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A global human rights approach to pre-service teacher education on LGBTIs

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ABSTRACT

Pre-service teacher education on LGBTI rights and inclusion is impacted by multiple conflicting education governance provisions carrying different risks and duties for teachers. Pre-service teacher education has an international reach – catering to both international pre-service teachers and domestic pre-service teachers destined for careers and travel abroad. This paper argues that pre-service teacher education efforts focussing solely on local education treatments of LGBTI rights may leave pre-service teachers sorely underprepared for the differing education contexts they may encounter. The article proposes that teacher educators should communicate relevant international human rights legislation provisions and education policies on LGBTIs. It provides overviews of LGBTI identities, laws and policies, and data across multiple contexts based on key informant interview data and desk-based research. It argues that some sources on LGBTIs are unreliable and informed by broader disruptive geopolitical efforts, and suggests why and how to train pre-service teachers to avoid them.

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KEYWORDS

Sexuality; gender; LGBTI; education

Introduction: LGBTIs are politicised in education

Education – largely controlled by governments and international religious organisations – is the key industry in which politicised battles over lesbian, gay, bisexual, transgender and intersex (LGBTI) people are now being fought. Powerful transnational, national and local stakeholders are involved: the United Nations (UN), World Health Organisation (WHO), global religious organisations, regional governance bodies including the European Union (EU), governments, researchers and advocates. The volatility of education on LGBTI rights and inclusion is seen in how policies and programs favouring wildly differing approaches are often applied, retracted and re-asserted again by different authorities within a few short years. For example, the US' transgender student policies, Australia's Safe Schools Program, and various African and Eastern European nations' anti-LGBTI education propaganda bills (Jones, 2016b, 2017).

Pre-service teacher education providers increasingly cater to both local and international contexts where teachers may be fired, tortured or killed for being LGBTIs; supporting or not supporting LGBTIs; and sharing or not sharing information on

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LGBTIs. Risks and duties *vary substantially* by context. Overly localised treatments potentially endanger travelling or international pre-service teachers, or leave pre-service teacher education providers liable as government education providers have been in the past (Ferfolja & Robinson, 2004). There is a need for teacher educators to provide objective internationalist knowledge of LGBTIs in education to pre-service teachers; studies show teachers want this information (UNESCO, 2015). This article collates literature and data towards a global human rights approach to teacher education on LGBTIs. The approach supports teacher educators to: consider the transferability of existing teacher education literature on LGBTIs, globalise LGBTI conceptualisations, share international and national laws/policies on LGBTIs in education, use reliable research, and avoid unreliable sources.

Consider transferability of pre-service teacher education literature on LGBTIs

Pre-service teacher educators should consider the transferability limitations of the small body of pre-service teacher education literature on LGBTIs. It is sourced mainly from the US (Athanases & Larrabee, 2003; Larrabee & Morehead, 2010; Macgillivray & Jennings, 2008; Young & Middleton, 2002); Canada (Bazzul & Sykes, 2011; Mitton-Kukner, Kearns, & Tompkins, 2016); Australia (Ferfolja & Robinson, 2004; Reid & Sriprakash, 2012); and South Africa (Reygan, 2016). Some of the literature promoted training all pre-service teachers regardless of discipline in challenging LGBTI oppression in schools and creating classrooms as safe spaces for LGBTIs (Athanases & Larrabee, 2003; Ferfolja & Robinson, 2004; Larrabee & Morehead, 2010; Mitton-Kukner et al., 2016). Some studies analysed negative representations of LGBTIs in pre-service teacher education textbooks, and promoted supplementing these texts with affirming representations of LGBTIs (Bazzul & Sykes, 2011; Macgillivray & Jennings, 2008; Young & Middleton, 2002). Reid and Sriprakash (2012) promoted exploring “cosmopolitanism”: encouraging pre-service teachers to rethink LGBTI diversity as a central and necessary feature of social multiculturalism. Reygan (2016) promoted government-led and policy-informed approaches to LGBTIs in schools.

All of these studies propounded pre-service teacher education approaches relying on the existence of contextually-specific factors: legal allowance for anti-oppressive approaches; textbook representation of LGBTIs; high levels of multiculturalism in the local population; and policy provisions. The specificity of the factors enabling these approaches to LGBTIs can limit their transferability both to pre-service teacher education catering to international contexts lacking these factors, and catering to pre-service teachers travelling across multiple contexts in their careers. This article instead promotes a “global human rights approach to LGBTIs in pre-service teacher education”. The approach builds on the consideration of human rights seen to some degree in all approaches in the literature. However, it contrasts against them by privileging a “global” view and sensitivity to global transferability, based on an assumption that pre-service teacher education occurs in diverse locations for diverse populations. It focusses on how LGBTIs are conceived and approached in education differently within different contexts impacted by international human rights legislation, rather than within one specific context.

Globalise LGBTI conceptualisations

Reid and Sriprakash (2012) promoted exploring “cosmopolitanism” in pre-service teacher education on diversity, however rethinking LGBTIs in terms of social multiculturalism necessitates fostering an appreciation of the *provinciality* of their conceptualisation alongside more globally dominant formations. Therefore, pre-service teacher educators addressing LGBTI identities by first defining them should combat the sense that concepts associated with LGBTIs solely occur within “Western” identity constructions. This can be achieved by recalling diverse geographical histories of local LGBTI identity conceptualisations or social practices and emphasising their relevance to pre-service teachers of history, geography, and social studies.

Sexual orientation variance including same-sex and multi-sex attraction or encounters are not limited to gay, lesbian, bisexual, fluid and queer “labels” – these are established in multiple nations’ pasts. Around 2500 years ago Vatsyayana’s *Kama Sutra* included an entire chapter on homosexuality; male same-sex relationships appeared in Tamil literature in the 3rd century BC and female same-sex relationships were seen in 1700s Urdu poetry (New England Publishing Associates, 2002). Same-sex sexual acts were documented as a normal facet of life prior to 1800s Western influence within the context of general male sexual craving in the Middle East (Rouayheb, 2005); and romantic relationships in Asia (Pflugfelder, 2000). Whilst in early modern history British colonisation spread anti-sodomy laws throughout many countries and Western psychiatry pathologised what it labelled “homosexual” attraction, evidence from researchers like Kinsey and members of the American Psychological Association (APA) informed the dominant contemporary view in the West that homosexuality is a common and healthy occurrence in humans and animals (APA Task Force on Appropriate Therapeutic Responses to Sexual Orientation, 2009). Modern school psychology has moved from “fixing” students to fit heterosexual norms; towards affirming approaches creating supportive school environments for LGBTIs (Australian Psychological Society, 2000). Amongst secondary students globally, it is generally estimated that about 10% identify as gay or lesbian and bisexuality may count for over one-third of adolescents’ sexual experiences (Sears, 2005). Most recognised their same-sex attraction around puberty (11–16 years), over a third knew earlier (Haas et al., 2011; Hillier et al., 2010).

Gender identity variance (how a person identifies as being a masculine, feminine, neither, or both, or a combination, which may or may not correspond to the sex assigned to them at birth) and **expression** (how a person expresses their gender through manners, dress, social roles and other means) has been documented for thousands of years in African, Middle Eastern and other societies with varying levels of acceptance (Murray & Roscoe, 1998; Witten et al., 2004). It has not historically been limited to transgender, transsexual, transvestite, gender fluid, gender queer, cross-dress, drag queen and king “labels”. Malaysia has historically recognised “mak nyahs” (ranging from males who see themselves as feminine or as doing “female work” to male-to-female transgender people) (Teh, 2001); and Thailand acknowledged “kathoey” (a combination of transgender female or feminine gay male) identities (Vasey & Bartlett, 2007). Multiple African nations have histories of same-sex activities in the context of divination-based healings and “female husbands” or “male wives” (Murray & Roscoe, 1998). Samoa has had cultural and familial roles for “fa’afafines” (of male sex at birth but embodying

male and female traits/behaviours) said to be more flexible than those generally available for females. These roles are akin to those of the Cook Islands' akava'ine, Fiji's vakasalewalewa, New Zealand's whakawahine, Niue's akafifine, Papua New Guinea's palopa, Tonga's fakaleiti and Tuvalu's pinapinaaine (Vasey & Bartlett, 2007). Over time, medical understandings of gender diversity have evolved to include notions of both biological and socio-cultural influences on individuals' gender expressions (Del Pozo de Bolger, Jones, Dunstan, & Lykins, 2014). Psychological texts will soon be rescinding even notions of "gender dysphoria" as they in the past rescinded notions of "gender identity disorder"; progressing towards de-medicalisation of gender affirmation treatments (Schulz, 2018). An online global study estimated that 1.4% of the global population have engaged in gender affirmation processes (Glen & Hurrell, 2012).

Intersex variance (variation to sex characteristics including chromosomes, hormones and anatomy) can include, but is not limited to, over 40 medically recognised "Western" labels (Jones et al., 2016). Examples include Androgyn Insensitivity Syndrome, Congenital Adrenal Hyperplasia, Klinefelter's Syndrome, Turner's Syndrome and Swyer's Syndrome. For 4000 years India recognized "Hijra"; a third sex neither male nor female (Gayatri, 2010). There have also been local conceptualisations including for example the Dominican Republic's guevedoche or Iran's do-jensi/miyan-jensi (Outright Action International, 2016). However, to this day many countries around the world are still influenced by Western medicalisation of intersex bodies, and enforce so-called "corrective" or "normalising" surgical and hormonal treatments on infants, children and teens (Henningham & Jones, 2017). Around 1.8% of people are estimated to have intersex variations, and a survey of 272 Australians with intersex variations found around two thirds were diagnosed aged under 18yrs (Jones et al., 2016). This likely varies across global contexts where medical services differ. Most Australians with intersex variations experienced negative impacts from purely aesthetic interventions that they did not choose and related socio-familial pressures, and do not believe doctors and parents should intervene in children's body autonomy.

Share international laws and policies

Multiple researchers encouraged pre-service teacher education approaches challenging LGBTI oppression in schools directly, which may not be possible in all contexts (Athanasos & Larrabee, 2003; Ferfolja & Robinson, 2004; Larrabee & Morehead, 2010; Mitton-Kukner et al., 2016). However in unprotected contexts one can still discuss the countering of LGBTIs' oppression in international human rights provisions. Thus, pre-service teacher educators should know and communicate international laws and policies impacting LGBTIs in education settings, to both their international and local pre-service teachers. This emphasises the need for a rights-informed equitable approach in coverage of LGBTI topics or with school LGBTI staff, students and community members.

In 2011 the UN Human Rights Council called for international legislation protecting non-discrimination (including in education) on the basis of sexual orientation and gender identity, following a resolution sponsored by South Africa (Vance, 2011). The UN Secretary-General named bullying of LGBTI students "a public health crisis" to two-hundred UN Member States who convened to combat it (UN Secretary-General, 2011). The UN's *Born free and equal* policy clarified LGBTI peoples' rights to non-discrimination in education within international rights

legislation (United Nations, 2012). UNESCO's first international policy consultations on bullying of LGBTIs in schools were conducted in Brazil, where education policy guidelines were developed by academics, governments and human rights representatives – including the author (UNESCO, 2011, 2012). The Global Network Against Homophobic and Transphobic Bullying in Schools formed and met annually in different global regions to further policy goals (Kosciw & Pizmony-Levy, 2013). Global and regional bodies including UN agencies (UNESCO/UNAIDS/UNDP) and the WHO promoted LGBTI rights in education to governments (UN Human Rights Office of the High Commissioner et al. 2015).

A *Ministerial Call For Action* committing to LGBTI student protections in educational institutions was signed by over 50 countries (UNESCO, 2016a), committing to:

reinforcing efforts to prevent and address violence including that based on sexual orientation and gender identity/expression (...) and while taking into account the specificities of different legal and socio-cultural contexts (p.3).

Specific commitments included:

- systematic monitoring and research on violence against LGBTIs;
- national, subnational and school policies to address violence against LGBTIs;
- inclusive curricula providing age-appropriate, non-judgmental, human rights-based and accurate information on gender non-conforming behaviours;
- pre-service teacher training and education;
- inclusive and safe school environments; and
- evaluation (summarised from pp.3–4).

Several countries (Chilli, the Netherlands, Norway, South Africa, the US and Thailand) and conglomerates (UNESCO, GALE and the EU) had roles supporting transnational policy rollout. However the nature of their roles were subject to change depending on changes in administrations. The US Trump Administration has most notably withdrawn from the US' past considerable support for global networking efforts supporting LGBTIs in education settings, though US NGOs (including GLSEN) remain connected (Jones, 2016b, 2017). The updated *International Technical Guidance on Sexuality Education* (UNESCO et al. 2017) strongly promotes tolerance, inclusion and respect for people of diverse sexual orientations, gender identities and intersex status with approaches sensitive to cultural differences. Pre-service teacher educators focussed on sociology; health, gender and sexuality education; and/or primary education from all regions should particularly disseminate the document to pre-service teachers and note that in many contexts any pre-service teacher may be called upon to provide sexuality education (particularly in the junior years). This document's key concepts, topics and learning objectives supply age-based recommendations for lessons on (summarised from p.42):

- respecting diverse individuals (5–8 yrs);
- understanding stigma, discrimination and bullying on the basis of sexual orientation and gender identity as harmful (9–12 yrs);
- understanding non-discrimination around sexual orientation and gender identity as international human rights (12–15 yrs); and
- challenging stigma and discrimination to promote inclusion (15–18+ yrs).

Share national laws and policies

Reygan (2016) emphasised the importance of policy-informed approaches to pre-service teacher education on LGBTIs, though his discussion was limited to polity in the South African context. Given pre-service teachers may teach in contexts beyond those in which they are trained, pre-service teacher educators should know and communicate to their international and local pre-service teachers **the spectrum of national and state laws and policies impacting LGBTIs in education settings**. These shifting policies also have a relevance to pre-service teachers of politics, and colonisation's historic impacts. Table 2 provides a snapshot of laws, policies and provisions related to LGBTIs in education across the main four regions (Africa, Asia Pacific, Europe and The Americas). This can be supplied to pre-service teachers.

To create Table 2, the author drew on semi-structured interview data with 102 key informants about their regions' polity contexts conducted at global networking events in 2014–2017 (in Dublin, Stockholm, New York, Paris, Krakow, Johannesburg, Berlin, Copenhagen, Reykjavik, Oslo and Helsinki). Informants were all over 18yrs. They were selected through their participation in UN system activities and global networks on LGBTI education rights, and received no payment. They included education ministers and ministry officials, government members, civil society leaders, the directors and employees of non-government organisations (NGOs), and academics (Table 1). Ethical approval was received from UNE's Human Research Ethics Committee in 2014 (HE14-005) and La Trobe's Human Research Ethics Committee in 2016–2017 (HEC16-021). Informants were asked to specify what identifiers should be used for reporting of their direct quotes, given sensitivities around LGBTIs vary by context. Policy verifications for 207 countries were conducted continuing into 2018 to monitor additions, rescindments and other changes; using desk-based policy analyses. Pre-service teacher educators should emphasise that the point of this table is to show the range and regional patterns in global policy approaches rather than "the latest" information. Pre-service teachers must recognise that provisions are continually in flux and check local updates.

The table highlights a pattern towards more punitive treatment of LGBTIs in Africa, followed by the Asia-Pacific. However, homophobic approaches are not innate to these

Table 1. Key informant characteristics (n = 102).

Informants' region				
Africa 30	Asia-Pacific 13	Americas 15	Middle-East 8	Europe 36
Global South 60		Global North 42		
Informants' role				
Civil society leadership/staff 7	Government members/staff 20	Education ministers/leaders/teachers/counsellors 22	NGO directors/staff 31	Academics 22
Informants' Sex/Gender				
Male/masculine identifying 46		Female/feminine identifying 44		Non-binary/genderqueer 12
Transgender or gender diverse 24		Cisgender 78		
Declared intersex variation/s 4		Did not declare any intersex variation/s 98		



Table 2. Country-specific policy contexts on LGBTIs impacting education.

Region Country	Unequal Age of Consent	Bans (X): Male same-sex acts (M), Female same-sex acts (F), Gender diversity (G), LGBTI propaganda (P)	Prison Penalty	Death Penalty	NRHI Includes LGBTI	Protections (X): Sexual orientation (S), Gender affir- mation (Ga), Intersex people (I)	Same-sex Civil part- nership (X) Marriage (Me), Adoption (A)	Ministerial Call For Action for LGBTI students	Specific Education Policy Protection/ s for LGBTI students
Africa									
Algeria		X/M/F	X						
Angola		X/M/F	X		X	XS			
Benin	X	X/M/F	X		X	X/S/Ga			
Botswana		X/M/F	X						
Burkina Faso		X/M/F	X						
Burundi		X/M/F	X						
Cameroon		X/M/F	X						
Cape Verde		X/M/F	X			X/S		X	
Central African Republic									
Chad	X								
Comoros		X/M/F	X						
Congo	X								
Côte d'Ivoire	X								
Democratic Republic of Congo									
Djibouti									
Egypt		X/M/F	X						
Equatorial Guinea		X/M/F	X						
Eritrea		X/M/F	X						
Ethiopia		X/M/F	X						
Gabon		X/M/F	X						
Gambia	X	X/M	X						
Ghana		X/M/F	X						
Guinea		X/M	X						
Guinea-Bissau		X/M	X						
Kenya		X/M/F	X		X				
Lesotho		X/M/F	X						
Liberia		X/M/F	X		X				
Libya									
Madagascar	X							X	

(Continued)

Table 2. (Continued).

Region Country	Unequal Age of Consent	Bans (X): Male same-sex acts (M), Female same-sex acts (F), Gender diversity (G), LGBTI propaganda (P)	Prison Penalty	Death Penalty	NRHI Includes LGBTI	Protections (X): Sexual orientation (S), Gender affir- mation (Ga), Intersex people (I)	Same-sex Civil part- nership (X) Marriage (Me), Adoption (A)	Ministerial Call For Action for LGBTI students	Specific Education Policy
Malawi		X/M/F	X		X				
Mali									
Mauritania		X/M/F	X						
Mauritius		X/M	X		X	X/S	X		
Morocco		X/M/F	X		X	X/S	X		
Mozambique					X				
Namibia		X/M			X				
Niger	X								
Nigeria		X/M/F/P	X	X	X				
Rwanda	X								
São Tome & Principe									
Senegal		X/M/F	X						
Seychelles					X	X/S			
Sierra Leone		X/M	X						
Somalia		X/M/F	X	X					
South Africa					X	X/S/Ga/I	X/Me/A	X	
South Sudan		X/M/F	X						
Sudan		X/M/F	X	X					
Swaziland		X/M	X						
Tanzania		X/M	X						
Togo		X/M	X						
Tunisia		X/M/F	X		X				
Uganda		X/M/F/P	X		X				
Zambia		X/M/F	X		X				
Zimbabwe		X/M			X				
Asia-Pacific									
Afghanistan		X/M/F		X	X	X/S/Ga/I	X/Me/A	X	
Australia					X				
Bahrain									
Bangladesh	X	X/M			X				
Bhutan		X/M/F	X						
Brunei Darussalam		X/M/G	X						

(Continued)



Table 2. (Continued).

Region Country	Unequal Age of Consent	Bans (X): Male same-sex acts (M), Female same-sex acts (F), Gender diversity (G), LGBTI propaganda (P)	Prison Penalty	Death Penalty	NRHI Includes LGBTI	Protections (X): Sexual orientation (S), Gender affir- mation (Ga), Intersex people (I)	Same-sex Civil part- nership (X) Marriage (Me), Adoption (A) X/A(varies)	Ministerial Call For Action for LGBTI students	Specific Education Policy
Cambodia									X
China						X/Ga			
Cook Islands		X/M	X			X/S			
East Timor					X	X/S/Ga		X	
Fiji		X/M	X						
Gaza						X/S/Ga	X/Me/A		
Guam		X/M	X		X	X/Ga/I			X
India	X	X/M/F/G/P	X		X	X/Ga			
Indonesia		X/M/F/G/P	X		X				
Iraq		X/M/F(in practice)		X					
Iran		X/M/F		X		X/Ga/I		X	
Israel						X/S/Ga	X/A	X	
Japan						X/S/Ga		X	
Jordan						X/Ga			
Kazakhstan					X	X/S			
Kiribati		X/M/F	X						
Kuwait		X/M							
Kyrgyzstan					X	X/Ga			
Laos									
Lebanon		X/M				X/Ga			
Malaysia		X/M/F/G	X			X/Ga			
Maldives		X/M/F	X			X/Ga			
Marshall Islands									
Micronesia									
Mongolia					X	X/S/Ga			
Myanmar					X				
Nauru		X/M	X						
New Zealand					X	X/S/Ga(varies)	X/Me/A		X
Nepal					X	X/S			X
Northern Mariana						X/Ga	X/Me/A		
North Korea		X/G/P	X	X					

(Continued)

Table 2. (Continued).

Region Country	Unequal Age of Consent	Bans (X): Male same-sex acts (M), Female same-sex acts (F), Gender diversity (G), LGBTI propaganda (P)	Prison Penalty	Death Penalty	NRHI Includes LGBTI	Protections (X): Sexual orientation (S), Gender affir- mation (Ga), Intersex people (I)	Same-sex Civil part- nership (X) Marriage (Me), Adoption (A)	Ministerial Call For Action for LGBTI students	Specific Education Policy
Oman	X/M/F		X			X/Ga/I(varies)			
Pakistan	X/M		X		X				
Papua New Guinea	X/M		X		X	X/S/I(varies)		X	
Philippines									
Qatar	X/M/F		X	X					
Saudi Arabia	X/M/F		X	X					
Samoa	X/M		X		X	X/S/Ga			
Singapore	X/M		X			X/Ga			
Solomon Islands	X/M/F		X						
South Korea					X	X/S/Ga			
Sri Lanka	X/M/F/G		X	X	X				
Syria	X/M/F		X						
Taiwan					X	X/S/Ga	X/Me		X
Tajikistan						X/Ga			
Thailand					X	X/S			
Tonga	X/M/G		X			X/S			
Turkmenistan	X/M		X			X/S			
Tuvalu	X/M		X						
Vanuatu									
Vietnam						X/S			
United Arab Emirates	X/M/F/G		X	X		X/Ga			
Uzbekistan	X/M		X						
West Bank in the Occupied Palestinian Territory									
Yemen	X/M/F		X						
Europe					X	X/S		X	
Albania						X/S	X/A	X	
Andorra									
Armenia									

(Continued)



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Region Country	Unequal Age of Consent	Bans (X): Male same-sex acts (M), Female same-sex acts (F), Gender diversity (G), LGBTI propaganda (P)	Prison Penalty	Death Penalty	NRHI Includes LGBTI	Protections (X): Sexual orientation (S), Gender affir- mation (Ga), Intersex people (I)	Same-sex Civil part- nership (X) Marriage (Me), Adoption (A)	Ministerial Call For Action for LGBTI students	Specific Education Policy
Austria					X	X/S	X/Me/A	X	
Azerbaijan						X/Ga			
Belarus						X/Ga			
Belgium					X	X/S/Ga	X/Me/A	X	X
Bosnia and Herzegovina					X	X/S/Ga/I			
Bulgaria					X	X/S			
Croatia					X	X/S/Ga	X	X	
Cyprus					X	X/S/Ga	X	X	
Czech Republic					X	X/S/Ga	X	X	
Denmark					X	X/S/Ga	X/Me/A	X	
Estonia					X	X/S/Ga	X/A	X	
Finland					X	X/S/Ga/I	X/Me/A	X	X
France					X	X/S/Ga	X/Me/A	X	
Georgia					X	X/S/Ga	X/Me/A	X	X
Germany					X	X/S/Ga	X/Me/A	X	
Greece					X	X/S/Ga/I	X	X	
Hungary					X	X/S/Ga	X	X	
Iceland					X	X/S/Ga	X/Me/A	X	
Ireland					X	X/S/Ga	X/Me/A	X	X
Italy					X	X/S/Ga	X	X	
Jersey					X	X/S/Ga/I			X
Kosovo					X	X/S			
Latvia					X	X/S/Ga			
Liechtenstein					X	X/S	X	X	X
Lithuania					X	X/S			
Luxembourg					X	X/S/Ga	X/Me/A	X	
Macedonia (FYROM)					X	X/S			
Malta					X	X/S/Ga/I	X/Me/A	X	X
Moldova					X	X/S			
Monaco					X	X/S			
Montenegro					X	X/S/Ga		X	

(Continued)

Table 2. (Continued).

Region Country	Unequal Age of Consent	Bans (X): Male same-sex acts (M), Female same-sex acts (F), Gender diversity (G), LGBTI propaganda (P)	Prison Penalty	Death Penalty	NRHI Includes LGBTI	Protections (X): Sexual orientation (S), Gender affir- mation (Ga), Intersex people (I)	Same-sex Civil part- nership (X) Marriage (Me), Adoption (A)	Ministerial Call For Action for LGBTI students	Specific Education Policy
Netherlands					X	X/S/Ga	X/Me/A	X	X
Norway					X	X/S/Ga	X/Me/A	X	
Poland					X	X/S/Ga			
Portugal					X	X/S/Ga	X/Me/A	X	X
Romania					X	X/S/Ga		X	
Russia		X/P (Chechnya M/F/P)	X			X/Ga			
San Marino						X/S			
Serbia					X	X/S		X	
Slovakia					X	X/S/Ga			
Slovenia					X	X/S		X	
Spain					X	X/S/Ga	X/A	X	X
Sweden					X	X/S/Ga	X/Me/A	X	X
Switzerland						X/S/Ga	X	X	
Turkey						X/Ga			
Ukraine						X/S/Ga			
United Kingdom					X	X/S/Ga	X/Me/A		X
The Americas									
Antigua and Barbuda									
Argentina		X/M/F	X		X	X/S/Ga	X/Me/A	X	X
Aruba							X		
Bahamas	X					X/S			
Barbados									
Belize		X/M	X			X/S/Ga			
Bermuda						X/S/Ga	X/Me(retracted)		
Bolivia					X	X/S			X
Brazil					X	X/S/Ga			X
Canada					X	X/S/Ga	X/Me/A	X	X
Caribbean	X				X	X/S/Ga		X	X
Costa Rica					X	X/S/Ga	X/Me/A	X	
Chile	X				X	X/S/Ga/I	X	X	
Colombia					X	X/S/Ga	X/Me/A	X	
Cuba						X/S			

(Continued)



Table 2. (Continued).

Region Country	Unequal Age of Consent	Bans (X): Male same-sex acts (M), Female same-sex acts (F), Gender diversity (G), LGBTI propaganda (P)	X/M/F	Prison Penalty	Death Penalty	NRHI Includes LGBTI	Protections (X): Sexual orientation (S), Gender affir- mation (Ga), Intersex people (I)	Same-sex Civil part- nership (X) Marriage (Me), Adoption (A)	Ministerial Call For Action for LGBTI students	Specific Education Policy Protection/ s for LGBTI students
Dominica				X						
Dominican Republic							X/S			
Ecuador					X	X	X/S/Ga	X	X	X
El Salvador							X/S/Ga		X	
Falkland Islands							X/S	X/Me/A		
Greenland							X/S	X/Me/A		
Grenada			X/M	X		X	X/S/Ga		X	
Guatemala			X/M	X		X	X/S/Ga			
Guyana			X/M							
Haiti					X	X	X/S/Ga		X	
Honduras					X	X	X/S/Ga			
Jamaica			X/M	X						
Mexico					X	X	X/S/Ga	X/Me/A	X	X
Nicaragua					X	X	X/S		X	
Panama					X	X	X/S/Ga		X	
Paraguay	X									
Peru					X		X/S/Ga		X	
St Kitts & Nevis			X/M	X						
St Lucia			X/M/F	X			X/S			
St Vincent & the Grenadines			X/M/F	X						
Suriname	X						X/S			
Trinidad and Tobago			X/M/F	X		X	X/S/Ga(in dispute)	X/Me/A	X	X(in dispute)
United States										
Uruguay					X	X	X/S/Ga	X/Me/A	X	X
Virgin Islands							X/S/Ga varies	Varies		
Venezuela					X	X	X/S			

regions. Informants explained many laws stem from British or other colonisers' examples, and religious organisations. African and Asia-Pacific nations were strongly represented in the 16 countries with unequal age of consent for same-sex sexual activities. They were also strongly represented in the 78 countries with anti-LGBTI bans of varying kinds, 67 nations with prison penalties (ranging from one month to life sentences, sometimes accompanied by public flogging or fines) and 15 countries with the death penalty (public hanging, stoning and other methods) for penalised LGBTI-related activities. The latter countries had largely autocratic rules and sometimes applied Sharia law (Nigeria and Somalia for example). Some nations had penalty text within penal codes (Russia, Nigeria and Egypt), more had it within morality codes or religious laws (Algeria, Qatar, Syria and many others). Most bans applied to females and males, some to males only (Pakistan, Singapore, Turkmenistan and others). African bans were more likely to include female same-sex sexual activities.

The majority of nations with a ban penalised going "against nature" (31 nations including Uganda and the United Arab Emirates/UAE). This broad-ranging categorisation could variously cover same-sex sexual activities, relationships or preferences; gender expressions; or bodily formations (having an intersex variation or having undergone sex affirmation treatments). Interpretation of this ban depended on arresting officials and social trends. Additionally, 15 nations penalised "same-sex sexual acts" – mainly in Africa and the Middle East (e.g., Maldives, Yemen and others); 13 penalised "buggery" (e.g., Kiribati, Solomon Islands and others) and 11 penalised "sodomy" (e.g., Cook Islands, Iran, Samoa and others). The latter two terms were taken from British colonising rule. Four Asia-Pacific nations penalised "indecency", covering homosexual expressions and in some cases gender diversity within Sharia law (Indonesia's South Sumatra and Aceh Provinces, Iraq, Singapore and Iran). Informants explained Iran did not punish transgender or intersex people after "*conforming*" surgeries. At least five countries directly penalised gender diversity as "cross-dressing", "impersonation" or "imitating the opposite sex" (Brunei Darussalam, Indonesia, Malaysia, Sri Lanka, Tonga, UAE). A Malaysian informant traced the rules to "*colonial legacies or Islam*". Several countries banned LGBTI educational "propaganda" or expressions considered against state interests, sometimes within communist/socialist stances (e.g., Russia and North Korea).

There were significantly more protections for LGBTIs' rights, relationships and education interests in Europe, and to an extent the Americas. The 89 countries with a Network for Regional Healthcare Improvement (NRHI) *promoting LGBTI rights* are identified because they encouraged related education protections. Pre-service teachers should understand that these and any other local non-government organisations (NGOs) considerably aid work on LGBTI rights in education. Where countries restrict the work of NRHIs, the restrictions can be reflected in education. Overall 115 countries had some form of protections for any LGBTIs and 100 protected from sexuality discrimination. Further, 11 countries had constitutional protections for students' non-discrimination on the basis of sexual orientation and/or gender identity (Bolivia, Brazil, Ecuador, Fiji, Kosovo, Malta, Mexico, Nepal, Portugal, South Africa and Sweden). Three nations officially banned conversion therapies (Brazil, Equador and Malta). The right to gender affirmations was protected in 80 countries, to varying degrees. Lebanon only protected gender affirmations after surgical interventions and El Salvador only protected name changes, whilst Australia protected wide-ranging legal gender affirmation recognition

without enforcing any medical interventions. Laws or in some cases court rulings (e.g., in Botswana) reflected global de-pathologisation efforts for transgender people in psycho-medical and rights networks this decade. Some countries required sterilisation for gender affirmations (e.g., Russia, Turkey, others), borrowing from Swedish Eugenics perspectives that prevented people with mental illnesses from reproducing. Frederik Nilsen, RFSL Director, explained the Swedish NGO had worked with the Swedish Government to rescind these past requirements in Sweden a decade ago.

There were 12 countries with provisions which considered intersex people. Some banned discrimination around “intersex status” (Australia, Jersey) or “sex characteristics” (Bosnia and Herzegovina, Finland, Greece, Malta, South Africa); two countries banned enforced surgical interventions (Malta and Chile). Further, 41 countries had relationship rights for same-sex couples including civil unions or partnership registry; 29 had joint or second parent adoption rights for same-sex partners, and 25 countries had marriage equality (mainly in Europe). Over 50 countries (and counting) supported the Ministerial *Call for Action* supporting protection of LGBTI students in educational contexts and committing to generate specific education policies; 30 had such provisions already. One informant said “*governance and funding-based alliances in Europe such as the EU and also in South America are a major factor in encouraging regional support for LGBTI issues in education*”. Some policies were in dispute. For example, the US Government’s Obama Administration (2009–2016) had supported the Ministerial Call and sent an eight-page *Dear Colleague Letter* to all education sectors advising Education Departments to treat a transgender student according to their gender identity (US Department of Justice & US Department of Education, 2016). The current Trump Administration (2017+) repealed these protections. US informants explained this repeal was being appealed by multiple students.

Global networking had complex influences on policies. De-colonising discourse, EU membership anti-discrimination accession criteria and UNESCO networking events on LGBTIs in education encouraged many formerly colonised nations’ new policy provisions. Cambodia, Viet Nam, Thailand and other nations in the Asia-Pacific had particularly increased their protections and pre-service teacher education on LGBTIs due to UNESCO and multi-lateral collaborative work. Notably South Africa and Cape Verde, the African nations signing on to the Ministerial *Call for Action*, were post-colonial nations which have rejected their former colonisers’ laws criminalising homosexuality. Both had engaged in global networking work; Cape Verde had also joined the EU. A South African NGO worker commented on how anti-apartheid intersex activists like Sally Gross were crucial in the development of anti-discrimination laws, and entwined post-coloniality with LGBTI diversity rights in the country. One transgender African noted that South African colloquiums on LGBTIs in education “*were not whites-only ivory tower events. LGBTI education was explored in post-colonial African approaches*”. In several African nations active efforts are being made against imperialist outside attempts to incite local anti-LGBTI violence. In 2016 US pastor Steven Anderson was declared an “undesirable” in SA due to his use of homophobic and transphobic hate speech to seek to influence policy. One SA informant said “*This placed South African LGBTs above US extremism, colonising power and money*”. A Ugandan educator described similar legal actions; “*Ugandan activists [with] legal support [had also] sued an American religious extremist for his malicious international interference in our LGBT rights issues*”. An Indian NGO worker

described how “*anti-colonial resistance*” contributed to the approach in local Supreme Court efforts since 2014 to “*undo the legacies of British legislation and American religious fervour, which attacked our native hijra*”.

Some countries had differing influences reflected in their conflicting policies. Lithuania retained anti-LGBTI propaganda from Russian/Soviet influence in its policy trends, but had more recently acceded to EU anti-discrimination protection requirements. Lithuania was also therefore increasingly being exposed to 2013 policy samples from the Irish Department of Education and Skills (requiring school policies to include a clause on transphobic and homophobic bullying). Irish NGO *BelongTo* Director Michael Nanci Barron commented that Lithuanian organisations were more open to pro-LGBTI work as a collaborative de-colonising effort. It was also open working with other post-colonial EU nations such as Ireland which had broken away from colonisation through increased anti-discrimination work and “*international bodies – the EU, Council of Europe, OSCE and then international networks such as ILGA and IGLYO*”. A Fijian government informant noted global networking work and development support had reinforced decisions to require action against “*homophobic remarks, name calling, threats*” in its 2015 Ministry of Education Child Protection policy.

Share reliable research

The literature has shown that provisions on LGBTIs shared in pre-service teacher education can sometimes create an inaccurate picture of the social group with no basis in research (Bazzul & Sykes, 2011; Macgillivray & Jennings, 2008; Young & Middleton, 2002). It is thus important for pre-service teacher educators in any region to cover major institutional school violence survey data in their units to **emphasise the negative impacts of violence on LGBTI students**. In more protected contexts this may extend to acknowledging and affirming the significant contributions of LGBTIs to anti-bullying campaigns and sexuality education advocacy. This information should be emphasised in relation to the development of classroom management plans and whole-school safety strategies, especially where LGBTI rights debates are volatile. Discussing violence data does not breach the bans discussed nor constitute propaganda. However pre-service teacher educators in unprotected contexts should consider local restrictions and rely more on UNESCO data than other sources (employing the UN’s authorising power, where this will help enable the work). Describing violence data *implicitly problematises violence against LGBTI students* to pre-service teachers. Violence response requirements for countries with protective policies and procedures can then be justified and outlined afterwards. [Table 3](#) can be provided to pre-service teachers to show the countries where governments

Table 3. Countries where governments systematically collect data on school-based violence against LGBTI students.

Collects data on violence based on Sexual Orientation	Collects data on violence based on Gender Identity/Expression	Collects data on violence based on Intersex Status
Albania, Canada, Chile, France, Ireland, Montenegro, Netherlands, New Zealand, Sweden, Thailand, US, Viet Nam	Albania, Canada, France, Ireland, Montenegro, Netherlands, New Zealand, Sweden, Thailand, US, Viet Nam	Netherlands, Sweden

systematically collect data on violence against LGBTI students, based on multi-national research reviews and key informant interviews. Only two countries' governments systematically collected data on violence based on students' intersex status.

Table 4 provides other basic examples of regional data collated from several reports on the targeting of LGBTI students for negative anti-LGBTI comments and behaviours (European Union, 2014; GLSEN, 2015; Jones & Hillier, 2013; UNESCO, 2014, 2015, 2016b, 2016c). This can be shared with pre-service teachers to compare the "amount of" targeting, which varies due to socio-cultural factors and may be unreported in contexts where it is difficult to discuss LGBTI people. The table shows this violence is being studied across all key regions and useful larger-scale data can be obtained from government, university-based and non-government sources. The UNESCO data reports are particularly recommended due to their coverage of multiple contexts and aspects of LGBTI student experience. These and other reports emphasise that violence against LGBTI students occurs in education-related environments such as classrooms, playgrounds, toilets, changing rooms, around schools, on the way to and from school, and online (UNESCO, 2016b). It can involve: physical, verbal and psycho-social abuse (UNESCO, 2015, 2016b). Pre-service teacher educators should be reminded, in explaining the need to teach against violence, that LGBTI students who experience violence are more likely to:

- Feel unsafe at school;
- Achieve lower grades;
- Miss participation, classes or school days;
- Drop out of school;
- Have decreased employment and/or housing prospects;
- Feel depressed;
- Adopt risky health behaviours;
- Think about or attempt suicide (Jones et al., 2016, 2016; Plan International Thailand & International Center for Research on Women, 2015; UNESCO, 2012, 2016c).

Communicating any local policy protections to pre-service teachers is helpful – when protective policies are known LGBTI students are significantly more likely to feel safe (75% v. 45%); and significantly less likely to experience physical abuse (23% v. 47%) or attempt suicide (13% v. 22%) (Jones, 2015). Pre-service teachers should be taught that whilst a portion of their students *will* be LGBTIs, some will not disclose their identities for safety or privacy particularly in punitive contexts (Jones, 2016a; Smith et al., 2014; UNESCO, 2016b, 2016c). However if they disclose their identities, research shows that rejecting LGBTI students is harmful (GLSEN, 2015; Jones et al., 2016). Transgender students with teacher support are especially less likely to drop out of school (5% v. 23% without teacher support); hide at lunch (23% v. 50%), experience discriminatory language (31% v. 62%) or be bullied by phone (8% v. 27%) (Jones et al., 2016). If the teacher is not protected by policy or comfortable enough to express general support (e.g., "I support you!"), they can objectively discuss international legislative human rights protections (e.g., "It's your human right"). The key is to take a locally appropriate approach *and* avoid negating disclosing students. Using "mostly appropriate" pronouns for transgender students (asking their preference), makes it less likely they will drop marks (26% v. 54% when teachers use mostly inappropriate pronouns); and drop out (6% v. 22%) (Jones et al., 2016). In contexts where this is dangerous, one can avoid

Table 4. Regional LGBTI student bullying data.

Key regional data	Student group	% reported as targeted for negative comments/behaviours
Africa		
UNESCO, Hivos & GALA African Study (N = 2,523)	Botswana Gender Non-conforming Students	10.7
	Lesotho Gender Non-conforming Students	20.4
	Namibia Gender Non-conforming Students	17.6
	Swaziland Gender Non-conforming Students	7.9
	South Africa Lesbian Students	42
Gay & Lesbian Network South African study (N = 1,301)		
Asia-Pacific		
Buckland Foundation Study (N = 3,134)	Australia LGBTI students	61
UNESCO Reporting (n = 421)	Cambodia LGBT students	52
UNESCO Reporting (N = 421)	China LGBT students	77
UNESCO Reporting (N = 609)	Japan LGBT students	68
UNESCO Reporting (N = 1,178)	Nepal LGBT students	16
UNESCO Reporting (N = 255)	South Korea LGBT students	80
Plan International, UNESCO Reporting (N = 246)	Thailand LGBT students	56
UNESCO, MoET Vietnam Study (N = 755)	Vietnam LGBT students	72.2
Europe		
European Union LGBT Study (N = 93,079)	Austria LGBT students	60
	Belarus LGBT students	69
	Belgium LGBT students	72
	Croatia LGBT students	69
	Cyprus LGBT students	75
	Czech Republic LGBT students	66
	Denmark LGBT students	64
	Estonia LGBT students	61
	Finland LGBT students	68
	France LGBT students	67
	Germany LGBT students	65
	Greece LGBT students	75
	Hungary LGBT students	60
	Ireland LGBT students	72
	Italy LGBT students	69
	Latvia LGBT students	58
	Lithuania LGBT students	67
	Luxembourg LGBT students	69
	Malta LGBT students	66
	Netherlands LGBT students	64
Poland LGBT students	61	
Portugal LGBT students	70	
Romania LGBT students	61	
Slovakia LGBT students	70	
Slovenia LGBT students	61	
Spain LGBT students	70	
Sweden LGBT students	67	
United Kingdom LGBT students	76	
The Americas		
GLSEN Study (N = 10,528)	US LGBT students	85.2

gendering the student or use neutral pronouns like “they”; to avoid mis-gendering them. Students with intersex variations particularly wanted schools to supply information on intersex variations, offer support features such as inclusive counsellors and protect them from bullying (Jones, 2016a). Where schools do not have supportive structural features in place pre-service teacher educators can advocate for them based on research supporting the difference they make.

Show objectivity is not “neutrality”

The literature has offered the perspective that some information on LGBTIs shared in teacher education should be used more critically or even rescinded (Bazzul & Sykes, 2011; Macgillivray & Jennings, 2008; Young & Middleton, 2002). Hence teacher education should counter the domination of neo-liberal thinking informed by the mistaken belief that educational *objectivity* is achieved by *approaching diverse views with an even-handed relativistic neutrality*. Poor pre-service teacher education suggests a false equivalence between all perspectives. Due to the politics around LGBTIs in education (often used in election campaigns globally) there is now a proliferation of unreliable information on LGBTI people broadly and in education specifically. Key informant interviewees noted that within its nationalist resistance to the current social ordering of global bodies; the Russian Kremlin has long sought to destabilise liberal democracies by aiding foreign anti-LGBTI political and pressure groups; and influencing the voting behaviour of pro-LGBTI and anti-LGBTI groups in Western countries through prolific fake social media campaigns (e.g., Facebook site “LGBT United”). This finding was supported in subsequent literature (Isaac & Shane, 2017; Leonnig, Hamburger, & Helderman, 2017). Additionally, US-based evangelical Christian organisations (C-Fam, Focus on the Family, Saddleback Church, Family Ministry, Family Watch International) have also systematically funded “hundreds” of anti-LGBTI legislative campaign efforts repealing existing protections and programs and pushing gender complementarity curricula internationally (Parke, 2016; Sprigg, 2016).

Presenting “objective” facts about LGBTIs in education does not mean pre-service teacher educators should take a *neutral* stance. Discriminatory and malicious resources should not be portrayed as equally weighted to *resources informed by peer-reviewed and widely accepted research data from reliable authorised sources drawing on scientific accounts endorsed by LGBTI education scholars and LGBTI communities*. UNESCO’s website has a clearinghouse which can be accessed for LGBTI education resources in a range of languages uploaded by UNESCO staff. Australia, Mongolia, Nepal, Taiwan and New Zealand include content on sexual orientation and gender identity in their national curricula which pre-service teacher educators in the Asia-Pacific should highlight to pre-service teachers. According to key informants (and the author’s desk-based verifications) pre-service students can be directed to useful lesson ideas offered by local NGOs (including China’s aibai, Israel’s Hoshen, Ireland’s Belongto, Sweden’s RFSL and the US’s GLSEN).

Other sources can simply be treated critically; so as to judge their “value” – perhaps as class exercises for pre-service teachers. This involves considering:

- The political interests of the organisation funding or generating the work?
- The specific qualifications of the authors – PhD/Masters/BEd/experiential?
- The expertise field of the authors – LGBTI studies/human rights/education?
- The quality of the ethical review processes tied to any data collection?

- The quality of the publisher, their political interests and biases?
- The peer-review processes preceding publication?
- The sources' endorsement or rejection of basic human rights principles?

Pre-service teachers should be wary of reports and media calling groups normal or "abnormal"; this reporting method was denounced by the APA (2010). Pre-service teachers and students from the first year in primary school can also learn from Swedish curricula how to actively identify unreliable research and media sources on LGBTIs or related topics, developing critical objectivity about what they read online (Roden, 2017).

Conclusion

Countries' support for LGBTIs in schools is influenced by geopolitical power expansion efforts, (post-)colonial dynamics and financial alliances. In this complex setting it is teacher educators' role to inform pre-service teachers that LGBTIs now have rights to non-discrimination, safety, and access in educational institutions recognised in international human rights legislation and policies. Where teacher educators cater to pre-service teachers who will work in contexts endorsing the Ministerial *Call for Action*, it is now their role to provide appropriate teacher education to pre-service teachers on LGBTI inclusion in educational settings. Teacher educators in all contexts should be aware of how anti-LGBTI backlash and the instability of local laws may impact their work. However there are always creative ways of bringing objectivity to exploration of LGBTIs' rights in education, whether overtly or otherwise. Teacher educators in restricted contexts may supply Table 2–4 to pre-service teachers; ideally they could also offer skills towards taking an objective look at locally dominant provisions and texts. In this sense, a global human rights approach to LGBTIs in teacher education can be flexibly transferred across a range of contexts. International bodies (particularly the UN's agencies), are seeking to mediate the notable variances between nations' treatments of LGBTIs in education whilst encouraging localised cultures and sharing of best practices. Teacher educators can reinforce these change efforts, making creative training and research contributions to the global human rights approach.

Ethics statement

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