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Resisting, Demanding, Negotiating and Being: The Role of Scandals in the Everyday Lives of Argentinean *Travestis*

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The aim of this article is to explore the different uses and meanings of the category 'scandal' among Argentinean travestis. It is argued that this insight could be fruitful to understand the logic according to which local travestis resist, negotiate, demand and manage access to rights, opportunities, and/or goods, from which they have been historically excluded due to their non-hegemonic gender identities. In line with the performative logic employed to construct their gender identities, the idea of 'scandal' is fruitful for them to think, to make themselves visible and to act politically. This article proposes a political and anthropological approach to study the relation between structures of inequality and resistance through collective action. It takes into account a perspective developed by political anthropologists, centered in the power relationships analysis and an understanding of politics as a dimension of daily life.

I. INTRODUCTION

Social studies on sexualities have flourished in Argentina in the last fifteen years.[1] Knowledge about so-called 'homosexuals' was almost exclusively generated by psychiatrists, psychologists and doctors, exploring homosexual conduct and tagging them as 'risk groups'. However, a multiplicity of other voices has recently been developed in the field of social sciences as well as in the field of activism. In this growth of perspectives and debates, one of the privileged issues of inquiry has been the movement of Lesbian, Gay, Bisexual and Transgender (LGBT) persons. Frequently, the movement has been defined, *a priori*, as a sort of 'imagined community' shared by a wide range of members whose diverse sexual practices and/ or their gender identities

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1. *See* F. RAPISARDI & A. MODARELLI, FIESTAS, BAÑOS Y EXILIOS. LOS GAYS EN LA ÚLTIMA DICTADURA (2000); O. ACHA & P. HALPERIN, CUERPOS, GÉNEROS E IDENTIDADES. ESTUDIOS DE HISTORIA DE GÉNERO EN ARGENTINA (2000); J. FERNÁNDEZ, CUERPOS DESOBEDIENTES. TRAVESTISMO E IDENTIDAD DE GÉNERO (2004); H. SÍVORI, LOCAS, CHONGOS Y GAYS. SOCIABILIDAD HOMOSEXUAL MASCULINA DURANTE LA DÉCADA DE 1990 (2005); E. MECCIA, LA CUESTIÓN GAY: UN ENFOQUE SOCIOLÓGICO (2006); TODO SEXO ES POLÍTICO. ESTUDIOS SOBRE SEXUALIDADES EN ARGENTINA (M. Pecheny, C. Figari & D. Jones eds., 2008).

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destabilised heteronormativity. With this perspective, the movement has been thought as homogeneous in spite of being a particularly dynamic and controversial field. Those possessing the intention to consider the movement as a unified or closed object of study could hardly find a better instance of analysis than the LGBT Pride demonstration, one of the few events of the year in which the movement operates in an articulate way.

Travesti associations[2] (a part of the LGBT movement) have received little attention from social researchers, although in the last two decades Argentinean *travestis'* associations have been working collectively to address stigmatisation and oppression. During the 1990s, these pioneer groups focused their objectives on denouncing the violence of the security forces and fighting to abolish the legal provisions that criminalised their identities; as well as carrying out HIV/ AIDS prevention activities. Now their purposes have diversified, expanding the horizon of demands to issues such as access to education, dwelling, health and 'dignified' work.

With the purpose of inquiring into the organisational, social and political actions of *travestis* in the metropolitan area of Buenos Aires,[3] I started ethnographic research for my PhD in mid-2008. In this paper, I present partial results of the data collected during the first two stages of fieldwork (June-December, 2008 and May-September, 2009), in which I had the chance to follow the formation and the daily routines of a labour cooperative specially created by and for *travestis*. I participated in the daily life of the venture, attending training courses, collaborating in the moments of production and sharing instances of leisure, social gatherings and public events, amongst others. Being there enabled me to observe diverse dimensions of their experiences, which in turn cannot be simplified by just categorising them under the usual topics in existing literature about transgender issues, such as sexuality, body or gender identity.

At any time that trans people have been thought of as political subjects, it has been argued that this is solely due to the notion that their identities disturbed the gender binary or because their sexualities challenged the heterosexual matrix.[4] Focusing only on these aspects, a com-

2. L. Berkins, *Un itinerario político del travestismo (A political itinerary of transvestism), in* SEXUALIDADES MIGRANTES. GÉNERO Y TRANSGÉNERO (D. Maffia ed., 2003) (Travesti is the term used by the local male to female transgenders to refer to themselves. The first travesti association of the country was *Travestis Unidas* (United Travestis), founded in 1991. Then appeared *ATA* (Argentinean Travesti Association) in 1993, and *ALITT* (Association for the Struggle for *Travesti* and Transsexuals Identities) and *OTTRA* (Travesti and Transsexual Organization of Argentinean Republic), in 1995.).
3. Buenos Aires is Argentina's capital, in which most of the political life of the country takes place.
4. JUDITH BUTLER, GENDER TROUBLE: FEMINISM AND THE SUBVERSION OF IDENTITY (1990).

plex organisational and political dimension has been underestimated, losing sight of the suffering, resistance and claims of the real subjects. The pioneering book[5] of the anthropologist Josefina Fernández has influenced the construction of my research. In her broader work about gender practices and representations assumed by *travestis*, she deals with the formation of political organisations and their resistance to police edicts in Buenos Aires city. In the Brazilian case, a paradigmatic text about this issue is Charles Klein and Don Kulick's *Scandalous Acts: The Politics of Shame among Brazilian Travesti Prostitutes*,[6] in which *travesti* scandals are presented as political and performative acts. These scandalous acts consist of shaming homosexual clients in order to get additional money for their sexual services and denouncing their 'passive homosexuality' in public. The authors understood such initiatives as micro-politics: when provoking a scandal, *travestis* would be temporarily subverting a situation of inequality; reinforcing *travesti* abjection, however, with the same argument that justified it.

For the *travestis* that I met during my fieldwork, the category of 'scandal' is recurrent and centrally political too. However, as I aim to demonstrate in this paper, it has different nuances and follows other motivations. I argue that an insight into the different uses and meanings of the category 'scandal' may be fruitful to understand the logic according to which *travestis* in the metropolitan area of Buenos Aires resist, negotiate, claim and manage access to certain rights, opportunities, and/ or goods which they have been historically denied due to their non-hegemonic gender identities. This paper proposes a political and anthropological approach to study the relation between processes of inequality and the modalities of resistance and collective action.[7] It takes into account a perspective developed by political anthropologists, centred in the analysis of power relationships and the understanding of politics as a dimension of daily life.[8]

This paper is divided into three sections. The first one is dedicated to reviewing the emergence and the evolution of the pioneering *travesti* associations in Argentina. In the other two, the potential of the category

5. J. Fernández, Cuerpos desobedientes: Travestismo e identidad de género. (Disobedient bodies: Transvestism and gender identity) (2004).
6. C. Klein & D. Kulick, *Scandalous acts: the politics of shame among Brazilian travesty prostitutes, in* Recognition struggles and social movements: contested identities, agency and power (B. Hobson ed., 2003).
7. M. Grimberg, *Poder, políticas y vida cotidiana. Un estudio antropológico sobre protesta y resistencia social en el Area Metropolitana de Buenos Aires*, 32 Revista de Sociologia e Política 195-206 (2009).
8. J. Vincent, The Anthropology of Politics: A Reader in Ethnography, Theory and Critique (2002).

of 'scandal' is explored as an expression of social relations and as a producer of bonds and identities in the context of struggle and conflict.

II. Two Decades of Travesti Organising

Due to their non-normative sexualities and gender identities, Argentinean *travestis* have been historically deprived of access to many citizenship rights and have been exposed to violence and exclusion. Like many other Latin American *travestis*, they have found their main source of income in sex work/ prostitution.[9] Although there are no official statistics about this population, several studies carried out by local *travesti* organisations have shown that almost 79 per cent of them work as prostitutes and over 91.1 per cent have suffered violence, including police harassment and sexual abuse, mostly while working on the streets.[10] Already, most would have been expelled from home and school at an early age, having little access to the health care system and lack of vital opportunities other than what is available on the streets. Significantly, the life expectancy for these individuals has been seen to not be more than thirty five years.[11]

The recurrent context of police harassment was a crucial reason behind the political organising of *travestis* in the early 1990s. Kenny de Michelli was the first *travesti* to publicly denounce police harassment and founded one of the pioneering associations, United Travestis, with the objective of bringing visibility to the terrible life conditions of her community. In June 1993, another group was created with the support of the Argentinean Homosexual Community (CHA). Named Argentinean Travesti Association (ATA), it made its first public appearance at the Pride March the same year.

9. There is a major debate in Argentina about the relationship between prostitution and work involving not only *travestis* but mainly women. In this sense, the original association which grouped women sex workers suffered a division and two new organisations were created. The first one argued that their activity should be considered as work adopting a 'reglamentarist perspective', with the goal to have the sex-trade spaces controlled by the state (establishing brothels and 'red zones', registering sex workers and controlling them with health certificates). They joined the Argentinean Trade Union (CTA), claiming to have the same labour rights as any other worker. In contrast, the second group was against considering prostitution as work because they understood that it was a situation generated by a sinister articulation between capitalism and patriarchy and not a dignified job. This position can be considered 'abolitionist', as it considers prostitution as humiliating condition that must be eradicated. Without criminalising those confined to that situation, the supporters of this stance demanded the creation of employment alternatives and the struggle against the procurer's networks. Officially, Argentina holds the latter position on the level of international treaties on the subject. As I explain above, this debate has also divided *travesti* organisations.
10. L. Berkins, Cumbia, Copeteo Y Lágrimas (2007).
11. *Id.*

While the narratives about the emergence of *travesti* groups in this period are scarce, the text titled *A Political Itinerary of Travestism*[12] is an attempt to systematise these early experiences and is one of the sources consulted for this work. Its author, Lohana Berkins, is currently one of the most recognised *travesti* activists in the country.[13] In the above-mentioned text, she argues that the First National Meeting of Gays, Lesbians, *Travestis*, Transsexuals and Bisexuals[14] was a milestone for the *travesti* organising process. She suggests that before that crucial meeting, gay and lesbian groups discriminated against *travestis* and were reluctant to accept them as part of the movement. With the objective of exposing the humiliating and violent situations they faced in police stations, five *travesti* activists wrote and performed the play *A Night at the Police Station*. Lohana asserts that after watching this play, the gay and lesbian groups who doubted them finally became convinced about embracing their cause.[15] As we will see in the last part of this paper, performing with the purpose of instructing those who do not understand the *travesti* cause has been one of the primary strategies of activism. Beyond the performativity of their gender identities, the repertoire of their political actions has had a distinct theatrical nature since the beginning of the organisation.

In her story about the incorporation of *travestis* to the pre-existing gay and lesbian movement and to their annual Pride March, Lohana Berkins noted the following:

> That was our first struggle for visibility. When collecting money to make the poster that identifies the diverse groups of the demonstration, we had to put money but we could not include our name. We were excluded from the flyers and the place designated to our name in the main poster was insignificant. However, the *travesti* participation in the demonstration was not only numerically greater than the other groups, but also our colourful clothing highlighted us from the rest.[16/17]

The problem of 'visibility' turned out to be central in shaping the relations between the pioneer *travesti* groups and groups of gays and lesbians and even today remains a cause of conflict among the various

12. L. Berkins, *Un itinerario político del travestismo (A political itinerary of transvestism), in* SEXUALIDADES MIGRANTES: GÉNERO Y TRANSGÉNERO (D. Maffia ed., 2003).
13. In 2003, she was honoured by the International Gay and Lesbian Human Right Commission (IGLHRC) with the "Felipa de Souza" Prize. She was also awarded local prizes because of her activism in Human Rights.
14. Berkins, *supra* note 12 (This meeting was held in 1996 in Rosario, one of the most important cities of the country. It was organised by a local LGTB organization, *Colectivo Arcoiris*.).
15. *Id*.
16. *Id*.
17. The translation has been done by the author.

organisations in the movement. Among them, 'visibility' is a social category which implies a process of disputes to install specific demands as priorities as well as to represent the movement in public events. Since the emergence of the first *travesti* associations, visibility has been constructed on the basis of a paradox. On one hand, to be a *travesti* meant that one's presence was qualified as striking and disruptive; one was the most visible part of the movement: without a closet in which to hide. On the other hand however, *travestis* believed that their demands were given lower priority than those of gays and lesbians, making them invisible behind the general slogans of the movement.

The main activities of the first organisations focused on resisting police abuse and claiming abolition of Edictos Policiales (Police Edicts).[18] With establishment of autonomy of Buenos Aires[19] in 1997, the derogation of these regulations began to be discussed. In this context, the *travestis* multiplied their public appearances, exposing their dramatic living conditions and the police violence that they faced. They argued that those edicts which regulated the use of public space criminalised their identities, as they had no alternative option for work, apart from occupying the streets. They also claimed the existence of a lack of other opportunities for living. While the struggle against these codes was collective, in 1995 some members of Argentinean Travesti Association (ATA), one of the first *travesti* organisations, left this group and created two others: namely, the Association for the Struggle for Travesti and Transsexual Identities (ALITT) and Travesti and Transsexual Organisation of the Argentinean Republic (OTTRA).[20]

These groups have conflicting positions on various issues such as defining the scope of representation of each group. While ATA includes people identified with the categories transsexual and transgender (becoming ATTTA, Argentinean Travesti, Transsexual and Transgender Association), and nationalised the 'Trans movement' over a network with several offices around the country,[21] ALITT was reluctant to accept these categories, understanding them as 'definitions

18. Asylumlaw.org, Helping win asylum cases world-wide, *available at:* http://www.asylumlaw.org (While no law in Argentina specifically criminalises homosexuality, the police have resorted to a number of other legal instruments to harass individuals they consider 'dangerous.' For example, police edicts, which are not laws as such, but regulations applied at the discretion of the Argentine police, have been used extensively to harass sexual minorities.).
19. This political event was significant, because Buenos Aires was given the same status as the other provinces of the country, having the right to draw up its own Codes.
20. Berkins, *supra* note 12 (This group no longer exists, since its President died in 2004. Currently, ATTTA and ALITT are the two predominant associations in Argentina.).
21. ATTTA's official website, see ATTTA, Asociacion Travestis Transexualis Transgeneros, de la Argentina, *available at:* http://www.attta.org.ar (last visited July 15, 2012).

imposed by central countries', having nothing to do with the specificity of the Latin American *travesti* experience.[22] In this search for recognition and affirmation of the *travesti* identity, ALITT also discussed the terminology of HIV/ AIDS international prevention policies, according to which *travestis* were considered as part of 'high risk' groups, together with 'men who have sex with men' (MSM). So, while the Global Fund to Fight AIDS, Tuberculosis and Malaria[23] granted resources to finance projects of prevention for this group, ALITT rejected them, objecting that defining them as men was "violent for their identities," which they deeply felt were feminine. On the contrary, ATTTA decided to accept them, mostly because HIV/ AIDS is still the principal cause of death in this group[24] and as a source to finance their activities. The implementation of these prevention projects focused on distributing condoms and safe-sex leaflets for trans people dedicated to the sex trade, organising workshops to train new activists, and promoting testing and monitoring in the treatment of the HIV-positive.

Following the recommendations of the UNAIDS regarding the scarce access of trans people to the health care system, in 2007 the Ministry of Health of the city of Buenos Aires signed a resolution to ensure respect for all gender identities at every hospital and health centre for summons, registration, call or other requirements.[25] Recognising that some of their main reasons for disliking the health system included being called by the name assigned to them in their official document (National Identity Document, DNI) and being hospitalised in male wards, a special programme[26] was established at one of the main hospitals of the city, in order to facilitate their access to the system and monitor the implementation of the above-mentioned resolution. This programme was funded by the Global Fund. ATTTA participated along with other HIV/ AIDS NGOs carrying out awareness-raising activities with hospital staff and trans people who attend the institution. They provided guidance and assistance and promoted testing and distribution of condoms in the neighbourhoods where they live and work.

22. Fieldwork note, September 2008.
23. The Global Fund: To fight AIDS, Tuberculosis and Malaria, Homepage, *available at:* http://www.theglobalfund.org/en/ (International financing institution created in 2002, dedicated to attracting and disbursing additional resources to prevent and treat HIV and AIDS, TB and malaria.).
24. BERKINS, *supra* note 10.
25. National Health Minister Resolution, Exp. 75935/2007.
26. The 'Trans' Access to Health Care System Facilitation Programme ("*Programa de Facilitación de Acceso al Sistema de Salud en la Población Trans*") was developed at a central hospital in Buenos Aires between 2007 and 2008.

The ATTTA's focus on health coincided with that of other HIV/ AIDS NGOs as well as LGBT groups, founding the Argentinean Federation for Lesbian, Gay, Bisexual and Trans in 2007. Thus, whereas ATTTA integrates the Latin American sex workers network (RedTraSex), ALITT argues that prostitution is not a form of work but a situation in which most *travestis* are confined due to the lack of other employment opportunities.[27] This distinctive political stance is a result of alliances with different feminist groups that have fought police edicts and contravention codes. Therefore, within the process of demand for dignified work encouraged by ALITT, in June, 2008 the first labour cooperative for *travestis* of Argentina was inaugurated.

III. Modes of Resisting and Modes of Demanding: Scandal, Edicts, and Police Forces

The first *travestis* started organising themselves by the end of the 1980s and the beginning of the 1990s and shared a common experience of persecution, harassment and police violence. As Stephen Brown affirms:

> The police often raid bars and clubs and use various legal provisions to harass and detain lesbians and gays without necessarily charging them with any crime. Thousands of transgendered people were arrested every year. While in custody, were often verbally and physically abused with impunity. Some disappeared and are later founded murdered, and the cases go uninvestigated.[28]

Contemporary police edicts in the city of Buenos Aires (as well as in some provinces) operated as a mechanism according to which federal or provincial police forces were allowed to suppress any practice not expressly foreseen in Argentina's Penal Code. These regulations, written in 1923 and established by decree in 1956 during Pedro Eugenio Aramburu's military dictatorship, controlled a number of behaviours that were not considered criminal, yet punished through fines or arrests. In reality, federal police operated in Argentina without any form of judicial intervention. Once democracy returned in 1983,[29] these regulations were considered unconstitutional and received widespread criticism from human rights organisations, especially LGBT groups.[30]

27. Fieldwork notes, June 2008.
28. S. Brown, *"Con discriminación y represión no hay democracia- The lesbian and gay movement in Argentina"*, 29 Latin American Perspectives 119, 123 (2002).
29. Argentina faced six dictatorial periods (1930-1930; 1943-1946; 1955-1958; 1962-1963; 1966-1973; 1973-1983), the last of them being the most cruel.
30. Comunidad Homosexual Argentina, CHA Homepage, *available at:* www.cha.org.ar (last visited July 15, 2012).

Amongst the regulations on the police edicts, 'public exhibit of cross dressing' and 'the offering of the carnal act' specifically concerned *travestis.*[31] Both regulations, which were part of the Misdemeanours Codes of several provinces of the country, led to the idea of 'scandal in public'. For example, Article 68 of the Misdemeanours Code of the Province of Buenos Aires stated that:

> The prostitute or homosexual offering [her]self, provoking scandal or disturbing, or arousing scandal in residential zones, will be punished with a fine equivalent to a 15-40% of the Buenos Aires police officer's salary, along with a 5 to 30 days arrest.[32]

Similar sanctions were established in the Misdemeanours Codes of the provinces of La Rioja,[33] Neuquén,[34] Catamarca,[35] Mendoza,[36] San Juan,[37] Santa Cruz,[38] Formosa[39] and Santiago del Estero.[40] The category of 'scandal', commonly found in many codes and edicts, became a key argument mobilised by various security forces in defining, repressing and incarcerating *travestis*, whether or not they were working as prostitutes.

The testimonies on the conditions of *travesti* life during the dictatorship (1976-1983) established more continuities than disruptions between that period and the democratic one. Valeria Ramírez, a current member of the Fundación Buenos Aires SIDA (Buenos Aires AIDS Foundation), was once kidnapped and kept at the Pozo de Banfield – a clandestine detention centre – thus becoming an emblematic case. Together with her, seven other *travestis* who worked with her in the Lavallol 'red zone' were arrested and only two survived. Valeria points out that at the time, the so-called 'Morality Brigades' were after *travestis* accusing them of the same 'crime' that would be used in the following decades: 'scandal in public'. The stories of the 1980s and 1990s emphasise how often they spent twenty-one to thirty days in jail under the 'scandal in public' allegation.[41] In addition to illegal arrests, *travestis* point out other forms of police abuse such as sexual abuse, hitting, insults, torture and the regular demand of bribes so that they could work in particular areas of the city.[42]

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31. Berkins & Fernández, La Gesta Del Nombre Propio (2005).
32. Buenos Aires Province Misdemeanours Code. Law 8031/73.
33. La Rioja Province Misdemeanours Code. Law 7062.
34. Neuquén Province Misdemeanours Code. Law 813/62.
35. Catamarca Province Misdemeanours Code. Art 101.
36. Mendoza Province Misdemeanours Code. Law 3365.
37. San Juan Province Misdemeanours Code. Law 6141.
38. Santa Cruz Province Misdemeanours Code. Law 233.
39. Formosa Province Misdemeanours Code. Law 794.
40. Santiago del Estero Province Misdemeanours Code. Law 2425.
41. Taken from Valeria's speech at a public event organised by the Socialist Party in September 15th, 2008.
42. Berkins, *supra* note 10.

These stories appear fragmentary and scarce probably because there are very few survivors of police violence, HIV/ AIDS and other health problems. Others travelled as undocumented migrants to Europe to try their luck at prostitution and never returned.

As mentioned above, the initial demands established by *travestis* were related to ending police abuse and police bribery and revoking various Misdemeanours Codes that allowed for these situations. Once the city of Buenos Aires became an autonomous district in 1997, the debate on the abolishment of police edicts began. In that context, public appearances of *travestis* increased, along with exposure of their material conditions, especially police abuse. Outside of the City Council, *travestis* protested against the banning of public circulation in the clothes of the opposite sex; some chained themselves to the doors of the Parliament in order to put pressure on the government of the City of Buenos Aires.[43] They defined themselves as 'the identity group still unreached by democracy', arguing that the regulations that organise public spaces still criminalise *travesti* identity, in the sense that they fail to recognise that those who practice prostitution can only work on the streets. Also, they protested against the lack of other life opportunities available to them.

Finally, in March 1998, the Urban Co-habiting Code came into existence, establishing that a district attorney had to intervene before any police could issue an offence statement or initiate an arrest. However, some neighbours' associations, and specially the one of Palermo,[44] protested against this Code and demanded the designation of a 'red zone' in isolated areas of the city. During this period, the disputes between neighbours' associations and *travestis* became more frequent. In July of that year, conservative lobbyists promoted a set of changes in the Urban Co-habiting Code through the modification of Article 71[45] which states that while the offer of sex on the streets is not forbidden, noise nuisance and public disturbance is. In March 1999, through a presidential decree, police edicts were re-established, with severe measures that allowed for the arresting of people without any judicial mediation for the alleged 'provocation or offering of the sexual act' when it involved 'the disturbance of public peace'.[46] After this, the City Council completely

43. Fernández, *supra* note 5.

44. A rich neighborhood of Buenos Aires city.

45. Código Contravencional de la Ciudad de Buenos Aires (1999) (Article 171: "Disturbance to public peacefulness: To cause alterations to public peacefulness in residential areas, schools or churches, or near to them for the purpose or act of practising prostitution, and as a result of their overcrowding, noise nuisance or the disturbance of people's or vehicular traffic, or of harassment or underwear exposure or nudity. The Office of the Public Prosecutor will intervene in the implementation of the 19th Article of the 10 Federal Bill.").

46. Boletín Oficial de la Ciudad de Buenos Aires No. 647, March 8th, 1999 (Law 162: "Disturbance

forbade sexual commerce, imposing fines of AR$50 to AR$200 and/ or community work. These measures were condemned by *travestis* because, once again, it enabled police forces to chase them and to demand bribes. Given the scarcity of other job opportunities, *travestis* continued to work on the streets at night, resisting arrests with shouts, hits and struggles, both individually and in pairs. In March 1999, they collectively protested, demanding annulment of the ban on sex offers on the streets.[47] When the Prince of Great Britain visited the country, *travestis* protested at the British Embassy, demanding that political asylum be given to seventy seven of them.[48] However, before they could submit their written demand, the police repressed the protest. "Scandal once again" was the phrase used by the media reporting the event.[49]

The year 2004 inaugurated a new period of conflicts relating to the Misdemeanours Code. On July 16, when reforms on the use of public space was under discussion, the protest, which involved many other groups, resulted in serious incidents where fifteen people were arrested and released only a year later (in September 2005). These reforms were relevant not only for *travestis* but also for women who practised prostitution, street vendors etc. Finally, in that year, a new code was created and established, authorising prostitution in public spaces, 200 meters away from residential buildings, schools and churches. As a result, the 'Godoy Cruz *travestis*'[50] moved to the city Rose Gardens,[51] turning that area from then on into the 'red zone' of the city.

Three years later, in July 2007, the Sub-secretary of Protected Areas at the Ministry of Environment of the City of Buenos Aires signed a decree which declared the Rose Gardens and their surroundings as an 'unauthorised space for the offering or demand of sexual services'.[52] A year earlier, when the same officer was the Rose Garden's Director, he had agreed on cohabiting zones with the *travestis* and promised to develop social inclusion activities such as trade learning workshops. In his new position nonetheless, he decided to make use of the Ombudsman Office resolution which, in response to a group of neighbours upset about *travesti* presence, ordered the city to "arrange the necessary

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to public peacefulness: To offer or demand sexual services in public spaces.").

47. CHA'S ANNUAL REPORT, 1999, *available at:* http://www.cha.org.ar/articulo.php?art=236&cat=41 (last visited July 15, 2012).
48. A. Rey, *Menos travestis, pero muchas dudas*, LA NACIÓN DAILY NEWSPAPER, March 9, 1999.
49. Video *available at:* http://www.youtube.com/watch?v=qgRWNo4hkwQ (last visited July 15, 2012).
50. Godoy Cruz is a famous street of Palermo neighbourhood, where *travestis* used to work.
51. A huge park also located in Palermo.
52. M. Carabajal, *Por un Rosedal constitucional*, PÁGINA 12 DAILY NEWSPAPER, July 23, 2007.

[measurements] in administrative and, if necessary, judicial matters" to 'preserve' the Rose Gardens. This resolution argued that *travestis* had occupied the Rose Gardens, and that the 'neighbours' and their 'families' no longer could visit the Gardens because of the *travestis* and their clients' pervasive presence, aside from the environmental damage caused by used condoms on the grass.[53]

As a result of this resolution, *travestis* organisations protested at the Plaza de Mayo,[54] located right across the offices of the government for the City of Buenos Aires, under the banner: "If they kick us out of the Rose Gardens, we will come to the Plaza [de Mayo]." A letter was read during the protest and some activists met the Minister of Environment and the Chief of Staff of the city. During the meeting, the Minister apologised on behalf of the government of the city, annulling the resolution signed by the Sub-secretary and inviting the organisations to meet with various ministries and work on social inclusion policies for *travestis*. A few days later, a 'dialogue table' was organised mediated by an international NGO and comprised of *travesti* organisations and other sex workers as well as grassroots organisations. Finally, they resolved to move the 'red zone' to one of the peripheries of the Florencio Sánchez square of the Tres de Febrero park, next to the Lago de Regatas (Yacht Club) and the Lawn Tennis Club. This new zone, their current work space, is further away from residential areas and has been equipped with portable toilets, hazardous material waste baskets, lights and cambered roads. It was also agreed to shorten their work schedule from 10 pm to 6 am and a daily cleaning of the premises was promised, as well as weekly workshops on sexual health and environmental care for *travestis*.[55]

Initiated at the end of the 1990s, the disputes about the regulation of public spaces in the case of Palermo were resolved with greater governmental intervention over the management of space and regulation of work hours and conditions for *travesti* prostitution. In justification of regulation, the government used the scandal in public argument along with the arguments about the environmental – and moral – preservation of the park for the residents of Palermo. In this way, the first Argentinean formal 'red zone' was established despite the abolitionist position on prostitution.[56] According to Sabsay,[57] the creation of this 'red zone' is not only a spatial reorganisation but a metaphor about a long and complex

53. *Mesa de diálogo por la oferta de sexo en el Rosedal*, Perfil Magazine, August 6, 2007.
54. An emblematic square of the city, where most political demonstrations take place.
55. C. Alarcón, *Mundo travesti*, Página 12 Daily Newspaper, July 29, 2007.
56. J. Fernández, Cuerpos desobedientes: Travestismo e identidad de género (2004).
57. L. Sabsay, Fronteras sexuales. Espacio urbano, cuerpos y ciudadanía (2011).

process of reconfiguration of political identities. The establishment of the first official 'red zone' focused, in fact, on *travesti* sex workers as a symbolic gesture to grant the 'purity' of the public space.

However, in the other neighbourhoods and suburbs of the city of Buenos Aires, the situation remains the same: the *travestis* offer themselves on public roads in residential areas. This brings constant complaints from neighbours and the need to bribe police officers.[58] In September 2008, during my fieldwork, two *travestis* I knew invited me to join them for a demonstration in front of the police station of Flores, one of the neighbourhoods of the city. The conflict originated when in the context of a complaint by a resident of the neighbourhood a police officer beat a *travesti* who worked in the area. When we arrived there, we saw part of the Gaona Avenue blocked by a patrol and a group of about thirty *travestis* and women who were demonstrating, holding a large flag of one of the local *travesti* associations. The President of the association was holding a megaphone and was standing next to the Secretary and the Coordinator of the neighbourhood. Some girls held up banners with the words "For an Independent Sex Work" and "Stop Bribes and Police Violence," while chanting "Federal Police, the National Shame." Two policemen approached the crowd. They wanted to know who was responsible for the demonstration in order to take that person to the police station to talk to the commissioner. The President of the group and their lawyer left the crowd and went with the policemen.

As we were waiting outside, the girls exhibited their bodies with their tight clothes and showed their banners to the cars that passed by. While some drivers shouted compliments, some shouted insults, provoking laughs and cries of the more exposed. Some others had their faces covered with scarves, hoods or large sunglasses to avoid being recognised by the police officers. A while later, the President and the lawyer of the association appeared and told the others that the Commissioner would call them the first Tuesday of every month at 8 pm for a 'dialogue' with the police officers and neighbours. As they were satisfied with this agreement, everyone applauded and celebrated singing "*Travestis* united, will never be defeated." The governmental repression of the scandal in public was contested with more scandal; from being alone, working at a dark corner at night, they ended up all together in the afternoon, drawing the attention of the entire neighbourhood, denouncing the police abuses.

58. Fieldwork note, September 2008.

IV. Modes of Negotiating and Modes of Being: Scandal and Recent Initiatives

Within the struggle for dignified work for the *travesti* community, in 2005 ALITT received a donation of five sewing machines from the National Ministry for Social Development. They proposed to use these to create a labour cooperative and got financial assistance to buy a house to install the workshop from the National Institute for Associativism and Social Economy (INAES). The National Ministry of Labour also gave them funds to finance some training courses.

The formation of this labour cooperative can be thought in the context of the different state policies developed in the last few years. In December 2001, Argentina faced one of the most serious crises of its history. The 1990s was a decade of neoliberal policies which almost destroyed the national industrial infrastructure, raising unemployment to unprecedented levels and plunging most of the population into poverty. The result was a memorable social revolt. A state of emergency was declared. Four presidents were overthrown between December 20, 2001 and the beginning of 2002. After that, a provisional government was installed which devalued the local currency and called for democratic elections. Néstor Kirchner assumed the Argentinean presidency in May 2003. He governed the country for four years and was followed by Cristina Fernández, his wife, who was elected President both in 2007 and 2011. They both took several steps to overcome the critical situation Argentina was in.[59]

From 2003, the state took a 'productivist turn'. It began to discourage neoliberal social grants and to emphasise the creation and proliferation of labour cooperatives. These measures were intended not only to help recover a large number of companies from bankruptcy (in order to reduce the unemployment rate) but also included people considered unemployable in the social network. Under this category were grouped people in extreme poverty, those with limited access to education and those without labour experience. Even though these policies did not include *travestis* among their beneficiaries, the *travesti* associations were able to be included within them.[60]

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59. E. Grassi, Políticas y problemas sociales en la sociedad neoliberal. La otra década infame (2003).
60. M.I. Fernández Álvarez, *Expropiar la fábrica, apropiarse del trabajo. Procesos de construcción de demandas y prácticas de acción estatal en recuperaciones de fábricas en la ciudad de Buenos Aires, in* Estado y movimientos sociales: estudios etnográficos en Argentina y Brasil (M. Grimberg ed., 2009).

The labour cooperative mentioned above is composed of almost forty people, most of them *travestis*, attending three afternoons per week. During its first three years of existence, they conducted training courses of dress-making, design, printing, data processing and marketing, as well as producing t-shirts, sheets and bags on a small scale. By attending classes, the members of the cooperative receive a monthly financial grant from the National Ministry of Labour, Employment and Social Security. They also get boxes of non-perishable food delivered by the Ministry of Social Development and those most in need have access to housing subsidies from the local government of Buenos Aires as well as tickets for supplies at supermarkets.[61]

These training lessons created the space for the encounter between different generations of *travestis* who share different types of knowledge beyond their trajectories in prostitution. The oldest ones related to the youngest their experiences of parading at carnivals and as cabaret stars or actresses in variety theatres in which they had participated. They exchanged photos, videos and instructions on making costumes for those events, such as corsets or feather headdresses, on embroidering sequins and on mending dresses.

Towards the end of 2008, the cooperative was invited to participate in the LGBT Pride March. This invitation was received with much enthusiasm and perceived as an opportunity to publicise their incipient production. All the members attended the event each year but this was the first time they went collectively, representing the cooperative. This new form of participation generated great discussion among the members about how they should be dressed and behave in this first public appearance for the cooperative. For some of them, the Pride March was the opportunity of the year to show off and celebrate, so they wanted to be 'very scandalous', with showy clothes, wigs and makeup. Others wanted to wear the discreet cotton-shirts of the cooperative, avoid drinking alcohol and employ all their efforts to promote the cooperative. 'To be or not be scandalous' during the Pride March: this turned out to be the focus of a political and moral debate which lasted days. For the former category of persons, to dress discreetly would be counterproductive because they would pass unnoticed “among all those fags” and they would not achieve their publicity objectives. They also considered that they would become the object of mockery of other organisations: “They're going to label us the repentant prostitutes,” they

61. Fieldwork note, August 2008.

affirmed humorously. For the latter, behaving scandalously was clearly contradictory to their objectives of managing dignified work, different from prostitution as well as their new role as cooperative workers. Finally, they agreed to wear purple cotton shirts made by the cooperative and combine that with wigs, hats and other flashy accessories, and carry a large banner with the name of the venture embroidered in sequins.

Every achievement for the venture or the association was considered a festive situation and deserved a celebration in the organisation, with a great display of *travesti* glamour. Thus, during the fieldwork period I witnessed and was told about several significant episodes of exhibitionism. For example, the event in which they announced that the Supreme Court of Justice had granted legal status to ALITT was organised at the Empire Theatre and consisted of a *revista*, a theatrical genre where the characters wear glossy and eye-catching clothes and crowns of feathers while they sing and dance. The actors were members of the association, led by a choreographer and accompanied by other dancers; they even had an assistant for the costume design, which they made by themselves. Later, on the occasion of the presentation of a book compiled by the President of ALITT, a similar event was held at another theatre. After a few brief words about the book[62] (which described the situation of the *travestis* in the country), two members of the group performed a show, wearing minimal dresses with sequins and crystals of fantasy, dancing and singing on the stage, encouraging the applause of the audience.

In June 2009, they were invited to participate in a fashion show, organised by the INAES for the textile cooperatives which depend on this institution to advertise their production. While other ventures asked famous actors and fashion models to show their products, the members of the *travesti* cooperative chose to parade themselves, wearing 'haute couture' dresses specially made by them for the occasion. Preparations for this event required considerable time and effort: they managed the money to buy materials, searched for the most convenient prices and even contacted a fashion designer to draw the designs. The designer was promptly dismissed by them because he proposed very simple costumes, "a few insignificant satin petticoats."[63] Instead, they chose a *travesti* expert to advise them 'properly' in the design and the cutting of the fabrics. Then they finished sewing the dresses and embroidering and completing the outfit with wigs, shoes and accessories.

62. BERKINS, *supra* note 10.
63. Fieldwork note, June 2009.

The day of the fashion show, four *travestis* and the teenaged daughter of another one, represented the cooperative at the event wearing long and pompous evening dresses with what they described to be a "very *travesti*" style. This time, being scandalous had a highly positive connotation as the event had great importance in the media; they appeared in most of the photos and videos that covered the show. The following year, they were given funds to organise another fashion show exclusively for the cooperative.

When they worked as prostitutes, they learnt that being scandalous would bring them advantages by attracting more clients but also greater police cruelty. Participation in the cooperative brought them a new dilemma: how to articulate this new discreet, cooperative worker, the 'repentant prostitute' who claimed dignified work, with their way of life, their knowledge and previous experiences. Dealing with the expectations that they suppose 'the others' have of them, they discovered that it could be strategic to highlight some 'very *travesti*' aspects, to achieve their political objectives.

In addition to being, 'making a scandal' was also considered one of the privileged strategies to negotiate with government officials. "If you don't give me an answer, in an hour you'll have fifty *travestis* making a scandal in your office," said the President of the cooperative, threatening an official from the government of the city, angered by a cut in the supply of food for the members of the organisation.[64] Even knowing the impossibility of convening such number of *travestis* so quickly, she knew that the threat would be as effective as the scandal itself. 'Making a scandal' can involve incidents like leaving a governmental office while throwing any object and/ or screaming and/ or aggressively closing the door when they could not get any of the expected benefits or it can include actions such as publicly scolding and reporting a state employee who hindered their proceedings or made fun of them, for *travesti*-phobia. These scandals are almost always followed by reconciliation once the '*travesti* fury' has ended where an 'educational' intention again prevails: they must teach these officials, as well as the society as a whole, what a *travesti* is and how she should be treated. The scandals are later recalled and recited to other people in a humorous manner with the 'victim', as milestones in the histories of their relationships.

64. Fieldwork note, November 2008.

V. Conclusion

The objective of this paper has been to show how 'scandal' is a privileged strategy that Argentinean *travestis* have used to denounce, demand and negotiate. My argument is that this is the result of an experience of suffering and resistance to repressive acts of the state, in articulation of recent relationships with bureaucratic and administrative agencies. Scandal appears to be not only a way of 'making' but also a way of 'being' that is associated with street prostitution. It is stressed and repeated, politically and morally, in new experiences such as cooperative work, which claims to have dignified work and other rights for the *travesti* community.

As advanced in the introduction, the scandals of Brazilian *travestis* have been understood, as in our case, as performative and political acts. However, I cannot agree with those perspectives which assert that such scandalous acts reinforce the abjection of being *travesti*. Asking if scandals disrupt or strengthen the abjection do not allow us to take account of the logic according to which *travestis* experience different contexts: being constructed as a threat to public order or a moral (and environmental) danger; as health promoters and managers of international funds, or as dignified workers.

Problematising this recurrent category of 'scandal' has led us to enquire into the social relations that are configured both on the repression and the production of these subjects. We propose then to set aside the assumption that classifies *travestis* as abject beings, to begin to think of them as active actresses who are part of the broader social life. With their particular logic, they are integrated with the whole set of dimensions that make up every day of their lives.

This paper has been inspired by the understanding of sexualities as results of different social practices which give meaning or sense to human activities, social definitions and self definitions and struggles among those who have the power to regulate, against those who resist.[65] Through complex power relations within the realm of sexualities there are various domination and subordination structures.[66] Avoiding the stereotype that categorises *travestis* as 'essentially' scandalous, my aim was to consider how a category used to stigmatise and suppress them has been re-appropriated and re-signified for them to represent

65. J. Weeks, Sexualidad (1998).
66. G. Rubin, *Reflexiones sobre el sexo: notas para una teoría radical de la sexualidad*, in Placer Y Peligro. Explorando La Sexualidad Femenina (Carole S. Vance ed., 1989).

themselves and to set up social relationships with other actors. With educational, advertising or management purposes, these performances are the privileged ones within a repertoire in permanent construction.

In line with the performative[67] logic employed to construct their gender identities, the idea of *scandal* is fruitful for them to think, to make themselves visible and for them to act politically. In the introduction I affirmed that, in the few times where *travestis* had been thought of as political subjects, they had been shown as secondary actresses within the dynamics of the LGBT movement. Contrary to this, I have tried to recover their life experiences, in constant tension with dominant discourses, to explore their most creative aspects and to present them as the protagonists of their own stories.

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67. Butler, supra note 4.