

The progression of the gay rights movement in Buenos Aires, Argentina

Recently in Latin America there has been a diffusion and dissemination of a homosexual identity. Many factors have contributed to this phenomenon including homosexual civil rights movements in other Western Cultures, higher occurrences of homosexuality visibility in the media, a seemingly systematic demand for human rights following periods of authoritarian rule, and the recognition of homosexual identity. This paper will examine some of the factors contributing to the development of a successful Argentine gay movement that has accomplished the monumental task of securing civil unions for homosexual couples in the capitol city of Buenos Aires. The three factors that directly led to the adoption of civil unions in Buenos Aires were: the nation wide desire to support social justice legislation, the impact of the media's participation in the events surrounding the legislation, and the inclusion of heterosexual partners within the legislation.

The path to such monumental civil rights practice is very complex. In order to understand where the movement is going, one must understand where it has been. The monitoring of homosexual activity within Spanish Colonial America began when, "as part of the conquest of the Americas, the Catholic Church imposed its ban against sodomy on indigenous cultures while monitoring the sexual behavior of Spanish and Portuguese colonizers" (Green and Babb, 5). Throughout the Spanish Colonial era and the Portuguese Inquisition, which spanned 300 years, denunciations of homosexuals occurred which lead to arrests and trials. Many of those "called out" by their neighbors were executed. Green and Babb record that "there has yet to be a complete tally of the

number of people in Spanish Latin America who died by the flames...the sodomites considered most perverted and incorrigible were burned at the stake” (5). The harshness of the penalties was borne of a fear—a visceral reaction of society to homosexuality. Over time there was an eventual relaxation of conservative policy and views in Argentine society, especially in Buenos Aires, toward more equitable treatment for its gay and lesbian citizens.

As the Latin American states begin to break away from Spanish and Portuguese control, new criminal codes were created. The new codes were influenced by “the ideas of Jeremy Bentham, the French Penal Code of 1791, the Neapolitan Code of 1819, and the Napoleonic Code of 1810, which had decriminalized sexual relations between consenting adults” (Green and Babb, 5). Though the new criminal codes in Latin America after colonial rule had decriminalized sexual relations between adults, a deep social stigma still remained within Latin American society regarding homosexuality. During the twentieth century gender roles were still highly polarized, and homosexuality was seen as a perversion of gender roles and above all immoral.

As the sciences developed many began to believe that homosexuals were medically defective human beings. Psychology was a developing field that thought it could “cure” homosexual behavior. “In the first three decades of the twentieth century, eugenicists, physicians, psychiatrists, and jurists in Argentina, Brazil, and other Latin American countries engaged in campaigns to ‘medicalize’ what increasingly became known as homosexuality, arguing that the issue was no longer merely a moral, religious, or polite matter, but one that required the expertise of professionals whose goals were to attempt to cure this personal and social disease” (Green and Babb, 6).

Argentina and other Latin American countries were acting upon a string of thoughts that developed early in the twentieth century throughout the West. The United States shares an extensive history of carrying out the same campaigns to “re-socialize” homosexuals. The American Psychiatry Association did not remove homosexuality from its list of mental disorders in its primary reference book the DSM IV Statistical Manual of mental disorders, fourth edition, until 1973. Before the decision homosexuality was viewed as an abnormal psychological condition. Despite the negative view of homosexuality, communities of homosexuals began to form in major cities.

Green and Babb describe social conditions for gay men and how that effected their budding social system, “Men, who as a rule had greater access to public space and sexual partners, created a complex, semi clandestine world of desire in the major urban cities in Latin America (Green and Babb, 6) Men were able to construct an enclave for themselves due to their access to the public sphere. Lesbianism was not criminalized in Argentina, however, strict patriarchal controls on women kept lesbianism secretive and consigned to the fringes of society. The existence of long standing gay male communities inside of urban areas provided a network for the development of political activist groups. It is also of note that rural areas do not often develop a homosexual subculture because they do not frequently come into contact with one another.

Unfortunately the decriminalization of the sexual act of homosexuality did not eliminate societal prejudice and discrimination directed toward homosexuals. Being gay was no longer a crime, but dangers and threats for lesbians and gay men still existed. Sometimes the greatest dangers were the police and society itself. The threat of danger gave activists further cause to demand enfranchisement and more equality for

homosexuals. In addition Brown reminds us that [even today] “in Argentina, lesbians and gay men do not receive equal treatment before the law” (Brown, 123). Changing the perceptions of long ingrained social norms has proved to be a more difficult task than merely changing legislation.

In spite of the physical dangers, lesbian and gay movements have persisted. One of the most remarkable time periods marking the advance of homosexual movements came at the end of a politically volatile decade in the United States, the 1960s. During the 1960s and 1970s, gay and lesbian movements in the United States and Europe encouraged activism within Argentina. In addition, the movements in Argentina were highly influenced by the symbols and rhetoric of the movements in Europe and the United States. During the period following World War II urban cities flourished, and, as a result, gays and lesbians living in urban centers began to establish subcultures.

Regrettably, political action was not yet possible due to a social condemnation of homosexuality, or of any subversion of societal norms. Green and Babb concur adding that, “In the 1950s’ and 1960s’ forms of political organization to resist or change social prejudice against homosexuality did not easily coalesce” (7). The difficulty of mobilizing a fearful, necessarily secretive, and marginalized population was becoming more and more obvious in Latin America. The need for a cohesive and collective voice was becoming obvious as well.

Homosexual movements in western cultures seem to develop and progress in the same ways in spite of geography and demographics. The variables that affect their progression are political opportunity, the level of social tolerance, and the time period in which they originated. The development of a homosexual identity as distinguished from

a heterosexual identity began in Germany with Magnus Hirschfield and the Institute of Sexology, and later it was disseminated to Europe, Latin America, and the United States. The progression of a homosexual identity often moves from the establishment of identity, to the development of a subculture which leads to the formation of political activist groups. Once these groups are formed a split often occurs along gender-specific lines. Women will usually leave the male dominated groups citing that they are leaving because they do not feel represented within the group. The men's and women's groups will separately establish what they feel to be the most important set of goals for their group and begin to pursue those goals through activism. Once the groups possess an understanding of their core values and can sustain memberships, they are once again ready to cooperate with one another to fight together for mutually beneficial gains such as civil unions, medical benefits, etc. Though there is not a direct link between the homosexual movements throughout the West, there is an underlying pattern in the development of homosexual movements.

The catalyst that ignited homosexual movements in the West was the Stonewall riots in 1969. The Stonewall riots were the first large scale response to police harassment of homosexuals. The riots came after a string of police raids that culminated with the raid on the Stonewall Inn for a suspected liquor license violation. When the members of the private club were booted in to the streets, instead of going home they began to riot. While the Stonewall riots were the first of its kind they did not receive major media coverage, however, it was covered in the New York Times and homosexuals across the world became aware of the first rebellion of homosexuals (Faderman, 194). "Several months after lesbians and gay men battled the police on the streets of New York City, ten

homosexuals met in a *conventillo* (tenement house) in a Buenos Aires working-class suburb to found the first Argentine gay political organizations, El Grupo Nuestro Mundo (the Our World Group)” (Green and Babb, 7). However, Green and Babb write that it is not clear whether the group was established in direct response to Stonewall. It is clear that Stonewall marked a change in how homosexuals reacted toward the established status quo and vice-versa.

The founders of the El Grupo Nuestro Mundo were Leftists. To be more specific in this case, there were members of the Communist Party. Green and Babb write, “It is significant that a man who had been a member of the Communist party led Nuestro Mundo. No doubt this was related to the fact that Argentine leftists had extensive experience in operating clandestinely or semi-clandestinely in a country that moved between short periods of democratic rule and military governments” (8). This is critical to the group’s ability to operate, despite being under the watchful eye of the government, while at the same time escaping violent police repression. Homosexual groups that emerged during the 1960s’ and 1970s’ were often founded by members of the Left that had been expelled for homosexuality or left the group because they felt that their identity was not recognized. This was the case in the United States and this is the case in Latin America. Green and Babb add, “As the histories of the early gay and lesbian movements throughout Latin America are written, we will likely discover that virtually all of the initial groups of the early 1970s’ and 1980s’ had among their initial founders and leaders former members of the Communist party, dissident groups that had split from the Communist party, or other Left-wing formations” (8).

In 1971 a strong activist group was formed in Argentina; it was called the Frente de Liberación Homosexual (Homosexual Liberation Front, or FLH)” (Brown, 120). The FLH was developing at the same time as the homosexual movements, civil rights movements, and women’s movements were coming to fruition. “From the 1970s to the present, gay publications in Argentina show a close identification with the lives, struggles, and cultural activities of lesbian and gay men around the world, especially in the United States and Europe. Argentines likewise use the same symbols and representations (such as pink triangles and rainbow flags) that reclaimed historical figures, further diffusing a global, essentialized identity” (Brown, 125).

From 1971-1974 the FLH was a strong organization and growing to a hundred members (Brown, 121). However, as North American homosexual movements flourished, the destabilization of the Argentinean government caused the advancements of groups like the FLH to flounder. In 1974 President Alfonsín died, and Isabel Perón assumed the presidency. During her presidency there “was a rapid upsurge of right-wing paramilitary attacks on homosexuals” (Brown 121). The two year period from 1974-1976 was politically unstable and in March of 1976, Gen. Jorge Videla led a military junta against the government and seized control. The beatings and torture of homosexuals under authoritarian rule was a regular occurrence for detainees. Brown writes, “Under the brutal military dictatorship, formal lesbian and gay activism disappeared” (121). “The deep economic, political, and social crisis that shook the country had a profound effect on the FLH. By mid-1975 the group was reduced to no more than 30 militants, and it dissolved in June 1976 in the aftermath of the March military coup d’état” (Green and Babb, 10). Under the military dictatorship, repression

resumed, and, as a result, the human rights discourse was silenced. The fierce elimination of dissent transgressed all sectors of society and ultimately led to the deaths of up to 30,000 people including many homosexuals.

From 1976 to 1983 Argentina was under military rule and entered into a period known as “the dirty war” (Country profile: Argentina, 1). During this period political opponents of the ruling government were kidnapped by the military. The “vanished” or “kidnapped” were held in detention centers, interrogated, tortured, and often murdered. In an article by the BBC news organization the following is stated:

Once kidnapped, they would be taken to one of more than 300 detention centers. The most notorious of these was the Naval Mechanical Center in the capital, Buenos Aires – known by its initials in Spanish as Esma. Many were tortured using electric shocks and other methods. Children were tortured in front of their parents and parents in front of their children. The ordeal could last for weeks or even months, usually ending in the death of the victim (BBC Q &A: Argentina’s Grim Past, 1).

The atrocities and human rights violations are nearly unfathomable. An article reporting on the trial of Adolfo Scilingo in January of 2005 brought to light other horrifying aspects of the human rights atrocities that occurred under the military rule of “the dirty war” are revealed. The article states that, “In 1995, Mr. Scilingo told a journalist of so-called ‘death flights’, during which drugged political prisoners would be stripped naked and flung, ‘one by one, out of aircraft flying over the ocean’ (Spain tries Argentine ex-officer, 2). Mr. Scilingo was tried in Spain due to a new Spanish law

allowing the government to prosecute cases involving human rights abuses, even if they were outside of Spanish jurisdiction. He was convicted and sentenced to 640 years for the crime of killing political prisoners; he and his lawyer have filed an appeal (Q&A: Argentina's grim past, 2).

Despite the success of the conviction of Scilingo in Spain, the process of bringing to trial many of the military personnel connected with the abuses during “the dirty war” were not immediately addressed after the return to civilian power. There were trials on an on-again off-again basis. However, the push to pursue legal recourse succeeded in 2003. “Finally, in August 2003, Congress voted to scrap the amnesty laws, paving the way for fresh trials...The final Supreme Court ruling to uphold the overturning of the amnesty laws came nearly two years after the original vote in Congress” (Q&A: Argentina's grim past, 2).

In 1983 authoritarian rule ended and elections were held reinstating democracy in Argentina. Homosexuals hoped that the return to democracy would allow for an expression of their identities. After the end of authoritarian rule, many new gay bars were opened in the hopes that they would no longer be social targets. However, gays still faced repression and persecution. “In April 1984, soon after police officers arrested approximately 200 people in the raid of a gay club, 150 activists met in the gay bar Contramano and formed the Comunidad Homosexual Argentina (Argentinean Homosexual Community—CHA)” (Brown, 121). Activists may have been inspired to political action not only by the raids but also by gay movements that were growing in the United States and in Europe. In addition, Brown writes that, “Activists were apparently influenced by the mass rallies that took place at the end of military rule and the desire for

new understandings after the discrediting of traditional institutions such as the military, the state, and the church, which had collaborated with the dictatorship” (121).

Throughout the decade CHA remained one of the foremost groups representing gays and lesbians. Although they are based in Buenos Aires they do have chapters in other locations in Argentina.

The human rights discourse expanded during the 1990s’, and as a result lesbian and gay groups proliferated. New organizations that came into existence during this decade were, “the Sociedad de Intergración Gay-Lésbica Argentina (Argentinean Society for Gay and Lesbian Integration—SIGLA), the Grupo de Investigación en Sexualidad e Interacción Social (Research Group on Sexuality and Social Interaction—Grupo ISIS) and Gays y Lesbianas por los Derechos Civiles (Gays and Lesbians for Civil Rights, known as Gays DC)” (Brown, 122). The introduction of feminist thought into the South American discourse led many lesbians to the realization that their experiences as women differed from their gay male counterparts regarding fundamental issues of their sexuality. As a result groups were founded by lesbians to address their grievances. The first of these feminist splinter groups was “Las Lunas y las Otras (an untranslatable pun literally meaning ‘The Moons and the Others’), which met for the first time in July 1990” (Brown, 122). Although many lesbian-feminists split from male dominated organizations, not all cut their ties completely. “Many lesbians have had various degrees of contact and involvement with CHA, several having left the organization over the men’s sexism. “The lesbian-specific groups, though, trace their origins more to the feminist movement” (Brown, 123).

Despite the splintering of the movement into a variety of issue specific groups, the groups were able to work together to achieve common goals. Brown comments that, “Although over the years like-minded groups have formed temporary alliances (for example, the Lesbian Front), it was only in 1995 that male-dominated groups and women-only groups began to meet on a regular basis and cooperate on short-term projects” (123). Brown sites three events that were brought about by group cooperation: (1) A national gathering at Rosario in March of 1996 which brought together lesbian, gay, and transgender organizations that now runs annually, (2) the fifth annual pride march held on June 28, 1996, and (3) a “campaign to prohibit discrimination on the basis of sexual orientation in the new Buenos Aires municipal charter” (123).

These successful collaborations led to a new power that could be translated to the political sphere. The first major political success resulting from the rise of gay and lesbian movements in South America was secured in Argentina in 2002. “On December 13, in the midst of a massive social justice movement, Buenos Aires became the first city in Latin America to declare civil union rights for gay and lesbian couples” (Getting hitched in Buenos Aires, 1).

The CHA was the group that pushed for and was instrumental in the success of the legislation. The president of the group, Cesar Ciglutti, and his partner Marcel Sunthein, who was the secretary, were the first to receive a legally recognized union in Argentina. “Under the law, same-sex couples will receive health insurance and pension rights given to married spouses. The law recognizes the civil union of same-sex couples but does not term the union a marriage” (Buenos Aires legalizes same-sex unions, pg 1). The actual wording of the law incorporates the term civil union and does not use the term

marriage which may in itself have had a positive affect on the adoption of the law because it avoids the use of a term that many feel is controversial due to its religious connotations. It is also crucial because it avoids getting into an ideological battle with the Roman Catholic Church which has actively condemned such social reform.

The legislation was successful in Buenos Aires because of the nation-wide understanding for the need for social justice, media coverage of the proceedings, and the inclusion of heterosexuals within the documentation. Pedro Paradiso, CHA's legal advisor stated, "The year of protests has really brought out in Argentina the idea of social justice. The middle class, with their savings vanishing in the banks, understood how the state can meddle in your private life in a way that gay people have been living with for years" (Getting Hitched in Buenos Aires, 2). Ciglutti also argues that the media played a crucial role in the success of CHA, "when we presented the project to the city's commission on human rights—the first official step—we contacted the media so that they would be there. We didn't know at the time, [but] the commission didn't want to consider the project at all. But with all the media around, they had to" (Getting hitched in Buenos Aires, 1). The final reason for the success in Argentina was the inclusion of heterosexuals in the legislation allowing for civil unions within Buenos Aires. Suntheim explains that "to create a civil union law just for gays, lesbians, and transsexuals is to create a 'blacklist'—a register of homosexuals. Given the history of Argentina under the dictatorship of the 1970s, that's very dangerous" (Getting hitched in Buenos Aires, 1).

In addition to the three principle factors mentioned above, there are other historical factors that may have contributed. The development of a homosexual identity, subculture, and organizations occurred first in the city of Buenos Aires and is where the

movement has achieved success. It also is of note that the worst of the detention centers operating during the military rule was in Buenos Aires. Because the citizens of Buenos Aires were at the capital, the epicenter of the government, and because the worst of the detention centers operated within it, the resulting concern after the return to civilian government was to ensure that those abuses did not happen again. The need to protect all human rights was accentuated in the minds of the people of Buenos Aires in a more profound way than what one would find in other nations that had not suffered such violent repression. This may be one of the reasons that the airing of grievances related to human rights violations that occurred during military rule may have been so successful in this particular location. The result was that public opinion was in favor of granting civil and human rights to groups that were susceptible to repression. This led to the success of the legislation enfranchising gays and lesbian couples through civil unions and various other municipal reforms which sought to enfranchise gays and lesbians and to protect their legal status in society.

After the success in Argentina, a flurry of similar legislation circulated throughout the South American Region. Legislation affirming the relationships of homosexuals were successful in the state of Rio Grande do Sul, Brazil (March, 2004) and Mexico City, Mexico (2006). The Brazilian legislation has gone a step further than the groundbreaking legislation passed in Buenos Aires in 2002, “The order allowing civil unions gives same-sex couples in Rio Grande do Sul broad rights in areas such as inheritance and child custody and legal grounds to seek insurance benefits and pensions” (Gay couples tie the knot in Brazil, 1). The exception to the progress being made in South America is

Honduras. Legislation denying homosexual the right to marry and to adopt children was passed in Honduras (March 2005) (Honduras bars gays from marriage and adoption, 1).

In 2005, civil unions for gays were legalized in Spain. The Catholic Church again was critical of the development:

More reporters than guests attended the first wedding of two women in Spain on Friday under the country's new law allowing same-sex marriages, news reports said. Spain, a predominantly Catholic country, last month became one of four countries in the world to allow same-sex marriages. The measure, which paves the way for gay couples to adopt, has been fiercely criticized by the Roman Catholic Church and the leading conservative opposition Popular Party. The first same-sex marriage took place between two men July 11 in Tres Cantos, outside Madrid (More reporters than guests show up for Spain's first lesbian wedding, pg 1).

Although the Church has not been supportive, the influence the Church once wielded is dropping, by some accounts, less than fifty percent of the population attends mass regularly. Despite the resistance of some segments of the population, the success continues to grow.

Due to the diffusion of the homosexual groups and the broadening of the conversation around South America and the world, it looks favorable that homosexual groups will have continued success within Argentina. "The issue of discrimination against homosexuals in Latin America is no longer relegated to 'etc.' status but debated in the national media and among social activists from social activists from Mexico City to Buenos Aires from Managua to Havana" (Green and Babb, 4).

Currently, Argentina is still pushing for reforms in other areas of the social sphere. It was reported in the Advocate on September 01, 2006, that Argentina intends to repeal the military ban on gays:

Argentinean government officials announced they would repeal their country's ban on openly gay military personnel, reports the Servicemembers Legal Defense Network, a U.S. watchdog group attempting to repeal the Pentagon's "don't ask, don't tell" policy. Argentina's government plans to modernize its code of military justice, and part of that plan will include ending the nation's prohibition on gay soldiers (Argentina vows to repeal military ban on gays, pg. 1).

In many ways what was once thought of as a weak movement has grown to achieve successes that are the vanguard of the movement. Throughout Latin America, Europe and the United States, the discourse is growing and legislation both for and against civil unions is finding its way to the halls of institutions for debate. There have been as many successes as set backs. Latin America has made great strides to legitimize the relationships of homosexuals. Through the combined forces of the nation-wide desire to support social justice legislation, the impact of the media's participation in the events surrounding the legislation, and the inclusion of heterosexual partners within the legislation, Buenos Aires became the first South American city to legalize homosexual civil unions.

In the film, Lesbians of Buenos Aires, released in 2004, six main characters discuss their experiences of life in Buenos Aires as a lesbian. The interviews are rich in information about how the women view the influences of the movements in the political arena, how they live their daily lives, and what struggles are still faced. The main

character is a former militant who does not agree with the present tactics of marches to call attention to their struggles. She argues that,

A parade modeled after its significance in other countries, or context or history is like...As I see it, it's totally counterproductive. I think it lacks the strategies to achieve what we fight for, which supposedly is, from my point of view, integration and rights. We are no different from anyone else. Then, what I feel this parade produces, or the idea it leaves in most people, is that of widening the rift. A parade where people celebrate? There's nothing to celebrate here. I, first of all, have nothing to celebrate here. Not me nor any of us, as long as social conditions are the present ones, as long as injustice prevails and so many people are left out of the economic system. It seems to me that there are other things we should be considering, not who has the best float or the best dress in a party that is not such. Apart from moving it to November, as November is hotter, according to the spirit of this parade Gay Pride Day is June 28. There have been casualties in these episodes, people who one must be proud of. In any case, I'm proud of being free, not of the title they hung on my neck, right? (Lesbians of Buenos Aires, Ch. 6).

Some of the women in the film do not feel represented by the parades. Although there are some dissenting opinions on how to best achieve political advancements, the dialogue in Argentina is active. The youngest lesbian featured in the documentary is an activist who attends the parades and loudly supports the call to organization. When recounting the last pride parade she laughs remembering the joking nature of her

performance on the megaphone, “Pride Parade. We are La Fulana. Come and bring us your sister.” This is an example of using the stereotype as “sister-stealers” and turning it around so that it is empowering. This is something the youth in Buenos Aires is doing through parades and other activities that is a break from the past. She says, “That demo [demonstration] was really something...” (Lesbians of Buenos Aires). Differences in political debates provide that the debates are dynamic and progressive not static and indifferent.

Despite the legal changes that have occurred, the social stigma attached to homosexuality is still present. During another section of the film the militant woman who is the main character in Santiago García’s documentary discusses the daily situation in Buenos Aires for lesbians. In the documentary, Lesbians of Buenos Aires, the militant woman comments that, “For example, in any girl-girl couple, one of them gets sick and can’t say at her work that she needs the day off because her partner is ill. Come Christmas, certain things can’t be told and after the holidays some of the pictures can’t be shown. That is what everyday life is like for any lesbian couple.” (Lesbians of Buenos Aires, Ch. 6) The stigma attached to homosexuality is so strong it can destroy the bonds between parent and child. When the parents of the young activist lesbian find out that she was gay as a young adult, she was exiled from the family and its continuation. In a highly emotional recount of the events she recalls, “They told me to fetch my things and just leave. And I had to do so and hit the road” (Lesbians of Buenos Aires).

While concrete political advances have made huge impacts on how homosexuals live their lives according to the state, social discrimination is still prevalent and activist groups should target this area of discrimination next. While some view the parades as

divisive, many find them liberating and self reaffirming. As gay characters on television, movies, and literature emerge, societies' exposure to homosexuality can only help to integrate them within the larger culture. As society begins to become more familiar with homosexuals, they, as a population, become more visible and more tolerated. The dramatic change in the state/ homosexual relationship, regarding conferring equal partner benefits, must occur for homosexuals to be considered truly equal citizens in democratic nations.

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