

Sexual and Reproductive Rights: policy and budget under the Temer and Bolsonaro governments

Direitos sexuais e reprodutivos: políticas e orçamentos nos governos Temer e Bolsonaro

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Abstract: This article analyses social policies regarding Sexual and Reproductive Rights (SRRs) under the Temer and Bolsonaro governments. It investigates programmes and actions related to the budget for SRRs, in the Pluriannual Plan (PAP) for 2016 to 2019. Bibliographic research was conducted on the overlap between capitalist and patriarchal domination/exploitation systems, the contextualisation of SRRs and analysis of the data collected on the respective governments. It concludes that these social policies were not a priority, with some programmes being officially proposed but barely or never implemented, and an increase in measures counter to previously gained rights. The budget data expresses in financial terms, the setbacks caused by governmental measures that interdict the guarantee of rights and the sexual and reproductive health of women.

Keywords: Sexual and Reproductive Rights. Social Policy. Budget.

Resumo: Analisa as políticas sociais nos governos Temer e Bolsonaro acerca dos Direitos Sexuais e Reprodutivos (DSRs). Investiga os programas e as ações relacionadas ao orçamento executado para os DSRs no Plano Plurianual de 2016 a 2019. Realiza revisão de literatura sobre a imbricação dos sistemas de dominação/exploração capitalista e patriarcal, a contextualização dos DSRs e a análise dos dados coletados sobre os respectivos governos. Conclui que tais políticas sociais não foram prioridade, sendo alguns programas oficialmente apresentados, mas pouco implementados, além do aprofundamento de medidas contrárias aos direitos já conquistados. Os dados orçamentários expressam, em termos financeiros, os retrocessos das medidas governamentais, que interditam a garantia de direitos e a saúde sexual e reprodutiva das mulheres.

Palavras-Chaves: Direitos Sexuais e Reprodutivos. Política Social. Orçamento.

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Introduction

This article analyses social policies regarding Sexual and Reproductive Rights (SRRs) under the Michel Temer government and during the first two years of the Jair Bolsonaro government. The text investigates programmes and actions funded by the budget for SRRs in the period 2016 to 2019, as set out in the Pluriannual Plan (PAP) and forecast in the Brazilian budget cycle¹.

The current political scene in Brazil is one of advancing conservatism, of government measures that interdict the guarantee of rights that have historically been on the agenda of women's struggles, for example, the self-determination of their bodies. Acting against this pressure, there is a growing demand for social policies that ensure women's rights and sexual and reproductive health, aimed at their social and political emancipation. Furthermore, it is essential to understand how public funds allocated to these policies have been invested, as the government's commitment to a given social policy can be measured by the budgetary resources allocated to its programmes and actions.

To understand the context in which SRRs are inserted into the full scope of social policies, a literature review was carried out covering the following points: the overlap between capitalist, racist and patriarchal domination/exploitation systems; the contextualisation of SRRs; social policies and public funds; and analysis of the data collected on these governments.

During the bibliographical research, attention was paid to authors who assist in the theoretical understanding of categories that underpin this research and that depart from black feminism and Marxist feminism to confront the social relationship of sex with the moral, economic, political, and social attacks on women² by the capitalist system.

The data analysed was taken from the PAP commencing in 2016 and continuing into the first year of the Bolsonaro government. Budgetary information was taken from the Siga Brasil³, database, through the filter of the Annual Budget Laws (ABLs), for the period 2016 to 2019, and the analysis considers the expenses incurred in delivering the 'Citizenship Rights' function and the 'Programme: 2016 - Policies for Women: Promoting Equality and Combating Violence'.

Regarding methodology, a comparison between the *expended* and *authorised* budget was adopted to analyse the budgetary data, following the steps recommended by the Institute of Socioeconomic Studies (Instituto de Estudos Socioeconômicos (INESC)) (2017), as this allows the monitoring of the budget actually executed with ABL resources for any given year⁴.

¹ The Federal Constitution (FC) of 1988, included considerable advances, in budgetary matters, enshrining the Brazilian budgetary cycle in three pieces of legislation: the Pluriannual Plan (PAP), the Budgetary Guidelines Law (BGL) and the Annual Budgetary Law (ABL), each with well-defined functions. The PAP is a plan setting out government goals and programmes for a four-year period, which does not coincide with the term of office of the head of the Executive Branch.

² This article starts from the understanding of women beyond the biological system, i.e. cisnormativity. We understand women as, all subjects who identify with the female gender, including transsexual and/or transvestite women.

³ Siga Brasil is available, free to access, at: <https://www12.senado.leg.br/orcamento/sigabrasil>.

⁴ According to the Institute of Socioeconomic Studies (Instituto de Estudos Socioeconômicos (2017)), this criterion relates to financial execution, which "[...] encompasses all disbursements in a given financial year and the amounts spent to settle balances payable related to budgets from previous years" (INSTITUTO DE

Social Policies and Sexual and Reproductive Rights in the light of materialist feminism

The patriarchal structure, appropriated by capitalism, centralises its domination in the control of the body and sexualities, favouring a system that perpetuates the existing relations of the production and reproduction of life. As Maria Betânia Ávila⁵ (2003) points out regarding SRRs, it is important to emphasise the different existing approaches, which depend on the theoretical-political view adopted.

In the feminist perspective adopted here, reproductive rights concern equality and freedom in the sphere of reproductive life. Sexual rights concern equality and freedom in the exercise of sexuality. What does it mean to treat sexuality and reproduction as dimensions of citizenship and, consequently, of democratic life? (ÁVILA, 2003, p. 466).

The incorporation of SRRs into the field of Human Rights represents a way of consolidating these rights as guarantors of citizenship. Despite the dispute around which movement or movements coined the term and its meanings, the broad importance of feminist movements and lesbian, gay, bisexual, transvestite, transsexual, intersex and other sexual orientation and gender identity (LGBTI+)⁶ groups is undeniable in consolidating these rights, so much so that these themes are now on the political agenda at national and international level. Ávila (2003) highlights the importance of understanding the fields of reproductive rights and sexual rights separately, as a way of ensuring their autonomy.

However, it is also necessary to recognise that:

Reproductive rights and sexual rights are inseparable, as they guarantee the free exercise of sexuality and the autonomy of people's decisions regarding sexual life and reproduction, as well as them assuming responsibility for these decisions. When talking about the free exercise of sexuality, it means that people must have information and conditions of rights to make decisions and assume their responsibilities, based on personal and social ethics, which ensure their integrity and health (DÍAZ; CABRAL; SANTOS, 2004, p. 9-10).

So, SRRs deal, primarily, with: the basic right of every individual to freely decide whether or not to have children, as well as their number and spacing, in addition to having the information and means to do so; the right to enjoy a high standard of sexual and reproductive health; the right to a sexual life with pleasure and free from discrimination; and the right to make decisions about reproduction free of discrimination, coercion or violence.

To understand these elements and relate them to SRRs, an intersectional analysis of gender, race, and class is essential. Claimed by black feminism, the intersectional approach points to

ESTUDOS SOCIOECONÔMICOS, 2017, p. 65). For these *Unsettled Payments (Restos a Pagar)* to exist within the public budget, it is mandatory that expenses have been settled, but not paid by the last day of the financial year to which they belong.

⁵ In this article, when citing an author for the first time, we choose to give both name and surname to highlight female authors, who have historically been invisible in theoretical productions.

⁶ The use of the term LGBTI+ follows the Direction of the Manual de Comunicação LGBTI+, produced by the GayLatino network and by Aliança Nacional LGBTI, and supported by dozens of movements and research groups in this area. The non-inclusive term 'Queer' is a political choice, and we understand that its origins (USA) and use do not correspond to the theoretical elements or to the historical contextualisation of the struggle of the movement in Brazil. For more information see: Reis (2018) and Pelúcio (2014).

the need to identify oppression based on race, class, and gender, but not in a hierarchical or separate way, as they are often experienced simultaneously. According to Carla Akotirene (2020):

Intersectionality aims to give theoretical and methodological instrumentality to the structural inseparability of racism, capitalism, and cis-hetero-patriarchy – producers of identity pathways in which black women are repeatedly affected by the crossing and overlapping of gender, race and class, modern colonial apparatuses (AKOTIRENE, 2020, p 19).

Using intersectionality as a prism, is to analyse structural oppressions as a whole. The application of intersectionality as a concept and methodology allows the structuring of ideas and actions based on the notion of integrality, fundamental for understanding the issues that permeate SRRs within a capitalist, racist, and patriarchal society. The current absence of the integrality perspective in the area of rights and health, reveals the political project on which the logic of imposing a lack of budgetary resources is based. This, and the epistemicide of the theory of black feminism.

Black feminism founded the concept of *reproductive justice* on this perspective, a key term for an expanded and critical concept of reproductive rights, which jointly addresses human rights and social justice as fundamental for the full exercise of reproductive health. Recognising the importance of this concept is recognising that social inequalities do not affect individuals equally and that they fulfil a purpose within a capitalist, racist and patriarchal society. For Colette Guillaumin (2014), patriarchy is a system for the appropriation of women that implies maintaining the subjugation of their bodies and their behaviours, reducing everything related to the ‘feminine’ to something naturally to be dominated, domesticated and diminished before the supremacy of the masculine, which, in turn, is the rational and social element of establishing power.

Issues related to sexuality and reproduction, especially in the West, in the context of colonisation, are central to the creation of a hegemony of power. Although the historical struggle for these rights is much older and ancestral, SRRs now have their legal basis in the 1948 Universal Declaration of Human Rights, which allowed several other extremely important guidelines to be incorporated into the field of Human Rights, such as the rights of women, and black and LGBTI+ populations.

Internationally, their consolidation occurred at the 1994 United Nations International Conference on Population and Development, known as the Cairo Conference. Other milestone moments for the debate on women’s rights and the possibility of realising these rights worldwide were the Conferences in Mexico (1975), Copenhagen (1980), Nairobi (1985) and Beijing (1995).

Silvana Santos (2017) points out that racism and patriarchy are functional in social relations in the capitalist mode of production. For her, it is essential to consider the particularities of peripheral capitalism, which has “[...] in its socio-historical formation the link between capitalism, racism, and patriarchy, which makes individuals, through the profound development of productive forces, increasingly separated, depowered, and stripped of their humanity and diversity” (SANTOS, 2017, p. 10).

When dealing more specifically with the Brazilian trajectory, during the colonial period, issues related to reproduction and sexuality had a prohibitionist and punitive bias, strongly influenced and dominated by the Catholic Church. With the development of cities and the expansion of capitalism, entities of controlling interest began to emerge, which were often international, which financed mass sterilisations and the distribution of contraceptives in Brazil from the 1960s onwards.

With the re-democratisation movement, the second half of the 1980s was a fundamental period in Brazil for the forming and implementing of public policies regarding gender, race and sexuality. In 1983, the Programme of Integrated Care for Women's Health (Programa de Assistência Integral à Saúde da Mulher (PAISM)) was created, followed two years later by the National Council for Women's Rights (Conselho Nacional dos Direitos da Mulher (CNDM)). Of the milestones of the 1980s, the 1st National Conference on Women's Health in 1987 deserves highlighting, as does the 1986 Charter of Brazilian Women to the Constituents (Carta das Mulheres Brasileiras aos Constituintes), which, under the motto of 'constituents, to have value, must have woman's word', enabled the inclusion of answers to some of its demands within the 1988 Federal Constitution (SOUTO; MOREIRA, 2021).

In the 1980s, the feminist movement also managed to add the issue of voluntary abortion to the national political agenda and, in the 1990s, the agenda of forced sterilisations gained greater visibility through the formation of the Joint Parliamentary Commission of Inquiry (Comissão Parlamentar Mista de Inquérito (CPMI)), which was responsible for investigating and examining the incidence of mass sterilisation of women in Brazil, especially among black and poor women. The data exposed by the CPMI made explicit the old reality of disregard for women's rights and exposed alarming data, such as the fact that 45% of Brazilian women of reproductive age had been sterilised. The highest percentage of sterilisation was found in states with a majority black population, marked by squalor and poverty, where most women had no access to information regarding the reproductive process, and sterilisation was seen as the only possible, or often forced, alternative. Furthermore it was being financed by countries like the United States, marking the eugenic and racist character of this practice (BRASIL, 1993).

Despite all these difficulties, it is important to recognise the many advances made in the struggle for rights and reproductive and sexual healthcare, which allows us to understand this field in its totality and in its different dimensions. The guarantee of these rights is achieved through public policies, which contain actions encompassing the theme in its entirety, such as sex education, access to information, access to family planning, prenatal and childbirth healthcare, access to legal abortion, safe and free access to testing and treatment for sexually transmitted infections (STIs) and access to the trans-sexualisation process. It is essential to understand the importance of these rights and the need to strengthen social policies and health services, the gateway to addressing these demands. One of the measures that makes this strengthening possible is that of integrated actions, fundamental for expanding access to these rights, alongside preventative and promotional actions.

Public funds and budget for SRRs

When dealing with social policies regarding access to SRRs, it is important to contextualise certain specificities of Brazilian social policies. Behring and Boschetti (2011) highlight the

significance of colonisation in Brazil, the historic weight of slavery on Brazilian society and its condition of peripheral and dependent capitalism.

As a result, social policies in Brazil are marked by a contrariness that arises from this class struggle. They represent the agendas and demands of a working class already marked by poverty and other expressions of the social issue, but they also represent the search for legitimacy by the dominant class and, above all, forms of guardianship and favouritism.

If social policy is related to the class struggle, and considering that work in Brazil, despite important moments of radicalisation, is riven by the scars of slavery, informality and fragmentation/co-option, and that the dominant classes never had democratic and redistributive commitment, there is a complex scenario for struggles in defence of citizenship rights, which involve the building of social policy (BEHRING; BOSCHETTI, 2011, p. 79).

Understanding the relationship between the capitalist mode of production, in its different phases, and the emergence and development of social policies, we observe that certain elements permeating this socio-historical relationship are permanent, including the conditions of late and dependent capitalism, racism, patriarchy, paternalism and charity, and the fragmentation, focussing, and privatisation of social policies. In the context of neoliberalism, all these elements are perpetuated and deepened. Another central element of social policies in this context is financialisation, which leads to the capture of public funds for interest payments and public debt amortisation.

In this way, the centrality of the dispute over public funds and the destination of public resources becomes clear, a dispute which permeates the debate around the production of wealth and taxation, elements that are at the forefront of people's thinking in such an unequal society, and where taxation is regressive, so that the highest percentage collected falls on the working class, while the property and material goods of the ruling class are barely taxed at all. Public funds concern the State's ability to mobilise resources to carry out the interventions set out in public policies, including economic and social policies, which permit either the modifying or preserving of the *status quo* in any given region or country. These public resources come mainly from the collection of taxes, contributions (social and economic) and fees, in addition to other public revenues provided for by law, according to Salvador and Teixeira (2014).

According to Behring (2021), from a Marxist perspective, public funds can be understood as a mix of surplus value (surplus labour) and necessary labour, as the State has to appropriate a significant portion of surplus value with the purpose of ensuring the conditions of capitalist production and reproduction. One of the main forms of raising public funds is through the extraction of resources from society in the form of taxes, contributions and rates of socially produced surplus value.

The budget, as the most visible part of public funds (SALVADOR; TEIXEIRA, 2014), is more than a technical planning instrument of the State. Oliveira (2009) views the public budget as a political statement that indicates who will finance the public policies of the capitalist State and, in its allocation of resources, define the direction and forms of action of the State in delivering its public policy priorities. In Brazil, the financing of the public budget has been marked by highly regressive taxation, with the poorest paying proportionally more taxes

(SALVADOR, 2010), and, regarding expenditure and according to Behring (2021), the main priority over the last 25 years has been interest payments and public debt amortisation.

As a way of confronting this perverse fiscal tradition, the 1988 Federal Constitution (FC) defines instruments guaranteeing resources to ensure that social policies remain viable, establishing minimum spending levels for health and education policies at all administrative levels (Federal, State, Federal District and Municipal) and confirmed, in Article 195 of the Magna Carta, social contributions to finance social security policies. However, the social rights established in article 6 of the 1988 FC, and the idea of expanded social security — given the options for macroeconomic policies in the post-reality era — did not benefit from economy policies that supported social rights and ended up hostages to continual fiscal adjustments.

With the inauguration of President Temer, there was a resurgence of the offensive of capital, returning with force to neoliberal orthodoxy, with severe reductions in social rights, and especially in the financing of public policies. This was set out in the New Fiscal Regime (Novo Regime Fiscal (NFR)), approved by Constitutional Amendment (CA) 95. The NFR makes it impossible to allocate resources for social policies in the manner defined in the 1988 FC. It freezes primary government expenditure (except for debt interest payments) for twenty years, and limits corrections to the rate of inflation.⁷ According to the NFR (CA 95), “[...] public spending will not keep pace with income or population growth, in a country whose per capita spending is still very low” (DWECK; GAIGER; ROSSI, 2018, p. 48). In this context, policies, programmes and projects aimed at Sexual and Reproductive Rights will lose resources within the federal public budget, as highlighted below.

Social policies aimed at SRRs under the Temer and Bolsonaro governments

The government of Michel Temer (2016-2018) launched an attack on the rights of women, the black population and LGBTI+ groups, i.e. on agendas considered progressive and linked to social movements historically opposing bourgeois hegemony. “In temporarily assuming the Presidency of the Republic, on May 12, 2016, Michel Temer appointed a veritable monochrome cabinet: all 24 ministers were male and white. An exclusively male government has not been seen in Brazil since 1979” (GONÇALVES; ABREU, 2018, p. 764).

One of the first blows against the rights of women and other groups was the administrative reform implemented by Temer, in which he abolished the ministries of Social Security, Science, and Technology. The Ministry of Justice became the Ministry of Justice and Citizenship, incorporating the Secretariat for Policies for Women and issues related to racial equality and human rights (APROVADA..., 2016).

Under the ambit of the Ministry of Justice and Citizenship and headed by former federal deputy Fátima Pelaes (of the Brazilian Democratic Movement Party, Amapá (PMDB-AP)), a militant for the ‘right to life from conception’ and former president of the Evangelical

⁷ CA 95 established, for the 2017 fiscal year, that the primary expenditure paid in the 2016 fiscal year, including outstanding payments and other operations that affect the primary result, must be corrected to a limit of 7.2% and, for subsequent years, at the amount of the limit referring to the immediately previous fiscal year, corrected by the variation of the Broad National Index of Consumer Prices (Índice Nacional de Preços ao Consumidor Amplo (IPCA)), published by the Brazilian Institute of Geography and Statistics (Instituto Brasileiro de Geografia e Estatística (IBGE)).

Parliamentary Front, the Secretariat for Policies for Women (Secretaria de Política para as Mulheres) came to be directed from a perspective of police repression. As congresswoman Maria do Rosário (Labour Party, Rio Grande do Sul (PT-RS)) states, the support base of the Temer government “[...] is born of conservatism, control over the female body and the culture of rape” (NO GOVERN..., 2016, not paginated). Temer’s stance towards women became more explicit in his speech on International Women’s Day, March 8, 2017, in which he reduced the role of women to staying at home and taking care of children (GONÇALVES; ABREU, 2018).

In terms of budget planning, the PAP from 2016 to 2019 makes only one mention in favour of women’s rights, in the form of a programme called Policies for Women: Promoting Equality and Combating Violence, which has equality and violence as its main axis for action, and which contains no mention of SRRs.

Under the cosh of CA 95 of 2016, social policies, with no guaranteed budgetary resources or constitutionally guaranteed minimum expenditure, have suffered unprecedented setbacks. According to a survey carried out by Salvador (2020) on the effects of the NRF, the various budgetary functions directly related to the Welfare State which seek to guarantee rights within the scope of public policies, have suffered a real-term reduction. For the period 2016 to 2019, the total fiscal and social security budget showed a small real-terms increase of 2.6% above inflation (measured by the IPCA), however, the ‘Citizenship Rights’ function had a significant drop in applied resources. In 2016, this function had an expenditure of R\$ 2.17 billion which fell to less than R\$ 1 billion in 2019, a decrease of 57.44%, in values adjusted by the IPCA (SALVADOR, 2020).

Within the functions of ‘Citizenship Rights’, is the ‘2016 Programme - Policy for Women: Promoting Equality and Combating Violence’⁸, foreseen in the PAP of the Temer government and which had been brought forward from previous government planning. The ‘2016 Programme’ has among its objectives “Promoting economic, social, and sexual autonomy and the guarantee of rights, considering women in their diversity and specificities” (BRASIL, 2016, p. 22).

Table 1, below, presents the budget execution for ‘Programme: 2016 - Policies for Women: Promoting Equality and Combating Violence’, for the period 2014 to 2019, in values adjusted by the IPCA, at 2019 prices. It is possible to compare and contrast the budgetary resources that the programme had under the presidency of Dilma Rousseff (2014 and 2015), and the effects of CA 95, under the Temer and Bolsonaro governments. 2016 represents the reference point for budget data for the purposes of CA 95, starting in 2017.

Table 1 - Budget execution of the 2016 programme
Values in R\$ adjusted by the IPCA, at 2019 prices

Year	Authorised	Paid	Budget Execution
2014	274,400,222.26	74,686,107.54	27.22%
2015	313,552,735.24	64,422,530.24	20.55%
2016	137,921,315.48	47,742,622.98	34.62%
2017	104,399,876.12	38,712,319.72	37.08%

⁸ It is worth noting that the ‘Programme 2016’ had already appeared in previous PAPs, with similar objectives but different names, it had already been ‘Policy for women: Promoting autonomy and confronting violence’ and ‘Policy for women: Confronting violence and autonomy’.

2018	51,806,557.41	26,593,347.17	51.33%
2019	62,948,565.36	28,684,375.51	45.57%
Variation			
2014- 2019	-77.06%	-61.59%	-
Variation			
2016-2019	-54.36%	-39.92%	-

Source: SIGA Brasil.

Our production.

According to Table 1, the ‘2016 Programme’ has been shrinking and its budget has been reduced over the period. It had a budget allocation of R\$ 313.5 million in 2015, which shrank to R\$ 62.9 million under Bolsonaro and the effects of CA 95.

The cycle of the ‘2016 programme’ budgetary management shows that the policy for women is not a government priority, marked, as it is, by falling resources and the failure to spend the authorised allocation. It should be noted that when comparing the amount authorised with the amount paid out in the ABL each year, only in 2018 was expenditure greater than 50%, nevertheless, it remains the lowest amount spent in the series shown in Table 1.

In the 2019 budget, according to the data available from SIGA Brasil, the ‘2016 Programme’, had 13 proposed budgetary actions, this ended up being reduced to only two with authorised values, namely:

- Action 14XS - Construction of the Brazilian Women’s House (Construção da Casa da Mulher Brasileira), with R\$ 19,231,462
- Action 218B - Policies for Equality and Combating Violence Against Women (Políticas de Igualdade e Enfrentamento à Violência Contra as Mulheres), with R\$ 41,118,349.00.

The Bolsonaro government spent R\$ 27,500,176.23 on action 218B, only 66.9% of the authorised budget, this equates to a expenditure limited to 45.57% of the authorised allocation, as shown in Table 1.

Among other neoliberal measures implemented by Temer, is the Labour Reform Law (Law 13,467/2017, A Reforma Trabalhista), which contains changes including the extension of the working day, the reduction of breaks, the possibility of direct negotiation between employees and employers and even allowing pregnant women to work in places considered unhealthy, putting the lives of women and children at risk. His government also proposed PEC 151/2015 (Constitutional Amendment Project (Projeto de Emenda Constitucional)), which creates legal uncertainty regarding cases of abortion already provided for by law, turning women into ‘potential criminals’.

It should be noted that the last year of the 2016-2019 PAP overlapped with the first year of the Bolsonaro government. The new PAP for the period 2020 to 2023 brought three innovations: methodological simplification, fiscal realism, and alignment and integration of the ministries’ strategic plans with the evaluation of public policies, all taking place under Bolsonaro’s presidency. What has become clear, is that these new elements served as a pretext for a downsizing of the PAP, its objectives, and goals. In a slideshow regarding the PAP, containing

only 11 pages, no mention is made of the rights of women, or black, indigenous or LGBTI+ groups.

Actions in the first two years of Jair Bolsonaro's term dismantled the entire legal apparatus for accessing abortion and other rights. Guided by fundamentalism, and most members of his government, these actions deepened racism, sexism, and violence. The main difference between 2020 and previous years is that, in 2020, most parliamentary activity on this subject was driven by the Government itself, and this should have been a positive factor, were it not for the fundamentalist and conservative bias underlying the actions. For example, even in the midst of the COVID 19 crisis, the Federal Government continued to act against the SRRs of women and the LGBTI+ population.

According to the Feminist Centre for Studies and Advice (Centro Feminista de Estudos e Assessoria (CFEMEA) (2020b),

[...] the target of the current Government are programmes that guarantee the termination of pregnancies in cases currently authorised by law, especially those related to sexual and reproductive health and sexual violence, undermining the already weak capacity of the State to ensure basic and comprehensive care for victims (CENTRO FEMINISTA DE ESTUDOS E ASSESSORIA, 2020b, p. 2-3).

Among the main measures, Ordinance N^o. 2,282, of August 27, 2020, deserves highlighting. It "Provides for the requirement for justification and authorisation for the termination of pregnancy in cases provided for by law, within the Unified Health System-SUS" (BRASIL, 2020a). This Ordinance created a series of difficulties for women and health professionals providing legal abortion services, especially the obligation to report abortions to the police, even against the will or without the consent of the girl or woman victim of sexual violence. This Ordinance can be read as an institutional reaction to the outcome of a case in which a child from Espírito Santo had their rights [to an abortion] upheld after multiple attempts by the State to deny them (CENTRO FEMINISTA DE ESTUDOS E ASSESSORIA, 2020a, p.5). Following a strong negative reaction, the ministry revoked Ordinance N^o. 2,282/2020 and replaced it with Ordinance N^o. 2,561/2020 (BRASIL, 2020b), which repealed some elements, but maintained the obligation to report abortions, bringing legal uncertainty to professionals, coerced into violating their Code of Ethics, who value the confidential relationship between doctor and patient. It should be reiterated that health services must value, above all, the reception, care, and health of the victim.

We must also highlight Decree N^o. 10,531, of October 26, 2020, which "Establishes the Federal Development Strategy for Brazil for the period 2020 to 2031 [...]" (BRASIL, 2020c, p.3), in which it directs all public administrations to "[...] promote the right to life, from conception to natural death, observing the rights of the unborn child, through policies of responsible parenthood, family planning and care for pregnant women" (BRASIL, 2020c, not paginated). "Of the nearly 70,000 rapes recorded in 2019, more than half were committed against girls under the age of 13. How can the State, by executive decree, intentionally deny the right of access to legal abortion?" (NATIONAL FRONT AGAINST THE CRIMINALISATION OF WOMEN AND FOR THE LEGALISATION OF ABORTION, 2020, not paginated).

Furthermore, the closure, at the beginning of the COVID-19 pandemic, of clinics performing legal abortions, demonstrates the Bolsonaro government's complete disregard of the need to

recognise sexual and reproductive health services as essential. This has seriously impacted the lives of people with a uterus and/or pregnant women, including increased maternal mortality and the removal of access to legal abortion services.

In June 2020, Brazil abstained from voting on parts of a UNESCO resolution regarding the need to guarantee the 'sexual and reproductive health' of people affected by humanitarian crises. In 2020, Bill (Projeto de Lei) N°. 5435/2020, disguised as the 'Pregnant Woman's Statute' (Estatuto da Gestante), restricted and violated previously gained rights, especially in the field of SRRs, by forcing children and women to continue pregnancies resulting from sexual violence. This has now become known as 'rape scholarship'.

Although 2021 is not the object of this article, it is worth emphasising that the Federal Government has continued to act against the idea of reproductive justice. On April 19, Ordinance N°. 13/2021 was approved, proposed by the Ministry of Health and dealing with the birth control service, it has deeply affected black, indigenous and poor women.

One of Bolsonaro's final attacks on people who menstruate was on September 14, 2021, when Bill N°. 4,968/2019 was approved in the Senate, intended to "[...] combat menstrual precariousness, which means a lack of access or lack of resources to purchase hygiene products and other items necessary for the period of menstruation" (BRASIL, 2019, not paginated). Menstrual precariousness affects thousands of people around the world, a phenomenon that has expanded in the context of the pandemic. According to senator Zenaide Maia, rapporteur for the proposal, 25% of young people have already missed class because they were unable to access sanitary products. Bolsonaro, despite sanctioning Law N°. 14,214/2021, which created the Programme for the Protection and Promotion of Menstrual Health (BRASIL, 2021), vetoed the free distribution of sanitary products to low-income students, the homeless, the vulnerable, and inmates, which were the main targets of the programme (BOLSONARO..., 2021).

Final considerations

We are currently witnessing the dismantling and ruthless defunding of policies created by previous administrations, and the use of resources for programmes that clearly violate freedoms and human rights. CA 95/2016 imposed a freeze on primary public spending, mainly in relation to social spending, which has led to a greater impact on policies and programmes that do not have ring-fenced resources and mandatory minimum spending.

The budget data analysed in this article expresses, in financial terms, the setbacks created by government measures that weaken the guarantee of women's rights, in particular those guaranteeing social policies and programmes that ensure their rights and their sexual and reproductive health. Austerity policies further impacted the (de)financing of budgetary functions linked to human rights, as in the case of the 'Citizenship Rights' function, which had its resources cut by almost 60% following the approval of CA 95. One of the outcomes of these budget cuts will be the impact on 'Programme: 2016 - Policies for Women: Promoting Equality and Combating Violence', which already had a small budget and is now practically extinct.

In conclusion, SRRs were not prioritised by the Temer or Bolsonaro governments, nor considered essential for the maintenance of the lives of individuals. Some actions were officially proposed, but little or nothing was implemented. Measures with a moralistic, religious and conservative bias, and counter to previously gained rights, appeared and deepened. This is mainly due to the deepening of the neoconservative and ultra-neoliberal project put into practice by both Michel Temer and Jair Bolsonaro, which disregarded important guidelines regarding the rights of women, and black, indigenous, and LGBTI+ groups.

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