

EVIDENCE REPORT

No 53

Sexuality, Poverty and Law

Sexuality and Poverty Synthesis Report

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Jaya Sharma

February 2014

The IDS programme on Strengthening Evidence-based Policy works across seven key themes. Each theme works with partner institutions to co-construct policy-relevant knowledge and engage in policy-influencing processes. This material has been developed under the Sexuality, Poverty and Law theme.

The material has been funded by UK aid from the UK Government, however the views expressed do not necessarily reflect the UK Government's official policies.

AG Level 2 Output ID: 226

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First published by the Institute of Development Studies in February 2014
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Acronyms

ARROW	Asian-Pacific Resource and Research Centre for Women
AWID	Association for Women's Rights in Development
CBCP	Catholic Bishops' Conference of the Philippines
DEATHS	divorce, euthanasia, abortion, total reproductive health, homosexuality and sex education
HIV	human immunodeficiency virus
IDS	Institute of Development Studies
IHRFG	International Human Rights Funders Group
LBTs	lesbian, bisexual and trans men
LGBTs	lesbians, gay men, bisexual and trans people
LGBTI	lesbian, gay, bisexual, transgender and intersex
LGBTQ	lesbian, gay, bisexual, transgender and queer
RMSA	Rahtriya Madhyamik Shiksha Abhiyan
SECADI	Secretaria da Educação Continuada, Alfabetização, Diversidade e Inclusão [Secretary of Continuous Learning, Literacy, Diversity and Inclusion]
SOGI	Sexual Orientation and Gender Identity
VAWC	violence against women and children

Acknowledgements

We owe a debt of gratitude to all those community members who took part in interviews and focus group discussions during the implementation of the policy audits. Their inputs and analysis were invaluable in shaping our work. Their insights and experiences brought the issues alive and grounded the rather lofty process of policy analysis in their lived reality.

Thanks to akshay khanna, Sonia Correa and Andrea Cornwall for their support throughout the audit process. Along with the authors they helped to shape the cross-cutting themes that order this document. Elizabeth Mills also provided support in reviewing the drafts of this document.

1 Introduction

How do poor lesbians, bisexual women and trans men living in low-income urban settlements in the Philippines benefit from health, housing and other social protection programmes in a context where irregular income and insecure employment is the norm? How can disabled people in China live happy and rewarding sexual lives in the absence of legislation which supports sexual rights and their quest for pleasure and fulfilment? How will Brazil tackle high rates of homophobic discrimination and violence whilst rolling back the provision of sexuality-related education and undermining policies that offer protection and the possibility of inclusion? How will India realise its targets for girls' education if policies fail to make the link between sexuality and school attendance? What are the implications for South African families, in all their glorious diversity, of a new political push to promote a narrowly drawn vision of the family? These are some of the questions raised by a set of sexuality and poverty policy audits that took place during 2012–13.

This report synthesises learning from these audits and is part of a larger project that focuses on understanding the links between sexuality, gender plurality and poverty with the aim of improving socioeconomic policy and programming to support people marginalised because of their sexuality. The project was instigated as a result of earlier research by the Institute of Development Studies (IDS) Sexuality and Development Programme and partners. This research indicated that sexuality is directly related to physical, social and economic wellbeing, political participation and socioeconomic inclusion and the realisation of human rights, particularly for the poor and most marginalised (Jolly 2006; Armas 2007; Jolly 2010). The sexuality and poverty audits which were conducted for this project purposely set out to interrogate sites of development policy that were not explicitly linked to sexuality.

There are clear links between sexuality and poverty. Non-normative sexual desires, relationships and behaviour can constrain employment opportunities, affect people's ability to benefit from the informal economy, curtail opportunities for education, limit access to health care and other essential services, prevent people from coming together to act in their own interests and lead to alienation, marginalisation and community and state-sanctioned violence. Jolly's (2010) report of the links between sexuality and poverty is one of the most comprehensive literature reviews of the topic to date. She concludes that:

Poverty reduction programmes and economic policies need to be analysed for heteronormativity, to make visible the underlying assumptions about relationships and family forms, and to examine if they are excluding certain groups, or reinforcing unequal and oppressive relationships. Poverty reduction efforts must address the needs of people with stigmatised sexualities, including targeting specific initiatives to these groups. International donors need to examine their own policies and practices from these angles, and to start a dialogue with partners on these issues. (Jolly 2010: 7)

Despite this, sexuality is neglected within development policy and practice often on the understanding that this issue will be dealt with once more 'pressing' material needs have been addressed (Jolly 2000a; Cornwall 2006). Where the development sector has engaged with sexuality, for example through public health interventions, this has often focused more on regulation and the assertion of power than facilitating access to fundamental freedoms and entitlements (Gosine 2009; Harcourt 2009). Sexuality has been addressed in development with respect to sexual violence in the context of heterosexual women, but issues around pleasure and sexuality-related marginalisation has not. Importantly, heteronormativity impacts even those at the top of the sexual hierarchy, so whilst our concern includes, it must go beyond marginalised groups and identities.

2 Sexuality and poverty linkages

2.1 How are development organisations taking forward work on sexuality and poverty?

There are many ways through which development actors can demonstrate their commitment to work on sexuality and poverty. The creation of networks and alliances to push for social, political, economic and cultural change; the targeting of financial and other resources; the development of supportive public policy; and the creation of internal guidelines which encourage a focus on how sexuality and poverty intersect are all mechanisms which could be used to support grass-roots struggles.

2.1.1 Networks and alliances of like-minded allies undertaking joined-up activism

There are certain areas of development where a focus on sexuality would be more likely or play a more central role, such as tackling HIV, women's empowerment and gender-based violence and sexual and reproductive health. There are also many instances where networks of allies from the development sector have come together to advocate on issues related to sexuality. For example, the Ugandan Civil Society Coalition on Human Rights and Constitutional Law brings together 51 organisations whose remits include human rights, women's rights, HIV, LGBTI issues, the media and refugees to work in concert against the anti-homosexuality bill which was tabled in 2009.¹

Donors can also encourage the cross-fertilisation of ideas across interest groups. Mama Cash, a fund that grants to women's and trans groups, organises its priorities under the headings Money, Body and Voice. Yet it also has a Strategic Partnerships portfolio to fund capacity development and movement building that goes beyond any single thematic area. For example in 2012:

Mama Cash funded and participated in 'Venir al Sur' in Paraguay: a feminist gathering that brought over 250 activists together to discuss how they are challenging gender norms as a strategy to raise awareness about injustices and create cultures of tolerance and appreciation for diversity. The meeting offered a platform to build consensus and respect for a range of feminist positions and enabled the strengthening of alliances and collaboration among lesbian, bisexual, trans, intersex and queer activists in Latin America and the Caribbean.
(Mama Cash 2013: 25)

Despite these islands of good practice, much development practice is characterised by advocacy and implementation operating with a silo mentality, and therefore fails to capitalise on opportunities to further the agenda to link poverty reduction efforts with a recognition of how sexuality sometimes exacerbates economic exclusion.

Increased funding to tackle HIV in developing countries has enabled certain types of work on sexuality to be undertaken, for example, in relation to sex education and programmes with homosexual men and sex workers. Work on HIV has, however, been criticised for the inadequate way in which it deals with a range of sexuality-related issues including: transgender and intersex people's needs and desires (e.g. Campuzano 2008); the sexual rights of people living with HIV (e.g. Otwoma *et al.* 2009; Muller and MacGregor 2013); child rights (e.g. Bhana 2006); the human rights of sex workers (e.g. Seshu *et al.* 2009; Overs and Hawkins 2011); gender-related vulnerability (e.g. Edström 2010); lesbian health (e.g. Gosine

¹ Further information is provided on their website www.ugandans4rights.org (accessed 10 October 2013).

2004; Lenke and Piehl 2009); sexual pleasure (e.g. Knerr 2004; Gordon and Lewis 2005; Knerr and Philpott 2009); and heteronormativity (e.g. Seale 2009). As a result there have been calls for a more nuanced approach to HIV that takes sexuality more centrally into account (Boyce *et al.* 2006).

Sexuality has also been a focus of work on women's empowerment and on gender-based violence. Women's organisations, particularly those based on feminist principles, could be assumed to have a strategic interest in tackling harmful norms related to sexuality. However, these types of interventions have often focused on the negative aspects of sexuality and have been heteronormative in their outlook, which has excluded certain groups from their analysis and interventions. The law on violence against women and children (VAWC) in the Philippines covers same-sex intimate partners, but this is rarely discussed or addressed. Husbands and boyfriends are the more obvious suspects in VAWC cases mainly because intimate relationships are viewed heteronormatively. Whilst butch lesbians are subject to abuse by their femme partners, law enforcers often assume that the butch is the aggressor.

In part this reflects a failure of potentially synergistic movements for social justice to come together with a shared agenda for change. Writing as a practitioner and activist embedded within the Indian feminist movement, Sharma (2009) argues:

Women's movements have waged vital and tremendous battles against sexual violence and sexual harassment. However, women's movements, particularly in the global South, have tended not to engage with more positive aspects of sexual rights. Dynamic movements for the rights of lesbian, gay, bisexual, transgender and queer (LGBTQ) people have been struggling and growing in different parts of the world. However, there has not always been a strong synergy either within the different sections of LGBTQ movements or between these movements and women's movements.
(Sharma 2009: 11)

The International Conference on Population and Development in 1994 recognised sexual rights as central to both human rights and economic development. However, driven by funding allocations or the desire to achieve 'quick wins' with the 'magic bullets' of new health technologies, a comprehensive sexual and reproductive health and rights agenda has been lost. Single issue campaigns, such as those around HIV or maternal health, have mitigated against collaboration across a range of related issues and hampered progress in this area (Berer 2011). This constitutes an immense challenge to joint campaigning, activism and advocacy at international level and the opportunities to make links across these issues and with gender equality more broadly are often missed.

2.1.2 Financing

There are no accurate and comprehensive figures on the level of development assistance which is channelled to work on sexuality. The reasons for this are unclear but could include: the complexity of tracking funding across a range of thematic portfolios, (for example, health, gender, violence, human rights, etc.); the difficulty of comparing financing across disparate types of funding agencies and international and national delivery mechanisms; as well as the unlikelihood of funders and recipients tracking spending against indicators related to sexuality.

A recent study by the International Human Rights Funders Group (IHRFG) and the Foundation Center (the Center) mapped the spending of human rights-focused foundations. They surveyed over 700 foundations and estimated that funding for LGBT rights made up 6 per cent of financing for human rights, with the majority of grants being made available in North America (Lawrence and Dobson 2013). The Arcus Foundation estimates that 'LGBTI people receive less than one-one hundredth of 1 percent of all development funding' (USAID,

undated: 1). Periodic studies on international and national financing for sexual and reproductive health and rights tend to point to funding gaps which will hinder the attainment of the Programme of Action from the International Conference on Population and Development and related Millennium Development Goals (see, for example, UNFPA 2011). A survey (Pittman *et al.* 2012) by the Association for Women's Rights in Development (AWID) of 1,119 women's rights organisations concluded that many have 'essentially been living month to month, and have not even secured all of their funding for the current fiscal year' (p.11) and 'only 28% of women's organizations received core funding in 2010' (p.14).

Increasing financing is not the only strategy that funders can employ to support work on sexuality. Recently some bilateral donors have threatened to cut core funding to those countries which do not reform laws and policies that discriminate on the grounds of sexuality. In 2011 at the Commonwealth Heads of Government Meeting the UK Prime Minister David Cameron stated that he would use development cooperation to push beneficiary governments to reform laws that criminalised homosexuality (Abolafia Anguita, undated; Press Association 2011). This approach has been met with criticism from those organisations who would potentially be beneficiaries of such reform (African Social Justice Activists 2011). It has been argued that this type of aid conditionality: fails to link homophobia to broader norms around gender and sexuality which affect all citizens; can place lesbian, gay, bisexual, transgendered and intersex (LGBTI) people at risk of backlash; and is perceived by many in developing countries (and beyond) as imperialist (Wood 2011; khanna 2011).

2.1.3 Institutional guidelines and practice

Of course support for sexuality and poverty work should go beyond absolute levels of aid and address the way that international development organisations operate in practice through their institutional policies and the ways in which programmes are implemented. Bilateral organisations like the Swedish International Development Agency have published guidelines for staff which provide advice on how issues like sexual orientation and gender identity (Samelius and Wågberg 2005), sexuality (Runeborg 2008) and sexual rights (Runeborg and Anderson 2010) should be a focus of development interventions and considered within broader programmes. Recently, in 2011, USAID brought a more acute focus on LGBTI rights to their international development work through a Presidential Memorandum which stated that:

Agencies involved with foreign aid, assistance, and development shall enhance their ongoing efforts to ensure regular Federal Government engagement with governments, citizens, civil society, and the private sector in order to build respect for the human rights of LGBT persons.
(USAID: page not specified)

At first some aid recipients were confused as to whether this memorandum was a way of tying aid to law and policy reform (as per Prime Minister Cameron's announcement) (Corey-Boulet 2012) but it appears that this approach is a way of integrating and enforcing: leadership; non-discrimination principles amongst USAID and partner organisations; the 'encouragement' of legal, cultural and economic reforms to protect LGBTI civil rights; mainstreaming of LGBTI support into foreign assistance programmes; and the development of specific interventions (USAID, undated). Given the recent timing/occurrence of this initiative it is difficult to know how it will play out in practice.

It is important to note that this directive only relates to work on LGBTI issues and does not explicitly address sexuality in its broadest sense. The pervasive belief is that sexuality is related solely to homosexuality rather than recognising that sexuality pertains to what Jackson and Scott (1996) refer to as 'erotic desires, practices and identities'. As a result it will not lead to an amendment of USAID policies that are undermining the effectiveness of work on sexuality and poverty. For example, it does not affect USAID's 'anti-prostitution

pledge' which requires that non-governmental organisations that receive US funding for HIV or anti-trafficking work have a policy explicitly opposing 'prostitution' and may not use the funding to advocate for the legalisation of the occupation. This runs counter to the available guidance on sexual health, which suggests that the decriminalisation of sex work is necessary to provide a safe working environment. The Global Commission on HIV and the Law recommended that governments 'repeal laws that prohibit consenting adults to buy or sell sex, as well as laws that otherwise prohibit commercial sex, such as laws against "immoral" earnings, "living off the earnings" of prostitution and brothel-keeping' (2012: 43).

2.1.4 Public policy

The benefits of poverty reduction strategies, policies and related budgets are implicitly assumed to reach all citizens regardless of sexuality. Yet development agencies and governments rarely record the impact of their policies and programming on the material wellbeing of LGBT people and other people marginalised because of their sexuality (such as people with disabilities, single, widowed or those in inter-caste or inter-religious relationships) nor do they tend to factor it into their policy planning. As a result, these policies can be less than optimal in a political climate focusing on efficiency, value for money and reach in aid interventions.

Development policies often presume that 'the family', which is conventionally perceived to be male headed, is the unit of society to which interventions will be delivered. This means that they can miss households that do not conform with this model (Jolly 2000b). Some groups in society may suffer poverty and exclusion on account of their sexuality (e.g. the impact of homophobia in both excluding everyday practices and preventing access to basic human rights) and this is rarely explicitly addressed by policymakers. For example, policies that overlook the fact that people who break sexuality and gender-related norms are often disowned by their families, or may adopt alternative living arrangements, will not reach them or may impact on them adversely.

There are some examples of governments in developing countries which have put in place innovative programming that addresses sexuality and poverty. For example in the state of Bihar in India (Harvey 2008) and in Pakistan (Boone 2012) *hijras*² have been hired by the government to collect taxes, a programme which provides a new income stream. Also in the Indian context, the inclusion of the category of 'other gender' is included in gaining access to subsidised food grains in some states such as Tamil Nadu (UNDP 2010). There have been enactments of anti-discrimination ordinances at the level of local government units (city or *barangay*/village) in the Philippines that seek to protect the rights of LGBT people to obtain employment and access to social services.

2.2 How this project supports improved public policy and practice on sexuality and poverty

Whilst there is an emerging evidence-base charting the links between poverty and sexuality, it is under-developed. Therefore, there is a dearth of documentation and research on the intersections between sexuality and poverty and how these relate to policy and programming.

This project sought to fill gaps in the current knowledge-base related to sexuality and poverty and to provide policy-relevant, locally owned guidance on this issue that can be concretely used to influence change in the UK, Brazil, China, South Africa, the Philippines and India. Our national partners include Pink Space (China), Nirantar NGO (India), Sonke Gender Justice (South Africa), GALANG (the Philippines) and Universidade de Sao Paulo (Brazil).

² The 'third gender' *hijra* are found in South Asian communities, transcending simplistic conceptions of physiological sex, gender presentation and performance, presenting a challenge to preconceived notions of a gender continuum.

Each has a long history of work on sexuality and gender with communities that have provided them with access to stakeholders who are directly affected by the policies audited in this research. The Institute of Development Studies brought financing from the UK Department for International Development and learning from its Sexuality and Development Programme.

2.2.1 Process

Through a series of workshops and exchanges in 2012 and 2013 each of the five focus countries identified priority development issues: education in India and Brazil; social protection in the Philippines (Lim *et al.* 2013); disability in China; and socioeconomic stability in South Africa. They then worked together to identify and shape a series of tools that could be used to interrogate policies in these areas in terms of: their sexuality content; the norms and political factors which shaped their construction; their influence and impact; and recommendations for change.

Often in the policymaking process the politics of an issue is seemingly excised from the conversation – in the case of sexuality the suffering or pleasure associated with it is rarely discussed – which makes policymaking appear a linear, technical problem-solving exercise. Yet in all settings included in the audits we were aware that policymaking was neither value-free nor driven only by the available evidence in a particular area. Partners purposefully tried to interrogate the subtle interplays behind the politics that shaped particular policies.

The audits looked at the relationships between people, resources, discourses, ideas/knowledge, spaces and power. If particular issues were not on the policy agenda then we looked at the forces that led to them being omitted. As well as reviewing policy content, partners looked at the ways in which these were implemented where that was possible, often through dialogue with those people who are directly affected by the policies concerned. Stakeholders who participated in the policy-drafting process were identified to gain insights into the consultation, drafting and negotiation phases of the process.

Further details of the issues covered by the audits and the methodologies they employed are provided in Table 1.

Partners are in the process of using the evidence that was generated to advocate for change at the national level and to encourage other organisations wishing to understand and improve how development interventions respond to sexuality to conduct similar audits. What follows in this paper is an exploration of some of the key themes raised by the policy audits which trace the commonalities and differences across development issues and contexts. The paper concludes with a set of key learning points from the project.

Table 1. Development policies analysed in the sexuality and poverty audits

Country	Development issue addressed	Policy	Methodology
Brazil	A survey of 15,000 students in 501 schools in Brazil identified a wide range of acts of humiliation and homophobic violence in public schools (Mazzon 2009). The impact of homophobia in accessing basic human rights has been reported, including the impact of homophobic violence in schools in Brazil. This affects both educational rates and access to employment, key aspects to tackle poverty.	This audit analyses key aspects of public policies in education, gender and sexuality which have been designed as part of a wider programme, 'Brazil without Homophobia', launched in 2004.	<ul style="list-style-type: none"> • A critical review of policy documents produced by SECADI (Secretary of Continuous Learning, Literacy, Diversity and Inclusion, Secretaria da Educação Continuada, Alfabetização, Diversidade e Inclusão). • Seven interviews with key informants who were either directly involved in the development of policies against homophobia in the educational system, or are researchers in this particular domain. • Analysis of six interviews with <i>travestis</i>* from previous research. • Participation in a meeting entitled School Trajectories of <i>Travestis</i> and Transsexual People: History, Limitations and Rights.
China	In China the average per capita income of people with disabilities is only about 60% of that of the general population. More than 40% of people with disabilities in rural areas are living below the poverty line.†	The purpose of the audit was to explore how disability policy and practice relate to, and reflect, the sexual needs, desires, behaviour and relationships of people with disabilities, and their representation in and protection under these policies.	<ul style="list-style-type: none"> • A review of over 50 policies, regulations and laws directly or indirectly related to the lives of people with disabilities were analysed. • Analysis of interviews with a number of disabled people. • Focus group discussions with a number of Pink Space staff and with several NGOs that provide services and advice to disabled people.
India	There has been a significant increase in girls' access to elementary school education. However, there continue to be wide disparities with respect to region (including rural/urban), caste, religion, dis/ability and class. Levels of retention are low, especially in the last two years of schooling. The linkages with sexuality have not been explored, even by feminist educationists.	The audit addressed a national level government programme to strengthen secondary school education – the Rahtriya Madhyamik Shiksha Abhiyan (RMSA). RMSA aims to enhance access, quality and equity, with a focus on marginalised young people such as girls, <i>dalits</i> , Muslims and disabled young people.	<ul style="list-style-type: none"> • Content analysis of the RMSA. • A facilitated focus group discussion amongst the Nirantar research group, including an element of reflexive examination of their own experiences. • A rapid survey with the parents of 20 rural girls who were pulled out of school. • In-depth interviews with three transgender people.

*This document uses the term *travesti*, instead of transsexual, so as to be faithful to the sexual political meaning of this word in Brazil to denote differential modalities of gender performativity. *Travestis* are biologically born males who design themselves as women, who usually do not undergo sex reassignment surgeries but resort to other techniques of body modification, such as hormones or silicone application. This term refers to their identity politics.

†Pu Shaohua (2013) 'Let the Disabled Realize Well-off Together with the Whole Country People', *Xinhua News Agency* website/Chinese government website, 8 March.

(Cont'd.)

Table 1 (cont'd.)

Country	Development issue addressed	Policy	Methodology
The Philippines	Of the roughly 100 million Filipinos, about 27 million are poor, and many of these are women who live on a dollar a day or less. Nearly 3 million Filipinos are unemployed while close to 8 million workers are underemployed. Many urban poor lesbians, bisexuals and trans men (LBTs) work in the informal economy where there are no social protection policies to speak of while others who obtain jobs in the formal sector remit mandatory monthly contributions to public insurance companies even if heteronormative biases in the law prevent their same-sex partners from benefiting from the same protections heterosexual spouses enjoy.	This audit covers six social protection laws in the Philippines as well as selected provisions of the Family Code of the Philippines or Executive Order No. 209 as amended by Executive Order No. 227 as these relate to the identified social protection policies.	<ul style="list-style-type: none"> • Analysis of six social protection laws and selected provisions of the Family Code of the Philippines. • Two focus group discussions with ten women across GALANG's three organising sites. • A keyword search of decisions of the Philippine Supreme Court with respect to rulings involving issues of marriage and family life. • A review of microfilmed newspaper and journal archives to compile records of the Family Code drafting process. • Key informant interviews with 11 women active in the local women's movement and LGBT activism, particularly around legislative advocacy work.
South Africa	The push to develop a new public policy on families in South Africa has been reinvigorated, borne out of a desire to target services at family units rather than to individuals as is the current, very costly, social welfare system. The government significantly increased its spending on social grants from R16,027 million (US\$2.05 billion) in fiscal year 1998 to R71,161 million (US\$9.81 billion) in FY 2009 with just over a quarter of South Africa's population claiming benefits every month. [‡] In the context of a struggling local and global economy, and inequality within South Africa on the rise, more and more individuals are qualifying for and readily claiming monetary assistance through the welfare system.	This audit comments on the policymaking processes that led to the development of the White Paper on Families of November 2012, and explores how the South African government is increasingly adopting a heteronormative value system in its policymaking and programmes, despite resistance from civil society actors.	<ul style="list-style-type: none"> • Content analysis of the White Paper on Families • Participant observation and in-depth interviews with those involved in the drafting process: <ul style="list-style-type: none"> ○ Sonke Gender Justice staff ○ Government officials ○ Civil society actors

[‡]Van Der Berg and Siebrits (2010).

3 Audit topics in focus

3.1 Education

Rights related to sexuality and education include ensuring that access is free from discrimination, bullying and violence on the grounds of sexual orientation and gender identity and the provision of comprehensive and accurate information related to sexuality (Yogyakarta Principles 2007). The Millennium Development Goal (MDG) targets related to education have led to a focus on increasing access to services. Yet, despite these rights and the impetus of the MDGs, learners and teachers all over the world are subject to bullying for perceived failures to conform to norms around gender and sexuality, even when this is no more than a fear of transgressing sexual norms (UNESCO 2012).

Additionally, school staff, educational systems and policies fail to respond to the diverse needs of students in ways that hamper their ability to receive an education. Questions around the quality of school education are relatively under-explored in the literature, including the ways in which schooling might reinforce harmful norms related to gender and sexuality through 'taken for granted' regimes of power (Dunne *et al.* 2006). The authors argue that:

Within a context of compulsory heterosexuality in the school, gender positioning may occur through formal and informal institutional rules and practices that differentiate, e.g., separate queues for boys and girls, or that privilege male power, e.g., the appointment of a male as head prefect, or through the absences or 'blindness' that connect gender to sexuality, e.g., unsolicited physical contact such as touching and groping, assault, coercive sex and rape.
(Dunne *et al.* 2006: 79)

A study of the relation between gender socialisation and sexual coercion and violence in Ghana, Malawi and Zimbabwe concluded that students in the study sites were socialised to accept a high degree of gender-based violence (including sexual violence), reinforced by school disciplinary structures and staff, and other adult behaviours (Leach 2003).

Studies on homophobia in schools in South Africa demonstrate that it is pervasive and systematic, leading to verbal and physical attacks from staff and students (Butler *et al.* 2003). Although some scholars are exploring the school as a 'sexualised' institution where heterosexual norms are dominant and formulating suggestions for how educational policy and practice can be improved (see for example, Bhana 2012, in the case of South Africa) this has yet to have a significant impact on development policy.

The audit we conducted in Brazil had a particular focus on homophobia in schools and the way in which government policy impacts upon very high levels of sexuality-related discrimination. Abramovay *et al.* (2004), in research funded by UNESCO for example, showed that 25 per cent of students interviewed in their survey (16,500) did not want to have a homosexual as a colleague and highlighted that homophobic violence is often overtly assumed and valued by the group. A study supported by the Brazilian Ministry of Education (Mazzon 2009) surveyed 15,000 students in 501 schools and identified a wide range of acts of humiliation and homophobic violence in public schools. The authors emphasised the intersections between all forms of discrimination and violence based on class, race, gender and sexuality and note that these episodes have negative impacts on the learning process. Research conducted by Souza *et al.* (2012) in the state of Pernambuco included interviews with 110 *travestis* in the cities of Recife and Olinda. It concluded that 44.9 per cent did not finish elementary school (*ensino médio*), and 79.2 per cent left their parents' home before the age of 18 years due to their sexual orientation.

Some research on education in developing countries has pointed to the need to consider infrastructural issues as an explanation for why certain students are excluded from the educational system or experience it in a sub-optimal way. The division of toilets, changing rooms and other amenities according to 'male' and 'female' sex, with the attendant assumptions that map onto normative gender binaries, exclude many gender-nonconforming people from school attendance (Rasmussen 2004; Sood 2009). For example, research from Tanzania into the links between menstruation and schooling uncovered that inadequate toilet facilities, which made it difficult to dispose of sanitary pads or to wash away blood, caused anxiety related to the risk of other students finding out that you are menstruating and subsequent teasing and bullying (Sommer 2010). A systematic review on the provision of separate toilets for girls at schools and how the lack of these facilities impacts on their primary and secondary school enrolment, attendance and completion (Birdthistle *et al.* 2011) was unable to find any conclusive evidence to link the topics. However, the authors were able to conclude that toilet access is largely inadequate in developing countries and even where separate toilets for girls did exist they were 'less likely to use toilets that were not secure or clean or functional or private (from other girls as well as boys); or where girls were unfamiliar with a new type of latrine; or where amenities like water, soap, toilet paper and supplies for menstrual management were not provided' (p.34).

Girls in the Tanzanian study (Sommer 2010) reported that the onset of menarche often led to restrictions in mobility as parents became concerned about the risk of pregnancy. This made attendance at after school clubs or completing homework assignments more challenging and left girls conflicted over competing pressures to do well at school and pursue a career whilst simultaneously being expected to fulfil their role as a 'good woman' who marries and manages her sexuality and fertility in line with patriarchal norms. This resonates with the findings of our audit in India where fear that young women would experience sexual attack or assault on the way to school, or would enter into a consensual sexual relationship, was one reason why girls were pulled out of education. It must be emphasised that in the Indian discourse the link between education and sexuality has not been made yet, and it still remains viewed as a gender issue.

3.2 Social protection

Sexual and gender non-conformity are a barrier to employment in many settings – particularly those where non-discrimination law and policies are not in place. Non-conformity may also make it more difficult to take advantage of informal networks which provide support and income (Jolly 2010). Non-heterosexual employees may choose to hide their sexual orientation within the workplace and risk exposure and discovery. One study of homosexual employees in Turkey found that the overlaps between professional and domestic life led people to conceal their sexuality for fear of family abuse, abandonment and honour killings. These workers suggested that while:

legal reforms would be welcome relief for lesbian, gay and bisexual employees in Turkey, it is likely that such reformation would only serve as a starting point in what is a process of slow transformation. It would be an overstatement to see legal change alone as panacea where norms at the level of the family, friends and work colleagues defining what is acceptable and unacceptable behaviour toward sexual minorities are unaltered.
(Ozturk 2011: 1114)

Widows, unmarried people, single mothers, sex workers and others who break sexual norms may also find the strategy of concealment challenging. Trans people, feminine men or masculine women are often unable to pursue this option and find their job opportunities very constrained as a result.

Where employment opportunities and therefore material assets are constrained, social protection policies and programmes become an important safety net because they enable people to manage employment and financial risks. Health insurance, insurance that protects individuals if they are injured or involved in an accident, and cash or in-kind social benefits to those who find themselves unable to work can prevent catastrophic household expenditures and prevent people becoming financially impoverished. The right to social protection has been recognised in the Universal Declaration on Human Rights and this applies regardless of sexual orientation or gender identity (Yogyakarta Principles 2007).

Our audit in the Philippines reviewed six social protection laws. We found that heteronormative definitions of dependants affected lesbian women and trans men's partners' access to: life insurance; retirement benefits; disability benefits for work-related contingencies; death benefits; and health insurance policies. Access to programmes and saving schemes that helped to provide adequate housing were similarly hampered.

Many social programmes are not adequately sensitive to sexuality and gender issues. Reviews of social protection policies and programmes have pointed to the uneven ways that an understanding of gender norms, and interventions to tackle the structural impediments to gender equality, have been built into these interventions (see, for example, Holmes and Jones 2010). Our audit in South Africa investigated the development of the recent White Paper on Families.³ Although not explicitly described as such, discussions on the notion of family within this policy process were centred on the promotion of conservative family values and patriarchal heterosexual marriage, even in the face of evidence which shows that most South African families are not constituted in monogamous, heterosexual marriage and take a diverse range of formations. The audit concludes that this definition is borne out of the rise of religious and cultural fundamentalism which seeks to preserve what is believed to be the 'natural' gender and sexual order. Although such a narrow definition serves conservative religious and cultural interests, it works very well for the economic needs of a government with a dysfunctional welfare system.

These families live under a constitution which guarantees non-discrimination on the grounds of sexual orientation, yet this very narrow, normative framing of the family could have negative implications related to access to social services within the country.

3.3 Disability

The links between disability and poverty are various and multi-faceted. People with disabilities are usually poorer than their able-bodied peers and disability can be a cause of impoverishment. Groce *et al.* (2011) argue that:

Persons with disabilities can be particularly deprived since disability, as a result of prejudice, physical barriers and other constraints, can reduce the ability to earn an income. Conversely, a person with disabilities might need a higher income to achieve the same level of functioning as a non-disabled person. As a result, with a same income as non-disabled, persons with disabilities might face a capability failure. Injustice and inequality result from this inability to have the same options and opportunities as all other members of society.
Groce *et al.* (2011)

In addition, disability intersects with other axes of inequality in ways which are currently poorly understood and the literature in this area is under-developed. Attitudes to disability are influenced by prevailing patriarchal gender norms which privilege productive and reproductive capacities and this can have implications for the way in which the sexuality of

³ At the time of analysis and writing, the November 2012 version of the White Paper on Families was being reviewed by cabinet. It was later adopted in June 2013.

people with disabilities is viewed. Heteronormative biases mean that many imagine that sexuality is the preserve of young, normatively attractive, able-bodied, heterosexual people who are able to 'perform' sexuality according to a script which privileges penile vaginal penetration (Esmail *et al.* 2010).

On the one hand it is often assumed that people with disabilities, particularly severely impaired or elderly people, are asexual. As a result those people tasked with caring for them or the medical establishment may not give any thought to their sexual needs or sex education (Couldrick and Cowan, 2013). The idea that people with disabilities are in need of greater protection from sexual assault and unwanted sexual attention is also dominant. On the other hand greater restrictions may be placed on their ability to make decisions about their sexuality and reproduction leading to grave human rights abuses. The guardian system for Chinese disabled people laid out in Article 9 of the Disabled Protection Law gives a great amount of authority to parents or civil affair authorities over their expression of sexual desire, often shaped in heteronormative ways. Our audit calls upon greater oversight and training to ensure that the sexual rights of disabled people aren't infringed or suppressed by those in a position of care and authority over them. Connell (2011) makes the point that 'Women who are disabled in other ways may be seen as having dangerous fertility, and some are subjected to forced sterilisation or abortion' (p. 1377). Control over the sexual desires and behaviour of people with disabilities can be accentuated by medical and 'care' systems which are well placed to police those for whom they have assumed responsibility.

Our audit in China used the critical perspective of heteronormativity to analyse laws, regulations and policies related to disability and to uncover the ways in which they impact on the lives of people with disabilities. It sought to understand the sexual desires of people with disabilities and explore their sexual needs, sexual behaviour and intimate relationships. It was structured around three questions: (1) how are the sexual needs and sexual rights of people with disabilities, their intimate relationships, the right to marriage and family life dealt with in laws, regulations and policies? (2) Are people with disabilities adequately represented and protected within these laws, including through the way that the guardian system supervises and regulates their sexual and reproductive health? (3) Whether the issue of sexual and reproductive health education for people with disabilities is reflected in the laws, regulations and policies, and in the implementation of these policies in real life. The audit concluded that the extensive disability-related laws and policies in China were virtually silent on the issue of sexuality for people with disabilities leading to dangerous gaps in legal protection, sexuality education, and gaps in guidance for guardians and other care providers. The discourse surrounding the laws, regulations and policies governing the rights of disabled people heavily emphasises the physiological and psychological 'abnormality' of these individuals, focusing closely on protection rather than considering how they might limit inclusion in broader society.

4 Cross-cutting themes

4.1 The invisibility of sexuality in development policy

The sexuality and poverty audits which were conducted for this project purposely set out to interrogate sites of development policy that were not explicitly linked to sexuality. As discussed earlier, within the fields of gender-based violence, HIV and sexual and reproductive health there has been some attempt to understand how norms around sexuality affect social policy. But when it comes to broader development policy this area is under-theorised and under-researched. All of the researchers in our audit countries experienced significant difficulties in making the sexuality content and implications of their chosen areas explicit.

This is the case in Brazil where historically sexuality has never figured in the range of so-called structural policies, but has remained confined to specific areas, such as sexuality education or HIV/AIDS prevention. The fact that sexuality is not usually recognised as one key dimension of social wellbeing is one limitation of social policies because being a lesbian, a gay, a transsexual or *travesti* or an intersex person quite frequently impairs the ability of persons to access educational, economic, cultural and symbolic resources or social capital. The launching of the Brazil without Homophobia Programme, in 2004, signalled towards a positive shift in that respect, in particular because it coincided with the consolidation and expansion of Brazil's income transfer programme after 2002, when the Workers' Party administration began.

In China there are around 50 policies, regulations and laws directly or indirectly related to the life of people with disabilities: there is national legislation which aims to specifically protect people with disabilities; ministry-issued regulations; and provincial and city level government regulations and laws. But despite this plethora of legislation Pink Space found that there is no document which deals with sexuality amongst people with disabilities, despite the fact that people with disabilities in China may be at risk of sexual and reproductive ill health and vulnerable to sexuality-related violence and abuse.

In India Nirantar conducted a content analysis of the RMSA guidance documents and found significant gaps related to gender and sexuality. One of the major gaps related to the absence of the category of transgender. The second gap related to the absence of the dimension of sexuality in the analysis as to why young women are being pulled out of school. This was puzzling to an organisation which works at the grass roots on education and who were well aware that the parental fear that daughters might have sex on the way to school is a common one, even though there has been little recognition of this issue and no research related to it.

In South Africa same-sex couples can marry and homosexuals are protected by one of the most progressive constitutions in the world when it comes to sexuality. Yet Sonke found that its attempts to make the White Paper on Families inclusive of these unions were met with hostility and disdain. The White Paper goes some way to recognising the diversity of families in South Africa and provides a catalogue of the various family arrangements in the country, including skip-generation households, child-headed households, polygamous families and even migrant families. Same-sex relationships and marriages are also acknowledged (in five lines) and the document simply states that these are legal in South Africa. The author concludes that this is little more than an obligatory nod to sexual diversity rather than a thorough and concerted effort to understand and reflect on the socioeconomic needs and vulnerabilities of LGBTI families in the country, a reality starkly highlighted in some of the side conversations reported during the consultation process.

In the Philippines there has been a great deal of advocacy and policy interest in sexual and reproductive health in recent years. The passing of the Reproductive Health Bill in 2012 made sexuality education and government-funded contraceptive commodities and services an entitlement for citizens and also drew the ire of conservative and religious actors in the country. Yet despite the furor around explicitly sexuality-focused policy and legislation, social protection policies and programmes are silent on the issue of sexuality which is a reflection of how Family Law defines the family, the heteronormative attitudes of those tasked with implementing policy and the lack of engagement with development policymaking processes on the part of feminist and LGBTI groups.

Time and again, partners reported that the lack of sufficient resources available to community organisations campaigning around sexual and gender diversity meant that they were unable to place themselves in policymaking spaces, ceding ground to other stakeholders with deeper pockets, in many cases the organised religious right.

4.1.1 Difficulties in using or defining a language of sexuality

Many people experience difficulties in talking about sexuality, a subject that they consider intensely personal, in the public sphere. They may find it particularly difficult to talk about pleasure and desire in relation to public policy. In some settings it is possible to talk about the harms done to people because of their sexuality, in some cases. This might be particularly acute in settings where there is strict policing of women's sexuality or other marginalised people such as LGBTI people.

In India the issue of appropriate language came up in the context of interviews with the parents of school-age girls. When the parents spoke about their fears, they did not use words like sex. Such a direct use of language related to sex would have been too uncomfortable. (Even in the context of adult consensual sex, the public use of language can often be 'indirect' other than when being used in humour or in an aggressive manner.) The indirectness of the language did not pose a problem since, when used, it was clear from the words they were using, that they were referring to sexuality. For example the term '*unch neech*' came up often during the interviews. *Unch neech* is a reference to sex. It is a reference moreover to sex that would disrupt heteronormativity. *Unch neech* translates literally as Upside Down.

The Philippine audit also found that sexuality was referred to in a euphemistic manner or obfuscation was used when discussing sexual matters. The research team used Lawphil.net, an online database and search engine, to look for keywords used in contemporary SOGI [Sexual Orientation and Gender Identity] discourses. The keywords used for this audit were 'lesbian', 'lesbianism', 'homosexual', 'homosexuality', 'tomboy', 'LGBT', and 'T-bird'. Because not all these terms will have been in use throughout the last 111 years of Philippine judicial history, the searches probably did not yield all Supreme Court decisions involving sexuality, whether as a component of marriage and family life or otherwise.

However, learning and practising speaking about sexuality in relation to poverty and to public policy is crucial to improving wellbeing. The case studies given in the China audit provide some useful reflections on communicating about sexuality in relation to disability. The 'guardians' or carers of people with disabilities are often inadequately trained to understand and interpret the desires of people with disabilities and as a result either assume that they do not have any sexual feelings or ignore them. An interview with Tiger, a visually impaired HIV activist, points to the need for more and better sex education for people with disabilities. He explained that people who are not blind can see condoms in shops, and gesture to them rather than having to ask for them explicitly. They are also able to read the instructions for use which are provided as part of condom packaging or seek advice online. But a lack of information in Braille makes this very difficult for people with visual impairments.

4.2 Inadequate involvement of sexuality-related and other civil society groups in development policymaking

A common theme which runs across all of the audit countries, and which may help explain the lack of sexuality-related considerations in many of the policies which were audited, is that the consultation process on new development policies is often partial and exclusionary.

In all of the audits the formal spaces that enable civil society to engage with the policy process are limited. Often these are only open to professional policy and advocacy actors who are well educated, well resourced, and well networked. This means that people from marginalised groups in society and those from poorer socioeconomic groups are less likely to be afforded access. In the South African study, one informant stated that 'Policymaking in South Africa has become elitist, that's my view... It's organisations like Sonke who prioritise policy advocacy and have the resources to do it, including dedicating staff to attend meetings, analyse documents and write submissions. Many organisations don't have that capacity' (interview, 31 January 2013).

Conversely, sexual minority groups, or well-known organisations such as Sonke, can sometimes be afforded special access but they tend to be picked as representatives by people in power. Again they are not necessarily representative of all people marginalised because of their sexuality, particularly those who do not organise around a particular identity. In the Philippine context, poorer LBT women find themselves particularly excluded from a political establishment that conducts business in English, a language not as prevalent amongst disadvantaged communities.

Furthermore, simply being invited to feed into a process without taking into account the barriers to real and meaningful inclusion can be tokenistic. In many settings civil society organisations were under-resourced and did not have the appropriate skills to conduct policy and advocacy work and this hampered their ability to participate in the development of policy and laws. These audits strongly underline the case for investment in building capacity in these less visible elements of activity.

In China, laws and policies are usually subject to a range of consultations with central government, local government and scientific and academic organisations. One of the most important groups in raising disability in the policymaking process is the China Disabled Federation, a government body. While this body may claim to represent the views of some people with disabilities, its staff tend to be well educated and of a higher socioeconomic status. Pink Space conclude that it is unlikely that they truly represent the majority of people with disabilities in the country who have very little opportunity to participate in policymaking.

The audit from Brazil describes a narrowing of opportunities for progressive sexuality-related groups to influence educational policy and a growing resistance from dogmatic religious forces. For example, in 2011, the evangelical group in Congress, in alliance with other conservative sectors, pushed for the distribution of educational material which formed part of the sexual diversity promotion programme to be suspended. This was agreed by President Dilma Rousseff. This decision marked a sea change in the way that government addressed the issue of homosexuality.

In both India and the Philippines the patchy record of feminist engagement with policy development was noted. The authors were unable to identify whether work has been undertaken on dynamics related to gender and sexuality outside of the classroom. In India, even where feminist engagement in educational policy has occurred, transgender issues have not been recognised as an area of importance and consideration of sexuality largely remains confined to sexual violence. In the Philippines lack of engagement of feminist groups in the drafting of the family code is identified as a significant omission, particularly as this law

was created to address the clamour for equality between women and men. LGBT groups were also not involved in this policy process and others related to social protection meaning that the definitions that they employ of beneficiaries and dependants went unchallenged. It is important to note that in the Philippines women's rights and sexuality-related groups did not necessarily recognise the importance of these wider development policies or decided to strategically invest their efforts in processes which were more obviously gender and sexuality-related. This 'engagement gap' is also seen in the policy audit conducted in South Africa.

In South Africa the Green Paper that preceded the White Paper on Families was subject to country-wide consultation with government, civil society and the public. However, the public was only afforded one month between May and June of 2012 to give their inputs and civil society representatives interviewed for the audit report said that the organisations involved were not very diverse and relied on 'the usual suspects' of non-governmental organisations like Sonke that have the time and resources to monitor government processes and engage in networking and advocacy. Several respondents explained that of all the civil society groups present, conservative religious and faith-based organisations were most strongly represented. The Department of Social Development also enlisted representation from traditional leaders, an institution said to govern on the basis of African customary law and culture that is protected by the South African Constitution. The voices and perspectives of other human rights, gender, and of particular relevance for this research, LGBTI organisations, were missing.

4.3 Intersectionality

An intersectional approach has been central to feminist thinking and research on gender. Put simply, an intersectional approach sees 'oppressions not as parallel, but as interwoven, simultaneously acting and mutually constitutive' (Sharma and Nath 2005: 91). Across the policy audits the authors found that people's experience of development policies was mediated by their class, age, gender, sexuality, ethnicity, nationality and (dis)ability. Often a combination of these qualities come together in ways that more powerfully compounded the negative impacts of particular interventions. In addition to intersectionality of social dimensions such as between sexuality and class, there is intersectionality between development issues (such as livelihoods, education and health, for example) and sexuality that also needs to be recognised.

In India participants in the focus group discussions reflected on the way in which sexuality is taught in biology text books. They explained that there is no mention of sexual or gender diversity and only very limited acknowledgement of other forms of diversity, such as religion, caste, dis/ability, rural urban, class, etc. and how these may lead to discrimination. Yet when tackling issues of sexuality and discrimination issues like homophobia cannot be divorced from other forms of discrimination, particularly socioeconomic disenfranchisement. This point was neatly encapsulated by one of the interviewees in Brazil:

It is clear that homophobia, as well as other forms of discrimination, produce and feed other hierarchizations. Heterosexual people have advantages including financial advantages, in their professional careers... due to homophobia. But this should not be tackled only as a matter of social class or economic opportunity: it is needed to go into the kern of the question, confronting (enfrentando) heterosexism.

On the flip side in the Philippines it was felt that sexual rights issues could not be covered effectively without a focus on the socioeconomic situation in the country, particularly income inequalities. The fledgling LGBT movement in the Philippines tends to reflect the faces and voices of middle-class, college-educated, and mainly gay male urban professionals. Mainstream Philippine media tend to portray lesbians, gay men, bisexual and trans people (LGBTs) as affluent, well dressed, and upwardly mobile. Billboard advertisements pander to

gay men in a bid to sell skin-whitening products while gossip columnists train their sights on the latest female celebrity 'rebel' to come out as lesbian or raise eyebrows by sporting androgynous if not outright masculine garb. Market targeting of better-off homosexuals obscures the challenging lives led by lesbian and bisexual women and trans men in Manila. While sections of the middle-class gay movement in the Philippines campaign for marriage equality, poor lesbians, bisexuals and trans men in urban low-income settlements are more concerned about gender-based discrimination and violence and poverty. As has been noted before (Jolly 2010), in addition to encouraging development organisations to address the issue of sexuality there is a need to work with LGBT groups to make them more inclusive of development issues and people from poorer groups in society and other marginalised people, for example people with disabilities.

4.4 Heteronormativity and understandings of the family and marriage

Queer theory and feminist thought has troubled conventional notions of the heterosexual, nuclear family in ways which challenge understanding of what is considered 'normal' (Oswald *et al.* 2009). Heteronormative constructions of what constitutes families tend to imagine that these units are structured according to rigid gender norms based on a gender binary. When these norms are translated into public policy they can include or exclude certain people from benefits and distribute resources in ways which bolster existing power relations (Jolly 2000b). In India Nirantar took heteronormativity to mean the system of sexual and gender norms, rooted in material realities, which together with norms related to race, caste, class, dis/ability, religion, age, etc. maintains existing power relations in society. In China, Pink Space felt that heterosexual people neglected, discriminated against, oppressed and controlled the homosexual minority and that non-disabled people did the same to people with disabilities.

All of the audits found that notions of what constitutes a family are important in the creation and implementation of development policy. This heteronormative bias in society inevitably affects the views, beliefs and ultimately actions of policymakers. In the Philippines, GALANG found that the issue of how the law defines family, household, and head of the family was at the core of the audit of social protection policies. They argued that protection is afforded in most cases only to a bona fide member's designated dependants or beneficiaries who are, by default, understood to be family members by blood or marriage. This is clearly an area of great contestation, especially for non-traditional families whose choice of dependants and beneficiaries may be severely restricted by the law's heteronormative biases and traditions.

Those people implementing policies in the Philippines tended to rank blood relatives as more important than partners, as did some of the beneficiaries of policies. This had implications not just for LBT people, but also for households headed by a single individual, as well as those headed by unmarried heterosexual couples/common-law spouses and other people who did not conform (for example, the laws created an implied⁴ hierarchy of good and bad women and legitimate and illegitimate children). This had implications in relation to resettlement after 'slum' clearances, such as the invisibility of lesbian couples as family in Quezon City (presented as single individuals due to lack of legal papers to support their claim), as well as the accrual of the benefits of public health and insurance policies. There is a need to examine the individual as a possible unit for entitlements that the state is meant to provide to citizens and refugees.

In many settings the dominant view of the type of family that was being promoted failed to offer any critique of those elements of family life that might be harmful or damaging. In some cases, such as in South Africa, policymakers talked nostalgically about the 'lost paradise' of

⁴ The hierarchy is implied rather than explicit in the Philippines Family Code. The hierarchy is implied by the more narrow range of rights and privileges accorded to common law wives and illegitimate children, i.e. ownership of common properties, succession, etc.

a type of family life that had never actually existed. In some cases the notion of the family was cynically used for economic or political gain. For example, Sonke noted that analysis of the White Paper and statements from informants for this research showed that the notion of family is conservative and seeks to promote patriarchal heterosexual marriage, even in the face of evidence which shows that most South African families are not constituted in marriage and take a diverse range of formations. Whereas in most cases, research or 'scientific evidence' is used to motivate for a particular policy approach, in this context, there was a clear rejection of research reflecting the diversity of family structure in contemporary South Africa while utilising research (often not named) as evidence to establish that families formed through heterosexual marriage are better than other family types in South Africa.

The authors suggest that this nostalgic desire to promote a certain privileged type of family formation has roots in the idea that these families are more economically productive (although no evidence is offered within the White Paper supporting this belief). Privileging certain families over others is part of the increasingly conservative neoliberal government and the tightening of fiscal measures for social welfare grants.

4.5 Influence of religion

In many of the policy audits, religion was regularly found to be at the heart of the intersections between policy development and implementation. Unsurprisingly, religious belief continues to play a defining role in how many people in these contexts make sense of the world and find a sense of their identity. Similarly, there is a long tradition of religious actors being intimately involved in campaigns around poverty reduction. Since the 1970s with the rise of the religious right, however, this has meant that negotiating issues of sexuality and poverty is increasingly contested, but not without opportunities for engagement.

Religious dogmatism affected the ways in which public policy was formulated in many of the audit countries. In Brazil the authors noted that, in addition to ongoing campaigns against progressive sexuality policy and legislation, the Human Rights Commission is currently under the control of evangelical Christians. Members of evangelical Christian groups are calling for a review of gender reassignment surgeries for transsexuals, civil partnerships of same-sex couples and 'the gay cure' for homosexuals. Initiatives related to sexuality education or the promotion of respect for sexual diversity education are competing in the educational environment with the expansion of religious education, more than often impregnated with dogmatic views on sexuality and gender.

This had an impact on educators who were stigmatised and discriminated against for defending sexuality education or homosexual students, as well as compounding the difficulties in implementing public policies against homophobia, due to the resistance from local evangelical Christian groups, as cited by the informants. Further, this dispute can also be seen at a national political level in current debates around abortion, which continues to be illegal in Brazil, and the withdrawal of educational material on sexuality that deals with homosexuality and teenage pregnancy.

The audit authors in the Philippines outline how Catholic doctrine has had a pervasive influence on the development of family law and as a result impacts upon modern-day social protection policies. However, the Catholic influence is not a historical artefact and vociferous campaigning against the expansion of sexual and reproductive rights continues in the present day as the Catholic Bishops' Conference of the Philippines (CBCP) campaigns against the so-called 'DEATHS bills', an acronym which stands for divorce, euthanasia, abortion, total reproductive health, homosexuality (which the church has conflated with same-sex marriage), and sex education. For years, it has threatened to campaign actively against legislators who push for or support any of these bills. When the movement for the passage of the Reproductive Health Law gained ground, parish priests all over the country took to the pulpit in a bid to convince the faithful not to support the measure which church

leaders claimed would legalise abortion. Contrary to this claim, the law in fact explicitly recognises that abortions are illegal and only seeks to provide Filipinos better access to information on safe family planning methods.

Catholic activists have identified which legislators voted for and against the Reproductive Health Bill and have made the results public in nationwide billboard campaigns. The Catholic influence in the country is a legacy of Spanish colonial rule; before this there was tolerance of non-normative expressions of gender and sexuality. Pre-colonial, pre-feudal Philippine society is said to have been largely matrilineal.

In South Africa Sonke explains that the authors of the White Paper purposefully included Christian groups in the consultation process. Organisations like the Family Policy Institute actively work to discourage same-sex families and openly engage in what is often described as religious activism. In what it terms 'biblical advocacy', the Family Policy Institute states that it has actively become engaged in policymaking processes in South Africa as a result of government pushing through legal recognition of same-sex marriage in 2007. The Institute is '... committed to restoring and upholding marriage as a one-man, one-woman institution, defending the sanctity of human life, protecting religious liberty, fighting for family tax relief, and combating judicial activism that leads to court rulings that harm the family'.⁵

4.6 Dissonance between law and policy and lived reality

Policies rarely dealt adequately with the ways in which people live their lives in practice. In all audit countries, focus group discussions and interviews uncovered quite diverse perspectives on the relationship between sexuality and poverty which had not been taken into account by policymakers.

For example, in India the RMSA suggests that one way of overcoming girls being pulled out of school is to supply them with a bicycle so that they could travel the often long distances between their homes and places of education. This policy neglects the fact that parents are anxious that greater mobility may increase the likelihood of sexual activity before marriage and suggests that their desired solution is complete surveillance of their female children. The RMSA also fails to acknowledge that parents have anxieties related to the ways in which education and 'marriageability' intersect. 'Too much' education can make it more difficult for families to find a suitable husband for their daughter, raising the amount of dowry required, and the need for a well-educated spouse who can match his wife's level of education. Furthermore, 'too much' education was thought to be threatening because it may lead her to think about her own wants and desires which may be at odds with the ideal of the 'good woman' who is committed to the domestic sphere.

In the Philippines, individuals in lesbian focus groups said that they consider their same-sex partner to be their dependant regardless of whether the family code defined family relationships as being between husband and wife, parents and children and brothers and sisters. However, the state's failure to recognise their partnerships was blamed for instability and impermanence in intimate relationships as well as their economic insecurity.

In South Africa, despite the fact that there was no evidence to support the view, policymakers argued that heterosexual marriage was the ideal family formation. Sometimes this was based on the opinion that only through marriage could a range of benefits and protections be provided. However, Sonke contested this view of the South African legal terrain arguing that this simplistic view discounts the reality that the legal terrain is fraught with loopholes that often cut entitlements to women; that it tends to be male-centred and patriarchal and is likely to serve the interests of men. The legal justice system requires financial and material resources that most women do not have access to. Marriage does not often guarantee the

⁵ See, for example, www.familypolicyinstitute.com/fpi/about-us/purpose

rights and/or entitlements to women for these and a myriad of other reasons. Instead, marriage as an institution regulates and controls sexuality (for both men and women) and places heavy burdens on women and girls in terms of the gendered division of labour. Thus, most calls for families to be constituted in marriage are not articulated from a place of ensuring legal rights for women, but instead, from a need to police women's and men's sexuality and ensure social reproduction especially with its links to capitalism and economic stability.

In many settings the translation of paper policies into impactful programmes on the ground is fraught with difficulties. The Brazilian authors note that when analysing 'progressive' legal and policy reforms in Brazil it is always necessary to underline that, not un-frequently, while superb on paper, they may not be translated into real change, either because they remain unknown or un-funded, or else because they are resisted by both institutions and social actors. Furthermore, since the early days of democratisation, Brazilian sexual politics has faced a robust conservative resistance. If initially this resistance was posed by the Catholic hierarchy, more recently it is propelled by Pentecostal Evangelicals, whose number and political influence has greatly increased since the 1970s.

In Brazil the laudable aims of the Brazil without Homophobia policy were undone by the difficulty experienced by the Ministries of Health and Education in installing condom dispensers in secondary schools and the regular attacks on implementation by conservative evangelical actors. Furthermore, federal government policies are implemented at the state and municipality level meaning that local politics and acceptance play a role in whether or not they are successful. The governance and staffing of schools can also constitute an additional lower level barrier to implementation. Implementation was also hampered by inadequate funding allocations.

Even where the letter of the law is silent on sexuality and gender norms, such as the Philippine Urban Development Housing Act, policy implementers administer the law in a way that tends to exclude non-heteronormative family units.

5 Conclusion

Development and poverty-alleviation policies remain unable to fulfil their aim to raise the greatest number of people out of economic and social marginalisation because they fail to recognise and address ground-level realities.

Each of the audits includes a set of suggested future actions for those interested in better understanding the linkages between sexuality and poverty or supporting progressive work in this area. Drawing on the material that was gathered as a result of the audits, all partners have agreed to a set of common recommendations for activists, policymakers and practitioners.

5.1 The need to deepen and replicate the policy audits

There is very little research evidence on the links between sexuality and poverty in low- and middle-income countries. Conducting the policy audits was methodologically challenging yet it uncovered new ways of thinking about old, seemingly intractable development issues as well as highlighting the ways in which people marginalised because of their sexuality are excluded from the benefits of development. Heteronormative policies and programming have serious implications for people's lives and the unseen ground-level realities that we have explored in these policy audits cannot be understood without using the lens of sexuality.

Our recommendation is that further support is provided for ongoing investigation of the topics reviewed by the audits in China, South Africa, the Philippines, Brazil and India and for advocacy with the results gathered so far. It would also be prudent to expand this type of investigation to other topics in other countries. The audit authors are well placed to provide technical assistance and lead in a process of 'South-South learning' on how this process might roll out.

Throughout the process of designing and researching these policy audits, both the Institute of Development Studies and the five partner organisations have reflexively examined the efficacy of a number of tools and methodologies. This learning will be reflected in the upcoming toolkit we are designing so that governments, funders and NGOs are able to replicate similar analyses of poverty-alleviation policies in their own contexts.

5.2 Opening up and furthering discussions about sexuality and poverty

The audit authors discovered that it is often difficult to speak about sexuality and that uncovering the links between sexuality and poverty can bring its own challenges, for example the risk of backlash from conservative actors or poorly constructed interventions on the part of development practitioners. Certain groups of people are further marginalised due to their gender and sexualities by the experience with development agencies because the heteronormativity in their practice and programming serves to legitimise their marginalisation. This points to the importance of supporting progressive sexuality movements to dialogue on these issues amongst themselves and as part of their ongoing advocacy with decision-makers. We recommend that support is provided for meetings and movement building in a variety of low- and middle-income countries to allow for further exploration of the links between sexuality and poverty, to reach out to potential new allies and to formulate common positions. We recommend that international bodies listen to, and shape policy positions, based on the learning from this process.

5.3 Capitalising on the synergies between different movements and thematic areas concerned with sexual rights

There are many civil society, activist and academic groups based around issues like gender-based violence, women's rights and sexual and reproductive health that have not fully engaged with issues related to sexuality and poverty. The policy and practice of international agencies concerned with poverty also deal inadequately with this issue. We recommend that donor agencies encourage their grantees to consider sexuality and poverty in their ongoing work and that they integrate these issues into their own policy development mechanisms, recognising (as has emerged from the audits) that sexuality does not automatically mean LGBT. This may include training for new staff members on these issues, the creation of tools and guidance to shape funding and policy decisions, capacity development with grantees, the formulation of supportive policy positions within international policymaking and norm-shaping processes, etc. It could also include asking LGBT grantees to actively bring voices in from economically marginalised sections of their communities.

5.4 Further investigation of the influence of religion on sexuality and poverty

It is common knowledge that US-sponsored Christian campaigns in a variety of African countries have led to growing homophobia. As well as propagating Christian ideas about what is acceptable in terms of sexual behaviour and family life, these campaigns bolster the positions of 'conservative' actors within the American church whose viewpoints are not necessarily representative of the wider congregation (Kaoma 2013). Tamale (2013) cautions that it is important to understand that American evangelical anti-homosexual activity in Uganda has been used strategically by those in power. She argues that state-sponsored drives against homosexuality are part of a tradition of the instigation of 'moral panics' to divert attention away from pressing political issues:

Instead of blaming political mismanagement and corruption for high unemployment, the high cost of living, and poor health facilities, the population is encouraged to focus, inter alia, on red herrings such as 'the vice of homosexuality' and 'the evil of prostitution' which are fished out of the sea of morality particularly when electoral accountability is looming.
(Tamale 2013: 39)

This is a complex area and one that is poorly understood. We recommend that funders provide support for research that seeks to track and better understand the harmful influence of dogmatic religion on the furthering of sexual rights agendas, as well as examining opportunities for progressive engagement, such as in light of shifts in the Vatican's position on homosexuality under Pope Francis in the last two years.

5.5 A better understanding of those groups acting against sexual rights

Conservative actors, whether from civil society or within government, tend to see sexual and reproductive health and rights issues as interconnected. As is the case in the Philippines there is often a conflation of issues like access to safe abortion and improvements in equality and non-discrimination legislation to protect the rights of homosexuals. Yet those people working on sexual and reproductive health and rights have failed to address the issue of sexuality and poverty in a meaningful and joined-up manner. We recommend further support to advocacy organisations which can monitor and reveal the ways in which less progressive groupings engage with policy processes.

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