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Lesbian Single Parents: Reviewing Philippine COVID-19 Policies

By Hazel T. Biana¹, Rosallia Domingo²

Abstract

The novel coronavirus pandemic magnifies existing inequalities experienced by single lesbian parents in the Philippines. While single parents already face huge challenges with having to combine work and care for children, dealing with inadequate income and social security, lack of childcare facilities, and debt, the unrecognized subgroup of lesbian single parents also have to deal with the detriments of a heterosexist and homophobic society. Reflecting on the countries' existing Sexual Orientation or Gender Identity or Expression (SOGIE)-related single parent policies and possible inclusive strategies that may address such vulnerabilities, an analysis is done on the concerns faced by Filipino lesbian women who parent their children alone during the pandemic. Arguments are made for a three-prong COVID-19-SOGIE inclusive policy that covers anti-discrimination, lesbian single parent concession, and gender-sensitive responses to prevent social exclusion, discrimination, and stigmatization during COVID-19.

Keywords: COVID-19, Lesbian, Philippine policy, Single parents, SOGIE

Introduction

To curb the spread of the novel coronavirus (COVID-19), many governments all over the world enacted emergency systems and policies. Despite these extensive efforts however, the health crisis still exposes how existing inequalities may be magnified by COVID-19. In the case of sexual and gender minorities, these groups suffer increased oppression due to the lack of gender-inclusive and non-discriminatory policy frameworks. To address this, the United Nations (UN) issued key actions to ensure the protection of the lesbian, gay, bisexual, transexual, queer, and intersex (LGBTQI) populations against discrimination during the pandemic. The six key actions, also known as "ASPIRE", highlight the importance of acknowledgement, support, protection, indirect discrimination avoidance, representation, and evidence-gathering. These steps ensure that LGBTQI people are considered in the formulation of pandemic responses. Measures include socio-economic programs and access to healthcare (without being subjected to discrimination). In the Philippines, although the *Sexual Orientation or Gender Identity or Expression (SOGIE) Equality Bill* could contribute to the enactment of ASPIRE, the bill has not been approved by the Philippine Senate House Committee on Women and Gender Equality. As one of the one of the countries impacted most by COVID-19 in Southeast Asia, the Philippine government's COVID-19 responses have neglected specific gendered impacts. Existing exclusions have also compounded COVID-19 as a health issue for LGBTQI individuals.

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Part of the subgroup of sexual and gender minorities, Filipino lesbian single parents (FLSPs) have their own experiences of gender and social marginalization during the pandemic. They face bigger challenges with having to combine work and care for children (staying at home) without sufficient income, social security, childcare facilities, and so on. On top of this, FLSPs also must deal with a heterosexist and homophobic society. In other countries such as the United States social spaces between single lesbian parents, single heterosexual moms, and lesbian mother couples have already been examined (Lapidus, 2008; MacCallum and Golombok, 2008). Studies have acknowledged that “single lesbian parenting provides a unique vantage point from which to view societal assumptions about the family and about parenting” (Lapidus, 2008, p. 228). In the Philippines, and especially during the pandemic, lesbian single parents are still rarely recognized as a subgroup with their own specific needs and circumstances.

Single lesbian mom June Lapidus (2008, p. 229) claims that “single lesbian moms are at the intersection of lesbians raising children, often in couples, and heterosexual single women raising children”. Such lumped categorizing may have disadvantages for single lesbian parents considering the presence of unique vulnerabilities. Bos et al.’s study (2004) revealed that lesbian parents are more stressed as parents. Likewise, FLSPs have their own economic, social, and political issues. Not to mention that research on the psychological and emotional experiences of lesbian mothers are limited and sparse (Shechner et al., 2010). As such, Tarroja (2010, p. 178) challenged Filipino experts to “do their own conceptualization of Filipino families beyond its current definition”. Defining Filipino families could be “expanded to be more inclusive of non-traditional families” such as single-parent families and others so as to be more “responsive to the demands of the changing Philippine society” (Tarroja, 2010, p. 178).

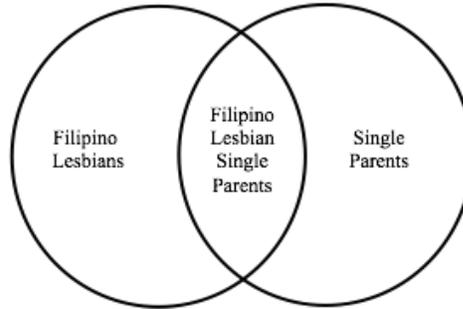
With the challenge posed by the UN during the ongoing pandemic, this paper acknowledges, represents, and gathers evidence on the experiences of FLSPs. It also reviews existing Philippine policies and frameworks in relation to the FLSPs’ vulnerabilities while reflecting on the Philippines’ existing SOGIE-related and single parent situations. Through an inclusive policy framework, the paper also recommends possible solutions to address the gaps between policies and the experiences of FLSPs.

Analytical Framework

The vulnerabilities of lesbian single parents are different from other parents, be they heterosexual single parents, couple parents, and so on. Given the unique challenges posed by the Philippine society, along with the issues brought about by COVID-19, there is a dire need for inclusive strategies that may address such vulnerabilities. To determine these strategies, a COVID-19 situationer³ or a presentation of the existing conditions and challenges faced by FLSPs will be done. Since research on the said subgroup is limited, the overlapping situationers of Filipino lesbians and single parents will show the commonalities that would represent the FLSP experience during COVID-19. The situationer aims to show how COVID-19 magnifies the existing inequalities that FLSPs experience.

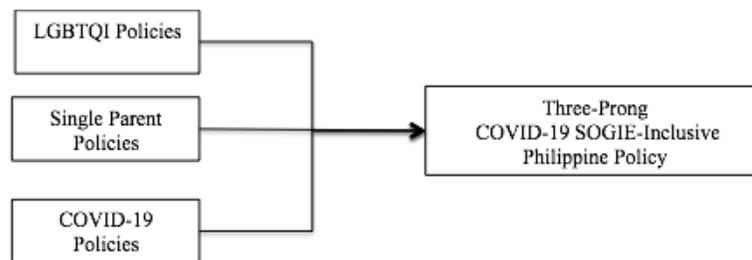
³ The word *situationer*, which many people use in the Philippines, refers to the description or situation of a state of affairs. Journalists and reporters also use the term to refer to a developing report on a situation.

Figure 1: COVID-19 Situationer: FLSP Experience



The paper also surveys the existing policies for Filipino lesbians, and single parents and seeks to determine the gaps in Philippine policies. Other countries have managed to successfully address the distresses of lesbian single parents during the pandemic, and arguments are made for a three-prong COVID-19-SOGIE inclusive policy that covers anti-discrimination, lesbian single parent concession, and a gender-sensitive response to prevent social exclusion, discrimination, and stigmatization in times of COVID-19.

Figure 2: Toward a Three-Prong COVID-19-SOGIE Inclusive Policy for FLSPs



COVID-19 Situationer: Filipino Lesbians

In light of the pandemic, LGBTQI individuals have more difficulty in accessing essential health services due to discrimination (Martin, 2020). In countries where “same-sex relations are criminalised or transgender people targeted, they might not even seek treatment for fear of arrest or being subjected to violence” (Bachelet, 2020). As such, UN and international human rights experts call for urgent and necessary measures to lessen the impact of COVID-19 on LGBTQIs (COVID-19: The suffering and resilience, 2020). This is also supported by organizations working for the protection of the human rights of persons of diverse sexual orientation, gender identity and expression, and sex characteristics (SOGIESC). These organizations highlight the States’ role in ensuring that LGBTQI’s human rights are respected during the COVID-19 outbreak (The impacts of COVID-19 outbreak on LGBTI, 2020). Aside from rights to health, work, livelihood, and civic spaces, LGBTQIs should also be protected against stigma, discrimination, and scapegoating, and be provided access to housing, water, and sanitation.

In the Philippines, gender minorities have not only been neglected but systematically discriminated against during the pandemic. Several experts in the country share that LGBTQI adults (as opposed to their non-LGBTQI peers), would more likely encounter health-related and work-related challenges during COVID-19 times. Winlove Mojica (Guinto, 2021) shares that the

limited mobility resulting from lockdowns and fear of revealing their statuses have made it more difficult for LGBTQI patients with chronic illnesses (such as HIV/AIDS) to access medications and proper healthcare. Mojica (Guinto, 2021) also mentions how sexual minorities are abused and subjected to violence in Philippine society. Ronn Astillas (Aguinaldo, 2020) shares that LGBTQI employees have a lack of job security due to silent biases and lack of anti-discrimination policies in most companies. Furthermore, LGBTQI individuals also tend to be discriminated against by law enforcers in the country. There are very limited local laws against discrimination based on gender or sexual orientation, and only 15 percent of Filipinos reside in these localities (Dela Pena, 2021).

At the onset of the pandemic, authorities in the northern part of the country detained three LGBTQI individuals for a curfew violation. Accused of looking for sex, they were publicly humiliated by forcing them to kiss, dance, and do push-ups while being broadcasted on social media (Bishop, 2020; Thoreson, 2020). This is just one of the examples of gender-based violence, and why LGBTQI individuals do not feel safe in and out of their homes (Nonato, 2020). In another instance, Philippine President Rodrigo Duterte pardoned a United States marine for killing a transgender woman, claiming that such absolute pardon may help the country “get better access to the US COVID-19 vaccine” (Aguilar, 2020). These government actions have elicited fearful reactions from LGBTQIs. LGBTQIs claim that the “country is not a safe space for the LGBT community” (Antonio, 2020). In a study done by Nicomedes et. al (2020), they found that existential crises were highest among LGBTQIs and lowest among male heterosexuals. Such crises are associated with loss of meaning and security. The researchers attribute the LGBTQI respondents’ high levels of uncertainty to their family’s possible lack of support during the quarantines (Nicomedes et. al., 2020).

Filipino lesbians, as part of the lesbian, bisexual, and transgender (LBT) population, have more burden simply for being women. They experience a two-tiered type of discrimination for being women and non-heterosexuals in a patriarchal and heteronormative society (Umbac, 2006). According to a report by the International Gay and Lesbian Human Rights Commission (IGLHRC) (2015), Filipino LBT women face frequent verbal, physical and emotional abuse. This leads many LBTs to contemplate suicide. Regarding the pandemic, since women are often expected to do domestic and caregiving tasks, this leads to added mental stress and anxiety compared to men (Castillo, 2021). Since there are more women who shifted to full-time childcare, this leads to more women giving up paid work and unemployment. While some women have the option to work from home, they still must deal with the double shift and be responsible for childcare, the children’s education, and domestic work (Castillo, 2021).

In the 64th Session of Convention on the Elimination of Discrimination Against Women (CEDAW), the Philippine LBT Coalition (2015) reports that lesbian rights abuses are usually rooted in patriarchal attitudes and homophobia. These include hate crimes perpetrated against LBT persons. Lesbians with masculine gender expressions are specifically targeted by rapists because of their lack of interest in men. On the other hand, the Rainbow Rights Project, Inc. reports that some parents intimidate their adult lesbian daughters in relationships to break up with their partners (OutRight Action International, 2014). The same homophobic and discriminatory attitudes are evident during the pandemic. For example, a Filipino lesbian couple shares that they were denied COVID-19 food aid because the local government does not count lesbian couples as family units (Ritholz, 2020).

LGBTQI COVID-19 Policies

The Sexual Orientation or Gender Identity or Expression (SOGIE) Equality bill proposes to address the inclusivity issues faced by the LGBTQI population. Unfortunately, heated discussions and debates on the bill have been ongoing in virtual hearings of the House Committee on Women and Gender Equality during the quarantines (Quismoro, 2020). With more than 85% of the population being Catholic, the possible passing of the SOGIE Equality bill has been criticized as an invitation to God's wrath in the Philippines, as the pandemic has been viewed as "punishment" (Quismoro, 2020).

Subjected to the longest and strictest lockdown in the world (Olanday and Rigby, 2020), the Philippines had one of the worst outbreaks in the region. This plunged the economy to a record low. As such, rather than seeking to promote LGBTQI-inclusive policies, authorities and policymakers have chosen to focus on lessening the negative economic effects of the pandemic. Some of these policies include the enforcement of various Community Quarantine levels, the Expanded and Enhanced Pantawid Pamilyang Pilipino Program (4Ps), Assistance to Individuals in Crisis Situation (AICS), Livelihood Assistance Grants (LAG), and the Bayanihan Laws among others (Joaquin and Biana, 2021). The Enhanced 4Ps program consists of cash transfers, food vouchers, or goods which are distributed to informal economy workers and low/no income families. The AICS is a program that provides educational, medical, transportation, and burial assistance to people in crisis situations. Beneficiaries include senior citizens, persons with disabilities, pregnant and lactating women, single parents, overseas Filipinos in distress, indigents and indigenous peoples, the homeless, and informal economy workers. LAG, on the other hand, are grants for those who lost their sources of livelihood during the lockdowns. The Bayanihan Act (RA 11469) and the Bayanihan 2 (RA 11519) are laws which were specifically passed during the pandemic to support health interventions and help the economy recover.

Some policies attempt to promote inclusivity. During the first month of the outbreak, for example, an anti-discrimination ordinance in Metro Manila was put in place. This ordinance aimed to lessen "threats, discrimination, harm against front-liners, health workers, and patients suspected of having COVID-19" (Parrocha, 2020). Discriminatory acts are "coercion, libel, slander, physical injuries, and the dishonor of contractual obligations, such as contracts of lease or employment" (Parrocha, 2020). This ordinance is lacking though, as it fails to protect LGBTQIs from discriminatory acts during COVID-19. Case in point, in a protest rally, 20 LGBTQIs were arrested for allegedly breaking the law despite following social distancing protocols (Bajo, 2020).

Castillo (2021) finds that the Philippine government response is not totally gender-blind though. Some local government units have consulted women's rights NGOs, and gender specialists with the conceptualization of COVID-19 responses. Solo parent organizations, LGBTQI groups, and breastfeeding support groups were some of the groups that were consulted (Castillo, 2021). There was, however, a lack of attention given to "other critical gendered impacts of the health crisis in terms of economic security, unpaid domestic and care work, sexual and reproductive health services, and empowerment of women (Castillo, 2021)". On March 8, 2021, Senator Risa Hontiveros filed the Senate Bill No. 2088 or "An Act to Ensure Gender Responsive and Inclusive Protocols and Programming to Address the Gender-Differentiated Needs of Women During COVID-19 and other Public Health Concerns, Emergencies, and Disasters" or the "Gender Responsive and Inclusive Pandemic Management Act of 2021". This act seeks to establish gender-responsive policies and programs during disasters and public health emergencies. The act is designed to meet the special health and economic needs of women during the pandemic.

COVID-19 Situation and Policies: Single Parents

The unrecognized subgroup of LGBTQI single parents also deal with the magnified detriments of a heterosexist and homophobic society. Although being an LGBTQI single parent should not be different from being a heterosexual single parent, the challenges of single parenting can be compounded by a society with laws that are not inclusive. Heterosexual single parents already have to play roles of two parents. This means that one parent has no one to help them out with financial income, and child rearing and caring. Since single LGBTQIs raising children are three times more likely than comparable non-LGBTQIs to be living at or near poverty level (Gates, 2013), the situation is even worse for single LGBTQI parents during COVID-19 given movement restrictions during the lockdowns.

LGBTQI single parents have to continuously fight for rights to marry and become parents while dealing with COVID-19 issues. Access to existing legal protections may also be unavailable to LGBTQI parents amid the closures. Accordingly, “at a time when so many have become sick from COVID-19, ensuring the legal rights of a nongestational parent in a same-sex couple if the gestational parent becomes ill is more important than ever” (Katz-Wise, 2020).

In the Philippines, where same-sex marriages are not even allowed, families headed by same-sex couples struggle for legal recognition should they decide to have children by adoption or assisted reproductive technology (ART). The Adoption Law (Republic Act No. 8552 1988; Republic Act No. 9523 2009) gives LGBTQIs equal rights to legally adopt children as single people “but not by two people who identify as a domestic couple”. When it comes to ART however, unmarried couples cannot undergo in vitro fertilization or surrogacy procedures in the country. This follows that third party reproduction is not allowed for single people who want to become parents as well. Accordingly, if ART procedures involve a donor sperm or egg, and surrogacy, Philippine medical ethics boards prevent single LGBTQIs from undergoing fertility treatments (Perez, 2016).

Single LGBTQI parents also encounter legal and social skepticism about familial claims. The Solo Parent Act of 2000 (Republic Act No. 8972) provides benefits and privileges to solo parents, including opportunities for low-cost housing, medical assistance, and scholarships for their children. Duly licensed foster parents or court-appointed legal guardians may also be considered single parents. The law, however, does not include adoptive parents. Since the Philippines is the only UN-member state (besides the Vatican City) without divorce laws, separated single parents have to deal with hefty annulment fees, and the lack of legal provisions for division of assets and child support (Billing, 2018). Furthermore, LGBTQIs who take on parental responsibilities in the event that a partner dies will have difficulty availing certain benefits. This is quite worrisome when the COVID-19 death toll in the Philippines has reached almost 40,000 as of September 13, 2021. The quarantine has also been going on in the country for almost two years, and single parents have to continuously deal with the constraints of balancing work with childcare.

COVID-19 single parent policies should include government subsidies and extensions of unemployment benefits for those unable to work due to childcare duties (Alon et al., 2020). In Germany and Denmark, workers have remained on the payroll despite lessened working hours (Alon et al., 2020). In the Philippines, particularly in Quezon City, solo parents can avail of a 20 percent discount in food establishments as part of the assistance and benefits (Solo parents in QC 2019). In Makati City, 2,000 solo parents received Php1,000 (US\$1.00= approx. Php50.00) during the enhanced community quarantine period (2,000 solo parents, 2020). The Philippine National Police, on the other hand, excused single parent police officers from frontline duties during the

pandemic (Galvez 2020). The chief stated this was “to ensure the safety and security of children of PNP personnel from possible exposure and contamination to the virus” (Caliwan, 2020).

All over the Philippines though, the Social Amelioration Program (SAP) includes single parents as beneficiaries. The SAP is an emergency subsidy program for families belonging to the low-income and most-vulnerable sectors severely affected by COVID-19. This SAP was given out to “families,” but that definition, depending on the location, does not include same-sex partner households. One groundbreaking program is Pasig City’s COVID-19 supplemental cash aid program which specifically includes LGBTQIs (who have children) as beneficiaries. Each family received Php8,000. Mayor Vico Sotto emphasized the inclusion of LGBTQIs as “all variations” of families are covered in the program (Peralta, 2020). This cash aid program has been lauded as progressive and inclusive. Such inclusivity, however, has not been applied to the rest of the country.

As part of the mitigation of the socio-economic impact of COVID-19 on solo parents, the proposed Senate Bill No. 1411 or the Expanded Solo Parents Welfare Act of 2020 aims to provide solo parents with financial assistance and added benefits such as livelihood development services, counselling services, and legal advice and assistance (Hontiveros, 2020). A 7-day paid parental leave per year is also proposed. Public offices and private companies should also provide in-house daycare centers to accommodate their employees’ children who are aged 5 and below. Furthermore, widowed parents and spouses of low or semi-skilled Overseas Filipino Workers may be classified as single parents as well. Members of the United Solo Parents of the Philippines organization claim that although they have no intentions of relying on welfare, COVID-19 forces them to do so in the meantime (Hontiveros, 2020). If the bill gets passed, though, it remains biased towards heterosexual and biologically-related families.

COVID-19 Situationer: Filipino Lesbian Single Parents’ Experience

There are very few studies that examine the experiences of FLSPs during the pandemic. A phenomenological study by Ocampo et al. (2021), however, looked at the lived experiences of Filipino lesbian parents and revealed that the respondents are satisfied and fulfilled as parents. There are challenges though, such as parental fatigue and financial difficulties. Interestingly, Ocampo et al. (2021) finds the respondent’s optimism and resilience are indicators of “a more contemporary Philippine culture where there is greater recognition of LGBT people and communities” (Ocampo et al., 2021, 1297).

Despite this optimism, lesbian parents are still discriminated against. For example, in a custody dispute following the separation of biological parents, moves were made to disfavor maternal custody because the mother was a lesbian. Given that same-sex marriage is not allowed in the Philippines, there are no clear rights for custody of children, insurance benefits, social security, and other privileges accorded to heterosexual couples. Furthermore, although a lesbian woman can adopt the child of her partner, it would remove the right of one of the mothers over the child. In a study conducted by UNDP, ODI & Galang (2020) during the pandemic, it is revealed that “economic insecurity was a very common experience among the LBT women” and they “frequently worried about being able to financially support their dependents” even if they were employed full time.

Based on the above, Filipino lesbians face the following challenges: difficulty accessing various services due to two-tiered discrimination, stigma and scapegoating, fear of revealing their statuses, verbal, physical, emotional, and psychological abuse and violence, burden of domestic

and caregiving tasks, mental stress and anxiety, and lack of job security. Single parents, on the other hand, have difficulties in playing the roles of two parents in terms of providing financial needs, child rearing, and caring. Furthermore, they must also deal with the lack of legal provisions for custody, benefits, and child support.

Combining lesbian and single parent situationers, a three-tiered type of challenge faced by FLSPs may be gathered: being women, members of the LGBTQI community, and single parents at the time of the pandemic. As a part of these three subgroups, on top of all the challenges mentioned above, FLSPs also must deal with having to fight for rights to form a family, adopt, gain child custody, and become foster parents.

Implications

FLSPs do not have adequate legal protection against their three-tiered challenges during COVID-19. Although there are claims that the Philippine government is not entirely gender blind, there are very few initiatives specifically targeted at supporting FLSPs. As such, arguments are made for a more comprehensive policy that is COVID-19-SOGIE-related, which also particularly caters to the subgroup of lesbian single parents.

In the United Kingdom's Equality Act 2010, discrimination on the basis of sexual orientation, and expression of sexual orientation is outlawed (Equality Act 2010, 2018). While the act may not explicitly cover lesbian single parents, its legal protection of LGBTQIs, including persons being perceived to be LGBTQI, may be of particular relevance to lesbian single parents in the UK during COVID-19. Without a SOGIE Equality law in place, lesbians and lesbian single parents in the Philippines lack clear recourse and redress when they face discrimination in employment, housing, and public accommodations especially during the enforcement of state or municipal/local COVID-19 responses.

The proposed Senate Bill No. 1411 (Solo Parent Act) should also include the unique legal issues and status of non-heterosexual single parenthood. While it is acknowledged that single parents have various necessities and they should not be treated as a homogeneous group, gender plays a key role in identifying their specific needs. Single mothers and single fathers, for example, may have their own share of challenges which may be unique from each other. SB 1411 lacks the provisions to address these distinctions as well. If such a national social protection scheme were amended and passed, it would guarantee the acknowledgement of the difficulties that gender factors pose on single parenthood. This could in turn lead to additional social and economic benefits for lesbian single parents and their children. Moreover, a gender-sensitive response to COVID-19 will involve lesbians in all decision-making processes, including the design, implementation, and monitoring of laws, policies, and programs concerning them.

During the third month of the quarantine, the LGBTQI community in the Philippines was tasked to deliver food subsidies to COVID-19-affected families after packages were allegedly stolen by public officials (Moore, 2020). Mayor Sara Duterte stated that she assigned the job to LGBTQI networks since they understood the issues of marginalization and the need for inclusivity (Moore, 2020). Without a deep understanding of LGBTQI experiences, marginalization, and exclusion of SOGIE issues shall continue in policy and lawmaking. Since there is a limited community support network available to LGBTQIs due to homophobia, trusted community groups and local networks from humanitarian and diverse SOGIE sectors should also be consulted in national responses.

Conclusion and Recommendations

There are some States that have sought to protect the rights of LGBTQI populations during the pandemic. In India, stipends and counseling services have been provided to trans individuals (Tankha, 2020). In Spain, online platforms which provide social, mental, legal, and health support to LGBTQI individuals were launched (No to discrimination, 2020). Finally, in Argentina, the Minister of Gender and Diversity implemented an information dissemination campaign to help LGBTQI communities access medication and mental and sexual healthcare (Buchara, 2020).

To guarantee lesbian single parent rights, a three-prong critical COVID-19-SOGIE inclusive policy should be developed. It should cover anti-discrimination, LGBTQI solo parent concession, and a gender-sensitive response to COVID-19. Regarding anti-discrimination, the Philippines must prohibit discrimination on the basis of SOGIE which could inform government policy and decisions involving lesbian single parents during COVID-19. This ensures access to treatment, social services, and socio-economic protection without prejudice, and the prevention of human rights violations on the basis of SOGIE. The government must design lines of action that comply with international human rights obligations in response to vulnerabilities of lesbian single parents. The state must also ensure the full inclusion and equity of lesbians in a national social protection scheme that aims to provide additional economic benefits to solo parents in vulnerable sectors. Lastly, a gender-sensitive response to COVID-19 would ensure that the unique needs of sexual and gender minorities are met. There must be efforts to meaningfully consult and engage LGBTQI people in all decision-making processes, including the design, implementation, and monitoring of laws, policies, and programs concerning them. More studies should be done on the situationers of FLSPs during COVID-19 as well. Trusted community groups and local networks providing services and/or humanitarian aid should also be identified in order to ensure that gender concerns are addressed in their response practices.

This three-prong critical COVID-19-SOGIE inclusive policy is immediately needed to prevent social exclusion, discrimination, and stigmatization of sexual and gender minority parents suffering the gendered impacts of the pandemic. It is a way to lessen the barriers faced by people with diverse sexual orientations and gender identities, and a solution to the disproportionate effect on FLSPs. The barriers faced by FLSPs may be lessened in these times of COVID-19 if the UN's key actions are extended. The passing of the SOGIE Equality Bill and an amended SB 1411 will be a step forward to address these concerns policy-wise. There is also a need to engage FLSPs as a move towards gender inclusion and sensitivity.

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