

The Social Liberalization of Latin America:

Gay Marriage, Abortion, and Marijuana Decriminalization- 1980- 2015

Joseph Louis Kennedy

A thesis presented to the Honors College of Middle Tennessee State University in partial fulfillment of the requirement for graduation from the University Honors College

Fall 2016

The Social Liberalization of Latin America:

Gay Marriage, Abortion, and Marijuana Decriminalization- 1980- 2015

Joseph Louis Kennedy

APPROVED:

Dr. Vanessa Lefler
International Relations and Political Science

Dr. Stephen Morris
Chair, International Relations and Political Science

Dr. John Vile
Dean, University Honors College

Acknowledgments

I would like to thank everyone that helped me throughout my thesis as well as the outstanding honors faculty that instructed me during my time in the Honors College. Dr. Vanessa Lefler, my thesis advisor, served as a fantastic mentor during my academic pursuits and thesis work. Her guidance, expertise, and advice helped develop my research and me in exactly the right direction. I am also very grateful to the Department of International Relations and Political Science for its resources, advice, and opportunities that helped make my academic pursuits possible. Additionally, I would also like to thank the Spanish Language professors who I had here at MTSU as my Spanish Language abilities proved invaluable to parts of the research I did in foreign newspapers and websites. Thank you to my parents and friends who provided the extra support needed to take on this project. Finally, I would like to thank Omar G. Encarnación for all of the research that he has done on Latin America's Gay Rights Revolution, as his research provided a strong base for my own.

Abstract

This paper seeks to measure the social liberalization of the eight case studies: Argentina, Bolivia, Chile, Costa Rica, Ecuador, Paraguay, Uruguay, and Venezuela. Following the measure of social liberalization, this paper seeks to connect the histories of each country and explain the changes in gay marriage, abortion law, and marijuana decriminalization. Through deep case histories this study bases around the three key issues and seeks to make larger predictions. Following the case studies, a liberalization score using gay marriage, abortion, and marijuana decriminalization is compiled and then compared with a social liberalization predictor score. This final comparison shows if the basic liberalization score matches the complex social liberalization.

The cases of Uruguay and Paraguay emulate this as the governments are seemingly on separate ends of the political spectrum. Uruguay has gay marriage, legal marijuana, and unrestricted abortion laws while Paraguay does not have any same-sex partnership, has an anti-LGBT president, has decriminalized marijuana, and only allows abortion on one ground. Although these countries are not polar opposites on all issues, the political divisions on abortion and gay marriage are clear. Additionally, the anti-discrimination law that protects LGBT citizens in Uruguay does not exist in Paraguay. An interesting finding is across gay marriage legalization, marijuana decriminalization and legalization, and abortion allowance, public opinion on governmental policy did not play a decisive role in the government's ultimate decision.

Table of Contents

Introduction.....	6
Terms and Abbreviations.....	8
List of Tables	9
Case Background	10
Argentina.....	11
Bolivia.....	16
Chile.....	19
Costa Rica	21
Ecuador	25
Paraguay	27
Uruguay.....	29
Venezuela	33
Literature Review	35
Analysis	44
Liberalization Score.....	52
Discussion	55
Conclusion	58

Introduction

This paper seeks to evaluate the social liberalization that has occurred in Latin America along with the factors that have contributed to these changes. This study focuses on the countries: Argentina, Bolivia, Chile, Costa Rica, Ecuador, Paraguay, Uruguay, and Venezuela. Furthermore, this paper seeks to review the current legality, or lack thereof, of same-sex marriage, marijuana, and abortion. These eight cases provide a mix of legal statuses on the issues, as well as a good geographical coverage of Latin America.

This paper will begin by establishing a background on each case, move into a literature review of the research that has been done on these issues, a measure of liberalization of each country, a discussion of the findings, and a conclusion with advice for future research on the subject. The background for each country strives to give a factual history of each of the three issues in the country along with their current legal status. The measurement system of liberalization seeks to rank these countries on a scale of magnitude of which we would expect to be most liberal based on economic, social, and political indicators. Then, the actual legal statuses are compared with the liberalization score in order to evaluate which nations are most liberal, and ultimately explore the commonalities between both the countries scoring *highly liberal* and those scoring *less liberal*.

I hypothesize that countries with higher social liberalization scores will yield more liberal policies when it comes to gay marriage, marijuana legalization, and abortion rights. With Argentina, Bolivia, Chile, Costa Rica, Ecuador, Paraguay, Uruguay, and Venezuela sharing common language, common cultural heritages, and similar

geographical location, what has caused these countries to vary in terms of social liberalization?

In countries that are shown to be socially liberalized on the issues of abortion and same-sex marriage, I expect to see high levels of engagement by social groups that have successfully lobbied their respective governments to amend these laws. I do not expect that the public support for or against the issue will show to be causal. However, on the issue of marijuana decriminalization, I expect that fiscal need will play a large role in the decriminalization of small-scale possession of marijuana.

Terms and Abbreviations

Term	Definition/Elaboration
AVP	el Acuerdo de Vida en Pareja [Argreement of life in Partnership]; Chile
CHA	Comunidad Homosexual Argentina
Civil Unions	Broad Extension of Married Rights; not the exact equivalency of Marriage
Decriminalized	Non-criminal punishment
ECLAC/CEPAL	Economic Commission for Latin America and the Caribbean / Comision Economica para America Latina y el Caribe
Gay Marriage	Same-Sex Marriage, Homosexual Marriage; Same rights as heterosexually married couples.
Latin America	The nations that comprise the Spanish Speaking countries within Central America, South America, and the Caribbean. In this study specifically this term is more used to describe Central and South American nations.
LGBT	Lesbian, Gay, Bi-Sexual, and Transgender persons
Liberal	Political Ideology that seeks to maximize the rights of the individual, ensuring that all those in society are represented regardless of affiliation with the minority or majority of society. A liberal government will err on the side of governmental involvement in order to extend equal rights to all citizens and regulate society in a progressive, non-traditional manner.
Same-Sex Partnerships	Minimal Extension of Married Rights
Small-Scale Possession	A small quantity of a substance that does not require a criminal penalty.
Social Liberalization	The movement of policies to allow the choice of abortion for women, the right to homosexual couples to marry, and the legalization, or decriminalization, of marijuana. This term seeks to define the change of governmental policy towards a more progressive, non-traditional opinion maximizing the rights of an individual.
SOMOSGAY	Paraguayan LGBT Rights Organization
UN	United Nations
WHO	World Health Organization

List of Tables and Charts

Table Number	Table Title	Page Number
1.1	Gay Marriage, Marijuana, and Abortion Brief Overview	10
2.1	Argentina Overview	11
2.2	Bolivia Overview	16
2.3	Chile Overview	19
2.4	Costa Rica Overview	21
2.5	Ecuador Overview	25
2.6	Paraguay Overview	27
2.7	Uruguay Overview	29
2.8	Venezuela Overview	33
3.1	Gay Partnership Countries	44
3.2	Lack of Gay Partnership Countries	46
3.3	Marijuana Decriminalization Overview	48
3.4	Abortion Rights Overview	50
3.5	Qualitative Analysis Summary	51
3.6	Qualitative Analysis Ranking	51
4.1	Detailed Social Liberalization Predictor Scoring	52
4.2	Detailed Social Liberalization Ranking	53
Chart Number	Chart Title	Page Number
4.3	Detailed Social Liberalization Ranking	54

Case Background Information

Table 1.1: Gay Marriage, Marijuana, and Abortion Brief Overview			
Country	Gay Marriage	Marijuana Legislation	Abortion Rights
Uruguay	Marriage	Legalized Up to 40 Grams	7/7 Allowances
Argentina	Marriage	Decriminalized “Small Scale” Possession	4/7 Allowances
Ecuador	Civil Unions	Decriminalized Up to 10 Grams	3/7 Allowances
Chile	Civil Unions	Decriminalized “Small Scale” Possession	0/7 Allowances
Costa Rica	Same-Sex Partnerships	Decriminalized “Small Scale” Possession	3/7 Allowances
Bolivia	None	Decriminalized in Practice	4/7 Allowances
Venezuela	None	Decriminalized Up to 20 Grams	1/7 Allowances
Paraguay	None	Decriminalized Up to 10 Grams	1/7 Allowances

Argentina

Table 2.1 Argentina Overview		
Gay Marriage	Marijuana Legal Status	Abortion Rights
Legalized 22 July 2010 (Freedom ND.)	Decriminalized small-scale, personal use (Hena0 2009)	3/7 Allowances (Department 2015)

I. Gay Rights

The path to gay marriage in Argentina was completed in April of 2015.

However, the road to gay marriage in Argentina began in the 1970s with the Frente de Liberación Homosexual, a progressive Argentine LGBT organization. This group was able to make limited progress until a government coup in 1976 installed a militaristic regime that was opposed to the organization. The fight for gay rights returned in 1984 with the Comunidad Homosexual Argentina (CHA); the CHA was formed following a police raid on a gathering of suspected homosexuals in April of 1984, where two hundred were arrested. Following these arrests and the formation of the CHA, the organization began a publicity campaign to draw public attention to the plight of the gay community. However, until 1992 the CHA was not a legally recognized organization in Argentina; therefore, the CHA was unable to lobby or fundraise. Discrimination against the homosexual community was also in effect in Argentina. Even in some of the more progressive provinces, such as Buenos Aires, there were discriminatory laws that prevented homosexuals from voting. These discriminatory voting laws were not enforced by the government although they were on the books (Encarnación 2011). These domestic factors caused major hurdles in the fight for same-sex marriage.

There were also external pressures that were acting on the government of Argentina. When Argentine President Carlos Menem visited the United States in 1991, he was met with protests from both American and Argentine gay activists. These foreign and domestic pressures helped lead to the legal recognition of the CHA by the Argentine Government. The next major event towards gay marriage in Argentina occurred in 1996 in Buenos Aires. The city council approved an antidiscrimination charter, but the charter neglected to include protections for those in the LGBT community. Following this charter, gay activists organized a march that garnered enough attention from the government and media to coerce the city council into including these LGBT protections. Buenos Aires was the first Latin American city to provide anti-discrimination protections for the LGBT community in 1996 (Encarnación 2011). The swift mobilization of CHA in protest of the antidiscrimination charter influenced the legislature to amend the charter within a few days to include protections for homosexual individuals.

The pressure for gay marriage began to mount, as the court in Buenos Aires delivered a landmark decision that a civil code banning same-sex marriage was illegal. The mayor of Buenos Aires, Mauricio Macri, decided not to appeal the court's decision; thus, his decision allowed same-sex marriages to take place solely in Buenos Aires in 2002 (Buenos 2009). When the senate began debating national legalization of gay marriage in Argentina as a whole, many utilized the tumultuous history of the country to justify the adoption of gay marriage. Due to Argentina's prior human rights violations that were committed by the military junta, many argued that it was time to be on the right side of history. It is noted that more than 73 human-rights organizations banded together in support of gay marriage due to the human rights violations of the past oppressive regime.

When the bill legalizing gay marriage was signed by President Cristina Fernández de Kirchner, she “evoked human rights when she signed the bill into law” in July 2010 (Encarnación 2011). In 2014, the public opinion for gay marriage was 33.7% of the population “strongly [approving]” of gay marriage and 23.3% “strongly [disapproving]” (AmericasBarometer 2014).

After nearly 15 hours of debate, the Senate voted 33 to 27 in favor of the measure, which was sponsored by the government of President Cristina Fernández de Kirchner. For weeks, she waged a bitter war of words with the Roman Catholic Church over the issue, saying that it would be a “terrible distortion of democracy” to deny gay couples the right to wed and that it was time for religious leaders to recognize how much more liberal and less discriminatory the nation’s social mores had become (Barrionuevo 2010).

Clearly, the gay marriage victory in Argentina was hard fought with strong opposition from the Catholic Church. It is important to note the clash that occurred here with the Catholic Church due to the history of the religion in the region. “The law makes Argentina one of the most liberal countries in the world when it comes to gay rights, despite fierce opposition from the still-powerful Roman Catholic Church as well as Christian evangelical groups” (D’Alessandro and Wilkinson 2010).

II. Marijuana Legislation

In 2009, the Supreme Court of Argentina “decriminalized the small-sale [personal] use of marijuana,” but the court did not specify what constitutes small-scale possession (Henoa 2009). This complicates when law enforcement agents bring charges against individuals in possession of marijuana and when they do not. When charges are brought against offenders, “the broad language used in the ruling, coupled with the fact that decisions rendered by the Supreme Court are only applicable to each individual case and do not bind other lower courts, has led other courts to continue prosecuting drug users. Therefore, each judge has the authority to determine the quantity and circumstances that qualify as “personal use” (Rodriguez-Ferrand 2016c).” In order to relieve the legal confusion, the government is drafting a bill that will legislate what constitutes a “small-scale” possession and what constitutes personal use. Due to the legalization of marijuana in neighboring Uruguay, Argentina has expressed concern regarding the possibility for an increase in trafficking of marijuana into the country (Office 2016).

III. Abortion Rights

Argentine law permits abortions on three grounds: to save a woman’s life, to preserve a woman’s physical health, and in cases of rape or incest (Department 2015). In March of 2012, el Corte Suprema de Justicia de la Nación ruled that doctors are allowed to perform abortions in cases of rape or incest without criminal liability (Rodriguez-Ferrand 2012a). However, the societal opinion of the cases where abortion should be legal still vary. When broken down, Argentines responded that abortion should be: legally allowed in all

cases (10%), most cases (26%), and illegal in most cases (30%), all cases (30%). When asked on the issue of the morality of abortion, Argentines believe: abortion is morally acceptable (12%), morally wrong (63%), not a moral issue (11%), or dependent on the situation (13%) (Pew 2014).

Bolivia

Table 2.2 Bolivia Overview		
Gay Marriage	Marijuana Legal Status	Abortion Rights
No Same-Sex Partnership Recognition (Glickhouse and Keller 2013)	Decriminalized in Practice (Andean 2012)	4/7 Allowances (Department 2015)

I. Gay Rights

The Bolivian government does not recognize any form of same-sex partnership. However, the new constitution that was ratified in January 2009 included provisions that “prohibit discrimination based on sexual orientation and gender identity (Glickhouse and Keller).” Still, the constitution reaffirms that marriage is only a right for heterosexual couples (Glickhouse and Keller 2013). In September 2015, El Movimiento de las Diversidades Sexuales y de Género, an LGBT rights group in Bolivia, authored a bill for the Bolivian Assembly that would extend the right of marriage to homosexual couples (Alanoca 2015). Aside from the work of this group, Bolivia still lacks any recognition of same-sex couples. As of 2014, on a scale from 0 to 100 degrees, Bolivia scored 22.0 degrees of support for gay marriage (AmericasBarometer 2014).

Although Bolivia remains conservative on the issue of same-sex partnerships, in May 2016 the Bolivian president signed a bill into law that “allows people to change their gender on official identity documents” (Tegel 2016). Bolivian Vice-President, Alvaro García Lainera, said [this new law] would put an end to the “social hypocrisy” in which many Bolivians had previously refused to acknowledge the existence of the LGBT community” (Tegel 2016). However, due to the low degrees of support for gay marriage,

as mentioned above, the bill was kept low profile while it was being debated in congress “to avoid generating opposition” (Tegel 2016).

II. Marijuana Legislation

In Bolivia, marijuana possession in small personal amounts is illegal, but “as a result of the shortage of public rehabilitation infrastructure currently, Bolivian police release people found with a small amount of cocaine or marijuana” (Andean 2012). The current law, 1988’s Law 1008, does not specify how much marijuana or cocaine qualifies as personal use. Bolivia is a unique case for the legalization of marijuana as it is plagued by cocaine that distracts from the issues surrounding marijuana. Specifically, the Bolivian government has denounced the 1961 UN Convention on Narcotic Drugs due to the provision that condemns the chewing of the coca leaf that is a strong cultural tradition. Thus, the government has had difficulty maintaining cultural tradition and preventing the production of cocaine. Bolivia has taken steps to begin implementing punishments for the possession of small amounts of cocaine and marijuana such as the proposals to modify Law 1008 to include fines or public service requirements. (Andean 2012)

III. Abortion Rights

The Bolivian laws allow abortion on four grounds: to save a woman’s life, to preserve a woman’s physical health, to preserve a woman’s mental health, and in cases of rape or incest (Department 2015). Following a legal challenge to the restrictive abortion laws of Bolivia, the supreme court upheld the restrictive abortion laws, but the court removed the hurdle of judicial approval in cases of rape, incest, and to preserve the

woman's life or health (Achtenberg 2014). The societal opinion of the cases where abortion should be legal are broken down into: legal in all cases (5%), most cases (15%), and illegal in most cases (31%), all cases (45%). When asked about the morality of abortion, Bolivians responded: morally acceptable (3%), morally wrong (87%), not a moral issue (5%), or dependent on the situation (5%) (Pew 2014).

Chile

Table 2.3 Chile Overview		
Gay Marriage	Marijuana Legal Status	Abortion Rights
Civil Unions Since April 2015 (Lavers 2015b)	Decriminalized (Drug ND.)	0/7 Allowance (Department 2015)

I. Gay Marriage

In April of 2015, the Chilean government extended civil unions to gay couples. The path to civil unions began in 2009 with President Sebastián Piñera as he declared his commitment to ending discrimination based on sexual orientation. Towards the end of his presidency, Piñera proposed legislation that would create el Acuerdo de Vida en Pareja (AVP) that would enable gay couples legally to establish their relationship. In January 2014, the AVP was approved by the Senate and advanced to the House of Representatives where it was approved in January 2015 (Lavers 2015a). Following a last attempt by conservatives to undermine the bill, President Michelle Bachelet signed the AVP into law on April 13, 2015 (Lavers 2015b). In September 2016, Bachelet announced that she would be introducing a same-sex marriage bill. This bill would not only allow gay couples to marry, but would include adoption rights for gay couples. This bill remains in the Chilean Congress and supporters remain “[cautiously optimistic]” (Lavers 2016). The public support for gay marriage is one of the highest in the region with 44.7 degrees of support out of 100 (AmericasBarometer 2014).

II. Marijuana Legislation

The current status of marijuana legislation in Chile is based on 2005's Law 20.000 that decriminalizes personal use of marijuana in certain cases but ultimately yields the decision to the case judge. "Law 20.000 formally decriminalized drug possession for immediate personal use in a private setting; [however...drug use in public is] punishable by fines, mandatory treatment, community service and/or suspension of the individual's driver's license (TNI ND)." The current administration under President Michelle Bachelet has expressed its ambitions to clarify the drug policies and decriminalize marijuana. (TNI ND.)

III. Abortion Rights

Chile does not recognize any grounds that allow abortion (Department 2015). The societal opinion of the cases where abortion should be legal are broken down into: legal in all cases (12%), most cases (35%), and illegal in most cases (20%), all cases (29%). On the morality of abortion, Chileans believe it is: morally acceptable (9%), morally wrong (56%), not a moral issue (16%), or dependent on the situation (15%) (Pew 2014). Chile is unique in the fact that it provides no allowances for abortion, but 67% of the population thinks that there is at least some grounds for legalizing abortion.

Costa Rica

Table 2.4 Costa Rica Overview		
Gay Marriage	Marijuana Legal Status	Abortion Rights
Common Law Marriage (Blake 2015)	Decriminalized (TCRN Staff 2015)	3/7 Allowances (Department 2015)

I. Gay Rights

In July of 2013 the Costa Rican president signed into law a bill allowing same-sex couples to enter into common law marriages (Blake 2015). The Costa Rican government has passed an “HIV/AIDS Law [prohibiting] discrimination based on sexual orientation, with a penalty of fines” (Glickhouse and Keller 2013). The first attempt at establishing same-sex unions was in 2006 when the Supreme Court ruled that same-sex unions were unconstitutional; the next attempt was to put the issue of same-sex union referendum but the Supreme Court ruled it unconstitutional. President Laura Chinchilla was in “favor of legalizing same-sex unions, but not marriage” during her four-year presidency 2010-2014 (Glickhouse and Keller 2013). Chinchilla’s successor, self proclaimed progressive President Luis Guillermo Solís has continued embracing the LGBT community as he flew a rainbow flag over the Presidential House for the International Day Against Homophobia and Transphobia (Dyer 2014). In 2014, the public support for gay marriage was 28.2 degrees of support out of 100-degrees (AmericasBarometer 2014). There is a current bill in the Costa Rican legislature that would extend the right of gay marriage to same sex couples, but it is being evermore “stalled under the weight of hundreds of amendments tacked on by evangelical lawmakers” (Dyer 2016).

The leftist party, Frente Amplio, has been a strong supporter of LGBT rights. Following the passage of the “Law of Young People” governing social services and marriage laws, conservative law makers “[realized] that their liberal counterparts had inserted language that could open the door to civil unions for gay couples” (Walker 2013). The loophole took the form of an amendment to the above mentioned Young People law; the amendment was proposed by José María Villalta, “a member of the left-wing Frente Amplio party,” following debate on the bill. Villanta attached the amendment to the bill “assuming there was no resistance” following the discussion that this “Law of Young People” should be “interpreted with the sense of opening to gays” (Blake 2015; Walker 2013). Realizing the loophole that had been sewn into the law, conservative law makers lobbied President Laura Chinchilla to veto the legislation but she did not. It was believed that a court challenge would follow the signing of the bill into law; however, two years later “a judge at the city's Family Court granted partners Gerald Castro and Cristian Zamora a common-law marriage based on an amendment to the Youth Code in July 2013 that mandated common-law marriages should exist regardless of gender and "without discrimination against their human dignity” (Blake 2015).

Although some have been able to enter into common-law marriages, due to the wording of the law only those ages 12 to 35 are covered under it, and “the decision did not allow Castro and Zamora to officially marry, but instead granted them a common-law marriage, which provides the same benefits of a traditional marriage -- guaranteeing the rights to inheritance, social security, insurance and visitation rights. However, it required the approval of a judge after a couple has been together for at least three years” (Blake 2015).

Therefore, gay marriage is not officially legal in Costa Rica, but couples have been allowed to enter into common-law marriages that provide the legal benefits of marriage. “ A bill is currently pending in the country's Legislative Assembly to approve civil unions,[but] evangelicals in the legislature have been working to slow down its passage” (Blake 2015).

II. Marijuana Legislation

The current policies regarding marijuana in Costa Rica stem from the laws enacted in 1961 that officially criminalized the drug. However, these laws are not very specific in regard to what is actually legal when it comes to growing or possessing marijuana. There are organizations that are lobbying for the allowance of marijuana usage for medicinal purposes, but the legislature has yet to enact any new legislation (TCRN Staff 2015). “A bill that would regulate the production of cannabis and hemp plants for medical and industrial purposes was debated in the Legislative Assembly in December of 2014. However, that bill has yet to pass. In January 2016 a criminal tribunal in the city of Alajuela acquitted an attorney who had planted marijuana for personal consumption” (Gutierrez 2016). Thus, it is clear that the marijuana and other drug laws in Costa Rica allow for various interpretations, and the court system seems to have lenience for small amounts of marijuana for personal consumption.

III. Abortion Rights

The Costa Rican government recognizes three legal grounds for abortion: to save a woman's life, to preserve a woman's physical health, and to preserve a woman's mental

health (Department 2015). Specifically, abortion laws in Costa Rica do not specify whether the preservation of a woman's health refers to her mental or physical health, or both; thus, the argument is made that all countries who are members of the World Health Organization (WHO) define health according to the WHO's constitutional definition of health, which includes both mental and physical health as aspects of overall health (Department 2015). Therefore, the addition of third ground for abortion, to preserve a woman's mental health, has been included in the recent analysis by the United Nations Department of Economic and Social Affairs/Population Division and others. The societal opinion of the cases where abortion should be legal are broken down into: legal in all cases (6%), most cases (12%), and illegal in most cases (28%), all cases (51%). On the morality of abortion, Costa Ricans find it is: morally acceptable (3%), morally wrong (83%), not a moral issue (4%), or dependent on the situation (9%) (Pew 2014).

Ecuador

Table 2.5 Ecuador Overview		
Gay Marriage	Marijuana Legal Status	Abortion Rights
Civil Unions Since 2009 (Glickhouse and Keller 2013)	Possession Less Than 10 Grams (TNI ND.)	3/7 Allowances (Department 2015)

I. Gay Marriage

Ecuador's government banned discrimination based on sexual orientation in its Constitution of 1998. With the adoption of the Constitution of 2008, same-sex couples were extended the right to form civil unions beginning in 2009. Again, this constitution also includes provisions banning discrimination based on sexual orientation, and also adds provisions to prevent discrimination based on gender identity. "However, it bans same-sex marriage as well as adoption of children by same-sex couples" (Glickhouse and Keller 2013).

II. Marijuana Legislation

The current government, under President Rafael Correa, has begun to revise many of Ecuador's laws related to drug use. The current laws overlap and cause confusion as Article 30 of Law 108 on Narcotics or Psychotropic Substances declares one should not be "deprived of their liberty for having been found under the effects of controlled substances," but Article 62 states that possession of a controlled substance is a criminal offense. Drug use is officially criminalized by the legal code; however, due to the strictness of the laws that were in place before the current, Correa's, administration, the

revisions that are being made to the legal code have begun lessening and reversing punitive sentences that were based on the prior interpretation of the laws. Therefore, in Ecuador one can be in possession of no more than 10 grams of marijuana without legal consequence due to Resolution 001-CONSEP-CO-2013 which stipulates that this possession, under 10 grams, shall not be considered a crime. (TNI ND.)

III. Abortion Rights

The Ecuadorian government allows abortion on three grounds: to save a woman's life, to preserve a woman's physical health, and to preserve a woman's mental health (Department 2015). The Ecuadorian abortion laws do not specify whether the preservation of a woman's health refers to her mental or physical health, or both; thus, the argument is made that all countries who are members of the WHO define health according to the WHO's constitutional definition of health, which includes both mental and physical health as aspects of overall health (Department 2015). Therefore, the addition of the third ground for abortion, to preserve a woman's mental health, has been included in the recent analysis by the United Nations Department of Economic and Social Affairs/Population Division and others. The societal opinion of the cases where abortion should be legal are broken down into: legal in all cases (5%), most cases (14%), and illegal in most cases (28%), all cases (51%). On the morality of abortion, Ecuadorians believe it is: morally acceptable (2%), morally wrong (85%), not a moral issue (8%), or dependent on the situation (6%) (Pew 2014).

Paraguay

Table 2.6 Paraguay Overview		
Gay Marriage	Marijuana Legal Status	Abortion Rights
No Same-Sex Partnership Recognition (Glickhouse and Keller 2013)	Possession Less Than 10 Grams (TNI ND.)	1/7 Allowance (Department 2015)

I. Gay Marriage

The Paraguayan government does not recognize any form of same-sex partnerships. “Paraguay’s 1992 Constitution prohibits same-sex marriage and civil unions” (Glickhouse and Keller 2013). The public support for gay marriage is 20.8 degrees of support out of 100 (AmericasBarometer 2014). SOMOSGAY, an LGBT organization working in Paraguay for LGBT rights, acknowledges the advantages of having neighboring countries, like Argentina, that are gay marriage friendly; thus, one can get legally married in another country without residing there (Matrimonio ND.). SOMOSGAY is working to promote legislation in order to work toward the legalization of gay marriage or civil unions in Paraguay.

The current political climate surrounding is not as favorable as other countries in the region as Paraguayan President Horacio Cartes strongly opposes same-sex marriage and “compared the support of same-sex marriage to believing in ‘the end of the world’ ” (Fox 2013b).

Again, in 2014, Paraguay “rejected a controversial anti-discrimination law that would have protected individuals from religious, sexual, political and physical discrimination. While the bill did not explicitly mention same-sex marriage, those

opposing the law used the issue to argue against the measure, saying such a law would open the door for pro-gay legislation in the country” (Sharnak 2014).

Amnesty International supported this bill along with Senators Miguel Abdón Saguier and Carlos Filizzola. However, the bill was met with fierce opposition due to the idea that this bill could lead for interpretation or argument for gay marriage in Paraguay (Sharnak 2014).

II. Marijuana Legalization

Since the passage of Law N° 1.340 in 1988, Article 30 specifically, states that the possession of 10 grams or less of marijuana is to be considered for personal use thus exempt from punishment (TNI ND.).

III. Abortion Rights

The Paraguayan government allows abortion in one circumstance: to save a woman’s life (Department 2015). The societal opinion of the cases where abortion should be legal are broken down into: legal in all cases (2%), most cases (3%), and illegal in most cases (26%), all cases (69%). On the morality of abortion, Paraguayans find it is: morally acceptable (0%), morally wrong (96%), not a moral issue (1%), or dependent on the situation (2%) (Pew 2014).

Uruguay

Table 2.7 Uruguay Overview		
Gay Marriage	Marijuana Legal Status	Abortion Rights
Gay Marriage Since 2013 (Freedom ND.)	Legalized & Regulated (Rodriguez-Ferrand 2016b)	7/7 Allowances (Department 2015)

I. Gay Marriage

The political shift to the left in 2004 appears to have begun the rapid progression of LGBT rights in the country. In 2004, Uruguay passed its anti-discrimination law that extended legal protections to all citizens regardless of their race, religion, sexual orientation, or gender identity (Glickhouse and Keller 2013). Next, in 2008, Uruguay became the first country in Latin America to legalize civil unions that allowed gay couples who had been cohabitating for five or more years to have the legal protections associated with actual marriage, such as pensions, healthcare benefits, inheritance protections, and child custody. This new form of unions also allowed heterosexual couples who had cohabitated for five or more years these legal protections (Uruguay 2016). The following year, in 2009, a Gender Change Law was passed that allowed individuals the right to legally change their name and sex on government issued documents without the requirement of having undergone gender reassignment surgery. Additionally, in 2009, Uruguay became the first country in Latin America to enact legislation extending the right of adoption to same sex couples (Glickhouse and Keller 2013). Finally, in 2013, Uruguay became the second Latin American country to legalize gay marriage (Freedom ND.).

The bill that led to the legalization of gay marriage in Uruguay was drafted by “the Black Sheep Collective (Collectivo Ovejas Negras), a gay rights group,” and the bill was met with friendly amendments on the floor that further granted equality to homosexual couples by allowing for “gay and lesbian foreigners... to come to Uruguay to marry, just as heterosexual couples” (Fox 2013a). The bill received healthy support from both houses of government and passed with a vote “of 71 of the 92 members of the Chamber of Deputies” (Fox 2013a). President José Mujica, who signed this bill into law, “spent more than a decade in prison for his actions as a leftist guerrilla in the 1970s” and, along with the strong leftist government installed in 2004, has been a driving force of “liberal laws” (Fox 2013a).

It is important to note that in 2010 the support for same-sex marriage rights was 50.5 degrees on a 100-degree scale, while the level of support in the United States was 47.4 degrees (AmericasBarometer 2010). By 2014 the support in Uruguay for same sex marriage had risen to 70.6 degrees with the United States increasing to 56.2 degrees (AmericasBarometer 2014). These average degrees of support put into perspective the progressive ideals that were working in Uruguayan society.

II. Marijuana Legislation

Uruguay’s Law to Legalize and Regulate Cannabis adopted in 2013 brought radical change to the country’s approach to cannabis production and use. The law allows legal access to marijuana in four ways: medical marijuana through the Ministry of Health, home-grown marijuana, membership clubs, and sales to adults in drug stores. Although registration of consumers and cannabis clubs has

been completed, implementation of sales in pharmacies is still underway. The law provides for education and public health awareness as to the risks involved with the consumption of marijuana. (Rodriguez-Ferrand 2016b)

Although it seems as if Uruguay has given free access to marijuana within its borders, Law No. 19172 has more goals than simply allowing an ease of purchase and use of marijuana. The logic behind the bill is that legal access to marijuana with better education will help reduce and prevent the abuse of cannabis. Thus, the state now controls all aspects of marijuana “from production to consumption, including the import, export, planting, cultivation, harvesting, acquisition, storage, marketing, and distribution of cannabis and its derivatives, through the institutions empowered by law.” The newly created Institute for Regulation and Control of Cannabis is responsible for the above-mentioned responsibilities. The users in Uruguay are restricted to the possession of 40 grams or less so that it can be determined that the possession is for the purpose of personal consumption (Rodriguez-Ferrand 2016b). Although the government has a monopoly on the production of marijuana, “private cultivation [is] allowed [and] users’ cooperatives with up to 45 members [are also allowed] (Ogrodnik et al. 2015).” The Uruguayan government also requires the registration of all involved with marijuana.

III. Abortion Rights

In line with its liberal stances on both marijuana and gay marriage, Uruguay allows abortion on all 7 possible grounds: to save the woman’s life, to preserve a woman’s mental health, to preserve a woman’s mental health, in cases of rape or incest,

due to foetal impairment, for economic or social reasons, and on request (Department 2015). The societal opinion of the cases where abortion should be legal are broken down into: legal in all cases (25%), most cases (29%), and illegal in most cases (20%), all cases (23%). On the morality of abortion, Uruguayans see it as: morally acceptable (20%), morally wrong (46%), not a moral issue (18%), or dependent on the situation (13%) (Pew 2014).

Venezuela

Table 2.8 Venezuela Overview		
Gay Marriage	Marijuana Legal Status	Abortion Rights
No Same-Sex Partnership Recognition (Maldonado 2015)	Decriminalized (TNI ND.)	1/7 Allowance (Department 2015)

I. Gay Marriage

The Venezuelan government does not recognize any form of same sex marriage or civil unions (Maldonado 2015) However, Venezuela does provide anti-discrimination protections for race, religion, sexual orientations, and gender identity (Glickhouse and Keller 2013). In 2014, there were 29.6 degrees of support out for gay marriage on a 100-degree scale (AmericasBarometer 2014).

The fight for same sex marriage has generated a lot of energy and momentum to mobilize even more for our movement so, the struggle doesn't stop here," reflected María Helena Ramírez Hernández, a youth organizer from Táchira state, as she shared her reactions to the recent Supreme Court of Justice (Tribunal Suprema de Justicia, TSJ) decision which gave the judicial green light to same sex civil marriage in Venezuela by declaring Article 44 of the Civil Code unconstitutional (Charles and Hernández 2016).

Social groups have continued organizing for same-sex marriage in Venezuela as the legal game begins to shift in their favor. Although the court's decision has officially declared article 44 unconstitutional, this does not immediately legalize gay marriages.

II. Marijuana Legislation

Since 1993 there has been no criminal punishment for the possession of twenty grams of marijuana for personal use; however, those caught in possession of marijuana may be subject to rehabilitation (TNI ND.).

III. Abortion Rights

The Venezuelan government allows for abortion on one ground: to save a woman's life (Department 2015). The societal opinion of the cases where abortion should be legal are broken down into: legal in all cases (2%), most cases (10%), and illegal in most cases (28%), all cases (58%). On the morality of abortion, Venezuelans see it as: morally acceptable (4%), morally wrong (86%), not a moral issue (4%), or dependent on the situation (5%) (Pew 2014).

Literature Review

1) Gay Marriage

The emergences of gay marriage, civil unions, and anti-discrimination laws for the LGBT community have been very forthcoming in the 21st Century. Currently, Argentina, Brazil, Colombia, and Uruguay offer their homosexual citizens the right to marry, while Chile and Ecuador extend the right of civil unions. However, the countries of Venezuela, Bolivia, Paraguay, Costa Rica, Guyana, Peru, Suriname, Belize, El Salvador, Guatemala, Honduras, Nicaragua, and Panama do not allow for gay marriage or civil unions. It is important to note that just because these countries do not allow for gay marriage or civil unions, many of these countries, including Costa Rica, Venezuela, and Bolivia, have passed laws and constitutional amendments that extend anti-discrimination protections to their LGBT citizens (Glickhouse and Keller 2013).

In regard to the latest changes in Latin America concerning gay marriage/civil unions and antidiscrimination, one can begin to understand these advances with a consideration of the history of the region. Coming out of the 1980s and 1990s much of Latin America adopted or restored democracy, and with this restoration, the political left was able to return from near extinction. Many scholars see the modern gay rights movement in Latin America stemming from the passage of anti-gay discrimination laws in Buenos Aires, Argentina in 1996. Many factors were at work with the progress being made in Argentina, as well as the rest of Latin America. Omar G. Encarnación argues that the gay rights movement in Latin America was much more than just mirroring the gay rights movements in the West. Encarnación points to several factors at work within the

region that helped lead social liberalization: modernization, rising incomes and education levels, an increase in secularization, constitutional reforms, and the emergence and reemergence of gay rights groups. Thus, the picture of gay marriage in the region is much broader than just outside influence, policy diffusion, and democratization. (Encarnación 2016)

With the recent increase in polling within the region, attitudes regarding same-sex marriage have not been progressing as quickly as the legislation has been enacted. In 2010, Uruguay and Argentina were the only countries in Latin America to hold a tolerance of homosexuals over 50%, while nations like Ecuador, Paraguay, and Bolivia held levels between 20%-30% tolerance (Gay 2010). Although Ecuador allows civil unions, its public support for same-sex marriage is rather divisive with 62.5% of those surveyed responding that they “strongly disapprove” and only 5.8% responding that they “strongly approve” (Maldonado 2015).

Kelly Kollman argues “a transnational network of policy activists, combined with a cross-border process of social learning by policy elites, has led to the emergence of an international norm compelling states to offer same-sex couples some kind of legal recognition (2007; Paternotte 2015).” In her piece, *Same-Sex Union: The Globalization of an Idea*, Kollman explored three key questions: what led some countries to legalize some form of same-sex partnership, what has prevented similar countries from following suit, and what explains the variation in countries that have adopted civil unions versus gay marriage? Kollman answers these questions with an array of variables: “transnational networks of policy activists and elites” through lobbying and information sources, the socialization of same-sex rights as human rights, “trans-governmental networks of

legislators, bureaucrats and judges,” “cross-national policy convergence,” and “domestic level [variables]” (2007). Depending on the case, the aforementioned variables provide different levels of impact based on the framing of the issue as well as the domestic culture and structure.

David Paternotte builds on the work of Kollman in his piece *Global Times, Global Debates? Same-Sex Marriage Worldwide* (2015). Paternotte finds three tendencies in the current realm of same-sex marriage and rights: countries debating the issue are becoming more diverse, the speed at which changes are being made and implemented are accelerating, and the cases of civil unions are often promptly followed by gay marriage. However, Paternotte clarifies that this is a more general framework and numerous countries continue to become unique to these circumstances. Paternotte notes the important domestic issues at play: “religion and secularization,” and “the strength of social movements.” Again, Paternotte emphasizes the importance of the transnational effects as well as “an internationalization of domestic debates” that seem to bring the issue of gay marriage to a world stage and borrow examples from countries that have already legalized gay marriage (2015). Specifically for Latin America, a direct impact of the legalization of same-sex marriage in Spain can be seen in the debates in both Portugal and Argentina. Thus, “transnational contacts with Spanish activists were crucial” to the further organization of social movements in both of the other countries:

After the adoption of [same-sex marriage in Spain in 2005,] Spanish activists toured Latin America with the support of their government to promote marriage reform. This strategy found fertile soil in Argentina, where Spanish

discourses and strategies were emulated by local activists. As a result, “Spanish funding, Spanish strategy, and Spanish influence all helped Argentine activists to achieve equal marriage rights (Jay Friedman 2012).” (Paternotte 2015)

Therefore, the impact of outside sources can be directly seen in the specific case of Argentina. These factors can be weighted accordingly within given countries and be used to determine if, when, and how same-sex marriage rights may come about.

2) Marijuana Legislation

There is a wide array of literature on the decriminalization of marijuana, but the most interesting take was found by Xavier Bongaerts, Pierre Kopp, and Marysia Ogrodnik in *An Economic Analysis of Different Cannabis Decriminalization Scenarios* where they laid out the economics in support of decriminalization (2015). This study found that the reasons for decriminalization were rather simple: “[repressive] cannabis policies are expensive and have limited impact on consumption. Consumption legalization significantly reduces expenses for repression and law enforcement, allowing for the allocation of more resources to other targets such as education and prevention” (Ogrodnik et al. 2015). The article further argues that legalization, or decriminalization, does not result in a spike in consumption so long as the state maintains the current price through taxation or other means.

Conversely, in *A Paradox in Overcriminalization*, Ekow N. Yankah argues that the reasons for decriminalization of marijuana are more complicated than social and fiscal costs of enforcement but rather the result of philosophical consensus among elite political philosophers. With the growth of criminal law, what has caused the laws around marijuana use to retreat? (2011)

Yankah argues that “the decriminalization of marijuana is motivated not merely by economic convenience and is not supported by actual agreement among [citizens]. Rather, the decriminalization of marijuana is supported by philosophical agreement... Indeed, more important than liberal consensus is the fact that liberals and nonliberals alike can agree on the decriminalization of marijuana” (Yankah 2011).

In addition, Hannah Hetzer and John Walsh show that the legalization of marijuana in Uruguay was not specifically for the purpose of economic relief, but the government saw it as a last resort for the alleviation of the drug crises that have plagued Latin America (2014). The argument is that most Uruguayans remain opposed to the legalization of marijuana although the government is moving forward with legalization.

“Insights from the workshop sparked the creation of *Regulacion Responsable*, a broad coalition of trade unions, doctors, musicians, lawyers, athletes, writers, actors, academics, and students alongside organizations promoting LGBT rights, women’s rights, health, and the environment. *Regulacion Responsable* held public events and launched a national TV ad campaign—featuring a mother, a doctor, and a lawyer explaining the measure’s benefits—which reached hundreds of thousands of Uruguayans” (Hetzer and Walsh 2014).

Therefore, an complex situation is created where the government is actually justifying its legalization of marijuana to the citizens rather than the citizens demanding marijuana legalization from the government. However, the government maintained that legalization would benefit society much more than if it remained criminalized. Legalization serves three benefits: “strengthened public safety,” “improve public health,” and “[resolved] a legal contradiction” (Hetzer and Walsh 2014). Uruguay openly states that it is only doing what is best to counter the drug problem within its borders and claims that it should not serve as a framework for other countries that seek to address their respective drug

problems. Returning to Yankah's argument that philosophical unison can result in the decriminalization of marijuana, it is important to note that the government under which marijuana was legalized in Uruguay enjoyed a comfortable majority in government both from their president and in their houses of congress. Therefore, the model that Yankah proposed fits the case of Uruguay, where political ideology and philosophy align to decriminalize, or legalize, marijuana while public opinion in favor of legalization of marijuana remains low.

3) Abortion Rights

Following the democratization of Latin America in the 1980s and 1990s, many organizations began organizing for women's rights. The beginning argument was framed in a way that women's rights are fundamental to democracy. Along with others, these organizations fought for the decriminalization of abortion, and demanded that where abortion was legal, it should be safe and accessible. These organizations gained more momentum following the United Nation Agreements of Cairo in 1994 and Beijing in 1995 that acknowledged the dangers of unsafe abortion, especially those in Latin America as this region has been plagued with thousands of unsafe abortions due to its previously extremely restrictive abortion laws. The September 28th Campaign for the Decriminalization of Abortion began in 1990 with goals of promoting the liberalization of abortion laws region wide, countering the conservative opposition with research and data that corroborated their stance, and to improve post abortion services. The founding of this organization helped lead to a regional exchange of ideas where other organizations such as Católicas por el derecho a decidir, an Uruguayan abortion advocacy group, and el Centro de Información y Desarrollo de la Mujer, a Bolivian women's rights group, partnered with September 28th, and others, to further their agenda in Latin America. (Quienes 2010)

Several means have helped liberalize the abortion laws in Latin America. Legal policy reform is one option that is able to change laws "by proposing comprehensive health bills, which include the decriminalization of abortion, as has happened recently in Uruguay" (Kane 2008). Another method is by organizing around abortion rights with doctors and medical associations as they are "highly respected members of the

community [that] lend legitimacy and gravity to the movement, and, from a purely pragmatic perspective, without their support and willingness to perform abortions, access to abortion would be even more limited” (Kane 2008). Additionally, as was done in Uruguay, framing abortion as an issue of public health can be successful.

The decriminalization of abortion has been linked to key Supreme Court decisions in Argentina and Bolivia. Specifically, both nations have found after exhaustive legal review that “the constitutionality of the model of indicators for lawful abortion provided in the countries’ criminal codes” (Bergallo and Michel 2016). Therefore, it is seen that legal framework has been a key factor in abortion decriminalization. The judges deciding these cases have used treaties, conventions, and regulations from the international arena as a basis for the decisions. In Bolivia, “the Inter-American Convention on Human Rights and related court rulings” were used as justification, but the court also reviewed the cultural background within Bolivia where indigenous culture had deeply influenced law and found that “the dynamic culture of life that understands nothing as irreparable could thus conceive abortion as part of the life cycle (Bergallo and Michel 2016).” The case of Argentina was resolved through the lens “that abortion in the case of rape was constitutional for every rape survivor.” Following the court rulings and “a series of international human rights rulings... [these] rulings have provided interpretations of the legal duty to protect women and not deny a woman access to abortion when a fetus is diagnosed with anencephaly (“a serious birth defect in which a baby is born without parts of the brain and skull (CDC 2015)”), when the pregnancy resulted from rape, or when the health or the life of the woman is at risk (Bergallo and Michel 2016).” These rulings were a factor in the continued liberalization of abortion access in Latin America.

Analysis

I. Gay Marriage

Country	Legal Status	Special Case Notes	Contributing Factors
Argentina (Freedom ND.)	Gay Marriage 2010	CHA Involvement Buenos Aires Civil Unions 2002	Social Groups
Uruguay (Freedom ND.)	Gay Marriage 2013	Civil Unions 2009	Ideology
Ecuador (Glickhouse and Keller 2013)	Civil Unions 2009	New Constitution of 2008	Ideology
Costa Rica (Blake 2015)	Common-Law Marriages	Amendment on “Law of Young People” Bill	Ideology
Chile (Lavers 2015b)	Civil Unions 2015	President Piñera’s AVP	Ideology

Currently, our cases from Latin America yield five countries (Argentina, Chile, Costa Rica, Ecuador, and Uruguay) that allow for some form of same-sex partnership, civil unions, gay marriage, or same-sex partnerships, and three countries (Bolivia, Paraguay, and Argentina) that do not allow any form of same-sex partnership. To begin dissecting the cases, it is necessary to deduce direct causes of same-sex rights as well as proximate causes that may be acting as well. Following this, we will examine the progress that has occurred in the countries without these partnerships as well as the accelerators and decelerators, and finally, compare these factors amongst the nations that have yet to legalize same-sex partnerships.

Beginning with Argentina, civil unions were first legalized in 2002, and organizing by various social groups helped successfully lobby the government for gay marriages despite low popular support of gay marriage in 2010 (Encarnación 2011; Freedom ND.;

Buenos 2009). The case of Uruguay was rooted in the political shift to the left of the spectrum following the elections of 2004, which installed a strong leftist ideology throughout the government; in cooperation with the Black Sheep Collective, law makers proposed this bill, and it was well received by the houses of government in 2013 (Fox 2013a). In Ecuador, the new constitution of 2008 included LGBT rights, including civil unions. Although this constitution gives gay couples the right to civil unions, President Rafael Correa has said that he does not intend for his government to legalize marriage for gay couples (Sanchez 2014). Costa Rica provides the most controversial “legalization” of common-law marriages for gay couples as the way these were marriages were legalized was due to an amendment that was tacked onto 2013’s “Law of Young People” whose wording allowed for an interpretation favoring gay partnership rights. Two years following the passage of the law, in 2015, a judge utilized this law as basis for allowing a gay couple to marry under the guise of a common-law marriage that affords them most of the benefits of gay marriage. This friendly amendment tacked on by José María Villalta is the sole reason that there is currently any recognition for same-sex couples in Costa Rica (Blake 2015). Finally, the case of Chile involved President Sebastián Piñera’s commitment to the LGBT community. President Piñera’s Acuerdo de Vida en Parja [Agreement of Life Partnership] was approved by both houses of government and extended civil unions to same-sex couples in 2015 (Lavers 2015a).

In the cases of the countries that extend some form of partnership to same-sex couples, it appears that a liberal ideology in government has been a major contributing factor in the cases of Uruguay, Costa Rica, and Chile. In the case of Argentina, it seems that social pressures motivated the government to act; specifically, the human rights

violations that had been committed by the military junta in the 1970s served as a background for President Cristina Fernández de Kirchner to sign the bill legalizing gay marriage into law (Encarnación 2011). When considering the case of Ecuador, although President Rafael Correa is a conservative Catholic, his new constitution of 2008 extended the right of civil unions to gay couples (Sanchez 2014).

Table 3.2 Lack of Gay Partnership Countries		
Country	Has Gay Marriage Been Proposed?	Special Case Notes
Bolivia (Glickhouse and Keller 2013)	Yes	Current Proposal Hasn't Been Voted On
Paraguay (Sharnak 2014)	No	No Anti-Discrimination Laws for LGBT
Venezuela (Maldonado 2015)	No	Recent Supreme Court Decision

The countries of Bolivia, Paraguay, and Venezuela do not extend partnerships of any kind to same-sex couples, but Bolivia and Venezuela are better prospects for eventual legalization than Paraguay. Currently, Bolivia has a bill in the assembly that would extend the right of marriage to homosexual couples, and Bolivia also has anti-discrimination laws that protect from sexual orientation and gender identification discrimination (Glickhouse and Keller 2013; Alanoca 2015). In Paraguay, the anti-LGBT president has openly denounced the idea of gay marriage, and the government opposed an antidiscrimination law that would provide protections to the LGBT community as it would open an opportunity for gay marriage legalization (Sharnak 2014). Last, in Venezuela a recent Supreme Court ruling has many feeling optimistic for same-sex marriage as Article 44 of the Civil Code, which recognized marriages as a union between

one man and one woman, was ruled unconstitutional (Charles and Hernández 2016).

However, this does not immediately open the door for gay marriages in Venezuela, which would require either another legal ruling or legislation for gay marriages, or other same-sex partnerships, to be allowed in Venezuela.

Therefore, we can see a clear divide in the cases of the countries that have yet to legalize some form of same-sex partnerships: on one side, we have Bolivia and Venezuela who have yet to legalize gay marriage but both provide antidiscrimination protections to LGBT citizens, and, on the other side, we have Paraguay with an openly anti-LGBT president and refusal to approve antidiscrimination laws in fear of opening a loophole for the eventual legalization of same-sex marriage.

II. Marijuana Legislation

Table 3.3 Marijuana Decriminalization Overview			
Country	Legal Status	Year	Special Notes
Argentina (Henaio 2009)	Decriminalized	2009	“Small-Scale” Personal Use
Bolivia (Andean 2012)	Decriminalized in Practice	1988	Denounced 1961 UN Convention on Narcotic Drugs
Chile (TNI ND.)	Decriminalized	2005	“Immediate” Personal Use
Costa Rica (TCRN Staff 2015; Gutierrez 2016)	Decriminalized	1961	Personal Consumption Not Punished
Ecuador (TNI ND.)	Decriminalized	2013	Limited Possession of 10 Grams
Paraguay (TNI ND.)	Decriminalized	1988	Limited Possession of 10 Grams
Uruguay (Rodriguez-Ferrand 2016b)	Legalized	2013	Regulated by Uruguayan Gov’t
Venezuela (TNI ND.)	Decriminalized	1993	No Criminal Punishment for 20 grams, but might require rehabilitation.

The issue of marijuana legalization in Latin America is much more uniform than would be expected. Although we have three levels of decriminalization (legal, decriminalized, and decriminalized in practice), there is much more common ground amongst these nations than division. It is important to clarify that the decriminalization in all countries, except Uruguay, solely involves person use, not sale or production. Decriminalization means that there is not criminal punishment for the possession, but in countries such as Venezuela may require those in possession to attend a treatment program.

In 2013, Uruguay officially legalized and began regulating the production and distribution of marijuana (Rodriguez-Ferrand 2016b). Argentina, Chile, and Costa Rica

have no criminal penalty for “small-scale” possessions; Ecuador and Paraguay limit possession for personal use of 10 grams while Venezuela limits personal use possession to 20 grams (TNI ND.; TCRN Staff 2015; Drug ND.; Henao 2009). The only outlier in this group is Bolivia that has decriminalized “small-scale” possession in practice, but the legal code still criminally punishes this. Due to a “shortage of public rehabilitation infrastructure” those found in possession of “small-scale” amounts of marijuana often receive no punishment (Andean 2012).

There is a clear division between countries that have had decriminalization for a few decades while there are other countries that have recently decriminalized and restructured their drug laws. On one hand we have Bolivia reforming marijuana law in 1988, Costa Rica 1961, Paraguay 1988, and Venezuela 1993 addressing personal consumption of marijuana in close proximity to the return of many democracies in the region. Bolivia and Venezuela have similar stances in that Bolivian law does outlaw personal use of marijuana but it is decriminalized in practice, and Venezuelan law does not criminally punish possession of 20 grams but can legally require those in possession of marijuana to receive rehabilitation (TCRN Staff 2015; TNI ND.; Andean 2012). On the other hand, Argentina reformed marijuana laws in 2009, Chile in 2005, Ecuador in 2013, and Uruguay in 2013. Argentina, Chile, and Ecuador are very similar when it comes to the allowances of personal use marijuana, but Uruguay remains the only country that has legalized and begun regulating marijuana within its borders (Henao 2009; TNI ND.). Even though marijuana has been legalized in Uruguay, personal possession for personal use is limited to 40 grams (Rodriguez-Ferrand 2016b).

III. Abortion Rights

Table 3.4 Abortion Rights Overview	
Country	Abortion Allowances
Argentina	1-4
Bolivia	1-4
Chile	0
Costa Rica	1-3
Ecuador	1-3
Paraguay	1
Uruguay	1-7
Venezuela	1
Key of Abortion Allowances 1: to save the woman's life 2: to preserve a woman's health 3: to preserve a woman's mental health 4: in cases of rape or incest 5: due to foetal impairment 6: for economic or social reasons 7: on request (Department 2015)	

When discussing abortion, there are seven grounds that are used as justification for abortion as referenced above in Table 3.4. Again, our cases can be divided into three categories: extremely restricted, restricted, and unrestricted. I argue that Chile, Paraguay, and Venezuela are extremely restricted countries as Chile does not allow abortion on any ground and Paraguay and Venezuela only allow the procedure to save the woman's life. Next, Argentina, Bolivia, Costa Rica, and Ecuador comprise the group of countries with restricted abortion access with Argentina and Bolivia allowing abortion on four ground and Costa Rica and Ecuador allowing abortion on three grounds. Uruguay is the only country that allows unrestricted access to abortion, with abortion allowed for any of the seven grounds. (Department 2015)

IV. Qualitative Analysis Summary

Variable	Argentina	Bolivia	Chile	Costa Rica	Ecuador	Paraguay	Uruguay	Venezuela
Gay	6	0	4	2	4	0	6	0
Marijuana	3	1	3	3	3	3	6	3
Abortion	4	4	0	4	4	1	6	1
Total	13	5	7	9	11	4	18	4

Key:
 Gay Marriage: Gay Marriage (6); Civil Unions (4); Common-Law Marriage (2); None (0)
 Marijuana Legality: Legal (6); Decriminalized (3); Decriminalized in Practice (1)
 Abortion Rights: Unrestricted (6); Restricted (4); Extremely Restricted (2); None (0)

Based on the cases sorted out above, this qualitative analysis provides a basis for ranking how socially liberal the countries are. Furthermore, this analysis yields Uruguay as the most socially liberal, Argentina, Costa Rica, and Ecuador tied for the second most socially liberal, Chile as third most socially liberal, Bolivia as fourth most socially liberal, and Paraguay and Venezuela as fifth most socially liberal. A clearer picture of these rankings is available below in Table 3.6. In the next section of this paper, more variables that are favorable to social liberalization will be included to compare to this basic analysis of social liberalization.

Rank	Country	Score
1	Uruguay	18
2	Argentina	13
3	Ecuador	11
4	Costa Rica	9
5	Chile	7
6	Bolivia	5
8	Paraguay	4
8	Venezuela	4

Liberalization Score

Table 4.1 Detailed Social Liberalization Predictor Scoring

Variable	Argentina	Bolivia	Chile	Costa Rica	Ecuador	Paraguay	Uruguay	Venezuela
Marriage	6	0	6	6	6	0	6	0
Orientation	1	1	1	1	1	0	1	1
Gender ID	1	0	1	1	1	0	1	1
Adoption	1	-1	0	0	-1	0	1	0
Marijuana	3	1	3	3	3	3	6	3
HDI	7	1	8	4	3	2	6	5
GII	5	3	7	6	4	2	8	1
GDP per	6	1	7	4	3	2	8	5
GDP per Growth	5	8	4	6*	2	6*	3	1
Equal Pay	1	1	0	0	1	1	0	0
Parliament	6	8	2	5	7	3	1	4
Legislated	1	1	0	1	1	1	1	0
Income	8	2	5	6	3	1	4	7
Unemployment	3	8	5	2	6	7	4	1
Urban Population	7	3	6	4	2	1	8	5
Religion	6	2	7	5	3	1	7	1
Abortion	3	3	0	3	3	0	6	3
Average Ed.	7	5	8	3	1	2	4	6
TOTAL	77	46	70	60	41	32	75	44

1) Marriage: Gay Marriage (Freedom ND.; Glickhouse and Keller 2013; Lavers 2015b; Mata 2013; Maldonado 2015)
a) Legal Gay Partnerships Available (6); No Legal Gay Partnerships (0)

2) Orientation: Sexual Orientation Legal Protections (Encarnación 2016)
a) Legal Protections (1), No Legal Protections (0)

3) Gender ID: Gender Identity Legal Protections (Encarnación 2016)
a) Legal Protections (1), No Legal Protections (0)

4) Adoption: Gay Couple Adoption Rights (Encarnación 2016)
a) Adoption Rights (1), No Adoption Rights (0), Constitutional Ban (-1)

5) Marijuana: Marijuana Legality (Andean 2012; Drug ND.; Henao 2009; Rodriguez-Ferrand 2016; TCRN Staff 2015; TNI ND.)
a) Legal (6); Decriminalized (3); Decriminalized in Practice (1)

6) HDI: Human Development Index Rank (UNDP 2014)
a) Countries ordered 8-1 with the best HDI score receiving a value of 8 and lowest HDI receiving a value of 1

7) GII: Gender Inequality Index Score (UNDP 2015)
a) Countries ordered 8-1 with the best GII score receiving a value of 8 and lowest GII receiving a value of 1

8) GDP per: GDP per Capita (WB 2016)
a) Countries ordered 8-1 with highest GDP per Capita receiving a value of 8 and lowest GDP per Capita receiving a value of 1

9) GDP per Growth: Percentage of GDP per Capita Growth 2015 (WB 2016)
a) Countries ordered 8-1 with highest growth percentage receiving a value of 8 and lowest GDP growth receiving a value of 1 (a tie between Costa Rica and Paraguay results in a score of (6) for both countries)

10) Equal Pay: Equal Remuneration Law (WB 2016)
a) Countries with Equal Remuneration Laws received (1) while countries without Equal Remuneration Laws received (0) as of 2015

11) Parliament: 2014's Percent of Women in Parliament (UNDP 2015)
a) Countries ordered 8-1 with highest percentage of women receiving a value of 8 and lowest percentage of women receiving a value of 1

12) Legislated: Legislated Gender Quota's in Government (Quota 2015)
a) Countries with legislated gender quota (1), countries without legislated quota (0)

13) Income: Median Household Income (Gallup 2012)
a) Countries ordered 8-1 with highest household income receiving a value of 8 and lowest household income receiving a value of 1

14) Unemployment: Unemployment Percentage (WB 2016)
a) Countries ordered 8-1 with lowest unemployment rate receiving a value of 8 and highest unemployment rate receiving a value of 1; unemployment rates of 2014, percentage of total labor force unemployed

15) Urban Population: Percentage of People living in Urban Areas- Urbanization (World 2015)
a) Countries ordered 8-1 with highest rate of urbanization receiving a value of 8 and lowest rate of urbanization receiving a value of 1

16) Religion: Percentage of Population identifying as Catholic, Protestant, or Other (Pew 2014b)
a) Countries with lowest percentage of religious alignment receiving a value of 8 and highest rate of alignment receiving a value of 1

17) Abortion: Number of Legal Abortion Allowances (Department 2015)
a) Unrestrictive Laws (6); Restrictive Laws (3); Extremely Restrictive Laws (0)

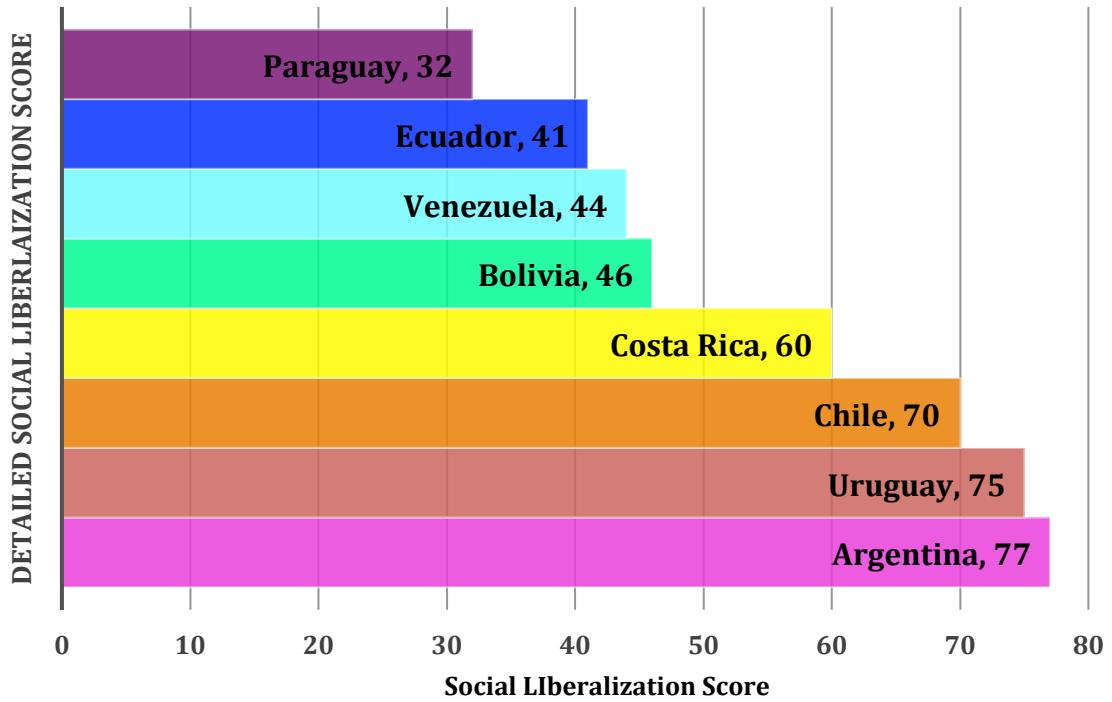
18) Average Ed.: Average of Male and Female Percentages of those 25 and older with some secondary education. (UNDP 2015)
a) Countries ordered 8-1 with highest percentage of some education receiving a value of 8 and lowest percentage receiving a value of 1

Table 4.1, the Detailed Social Liberalization Predictor Scoring, includes 18 variables that are thought to be influences on liberal social policy. Financial indicators, such as GDP per capita and GDP growth, are used because countries with more financial resources are better equipped to take on social issues once their societies are stable and provided for financially. Education levels are used as it is shown higher levels of education leads to higher levels of liberal social views. Last, urban population percentage is included as more urban areas are often more diverse and socially liberal than rural communities.

Based on the above detailed social liberalizations scoring in Table 4.1, we find that ranking these cases from most socially liberal to least socially liberal would yield the following list: Argentina (1), Uruguay (2), Chile (3), Costa Rica (4), Bolivia (5), Venezuela (6), Ecuador (7), and Paraguay (8). Below, Table 4.2 lays these results out for a quick glance. The variables that were incorporated into the Detailed Social Liberalization Scoring are all factors that we would expect to see in socially liberalized countries and are weighted according to their various values.

Table 4.2 Detailed Social Liberalization Ranking		
Rank	Country	Detailed Social Liberalization Score
1	Argentina	77
2	Uruguay	75
3	Chile	70
4	Costa Rica	60
5	Bolivia	46
6	Venezuela	44
7	Ecuador	41
8	Paraguay	32

Chart 4.3 Detailed Social Liberalization Ranking



Discussion

I. Gay Marriage

The original premise that countries with high levels of social group involvement would yield laws that were more favorable to gay partnerships seems to be partly true, but a majority of the cases discussed herein were influenced more by ideological views rather than social pressure. Argentina serves as the main case that supports the argument for social groups as means of gay marriage liberalization, but when it comes to the cases of Uruguay, Ecuador, Costa Rica, and Chile, it appears that these governments were working with social groups but their main motives were ideologically based. Specifically, the case of Costa Rica serves as an example due to the work of a left-wing law maker who tacked on an LGBT friendly amendment to the bill that was being passed for young people. The lawmaker's ideology served as the base for his argument that this law should be "interpreted with the sense of opening to gays" (Blake 2015). This type of legislation can be again seen in the case of Uruguay, the first nation to legalize any form of gay partnership nationwide, when it first legalized civil unions in 2009 and further legalized gay marriages in 2013 (Freedom ND.). Chile's AVP proposal by President Piñera is what led to the legalization of Civil Unions in 2015 (Lavers 2015b). Therefore, I would argue that the political ideology of the government is the main factor that leads to the legalization of same-sex partnerships. In other words, a more progressive, leftist government will yield more liberal social policies in a shorter time span than other governments, like the strongly conservative government of Paraguay.

II. Marijuana Legalization

Marijuana decriminalization has spread across Latin America since the return of democracy in the 1970s. However, the idea that marijuana is decriminalized based on fiscal need does not stand. It appears that governments are addressing the issue of marijuana in two waves. The first wave of decriminalization, in my cases, began with Costa Rica in 1961 and encompassed the nations of Bolivia, Paraguay, and ultimately Venezuela in 1993 (Andean 2012; TCRN Staff 2015; TNI ND.). The second wave began in 2005 with Chile and encompassed the nations of Argentina, Ecuador, and finished with the legalization of marijuana in Uruguay in 2013 (TNI ND.; Rodriguez-Ferrand 2016b; Henao 2009). The first wave of decriminalization appears to be in resolution of repressive laws that were in place in Latin America following the collapse of the repressive regimes, and the second wave seems to be in unison with the other liberal changes that were taking place in the region. Similar to the span of the second wave, Argentina, Ecuador, Chile, and Uruguay also legalized forms of same-sex partnerships in these years. Thus, the ideology that led to the legalization of these partnerships aided in the decriminalization and legalization of marijuana in these cases. Although fiscal pressures have contributed to the decriminalization of marijuana in cases like Bolivia where the government does not have the necessary resources to follow through with the rehabilitation of offenders, I argue that the political shift in the region towards leftist ideology seems to be driving changes. Additionally, in Uruguay the government fully legalized marijuana in an effort to reduce consumption. The argument was that bringing drug use out of the shadows would allow the government to begin addressing the problem associated with drug use.

III. Abortion Rights

Not many changes have occurred in regards to abortion rights in Latin America. Uruguay serves as the exception as the only country in Latin America that allows abortion on all grounds. The religious pretext remains strong in the countries that have extremely restrictive abortion laws, but in Argentina, Bolivia, Costa Rica, and Ecuador it appears that more rights are being afforded to the women in these countries due to international organizations. For example, WHO's interpretation of "health" has served as a solid argument for the addition of preservation of a mother's mental health as a ground for abortion. These governments have followed international movements favoring women's rights and the social groups in these respective countries have further lobbied for women's rights, especially abortion.

Conclusion

This paper sought to evaluate social liberalization in Latin America as well as the factors that have aided the process of liberalization. Following an analysis, Argentina, Uruguay, Chile and Costa Rica are arguable the more socially liberal countries in this case set while Bolivia, Venezuela, Ecuador, and Paraguay appear as the least socially liberal. Ideology and social groups appear as the strongest factors aiding social liberalization. The cases of Uruguay and Paraguay emulate this as the governments are seemingly on separate ends of the political spectrum. Uruguay has gay marriage, legal marijuana, and unrestricted abortion laws while Paraguay does not have any same-sex partnership, has an anti-LGBT president, has decriminalized marijuana, and only allows abortion on one ground. Although these countries are not polar opposites on all issues, the political divisions on abortion and gay marriage are clear. Additionally, the anti-discrimination law that protects LGBT citizens in Uruguay does not exist in Paraguay. An interesting finding is across gay marriage legalization, marijuana decriminalization and legalization, and abortion allowance, public opinion on governmental policy did not play a decisive role in the government's ultimate decision.

I expect that as more countries in the region legalize gay marriage and marijuana that countries with extremely restrictive abortion laws will move into the less restrictive category. I anticipate that abortion will be the slowest variable to socially liberalize, but with the continued international progress in international organizations the allowance of abortion to save the life of the mother, preserve the mental and physical health of the mother, in cases of rape or incest, and in cases of severe foetal impairment will become standard across much of Latin America.

Works Cited

- Achtenberg, Emily. 2014. "For Abortion Rights in Bolivia, A Modest Gain." <http://nacla.org/print/10011> (October 23, 2016).
- Alanoca, Jesús. 2015. "Entregan propuesta sobre parejas del mismo sex [They turn in their proposal for same-sex unions]." www.eldeber.com.bo/bolivia/entregan-propuesta-sobre-parejas-del-mismo.html (October 13, 2016).
- AmericasBarometer, LAPOP. 2014. Version 1.0.
- Andean Information Network. 2012. "Where does Bolivia Stand on Drug Decriminalization and Legalization?" <http://ain-bolivia.org/2012/04/where-does-bolivia-stand-on-drug-decriminalization-and-legalization/> (October 6, 2016).
- Barrionuevo, Alexei. 2010. "Argentina Approves Gay Marriage, in a First for Region." <http://www.nytimes.com/2010/07/16/world/americas/16argentina.html> (November 6, 2016).
- Bergallo, Paola and Agustina Ramon Michel. 2016. "Constitutional developments in Latin American abortion law." *International Journal of Gynecology and Obstetrics* 135 (2016)228-231.
- Blake, Eben. 2015. "Costa Rica Recognizes First Gay Common-Law Marriage With Central America's First Legally Recognized Same-Sex Relationship." <http://www.ibtimes.com/costa-rica-recognizes-first-gay-common-law-marriage-central-americas-first-legally-1951221> (November 7, 2016).
- "Buenos Aires mayor won't appeal same-sex ruling." 2009. <http://edition.cnn.com/2009/WORLD/americas/11/14/argentina.same.sex.marriage/> (October 31, 2016).
- Centers for Disease Control and Prevention (CDC). 2015. "Facts about Anencephaly."
- Charles, Jeanette and María Helena Ramírez Hernández. 2016. "'The Struggle isn't Over': Venezuela Moves Towards Marriage Equality." <https://venezuelanalysis.com/analysis/11963> (November 6, 2016).
- D'Alessandro, Andres and Tracy Wilkinson. 2010. "Argentina legalizes gay marriage." <http://articles.latimes.com/2010/jul/16/world/la-fg-argentina-gays-20100716> (November 6, 2010)
- Department of Economic and Social Affairs, Population Division. 2014. *Abortion Policies and Reproductive Health around the World*. United Nations.

- Department of Economic and Social Affairs, Population Division. 2015. *World Population Policies: Government Views and Policies*. United Nations.
- Dyer, Zach. 2014. "Social conservative lawmakers incensed over LGBT flag at Casa Presidencial." <http://ticotimes.net/2014/05/16/social-conservative-lawmakers-incensed-over-lbgt-flag-at-casa-presidencial> (October 13, 2016).
- Encarnación, Omar G. 2011. "Latin America's Gay Rights Revolution." *Journal of Democracy no. 2: 104*. Project MUSE, EBSCOhost (October 31, 2016).
- Encarnación, Omar G. 2016. *Out in the Periphery: Latin America's Gay Rights Revolution*. New York, NY: Oxford University Press.
- "The Freedom to Marry Internationally." ND. <http://www.freedomtomarry.org/pages/the-freedom-to-marry-internationally> (October 31, 2016).
- Fox News Latino. 2013a. "Uruguay Becomes Second Country in Latin America to Legalize Gay Marriage." <http://latino.foxnews.com/latino/politics/2013/04/11/uruguay-becomes-third-country-in-south-america-to-legalize-gay-marriage/> (November 7, 2016).
- Fox News Latino. 2013b. "Paraguay Elects Anti-Gay, Tobacco Magnate as President." <http://latino.foxnews.com/latino/politics/2013/04/22/paraguay-elects-anti-gay-tobacco-magnate-as-president/> (November 7, 2016).
- Gallup. 2012. *Countries Ranked by Median Self-Reported Per-Capita and Household Income*.
- Glickhouse, Rachel and Mark Keller. 2013. "Explainer: LGBT Rights in Latin America and the Caribbean." <http://www.as-coa.org/articles/explainer-lgbt-rights-latin-america-and-caribbean#Bolivia> (October 13, 2016).
- Gutierrez, Norma. 2016. "Decriminalization of Narcotics: Costa Rica." <http://www.loc.gov/law/help/decriminalization-of-narcotics/costarica.php> (October 17, 2016).
- Henao, Luis Andres. 2009. "Argentina decriminalizes small-scale marijuana use." <http://www.reuters.com/article/us-argentina-drugs-idUSTRE57O62M20090825> (October 31, 2016)
- Hetzer, Hannah and John Walsh. 2014. "Pioneering Cannabis Regulation in Uruguay." <https://nacla.org/article/pioneering-cannabis-regulation-uruguay> (November 1, 2016)

- Jay Friedman, Elizabeth. 2012. "Constructing "The same rights with the same name": The impact of Spanish norm diffusion on marriage equality in Argentina." *Latin American Politics and Society*, Vol. 54 (4):29-59.
- Kollman, Kelly. 2007. "Same-Sex Unions: The Globalization of an Idea." *International Studies Quarterly* Vol. 51 (2007): 329-357.
- Lavers, Michael K. 2015a. "Chilean civil unions bill receives final approval." <http://www.washingtonblade.com/2015/01/28/Chilean-civil-unions-bill-receives-final-approval/> (October 13, 2016).
- Lavers, Michael K. 2015b. "Chilean president signs civil unions bill." <http://www.washingtonblade.com/2015/04/13/Chilean-president-signs-civil-unions-bill/> (October 13, 2016).
- Lavers, Michael K. 2016. "Chilean president's marriage pledge greeted with cautious optimism." <http://www.washingtonblade.com/2016/09/23/Chilean-presidents-marriage-pledge-greeted-with-cautious-optimism/> (October 13, 2016).
- Maldonado, Arturo. 2015. "Same-Sex Marriage Resonates Most Strongly with Young People in the Americas." AmericasBarometer: Topical Brief (June).
- Mata, Esteban. 2013. "Presidenta Laura Chinchilla firmo ley con la que diputado harbian dado derechos a parejas gays. [President Laura Chinchilla signed a law that allows deputies to give rights to gay couples]." http://www.nacion.com/nacional/politica/Presidenta-firmo-duda-uniones-gais_0_1351864841.html (November 2, 2016).
- Office on Drugs and Crime. 2016. *World Drug Report*. Vienna: United Nations.
- Ogrodnik, Marysia, Pierre Kopp, Xavier Bongaerts, and Juan M. Tecco. 2015. "An Economic Analysis of Different Cannabis Decriminalization Scenarios." *Psychiatria Danubina* 27, no. Suppl 1: S309-S314. PsycINFO, EBSCOhost (November 1, 2016).
- Paternotte, David. 2015. "Global Times, Global Debates? Same-Sex Marriage Worldwide." *Social Politics* Vol. 22 No. 4 (2015): 653-674.
- Pew Research Center. 2014. *Religion in Latin America: Widespread Change in a Historically Catholic Region*.
- Pew Research Center. 2014b. *Religious Affiliations of Latin America*.
- Quota Project. 2015. "Argentina; Bolivia; Chile; Costa Rica; Ecuador; Paraguay; Uruguay; Venezuela." <http://www.quotaproject.org/country/> (November 6, 2016)

- Rodriguez-Ferrand, Graciela. 2016c. “Decriminalization of Narcotics: Argentina.” <https://www.loc.gov/law/help/decriminalization-of-narcotics/argentina.php> (November 6, 2016).
- Rodriguez-Ferrand, Graciela. 2012a. “Global Legal Monitor; Argentina: Supreme Court Decision on Abortion.” <https://www.loc.gov/law/help/decriminalization-of-narcotics/argentina.php> (October 23, 2016).
- Rodriguez-Ferrand, Graciela. 2016b. “Decriminalization of Narcotics: Uruguay.” <http://www.loc.gov/law/help/decriminalization-of-narcotics/uruguay.php> (October 17, 2016).
- Sanchez, W. Alejandro. 2014. “Ecuador takes big step for LGBT rights, recognizing civil unions.” <http://laopinion.com/2014/08/27/ecuador-takes-big-step-for-lgbt-rights-recognizing-civil-unions/> (November 7, 2016).
- Sharnak, Debbie. 2014. “In setback for activists, Paraguay rejects controversial anti-Discrimination law.” <http://latincorrespondent.com/2014/11/paraguay-senate-rejects-anti-discrimination-law/> (November 7, 2016).
- TCRN Staff. 2015. “Marijuana in Costa Rica: Laws, History and Potential.” <http://thecostaricanews.com/crime-courts/weed-in-costa-rica/> (October 13, 2016).
- Tegel, Simeon. 2016. “A surprising move on LGBT rights from a ‘macho’ South American president.” <https://www.washingtonpost.com/news/worldviews/wp/2016/07/17/a-surprising-move-on-lgbt-rights-from-a-macho-south-american-president/> (November 6, 2016).
- Transnational Institute (TNI). ND. “Drug Law Reform in Latin America: Country Information-Central America and South America.” <http://druglawreform.info/en/country-information> (October 6, 2016).
- United Nations Development Programme (UNDP). 2014. *Human Development Report 2014: Sustaining Human Progress: Reducing Vulnerabilities and Building Resilience*. United Nations.
- United Nations Development Programme (UNDP). 2015. *Human Development Report 2015: Work for Human Development*. United Nations.
- Walker, Tim. 2013. “Costa Rica ‘accidentally’ legalizes gay marriage.” <http://www.independent.co.uk/news/world/americas/costa-rica-accidentally-legalises-gay-marriage-8691185.html> (November 7, 2016).
- The World Bank (WB). 2016. *World DataBank: World Development Indicators*. The World Bank Group.

World Health Organization, Human Reproduction Programme, Sexual and reproductive health. 2013. Safe abortion: technical and policy guidance for health systems: Legal and Policy Considerations- Key Messages.

The World Factbook. 2015. "Field Listing:: Urbanization."
<https://www.cia.gov/library/publications/the-world-factbook/fields/2212.html#ar>
(November 6, 2016).

Yankah, Ekow N. 2011. "A Paradox in Overcriminalization." *New Criminal Law Review: An International and Interdisciplinary Journal*, Vol. 14, No.1 (Winter 2011): 1-34.