5 *caput and* § 3, upholds the equality of all before the law, without any distinction, as well as respect for international treaties and conventions when the subject is the protection of human rights.

It is in this leap from theorization to the application that one can take as an example an initiative of the Department of Education of Santos, which in partnership with the National Commission of Homoffective Law of IBDFAM (Brazilian Institute of Family Law), conducted training and training involving teachers, principals, and school employees to address homoffective rights and combat

homophobia in schools. In addition, the Administrative Development Foundation, working in conjunction with the Secretariat of Justice and Citizenship of the Government of the State of São Paulo, until the year 2013, trained about 7,000 municipal and state civil servants from all over the State of São Paulo, with the realization of a course on the conquest of LGBT citizenship (GORISCH, 2013, p. 42 and 43).

We can mention numerous civil society organizations that carry out advocacy work⁴ in favor of the rights of the LGBTQIA+ community: Casa1 (Center for Culture and Reception of LGBT People), Eternamente Sou (Reference Center for LGBT Elderly), Brazilian Group for the Promotion of Citizenship (GGLOSLGBT), Support Group for AIDS Prevention of Bahia (GAPA-BA), LGBT Institute (Propromo, defends and supports the artistic and cultural production of the LGBT+ community), Instituto Mais Diversidade (Professional empowerment of the LGBTQIA+ population), LGBT+ Movimento (Work with LBTTQIA+ migrants and refugees) and Somos (Performs actions in human rights with emphasis on sexual and reproductive rights of LGBTs).⁵

In this work, we focus on the National Association of Transvestites and Transsexuals (ANTRA), which is characterized as a national network that articulates 127 institutions that develop actions to promote the citizenship of the population of Transvestites and Transsexuals. This association has as a topic in its lines of action the realization of denunciations aiming to promote the disclosure, in all possible media, of any case in which prejudice and or discrimination by gender identity and sexual orientation is detected, and the ANTRA Dossier on violence and murders is a document for the construction of the topic below, and that also influenced the direction of this research in general⁶.

When we deal with human rights and rights violations, connecting them to Bolsonarism, we can affirm that the LGBTQIA+ population has been attacked by Bolsonaro for a considerable time and in a criminal way. An example of the former president's position is: "The next step will be the adoption of children by homosexual couples and the legalization of pedophilia."⁷ In such a sentence, Bolsonaro links sexuality and the crime of rape of the vulnerable, which is characterized by the practice of pedophilia, instigating his supporters to identify the LGBTQIA+ population as potential criminals for

⁴ Pitanguy and Miranda (2006), define advocacy as the defense of rights, as the realization of a kind of lobbying between sectors or influential actors in civil society, aiming at the defense of rights (ZEPPELINI, 2007).

⁵ Civil Society Organizations working for and with LGBTQIA+ people <https://www.portaldoinpacto.com/11-ongs-que-trabalham-para-e-com-pessoas-lgbtqia-#:~:text=Grupo%20Brasileiro%20de%20Promo%C3%A7%C3%A3o%20da,Empoderamento%20profissional%20da%20popula%C3%A7%C3%A3o%20LGBTQIAP%2B>.

⁶ About the National Association of Transvestites and Transsexuals (ANTRA). Transsexuals. <https://antrabrasil.org/sobre/>

⁷ Jair Bolsonaro's reaction to the approval of the stable union between homosexuals. https://www.em.com.br/app/noticia/politica/2011/05/07/interna_politica,226082/proximo-passo-sera-legalizar-a-pedofilia-diz-bolsonaro.shtml

the practice of such a crime. In addition, Bolsonaro said he would rather have a son of his "die in an accident than show up with a mustache out there. To me, he's going to have died."⁸

In this sense, Bolsonaro points out that death would be a better fate for the LGBTQA+ population than being part of a family. Is this indicative of the direction of minority protection policies during his tenure? In the following topic, we intend to discuss the murders of transvestites and transgenders in Brazil.

3.2 MURDERS

When we search for the meaning of the word "murder" we find its definition to be "an unlawful act that causes the death of others without lawful justification." (Wikipedia).

Because it is a form of violence, we understand that there is a direct relationship between power and normativity.

The action of murder is a hate crime, which can be understood as one that "has as its motivation the feeling of revulsion against a certain group, due to gender, sexual orientation, ethnicity, nationality, religion, among others (...)" (FROS, 2022, p. 95).

Violence directed at minorities stems from the need to maintain privileges of origin and class. (GHERMAN, 2022, p. 108)

Minorities are treated as enemies. This treatment finds shelter in the Bolsonarist discourse that divided Brazil:

A Brazil of quotas and affirmative action, which had just begun with public policies in the Fernando Henrique Cardoso government and which had consolidated itself in the governments of the Workers' Party, was outside the Jewish club of Laranjeiras. Meanwhile, a white Brazil, which had adopted the models of 'racial democracy' and which bet on miscegenation, as well as on the weakening of the racial logic that the black movement insisted on using - this part of the country that felt betrayed by affirmative action policies and the practices of the racialization of social relations was within the club (GHERMAN, 2002, p. 79).

Therefore, the murderer justifies that he kills for the "right of privilege" because they are non-mountable lives. And what would be unmournable lives?

The word *enlutavel* serves as a neologism of the Portuguese language, being born from the English adjective *grievable*, which is derived from the intransitive verb *to grieve*, which has the meaning "to mourn and mourn the loss of something or someone". In this regard, Judith Butler, in her work *Precarious Lives: The Powers of Mourning and Violence* (2004), makes use of the terms *grievable and un-grievable*, which are originally used to refer to the characteristic that a life has or does not have of being able to be mourned and wept in case of loss. However, some translations into

⁸ Capital Charter. Bolsonaro in 25 controversial sentences [Internet]. Carta Capital (Trust Publishing). 2018 Oct. [cited 2019 Feb. 08]: Politics. Available in: <https://www.cartacapital.com.br/politica/bolsonaro-in-25-frases-polemicas/>.

Portuguese avoid the use of neologism and adopt instead the expressions "mournable" or "unworthy of mourning" (SYRIO, 2021, p. 47).

We mention the non-mourners in Brazil: people with economic vulnerability, with specific characteristics - color, race and class - with emphasis on the black population, consisting of blacks and browns and representing approximately 55% of the Brazilian population, according to data from the Brazilian Institute of Geography and Statistics (IBGE). According to the Atlas of Violence 2020, in 2018 in Brazil, 75.7% of homicide victims were black, and 74.3% of murdered men have a low level of formal education, with an average of seven years of school insertion. The same survey also points out that from 2008 to 2018, the homicide rate among black people increased by 11.5%, while among non-blacks it decreased by 12.9%.

In this composition, it is possible to identify transvestites and transsexuals, because according to data from the Transrespect versus Transphobia Worldwide (TvT) project of the NGO Transgender Europe (TGEU), Brazil, for the thirteenth consecutive year, is the most dangerous country for transvestite and transvestite people in the world. This finding is the result of the index of 125 transvestites, trans men and women who were murdered because of their gender identity between October 2020 and September 2021 in Brazil.

In addition, under the focus of Intersectionality – race – in Brazil, ANTRA in conjunction with the Brazilian Trans Institute of Education (IBTE) published data on transphobia in Brazil, indicating that 82% of trans people murdered in Brazil are black people, and of these 67% survived from prostitution.

One of the issues that aggravate the reality faced by trans people in Brazil stems from the fact that the 2022 Demographic Census of the Brazilian Institute of Geography and Statistics (IBGE) did not contemplate topics on gender identity and sexual orientation, which denotes lack of concern with LGBTQIA+ agendas, reinforcing the invisibility of this expressive population about social and health policies, and, by way of consequence, we can call them non-mournable lives.

We point out that in Brazil, between October 2020 and September 2021, there were about 33% of the murders of trans people, which globally, with 125 cases, represent almost twice as many murders as Mexico, second in the ranking, with 65 cases. In addition, the TGEU survey identifies that trans women and transvestites were the most victimized by the murders, with 96% of the cases registered.

And when the one who kills is the one who should protect? In the above topics, some acts of state violence were demonstrated, especially that of police action. And to exemplify which lives are non-mournable in the political and ideological scenario in which Brazil was inserted with Bolsonarism, this topic closes with the demonstration of indiscriminate use of force by the military police, when in

Espírito Santo, on July 12, 2022, they murdered a 24-year-old trans woman with 5 shots, under the justification of suspicious attitudes and resistance to the approach.

4 REFLECTING ON EVERYTHING

4.1 THE DIVISION OF BRAZIL FROM BOLSONARISM

So far we have explained about the feelings and values that regimented the bolsonaristas, and sociologists, political scientists and linguists, such as Campean (2019, p. 15) recognize the inexistence of a common project of the country, which led to the disintegration of Brazil. We are divided into "green-yellow" (right) and "red" (left).

There is a political and electoral polarization built on ideologies based on right (coxinhas) and left (petralhas). Searching in the informal dictionary the meaning of these terms, this indicates that "coxinha" is active, diligent, dedicated, competent and "petralha" is a contraction of the word petista with the word metralha, these Disney characters – Irmãos Metralhas, who stole and lived behind bars. And the meaning refers to the backward, immoral, unethical, out of logic and common sense person, lacking a minimum of readings and studies.

Thus, to polarize is to assign a positive side and a negative side. Which, according to the name above, would be positive to be "coxinha" or right and negative to be "petralha" or left.

We must remember that the left-hander, for writing with his left hand has already been persecuted, being considered an evil person. It is, therefore, the 2018 campaign of antagonistic and polarized discursive formations, generating heated discussions and some disastrous consequences and diagnosed as fascist (SAFATLE, 2018):

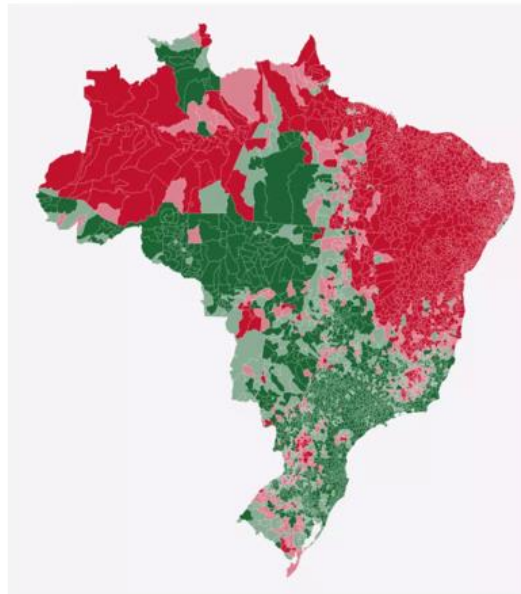
The cult of violence, from where the concept of "freedom" becomes synonymous with "liberation from violence". The emergence of the idea of the nation-state in a paranoid version, through the exacerbation of nationalism and the blurring of borders. The emergence of an anti-institutional spirit, which calls into question democratic institutions, replacing them with the hand of a strong government, which claims to be above the law.

This polarity divided Brazil in both the 2018 and 2022 majority elections, as shown in the following maps:

What we saw were campaigns against the Northeast and real hate speech. According to Winfried Brugger (2007, p. 151), hate speech is linked to the use of words "that tend to insult, intimidate or harass people by their race, color, ethnicity, nationality, sex or religion" or to their potentiality or "ability to instigate violence, hatred or discrimination against such people."

Desempenho nas cidades

Veja onde os candidatos à Presidência saíram vitoriosos



Fonte: TSE



Infográfico elaborado em: 28/10/2018

Source: <https://g1.globo.com/politica/eleicoes/2018/election-in-numbers/news/2018/10/28/bolsonaro-wins-in-2760-cities-and-haddad-in-2810-no-2nd-turno.ghtml>

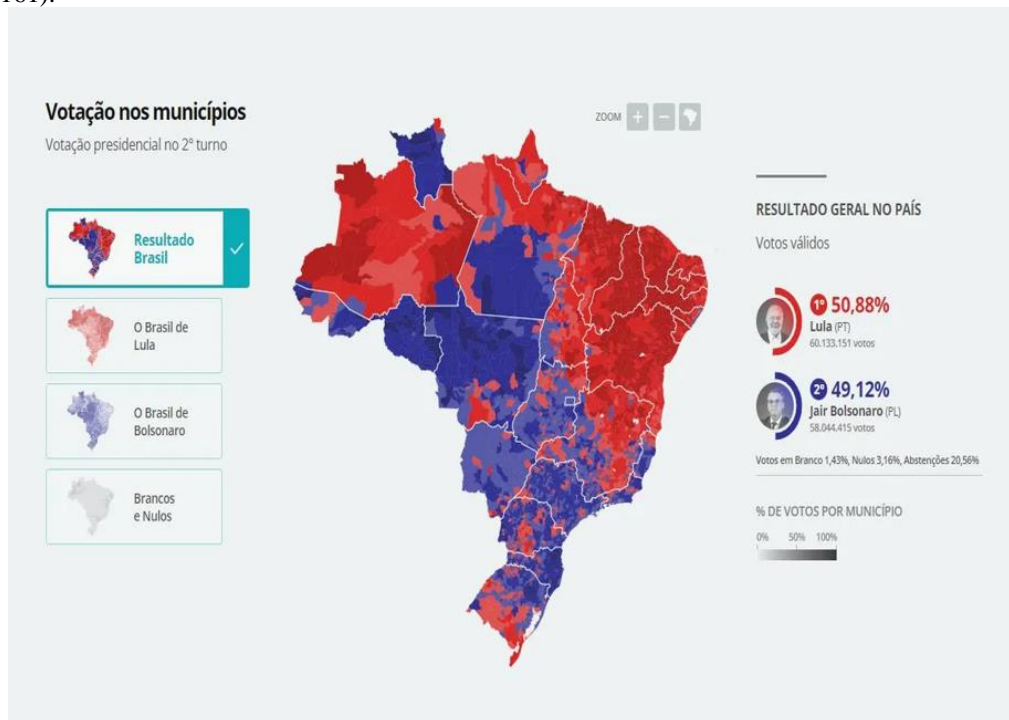
From polarization and hate speech, violence spreads. The violence that kills. Thinking about all this, we observe that the police, acting in the name of the state and the law, decide who lives and who dies. Because:

(...) As we know, lives are not valued equally in the world today ... and one of the reasons for this is that these lives are not considered worthy of mourning, mourning. The reasons are many and include racism, xenophobia, homophobia and transphobia, misogyny and systemic neglect towards impoverished and dispossessed people (BUTLER, 2021, p. 380).

A look at development

Murders and violations of human rights of transvestites and transgenders in Brazil: An approach based on the antra dossier and reflections on bolsonarism and police violence

In this sense, Nobre (2020) describes Bolsonaroism as an authoritarian movement that is sustained in the intricacies of a political group that advances against democracy. We reflect on Bolsonaroism and the division of Brazil understanding that such gradually began to occupy the electoral spaces, promoting the sabotage of the institutions most dear to democracy, such as freedom of the press, trust in science and credibility of the judiciary (BALDAIA, ARAÚJO and DE ARAÚJO, 2021, p. 116161).



Source: <https://valor.globo.com/politica/eleicoes-2022/noticia/2022/10/31/veja-o-resultado-do-2o-turno-das-eleicoes-2022.ghtml>

It is also indicated that there is a tendency to confront the contemporary political dispute under a logic of war, also produced and fostered by Bolsonaroism. In addition, the high number of police and military personnel in public office, added to the intensification of the discussions of the National Congress regarding the popularization of access to weapons, are elements of fomenting the climate of conflict in the daily life of the institutions. In this aspect, Nobre (2020) points out that "Bolsonaro brought the idea that it is time to change the people who are in power, that is, that it is time to submit the rest of the country to the groups of the 'authentically Brazilian', of the 'true people'" (BALDAIA, ARAÚJO and DE ARAÚJO, 2021, p. 116161).

Below we will demonstrate the reflection of transphobia and the lack of appreciation of lives.

4.2 THE MURDERS FROM THE ANTRA DOSSIER

To address the murders of transvestites and transsexuals in Brazil, we will contextualize the dossier published in 2021 by the National Association of Transvestites and Transsexuals (ANTRA), which shows the reality faced by transvestites and transsexuals in Brazil. In such a document it is possible to identify common elements in cases of violence, where most victims are between 15 and 29 years of age, most of them black, poor and claim or express the female gender (BENEVIDES and CUNHA, 2021, p. 39).

In addition, the study indicates that prostitution is the frequent source of income among victims, coinciding that crimes against trans and transvestites occur mainly on the streets and at night. In addition, we observed that the perpetrators of these crimes do not usually have a relationship with the victim, to any degree (BENEVIDES and LARRAT, 2021, p. 77)

In 2020, 71% of murders occurred in public spaces, where at least 8 victims were homeless, in addition, 72% of murder victims were transvestites and transsexuals who earn their living from prostitution, which puts them in a situation of greater vulnerability and stigmatization because of being part of an even more intense process of marginalization of their bodies (BENEVIDES and CUNHA, 2021, p. 42).

The dossier also states that police and judicial practices are characterized by a lack of rigor in the investigation of crimes, identification and arrest of suspects. In this sense, the document states that in cases in which the accusation is conducted, there is usually impunity and freedom of the murderers, even confessed sense, and this may be due to the minimization explained by gender identity, being attributed to transvestites and transsexuals the responsibility for their death (BENEVIDES and LARRAT, 2021, p. 77)

Dealing with the absolute numbers among the three states with the most occurrences, the state of São Paulo has the highest number of murders of people trans in 2020, with 29 cases, which is a 38% increase compared to 2019. However, in 2019 there was a 50% increase compared to 2018. The second state with the highest number of murders in 2020 is Ceará, with 22 cases, representing a 100% increase over 2019. Then, in the state of Bahia, there were 19 cases in 2020, an increase of 137.5% compared to 2019. Among all the states in the country, Amapá is the only one in which no cases reported in the media were found. Regarding the regions, in 2020 the highest concentration of murders occurred in the Northeast, which represents 43% of the cases. The Southeast region represents 34% of the cases, the South region 8%, North 7% and Midwest 7% (BENEVIDES and CUNHA, 2021, p. 34 and 36).

We note that of the 175 murders that occurred in 2020, 8 victims were between the ages of 15 and 18. In the 2020 Murder Map, among the 109 cases in which the age of the victims can be identified, 61 people were between 15 and 29 years old, 31 were between 30 and 39 years old, 8 were between 40 and 49 years old and 9 were between 50 and 59 years old. Given such data, it is possible to verify that the average age of the victims was 29.5 years (BENEVIDES and CUNHA, 2021, p. 39).

Dealing with cases of police violence, the dossier reported that the Brazilian Forum of Public Security (FBSP) conducted a recent study which shows that military police are the ones who most reproduce LGBTIphobia in social networks: about 24% of the publications had homophobic jokes or similar content in their content, while themes related to the institutional policy of the Military Police itself corresponded to 29% of the publications. In this context of social networks, criticism of trans and

gay rights was also evident, accompanied by praise for Bolsonaro and comments against the PT and left-wing parties, with 9 out of 10 comments made by squares⁹ (BENEVIDES and YORK, 2021, p. 98).

In addition, the ANTRA document brings the information that transvestites and trans people are often received as suspects than as victims or witnesses in crimes, being a strong reason to discourage the trans population from seeking judicial protection or asking for help from the police forces, especially when people who prostitute themselves are involved. In this sense, the dossier points out that 13% of threats, harassment and aggression due to gender identity come from police officers (CARVALHO, 2021, p. 114).

Therefore, in absolute percentages, we verified that the polarization brought by Bolsonarism did not preponderate in the murder of trans and transvestites by the police forces.

5 CONCLUSION

We seek with this article to make some reflections about Bolsonarism and its influence on the murders of trans and trans people by police officers, as well as the relationship of this current with the violation of human rights of this population.

We show that during the government of now former President Jair Messias Bolsonaro there was a dismantling of dial 100 services, which receives complaints from all over the national territory about all types of violence, including that committed by police officers. As well as the position of the former president concerning the LGBTQIA+ population is that these are criminal people, who deserve to die. Which led us to Judith Butler's thinking about unmourned lives.

We also address the decriminalization of the violent conduct of police officers in operations, basing our study on Agamben when he discusses the "sovereign police".

We list human rights violations, listing the civil society organizations that carry out advocacy work for the defense and protection of the LGBTQIA+ community.

We conclude that the polarization of the country into "green-yellow" (direct) and "red" (left) has intensified violence, especially by making access to weapons and ammunition more flexible.

However, from the ANTRA dossier, a document that served as the basis for our reflections, we cannot indicate that the polarization brought by Bolsonarism preponderated in the murder of trans and transvestites by the police forces, since both the Northeast and the Southeast had, respectively, 43% and 34% of deaths.

⁹ Support for Bolsonaro in the PMs goes along with homophobia, according to a study. Available at: <https://www.cartacapital.com.br/sociedade/apoio-a-bolsonaro-nas-pms-anda-junto-com-a-homofobia-aponta-estudo/>

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