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Pride and Prejudice: A Cross-National Study of Latin American Democratic Strength and Violent Crime Against LGBT Citizens

Abstract

Latin America has the highest rate of violent crimes committed against LGBT people in the world. This thesis seeks to explore the intersection of democratic strength and violence against LGBT+ people cross-nationally in Latin America. Is a strong democracy able to keep violence against LGBT people at bay? Using a quantitative regression that compares original and open-source data, a correlation between the aforementioned variables is established. This leads to an investigation of legal rights and their association with the murder rates of LGBT citizens. While it is unclear what causes the high rates of violence against LGBT people in Latin America, it can now be said that the strength of democracy may play a role.

Key Words: LGBT, Democracy, Violence, Legal Rights, Legislation

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Abbreviations and Glossary

LGBT Lesbian, Gay, Bisexual, and Transgender

SGM Sexual and Gender Minorities

SOGIE Sexual Orientation and Gender Identity and Expression

V-Dem Varieties of Democracy Institute EDI Egalitarian Democracy Index

Marginalization "Marginalization can be understood as persistent inequality and adversity result

ing from discrimination, social stigma and stereotypes" (NDI 2020).

Hate Crime "Crimes that are motivated by hate include words or actions intended to harm or

intimidate an individual because of his or her perceived membership in or association with a particular group" (Craig & Waldo 1996, p. 113 IN Green et al 2001: 481). Additionally hate crimes may be intended to harm or intimidate an

individual or group.

A note from the author: While I traditionally use inclusive abbreviations such as LGBTIQ or LGBTQIA, this paper includes only data that reflects the experiences of LGBT communities, so that is the abbreviation that will be used throughout this thesis with full recognition that it does not encapsulate the experiences of the entire SOGIE community.

1. Introduction

Latin America has the highest number of hate crimes towards Lesbian, Gay, Bisexual and Transgender (LGBT) people in the world (Moloney 2019; Malta et al 2019; de Oliveira 2020). This paper investigates the potential correlation between frequency of violence crimes against Lesbian, Gay, Bisexual, and Transgender people and the democratic strength of several countries within Latin America as well as their connections (or lack thereof) to legal protections. While there has been significant progress in LGBT legal rights over the past couple of decades, there have also been extremely high occurrences of violence. For instance, Brazil is considered the "world leader" in violence against sexual and gender minorities (SGM) (Wareham 2020 in de Oliveira et 2020: 13, *author's translation*). Wareham explains that:

"Every 26 hours an LGBT+ [person] is murdered or is the victim of suicide of LGBT-phobia.... According to international human rights agencies, far more homosexuals and transsexuals are killed in Brazil than in the 13 countries of the [Middle] East and Africa where the death penalty against such people exist. More than half of the murdered LGBT [people] in the world occur in Brazil." (Wareham 2020 in de Oliveira et 2020: 13, *author's translation*).

This paper seeks to find a relationship in variables that can begin to answer the question: Is a strong democracy able to keep violence against LGBT people at bay?

1.1 Background

The Pink Tide was a reaction against neo-liberal tenets that caused stifling economic inequality imposed primarily by the 'global north' under the guise of spreading democracy (Weyland 2004). In the late 1990's, left-leaning parties began to make headway by promoting social programs and redistributive policies (Blofield et al 2017: 353). This shift to the left, known as the Pink Tide, spread across most of Latin America with the election of left-wing and left-leaning parties. Yet in the mid-2010's, there began to be some backlash and right-leaning parties began to reclaim power. Most notably, the election of President Bolsanaro in Brazil in 2018, President Piñera in Chile in 2017, and President Macri in Argentina in 2015 (Charner & Reverdosa 2018; BBC News 2019a; BBC News 2017). Additionally there is still a repressive dictatorship intact in Venezuela (Malta et al 2019: 10). Even so, there are several left-leaning powers unscathed as well as new left governments seen in the election of President López Obrador in Mexico in 2018, the election

of President Cortizo in Panama in 2019, and Argentina's shift back to the left with the election of President Fernández in 2019 (BBC News 2019a; BBC News 2019b; Azam & Semple 2018).

Since the Pink Tide, a spate of LGBT legal rights were enacted across the region. Historically Latin America started off on better footing than much of the formerly colonized world. Díaz (2020) provides a nice summary of sexual minority rights across Latin America. One of the most important take-aways is that due to abolishing most colonial era laws after independence, same sex/same gender sexual activity was not outlawed in the majority of mainland Latin American nations, (Díaz 2020: 310, 325). In fact:

Sexual relations between consenting adults are legal in all of Hispanophone [Spanish-speaking areas] and Lusophone [Portuguese-speaking areas] Latin America; several countries have introduced constitutional and legal protections of sexual minorities against discrimination; civil unions are a reality for millions of people in the region, and, perhaps more surprisingly, same-sex marriage is now accessible, through various means, to most citizens in the region (Díaz 2020: 305).

Yet with all of these gains, Latin America still has the highest levels of violence against LGBT people in the world (Moloney 2019; Malta et al 2019; de Oliveira 2020). There is a dichotomy of progress when it comes to the amount of expansion in legal rights achieved in the last two decades and the high rates of violence and murder targeted towards the LGBT communities. While several countries in Latin America have some of the most progressive LGBT legal rights in the world, there are still numerous hurdles that must be overcome region-wide. This is especially confounding when we add to this equation that with the exception of Venezuela, the vast majority of Latin American nations have some type of Democratic government in place. Yet, it is this democratic strength that is of interest. A strong democracy should normatively equate to the same rights, protections, and opportunities for all of its citizens (Freedom House 2020).

1.2 Significance

There is a need to consider LGBT people (and other marginalized groups) more heavily in mainstream political science and development studies. The high rates of violence can affect not just daily life, such as the ability to earn a living or feel included in your community, but it can also affect how you live within society. If one is ostracized because of real or perceived sexual orientation or gender identity, one is likely living on the margins and staying away from certain areas and places. Feeling pushed out of society may mean one must work harder to survive and have less time to keep up with political issues. Even if one has the time to stay up-to-date on politics, one may feel scared to go to a polling place for fear of physical or verbal attacks or intimidation. This is a double exclusion; not having equal rights and protections and not being able to participate to facilitate change (NDI 2020; Sigman & Lindberg 2015: 8).

2. Research Question and Hypothesis

2.1 Research Question

What is the relationship between strong democratic values and violence against LGBT people in Latin America?

2.2 Hypothesis and Null Hypothesis

Hypothesis

The is a weak correlation or no correlation between the murder rate of LGBT people and a strong democracy.

Null Hypothesis

Murder rates against LGBT people have a strong correlation with a strong democracy.

3. Preliminary Studies

Literature was selected that dealt with LGBT legal rights in Latin America, democracy and LGBT rights, and democracy and crime. LaFree and Tseloni (2006) examined the link between democracy and crime in general (not against specific groups). The theoretical framework for this

thesis was sourced from LaFree's and Tseloni's paper. Malta et al (2019) explain the evolution of LGBT legal rights in Latin America as more of a legal review or analysis. Encarnación (2014) argues that democracy leads to "gay" rights but does not address quality of life. However, he finds that the spread of democracy has increased LGBT legal rights in Latin America. Blofield et al (2017) look at gender rights in Latin America (including LGBT rights) but focus on how policies are treated differently under multiple types of regimes. While this is excellent lateral information, it focuses on the expansion of rights, not application of rights. Corrales (2015) explains the evolution of uneven LGBT legal rights across Latin America and posits areas for future research. This provides excellent background for comparisons from country to country. Corrales (2019) explores how religious groups with their rhetoric and political influence are affecting LGBT legal rights in Latin America. This is excellent research this thesis does not examine religion. Strickler (2017) has written on a topic that is the closest to this thesis, however he examines the variations in LGBT rights across Latin America. His unique data set explores rights cross-nationally in Latin America. Lind and Keating (2013) provide an excellent analysis of LGBT reforms in Ecuador. However, their focus is more on acquisition of legal rights. Pimenta and Arantes (2014) explain the democratic and regime shifts through the Pink Tide. They establish three phases of the Pink Tide. Finally the Arcus Foundation (2018) provides an excellent overview of LGBT rights in Central America. This is an excellent addition to understanding the background of the Central American portion of Latin America.

4. Theoretical Framework

Conflict Theory: Democracy and Crime

LaFree & Tseloni posit that Marx's conflict perspective and the modernization perspective lead to high crime in democracies (2006: p.29-30). For the purposes of this thesis, the focus will be on their conflict perspective which finds that capitalism causes inequalities, greed and social misery which leads to more crime in democracies. While LaFree & Tseloni were focused on general crime, their findings will be compared with crime against LGBTIQ people. They state:

"...our results also show that attaining full democracy does not solve national crime problems permanently. At least for the second half of the twentieth century, the full

democracies in this study experienced slow but steady increases in violent crime rates" (LaFree & Tseloni 2006: 45).

Democracy has traditionally gone hand in hand with capitalism as democracy spreads across the globe (Reich 2009). Democracy is commonly hailed as the penultimate regime type and it has become the standard by which many political scientists measure regimes. Many of the normative qualities of democracy such as free and fair elections, gender equality, labor rights, human rights and civil rights, civil society strength, and many others are used by western observers such as Freedom House and Varieties of Democracy Institute (V-Dem) to track and rate nations around the world. Yet according to LaFree & Tseloni, the positive aspects of democracy are not enough to overcome violence from social and economic inequalities. This is the lens with which the analysis will be scrutinized.

5. Research Design and Methodology

5.1 Research Design

This thesis uses quantitative methods to assess the relationship between democratic strength and rates of violence against LGBT people. Latin America as a region was selected for pragmatic reasons; there is better access to data, diversity in regime types, varying amounts of influence and outcomes, and a similar colonial and economic history.

It was necessary operationalize "violence" which is quite a broad term. There was no available data on violent physical, domestic, sexual, or verbal abuse towards LGBT people. There was, however, some data on murders longitudinally. While all crime rates against LGBT people would have been ideal due the higher range they would entail, rates of murder is a valid way to evaluate the degree of harm SGM face in their everyday lives. It was also necessary to operationalize democracy, as LaFree and Tseloni (2006) studied crime in full democracies. For the purposes of this thesis, all regimes in Latin America are of interest so the strength of democracy is assessed via index will be used to compare with murder rates. Varieties of Democracy Institute's (V-Dem) Egalitarian Democracy Index (EDI) was selected to operationalize democracy strength. V-Dem has the most prolific databases with a vast array of indicators. The basis of the EDI is best summed up here:

"V-Dem's conception of egalitarian democracy builds on the theorized notion that individuals from all social groups ought to be equally capable of exercising their political rights and freedoms, and of influencing political and governing processes. Underlying this broad principle are two main sub-components: *equal protection* and *equal distribution of resources*. Equal protection implies that the state grants and protects rights and freedoms evenly across social groups. An equal distribution of resources ensures that individuals have the basic necessities enabling them to exercise those rights and freedoms, and leading towards an equal potential to influence decision making" (Sigman & Lindberg 2015: 1, emphasis theirs).

It is the aspect of equal protection by way of rights and freedoms granted across all social groups that makes this index a good fit for the purpose of this research (ibid). While other democracy tracking entities such as Freedom House are more inclusive of SOGIE issues in their indicators, I found it odd and compelling that V-Dem omitted LGBT people from their indicators (Sigman & Lindberg 2015: 10-11; Coppedge et al 2020: 53). I wondered if the lack of inclusion would affect the index's link the LGBT issues, or would the inclusion of indicators that can intersect with those of SOGIE issues (such as gender, race, and class) would be enough to keep the relationship relevant. I theorize that it is not enough, as will become clear in hypothesis.

5.2 Methodology

R statistical software was used to create a Pearson correlation coefficient test, a bivariate analysis, to measure the relationship between LGBT murder rates and EDI. Pearson's r doesn't use a dependent and independent variable, both the x and y are equal. The murder rate data was scaled for each country's population in both the LGBT set and the general population set. Additionally the inability to control for LGBT-specific populations (as opposed to scaling for the entire national population) may be problematic. For example, the LGBT population may only make up 10% over the overall population, so the murder rate should be adjusted by the number of the LGBT population in each country. Yet if I were to artificially normalize the LGBT murder rate by National LGTB population, it could introduce errors. I chose to compare the slopes of the scaled by

population general murder rates and LGBT murder rates (looking to see if direction and magnitude of relationship the same). The statistical summaries can be found in Appendix 1, Tables 1-4.

5.3 Data Collection

An original data set for LGBT murder rates was created using numbers primarily from LGBT rights groups in countries across Latin America (see Appendix 2 and 3). This data was sourced from a plethora of online reports from individual countries' LGBT activist organizations, contact with these organizations, and news reports. The numbers do not include death by suicide (even if due to violent bullying). Including these numbers would be ideal but data of this sort was not available except in the case of Brazil. While yearly data wasn't available for all countries in Latin America, there were still some compelling data to be found by those countries not included in the data set. For example, "According to COMCAVIS Trans, a local advocacy group, some 600 LGBT+ people have been murdered in El Salvador since 1993" (Lopez 2019).

Open-source data on democracy strength was drawn from Varieties of Democracy Institute's (V-Dem) Egalitarian Democracy Index. This index was selected to represent democratic strength because of its focus on equal rights for all social groups. Additionally, population data was collected from the Word Bank and other NGO sources (see Appendix 4).

An original data set for LGBT legal rights and legislation was created using data from academic and non-governmental organization (NGO) sources. The data set and a full list of the sources can be found in Appendix 5 and 6. The reporting of legislation in the anti-discrimination legislation data set was made intentionally broad. There are many factors to consider when looking at whether legislation is set up to fully protect members of the LGBT community from discrimination such as inclusiveness (of all sexual orientations, gender identities, and gender expressions), scope, breadth (federal versus local), and range (legality of same gender sexual acts, marriage equality, adoption rights, gender confirmation surgery, ability to legally change gender markers, employment, housing, public accommodations, health, education, bullying, hate crimes, military participation, ban on conversion therapy, et cetera). For clarity and consistency in this data set, the legislation was limited strictly to federal. If a country had some regional protections but no federal protections, it was still reported as having no anti-discrimination legislation.

5.3.1 Non-Discrimination

If a country's non-discrimination legislation protected one or no areas of life, it was listed as 'none.' If a country's non-discrimination legislation had protected at least two areas of life, such as employment and military but nothing else, then it was listed as partial. However if it included more than two areas of protection, such as employment, public accommodations, and housing, and both sexual orientation and gender identity, then it was considered full protections.

5.3.2 Hate Crimes

Hate crimes legislation was more straight forward. It must cover both gender identity and sexual orientation for full protections. If both gender identity and sexual orientation are not included then it is rated as no protection. Only one country fell between the two and was rated partial. Colombia has a criminal code charge of aggravating circumstances in the act of a murder that includes both sexual orientation and gender identity but no specific hate crimes legislation (Outright International 2020c).

5.3.3 Marriage Equality

The marriage equality category was also quite simple. Federal recognition of marriage equality is the only way to rate full protections. While Mexico only has marriage legalized in some of its states, the courts have ruled that all states must recognize marriage equality as valid, therefore earning Mexico a full rating. A country with civil unions rates a partial rating while no federal recognition receives a rating of none.

5.3.4 Gender Identity

The final category is gender identity recognition. This must include federal rights to change both the name and gender markers on identification and legal documents, no barriers for these changes (such as approval from a judge, gender confirmation surgery requirement, or psychological or medical assessments) to rate full protections. If rights to change documents are in place but with some barriers such as approval from a judge, time requirements, or a psychological or physical examination (but it cannot have a surgery requirement), then the country would rate partial protections. For example, Colombia has an expansive gender identity law, yet "[a]ny subsequent change to one's legal gender identity can only be made after ten years, and an individual can only

change his or her gender identity twice" (AQ Editors 2015). This barrier caused their gender identity score to be rated as partial. The lack of any path to gender recognition would rate none.

5.4 Limitations

The primary limitations are the lack of available data and under-reporting in murder rates of LGBT people (Green et al 2001: 492-493; Hertz 2011). In most, if not all, countries in Latin America there is no government tracking of crimes against people based on their sexual orientation or gender identity, or even hate crimes in general (Hertz 2011). This leaves tracking to LGBT non-profits and NGOs. This is a very difficult task without the help of police or other government bureaucracies. Organizations gather information from news reports and tips from their communities. However news reports are an imprecise method of gaining data as many articles deadname (the act of using a transgender or non-binary person's birth name instead of their chosen name) and misgender (using the gender assigned to a person at birth, rather than their actual gender) people in articles making it difficult to identify transgender and non-binary people. Additionally many gay, bisexual, intersex and queer people live closeted or are not out, so when they are a victim of a violent crime, their SOGIE status may be unknown. Since the data only covers murders, there is a vast swath of violence that LGBT people suffer that cannot be included.

This difficulty tracking data leads to the sheer amount of crimes that go unreported leaving the numbers certainly underreported. A Mexico City legislator named David Razú lamented this huge problem as he explained that there is no legislation or no reporting procedures in place to properly track data so the data they do have is likely quite low (Hertz 2011). It is more difficult to live as a SOGIE minority than it is as someone who is heterosexual and cisgender (a universal phenomenon), therefore LGBT folks may be less likely to report crimes for fear or lack of trust of the police or retaliation from the abuser. To sum it up succinctly, "Under-reporting leads to lack of data and hides the real numbers. It's a problem as big as violence itself, because it's institutional violence, which does not acknowledge LGBTIphobia for its causes, and also overlooks its consequences" (Benevides in Sudré 2020). This institutional violence is an area Bocanumenth (2020) illustrates in his article by pointing out that there is "a strong probability that violence against LGBT people by security forces is underreported." These attacks by police and state or private security are further likely to go unreported and exacerbates the lack of data on violent crime against SOGIE minorities. This research is further limited by the lack of inclusion of all hate

crimes: violent crime/attacks, sexual assault, domestic assault, suicide from bullying, police assault and harassment, and street harassment, as previously discussed.

While it could be argued that there are some limitations in analyzing documents that are only available in Spanish and Portuguese, the nature of quantitative data collection (as opposed to discourse analysis, for example) allows for potential text translation error without a negative effect on the data. However, careful steps were taken when translating documents and there were consultations with fluent Portuguese and Spanish speakers.

One area that had to be carefully traversed was when managing data inconsistencies such as different numbers from the same sources. For instance a report from 2015 might show a number of x murders for the year 2014, yet the 2016 report may show a number of y murders for 2014. In cases such as this, I would defer to the most recent report by reasoning that the more recent data may have been updated in light of new information. Additionally, even with careful rigor, there is always the possibility of unintentional data redundancy.

Finally, the countries were not selected randomly but for the availability of LGBT murder rate data. Had more data been available, the results would be more comprehensive. In either case, it is unlikely that the results would be generalizable.

5.5 Ethical Considerations

Since quantitative data is collected from existing sources and there are not ethical concerns with interviews or other interactions. There are always personal biases to be conscientious of; of note are eurocentrism, a western perspective, a feminist perspective, and a queer perspective.

6. Analysis

Due to a Pearson coefficient of 0.3842, there is a low-medium negative correlation between LGBT murder rate by population and the V-Dem Egalitarian Democracy Index (EDI) that can be noted in Figure 1 (See Table 1 and 2 in Appendix 1). As the EDI scores increase, LGBT murder rates decrease, with some visible outliers. The p-value of 0.0001212 is less than the significance

level of 0.05 so the model fits the data well. A low r-squared of 0.1476 coupled with a low p-value means that even though the relationship is statistically significant, there still remains a substantial proportion of the shared variability in the two measures that is unexplained.

There is a large, negative association between the general murder rate by population and V-Dem's EDI seen in Figure 2 as per the Pearson coefficient of 0.6274 (see Table 3 and 4 in Appendix 1). As the EDI scores increase, the general population murder rates decrease, with some visible outliers. The p-value of -0.00000000017 is less than the significance level of 0.05 so the model fits the data well (see Table 3 and 4 in Appendix 1). A low r-square of 0.3936 coupled with a low p-value means that even though the relationship is statistically significant, there still remains a substantial proportion of the shared variability in the two measures that is unexplained. Plotting both the LGBT murder rate scaled by population and the general murder rate scaled by population (see Figure 3) displays a positive but small correlation between the two. Additionally, for comparison, the result is similar when the raw numbers of murder, which have not been scaled by population are plotted (see Figure 4).

Since the p-values from both regressions (0.0001212 and -0.00000000017) are lower than the significance level of 0.0.5, the null hypothesis is rejected. Therefore the hypothesis stands: There is a weak correlation or no correlation between the murder rate of LGBTIQ and a strong democracy. This confirms the conflict theory via LaFree and Tseloni (2006) that a strong democracy does not solve or lower crime problems.

Figure 1 LGBT Murder Rate Scaled & EDI, Confidence Band/Standard Error =0.0000006909

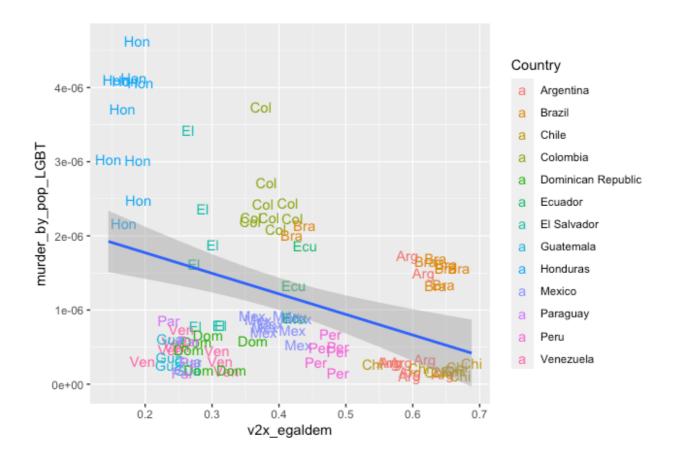


Figure 2 General Murder Rate Scaled & EDI, Confidence Band/Standard Error = -0.0001449

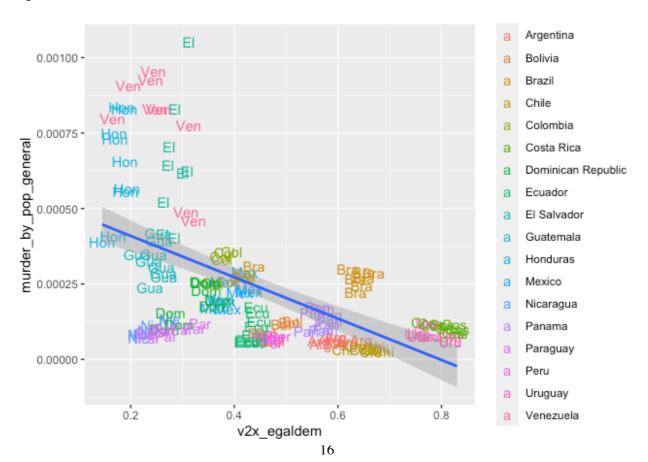


Figure 3

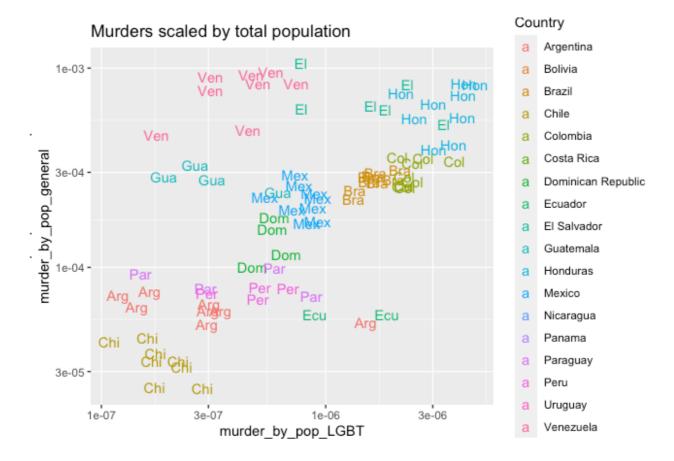
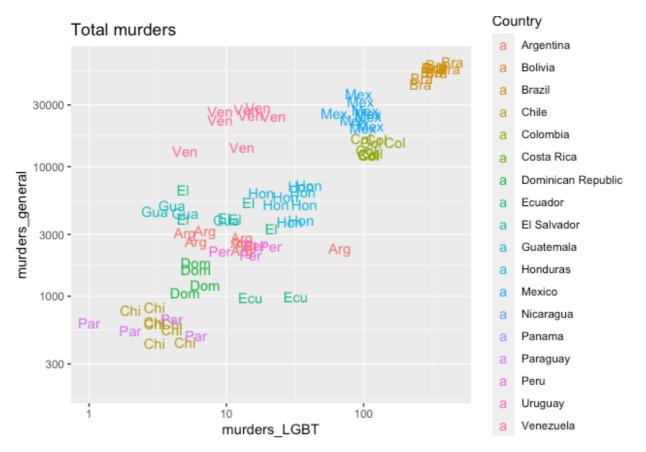


Figure 4



7. Discussion

There is a clear, but weak relationship, between LGBT murder rates in Latin America and V-Dem's Egalitarian Democracy Index, while there is a slightly stronger relationship between the general murder rate and EDI. It is also possible that if the LGBT murder rate is measured imprecisely (as previously discussed and is likely), this will contribute to a lower correlation coefficient; the correlation between the two measures is constrained by the reliability of those measures as an upper bound. This may give some cross-national insight, but when it comes to individual nations there is still much to be explained. Several individual countries from the samples with thorough data have been selected for a closer look at murder rates scaled by population.

Argentina

There is quite a significant discrepancy between the plotted murder rates by population of LGBT people (Figure 5) and the general murder rates by population (Graph 6) in Argentina. When plotted together, there appears to be a slight negative to no correlation between the previously mentioned variables (see Figure 7). Argentina passed civil unions legislation in 2002, legalized marriage equality in 2010, passed a gender recognition bill in 2012 that was considered the gold standard, and added sexual orientation and gender identity to their hate crime legislation in the same year (Strickler 2017: 24-25). The spike of LGBT murder rates in 2017 could be explained by improved data collection, a rise in anti-LGBT rhetoric from then-President Macri, the economic crisis, or a host of other causes (Ruiz 2019).

Figure 5

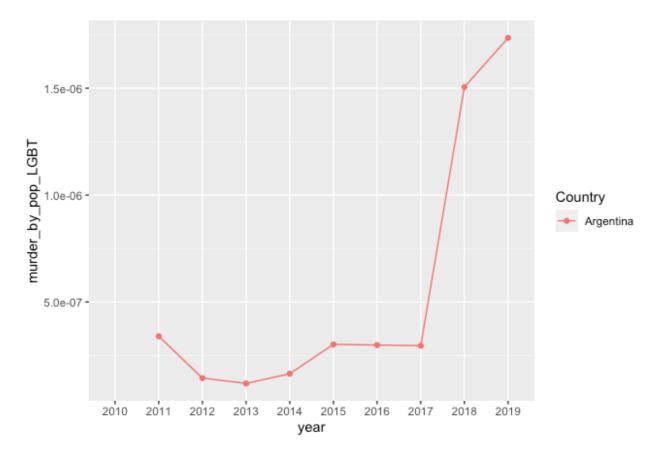


Figure 6

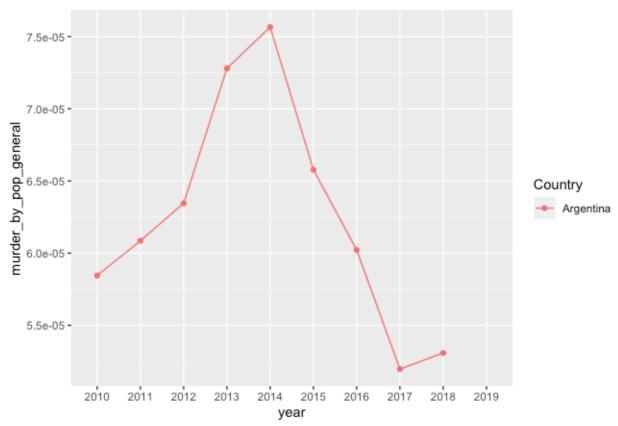
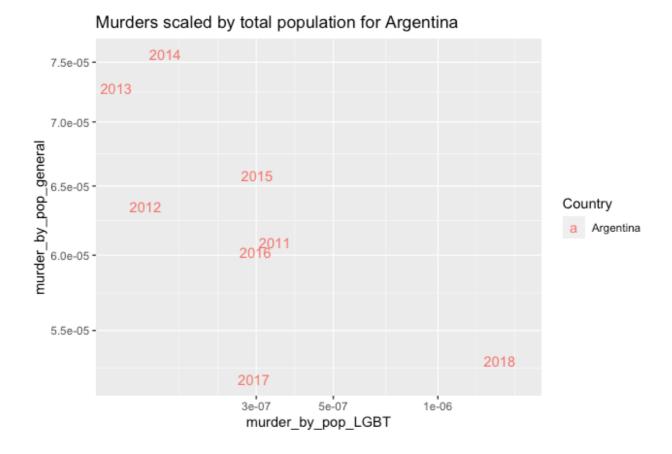


Figure 7



Brazil

Figure 8 shows the LGBT murder rate scaled by population over time in Brazil, while Figure 9 shows the general murder rate scaled by population over time. Both have similar trajectories. Brazil also has one of the better tracking processes in all of Latin America (though still highly likely under-reported, as explained earlier). When plotted together like in Figure 10, a very weak positive correlation may be visible. Brazil gained marriage equality in 2013 and some gender identity rights in 2018 (Faiola & Lopes 2019). Paradoxically, Brazil, "...provides enormous legal protections to LGBT individuals, but it is also one of the world's murder capitals of LGBT individuals" (Corrales 2015: 54). While the statistics show that the murder rates have fallen in the last few years, activists suspect violence against LGBT people in Brazil has increased sharply since Bolsanaro began his run for president (BBC News 2019c). In fact, "[a]s Bolsonaro campaigned last year, reports of crimes against LGBT people tripled. After Bolsonaro took office in January, Brazil's only openly gay congressman gave up his seat and fled the country amid death threats" (Lopes 2019).

Figure 8

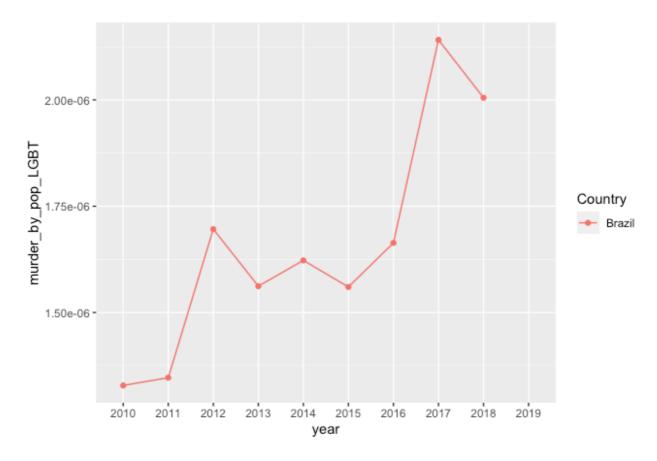


Figure 9

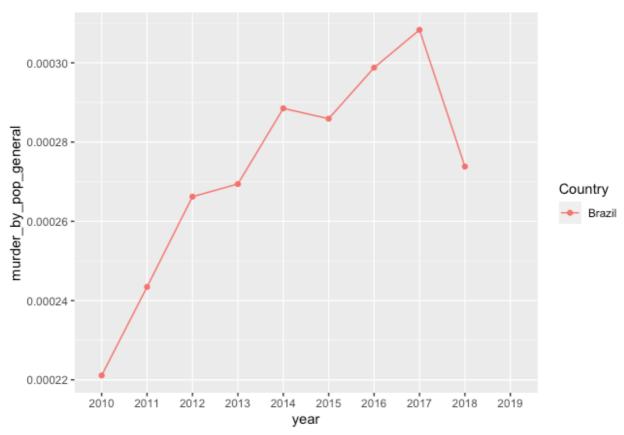
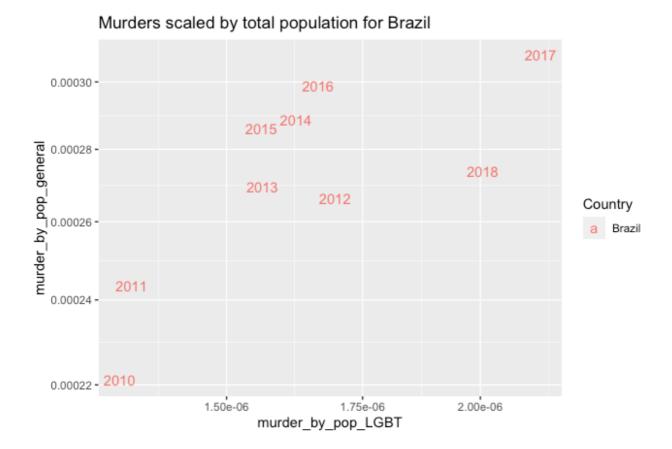


Figure 10



Chile

Both the LGBTIQ murder rates scaled by population (Figure 11) and the general rates scaled by population (Figure 12) in Chile are unhelpful in determining a pattern or trajectory. The graph that plots both of the aforementioned variables (Figure 13) is only minimally more helpful, perhaps one could argue that there is a weak negative relationship. Chile first gained some gender identity rights back in 2007, though they were limited (Strickler 2017: 26-27). Gender identity and sexual orientation were added to anti-discrimination and hate crimes legislation in 2012, civil unions were approved in 2015, and an exceptional gender identity law passed in 2018 and went into effect in 2019 (and is widely seen as a model for the rest of the world) (ibid; Cambero 2018). Yet none of these factors seem to affect LGBTIQ murder rates. It is again possible that the reporting is shoddy and it is highly likely that the numbers are vastly underreported. Additionally, economic and political instability may explain these seemingly wild numbers (Sehnbruch 2019).

Figure 11

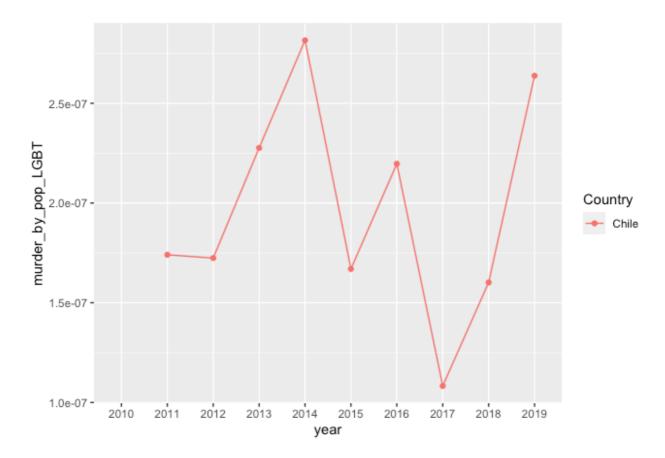


Figure 12

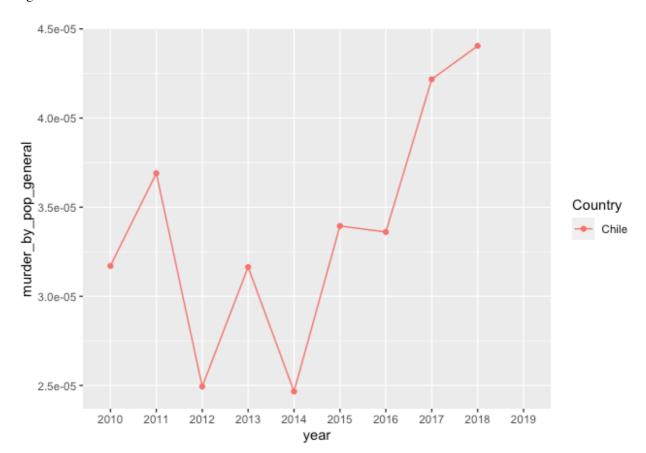
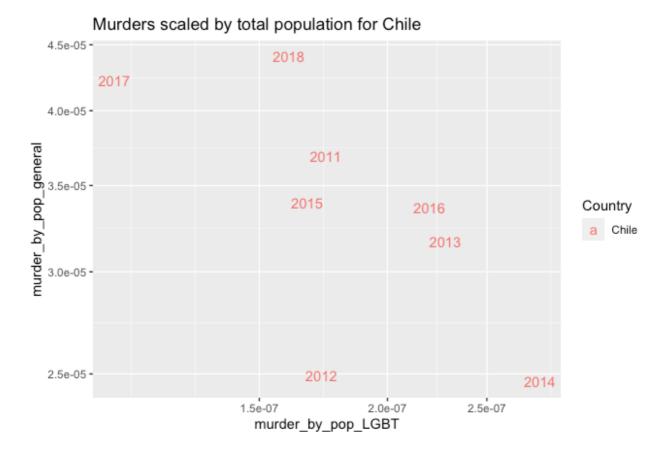


Figure 13



Colombia

The LGBT murder rates scaled by population (Figure 14) and the general murder rates scaled by population (Figure 15) in Colombia both show vast decreases in murder rates over the last decade or so. The graph that plots both of the aforementioned variables (Figure 16) is not helpful as it does not show a correlation. Colombia gained civil unions in 2007 and marriage equality in 2016, they added sexual orientation (but *not* gender identity) to its hate crimes and anti-discrimination laws in 2011, and some gender identity guidelines were given in 2015 (Strickler 2017: 23-24). Interestingly, "a longstanding paradox in Colombia: on paper, the country has one of the strongest legal frameworks in Latin America defending the rights of LGBT+ people; however, in practice these protections are rarely enforced" (Bocanumenth 2020). While Columbia has been relatively stable in recent decades, the previous point by Bocanumenth, along with under-reporting or perhaps the recent political unrest, may aid in explaining the lack or correlation between both sets of data and its high rates of murder of LGBT people when scaled by population.

Figure 14

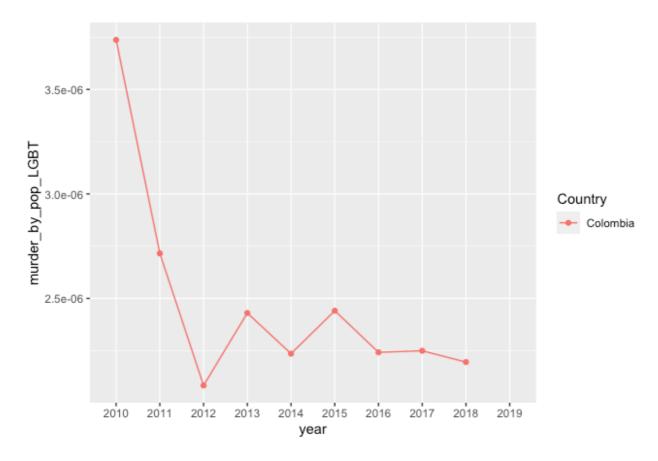


Figure 15

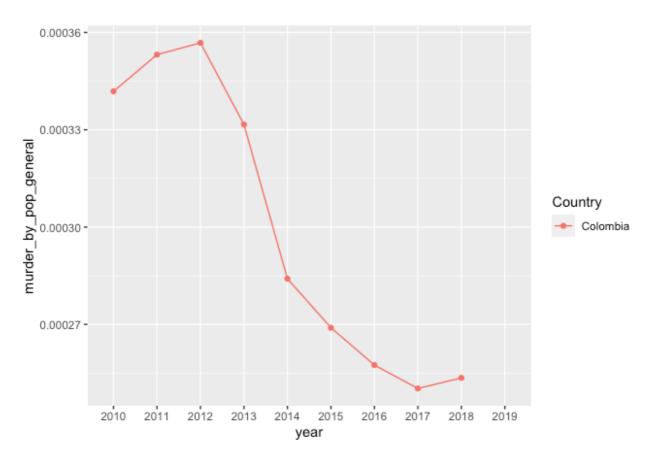
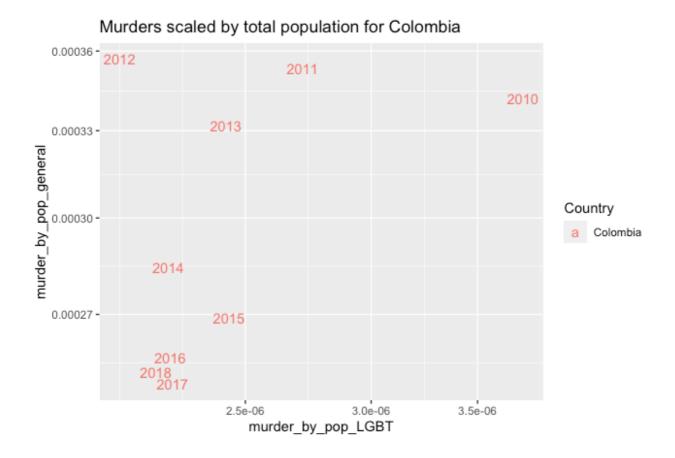


Figure 16



Honduras

The LGBT murder rates scaled by population (Figure 17) and the general murder rates scaled by population (Figure 18) in Honduras are quite fascinating. While the LGBT graph is similar to, but more extreme, than Colombia's, the general murder rate scaled by population has shown a steady decline over a six year period. The graph that plots both variables (Figure 19) doesn't give any more information as it does not show a correlation. In 2013 Honduras added some minimal anti-discrimination and hate crime protections to their penal code, but there is no marriage equality and no gender identity protections (Outright International 2020a). Honduras has one of the highest rates of LGBTIQ murders scaled by population. The inconsistencies in the LGBT murder rates scaled by population on Figure 17 can likely be explained by poor reporting and under-reporting as well as a society rife with gang violence of which SOGIE minorities are frequently the targets.

Figure 17

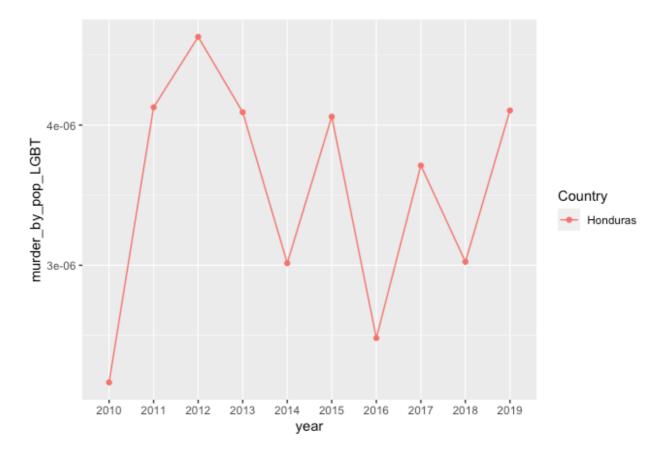


Figure 18

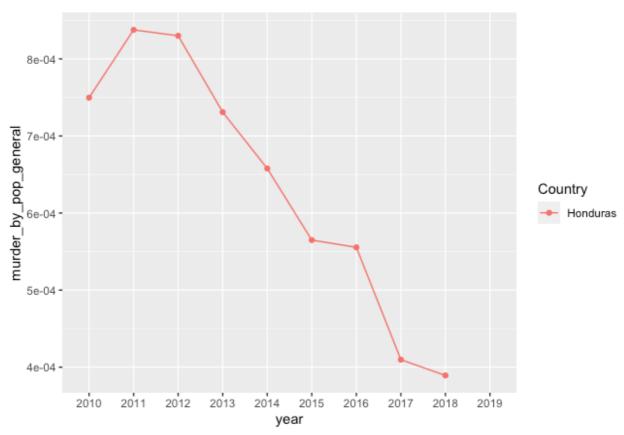
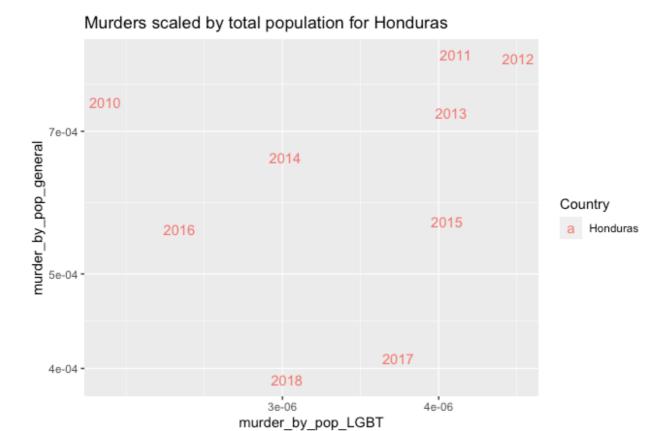


Figure 19



Mexico

The murder rates of LGBT people scaled by population (Figure 20) in Mexico are one of the highest in Latin America. There is a discrepancy when compared with the general murder rate scaled by population (Figure 21). The graph that plots both variables (Figure 22) only further confounds as it provides no correlation. Mexico has had some anti-discrimination measures in place as early as 2003, but solidified anti-discrimination and hate crimes in the constitution in 2011, then passed a gender identity bill in 2014. Mexico had nationally recognized civil unions in 2007 and marriage equality in 2010 (Strickler 2017: 28-29; Outright International 2020b). While not every state will perform same gender and/or same sex marriages, all states must recognize their legality.

Figure 20

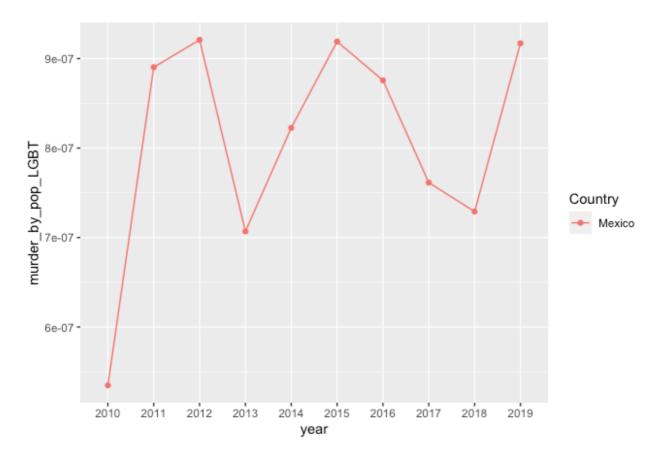


Figure 21

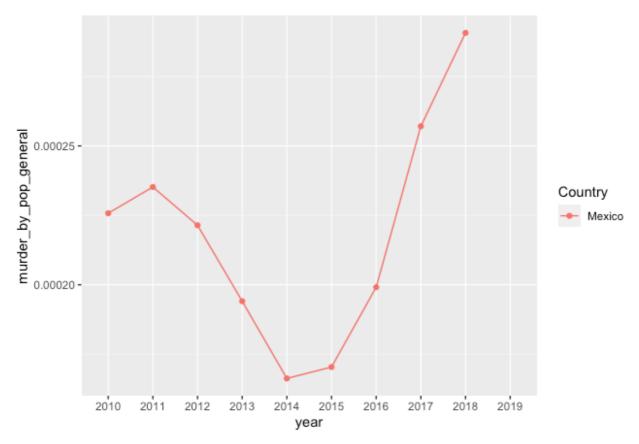
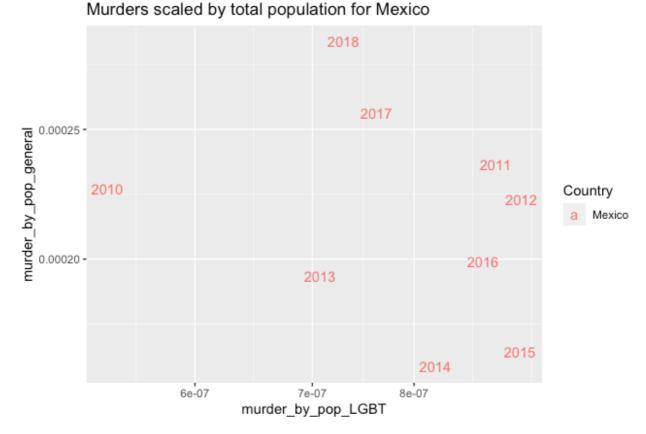


Figure 22



All Countries

Looking at actual numbers of murders (not scaled by population) of the general populations and of the LGBT populations as in Figure 23, there is a moderately strong positive correlation. Yet when these numbers are scaled for population (Figure 24), the correlation becomes weaker and outliers appear. Additionally these same variables are plotted by year; LGBT murders scaled by population in Figure 25 and general murder scaled by population in Figure 26. This allows for a nice comparison. For example, Honduras has high rates in both variables, which is fascinating as it falls outside of the the theoretical framework considering its low EDI and high murder rates.

Figure 23

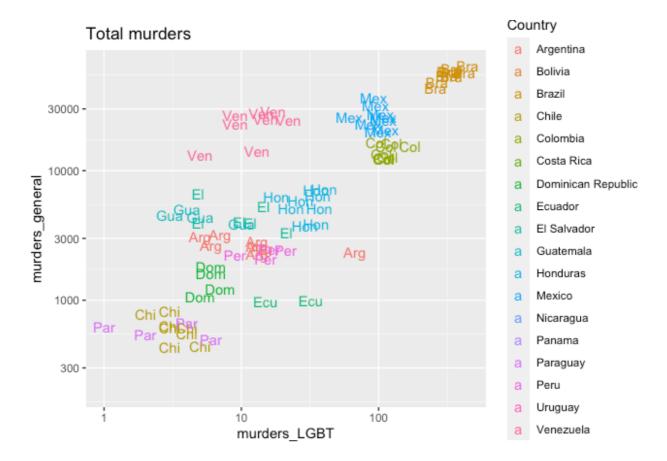


Figure 24

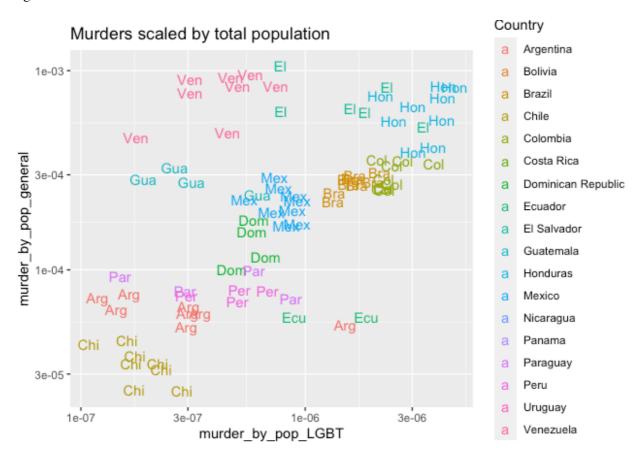


Figure 25

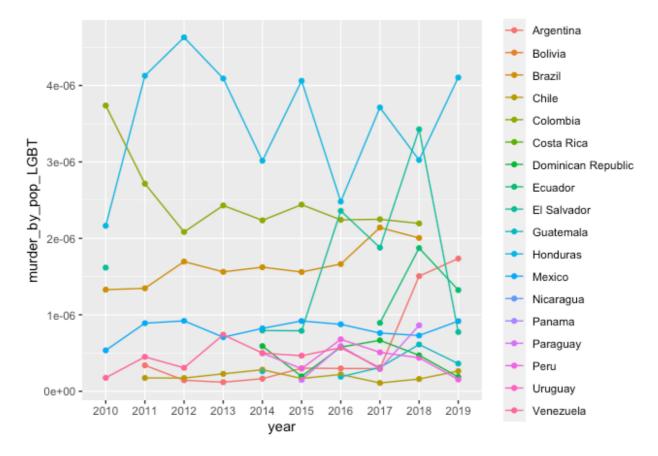
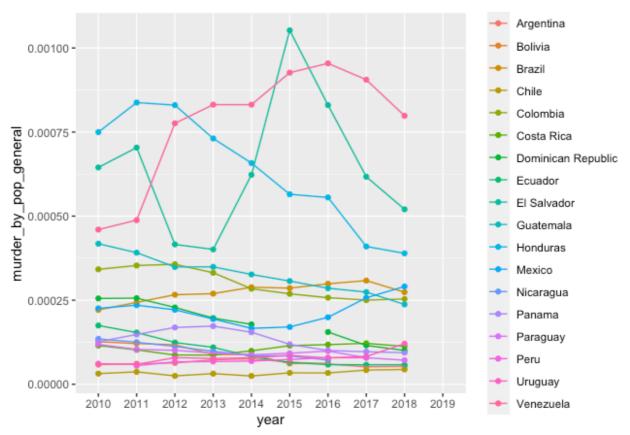
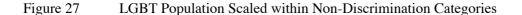


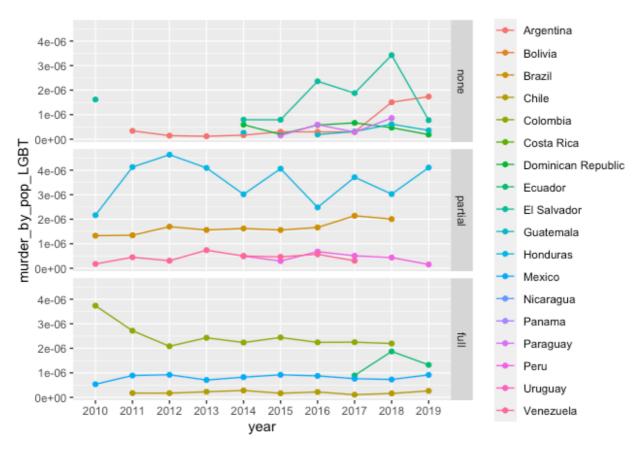
Figure 26



Regional Observations

While many cases support LaFree and Tseloni's (2006) conflict perspective, there are still some areas that need more investigation. According to V-Dem's working paper on EDI, a democracy must, "achieve equal protection of rights and freedoms" for everyone (Sigman & Lindberg 2015: 6). A strong democracy should have egalitarian principles aimed at protecting all citizens, therefore should have legislation that promotes equality and equanimity for LGBT people. If there are strong legal rights for LGBT people, there may be an effect on LGBT murder rates. Yet according to the theoretical framework, full democracies (or in the case of this study, strong democracies) will not lower or solve crime rates (LaFree & Tseloni 2006). This leads us to examine what legislation exists in individual countries and how that interacts with the rate of murders by population. LGBT murder rates scaled by population when paired with non-discrimination legislation categories (Figure 27) reveal that Honduras still has high murder rates even with partial protections and Colombia still has relatively high murder rates even with full protections. Interestingly, with the exception of El Salvador, the country murder rates in the no protections portion are more consistently low. This falls within the theoretical framework of higher crime in stronger democracies.





LGBT murder rates scaled by population when paired with marriage equality categories (Figure 28) is a bit more vexing for the theory. The no protections portion has high murder rates in Honduras, and El Salvador. While there's not much to take from the partial section, the full protection field has moderately high murder rates from Colombia and Brazil. This legislative variable falls outside of the theoretical framework.

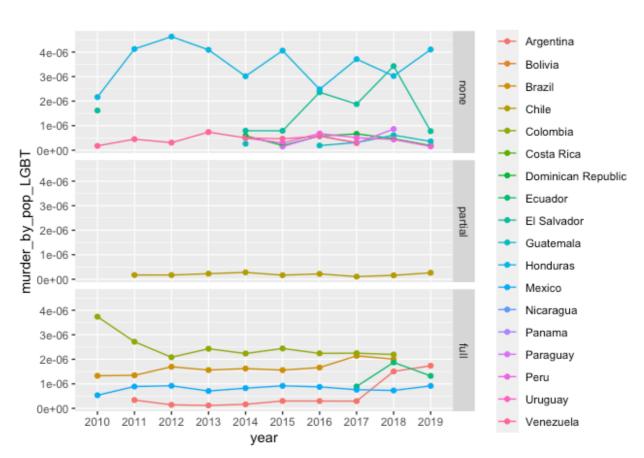
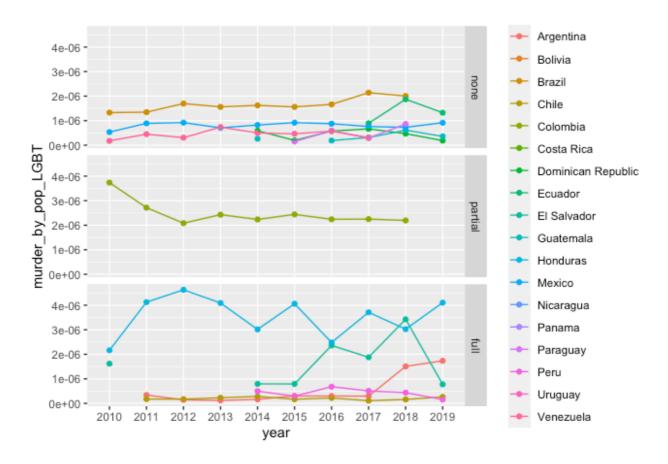


Figure 28 LGBT Population Scaled within Marriage Equality Categories

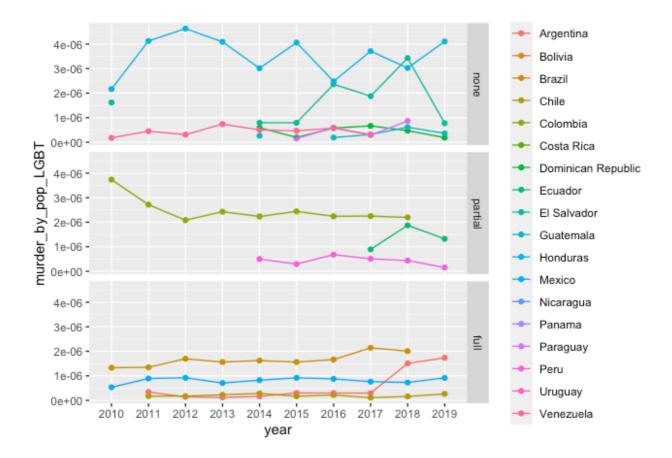
LGBT murder rates scaled by population when paired with hate crimes categories (Figure 29) exhibits high murder rates for the full protection field for Honduras and El Salvador. Colombia has high rates in the partial protections segment and Brazil has moderately high rates in the no protections component. The hate crimes legislation variable does fall within the theory with some higher murder rates in the partial and full categories.

Figure 29 LGBT Population Scaled within Hate Crimes Categories



LGBT murder rates scaled by population when paired with gender identity categories (Figure 30) is a bit perplexing. Honduras and El Salvador have high murder rates in the no protection field, Colombia is quite high in partial protections, and there are relatively high rates from Brazil in full protections. These legislative categories fall outside of the theoretical framework.

Figure 30 LGBT Population Scaled within Gender Identity Categories



Digging deeper into the individual legislation does not give many more answers. This could be due to several factors. Under-reporting is very troublesome and may be inconsistent between countries. It is possible that data collection in stronger democracies may be more accurate due to less governmental and societal intimidation. It could be that case that a nation wants to legitimize themselves to the rest of the world by enacting progressive legislation, known as 'pink washing' (Lind & Keating 2013: 520). Along those same lines, while many countries have excellent LGBT legal rights in place, they are not enforced or are willfully ignored altogether. As previously mentioned, the inability to control for LGBT-specific populations (as opposed to scaling for the nation's entire population) may have been problematic. It's possible that not enough time has passed for the lag in effects to be apparent in the data. There may be more influential variables not assessed in this thesis such as religious influence (which is difficult to measure) and political and religious rhetoric in the public arena (Corrales 2019). There is also the possibility that

the variables weren't the right fit. If the Egalitarian Democracy Index can't explain violence in Latin America, is it because the index does not have variables that take LGBT experiences and data into account? Would an EDI like this affect the relationship to violence? Or are the other variables more important to discern a clearer correlation?

8. Conclusion

What is the relationship between democratic strength and violence against LGBT people in Latin America? While there is a medium correlation between LGBT murder rates and the Egalitarian Democracy index, there seems to be no discernible pattern to types of legal protections and LGBT murder rates. Even with the lack of data, due to under-reporting, this is still the first comprehensive, original data set that attempts to map out violence against LGBT people in Latin America. And while the limitations of this research have been laid out, this thesis is a contribution to understanding the political and social lives of LGBT folks in Latin America.

This research may have left me with more questions than answers, which is a good as it leaves open the possibility for a plethora of future research projects. While democracy and the ensuing LGBT legal rights that have been enacted have certainly helped in some ways, there are other variables that need to be explored to explain the high rates of violence against LGBT people in Latin America. Malta and colleagues state, "that progressive legislation is not sufficient to advance SGM quality of life. In a social, cultural and political scenario of entrenched prejudice, discrimination and rampant violence, SGM-related legislation is frequently not enforced or even observed... Although the legislation exists (in some countries), the cultural and social environment is unwelcoming and constantly dangerous for SGM in the LAC region" (Malta et al 2019: 12). Future research can look relationship with religion as well as the relationship with political and/or religious discourse. Additionally there is some evidence that as political rights increase, so does backlash which would be an interesting area to research (Corrales 2019). Additionally this research should be re-visited in 5 to 10 years to see if time allows the opportunity to notice changes due to lag in reaction to events. Many variables likely contribute to the strikingly high rates of violence against LGBT people in Latin America. While it is unclear what causes the high rates of violence against LGBT people in Latin America, it can now be said that the strength of

democracy may play a role. This is an area of research that will continue to need attention until LGBT citizens in Latin America can live in equanimity and peace.

Word Count: 6607

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Appendixes

Appendix 1:

Table 1

```
Residuals:
                   10
                         Median
                                         30
                                                  Max
-3.200e-04 -1.579e-04 -9.945e-05 5.899e-05 7.831e-04
Coefficients:
                   Estimate Std. Error t value Pr(>|t|)
(Intercept)
                             4.040e-05
                                         4.698 1.04e-05 ***
                   1.898e-04
                                         4.215 6.39e-05 ***
murder_by_pop_LGBT 1.005e+02
                             2.384e+01
               0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' '1
Signif. codes:
Residual standard error: 0.0002497 on 82 degrees of freedom
  (11 observations deleted due to missingness)
Multiple R-squared:
                    0.1781, Adjusted R-squared:
F-statistic: 17.76 on 1 and 82 DF, p-value: 6.394e-05
```

Table 2

```
> lm(scale(murder_by_pop_LGBT) ~ v2x_egaldem, data = join_data) %>% anova()
Analysis of Variance Table
Response: scale(murder_by_pop_LGBT)
           Df Sum Sq Mean Sq F value
v2x_egaldem 1 13.875 13.8747 16.104 0.0001212 ***
Residuals 93 80.125 0.8616
Signif. codes: 0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1
Table 3
 Residuals:
     Min
                10 Median
                                 30
                                         Max
 -1.2858 -0.6752 -0.3285 0.7592 2.4571
 Coefficients:
              Estimate Std. Error t value Pr(>|t|)
                                     3.732 0.000327 ***
 (Intercept) 0.9667
                             0.2590
 v2x_{eqaldem} -2.4128
                             0.6012 -4.013 0.000121 ***
 Signif. codes: 0 '*** 0.001 '** 0.01 '* 0.05 '.' 0.1 ' 1
 Residual standard error: 0.9282 on 93 degrees of freedom
 Multiple R-squared: 0.1476, Adjusted R-squared: 0.1384
 F-statistic: 16.1 on 1 and 93 DF, p-value: 0.0001212
Table 4
> lmer(scale(murder_by_pop_LGBT) ~ v2x_egaldem + (1 | Country), data = join_data) %>% anova()
Type III Analysis of Variance Table with Satterthwaite's method
          Sum Sq Mean Sq NumDF DenDF F value Pr(>F)
v2x_egaldem 0.63226 0.63226
                        1 66.658 3.6297 0.06107 .
```

Signif. codes: 0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' '1

Appendix 2: Original Data Set of LGBT Murder Rates in Latin America

Country	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010
Argentina		2362	2362	2362	2362	2362	2362	2362	2362	2362
Belize			142	142	142	142	142	142	142	142
Bolivia				686	671	942	932	1221	1236	1273
Brazil		57358	64078	61597	58459	58497	54163	53054	48084	43272
Chile		825	779	612	610	438	556	434	636	541
Colombia		12586	12237	12402	12782	13343	15419	16440	16127	15459
Costa Rica		563	603	578	557	477	411	407	474	527
Dominican Republic		1068	1216	1616		1810	1978	2268	2513	2474
Ecuador		991	972	963	1052	1311	1725	1923	2344	2623
El Salvador		3340	3942	5276	6656	3921	2513	2594	4371	3987
Guatemala		3881	4410	4520	4778	4998	5253	5155	5681	5960
Honduras		3732	3864	5150	5148	5891	6431	7172	7104	6236
Mexico		36685	32079	24559	20762	20010	23063	25967	27213	25757
Nicaragua				453	524	525	594	673	738	785
Panama		392	397	405	471	604	663	637	549	460
Paraguay		497	541	669	617	578	604	649	657	741
Peru			2487	2435	2247	2076	2013	1968	1617	
Uruguay		416	284	268	293	268	260	267	199	205
Venezuela		23047	26616	28479	27875	24980	24763	22782	14098	13080

Appendix 3: Sources for Original Data Set Of LGBT Murder Rates in LAC

Argentina:

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Appendix 4: Sources of General Population

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Appendix 5: Legislation Data Sets

	Federal Non-	Hata Calar		Gender
	Discrimination	Hate Crimes	Marriage	Confirma
Country	Legislation	Legislation	Equality	tion
Argentina	0	2	2	2
Bolivia	2	2	0	1
Brazil	1	0	2	2
Chile	2	2	1	2
Colombia	2	1	2	1
Costa Rica	0	0	2	1
Dominican R	0	0	0	0
Ecuador	2	0	2	1
El Salvador	0	2	0	0
Guatemala	0	0	0	0
Honduras	1	2	0	0
Mexico	2	0	2	2
Nicaragua	1	0	0	0
Panama	0	0	0	0
Paraguay	0	0	0	0
Peru	1	2	0	1
Uruguay	2	2	2	2
Venezuela	1	0	0	0

Appendix 6: Sources of Legislation Data Set

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Asociación Civil ADHAM Asociación de Derechos Humanos Amigos de Margarita, Asociación Civil Alianza Lambda de Venezuela, Asociación Civil Divas de Venezuela, Asociación Civil Ejército Emancipador, Asociación Civil Fundapema Apure, Asociación Civil Hombres y Mujeres Nuevos de Panamá, Asociación Civil Orgullo Glbt Venezuela, Asociación Civil PROVEA Programa Venezolano de Educación en Derechos Humanos, Asociación Civil Transvenus de Venezuela, Asociación Civil Venezuela Igualitaria, Associacao Civil ARTGAY Articulacao Brasileira de Gays, Bloque Socialista Unido de Liberación Homosexual, Comité de Trabajadores/as LGBTIQ+ de la Central de Trabajadores/as ASI Venezuela, Encuentro Ciudadano, Festival Internacional de Cine VIH SIDA, Fundación ARMIF Academia Artística Miguel Franco, Mov. de la Sexodiversidad de la UNEXCA, Mov. Nacional de la SexoDiversidad Venezolana Frente Francisco de Miranda, Mov. Sexodiversidad de Aragua, Mov. Sexodiversidad Revolucionaria de Venezuela, Mov. Social Dignidad LGBTI, Orbita Gay Portal de Noticias LGBTI, ProDiversxs, Red Temática de la Diversidad Sexual LGBTIQ+ de Nicaragua, Utopia LGBTIH+ (2020). *Joint statement: The silence of the Venezuelan State, institutions, and political parties against LGBTIQ+ rights*, Hearts on Venezuela (online). Available: http://www.heartsonvenezuela.com/joint-statement-the-silence-of-the-venezuelan-state-institutions-and-political-parties-against-lgbtiq-rights/. Accessed: 2020 July 29.