The Social Justice Program Strategy and Theory of Change

LGBTQ people, and particularly those most marginalized, are at risk of discrimination and violence around the world. Arcus has focused on LGBTQ people in specific regions of significant need and where there is an opportunity for change—not only where threats to the lives of LGBTQ people are acute, but also where the Foundation can make a difference based on our knowledge, contacts, and partners on the ground. We place a significant emphasis on LGBTQ people of color, trans communities, refugees, and those living at the intersections of these identities, because of the particular challenges and difficulties they face. These are some of the most marginalized communities—or as we prefer to say, communities pushed to the margins—who are thus under the greatest threat of violence and discrimination.

Our consultations with the leaders in the field, as well as our own work in LGBTQ social justice since the Foundation's inception, led us to focus on three goals: increased safety, increased protections and the curtailing of harmful policy, and increased acceptance and inclusion. All three together are necessary ingredients for LGBTQ people to live their authentic lives with dignity.

Theory of Change

Goal Level

Within each of these goal areas, we are focused on specific objectives where we believe Arcus can contribute to change.

GOAL 1 **Increased Safety**

Across all of the geographic regions in which we fund, the safety of LGBTQ people is a critical threshold issue. Without safety, it is difficult, if not impossible, for LGBTQ communities to gain visibility, power, and influence in order to advocate for protections and inclusion. To increase safety, our theory of change focuses on the following:

- **Gathering and using documentation of hate violence and discrimination.** Violence and discrimination can be addressed only if the crisis is made visible with evidence.

- **Protecting, empowering, and advocating for those impacted by a lack of safety.** Those most pushed to the margins, including migrants and trans women of color, may initially require the protection and assistance of allies

and advocates, but must also be empowered to articulate and advocate for their needs, since they are in the best position to know what is needed to keep them safe.

- **Supporting community-generated safety initiatives.** Many of the communities we support in our focus countries and U.S. states are creating and implementing their own visions of safety that do not rely on policy change or interventions by criminal justice systems. We believe these new visions of safety may have the potential to protect those most at risk while fostering community institutions and leadership.

The U.S. program director and program officer are conducting a consultative process with grantees and other relevant stakeholders that aims to sharpen our approach to increasing safety in our focal regions, with a specific focus on better understanding the community-generated safety initiatives that are being implemented as alternatives to reliance on law enforcement.

GOAL 2 **Increased Protections**

Policy change is a necessary ingredient to promoting safety, acceptance, and the ability of LGBTQ people to thrive. This work involves advocacy on behalf of positive protections, such as nondiscrimination and identity-document change, as well as organizing to stop or curtail harmful policy proposals such as religious exclusions or restrictions on transition-related health care. Our theory of change to increase protections includes the following:

- **Base building and mobilization.** A large and active base of support is the fuel that advocacy organizations need to build the kind of power and influence necessary to successfully change policy.

- **Grassroots, "grasstops," and public advocacy.** Advocacy by experts, by large numbers of community members, and through the media are all important tactics to both promote positive policy change and stop harmful proposals.

- **Strategic litigation.** Long an important part of Arcus' social justice support, strategic litigation, which has been so successful in the United States, is increasingly being used in East and southern Africa, the Caribbean, Central America, and Mexico to increase protections.

GOAL 3 **Increased Acceptance and Inclusion**

The Arcus Social Justice Program is working to increase acceptance and inclusion by focusing on two objectives in which we have seen positive outcomes throughout our decades of work.

- **Increasing the visibility and influence of faith leaders and faith messages.** Allied faith leaders command the respect of their congregants, other faith leaders, and public officials. Their words and messages garner the attention of the media, and they are often given their own public platforms through broadcast and online vehicles. Given their influence, it is critical to LGBTQ acceptance, protections, and safety that allied faith leaders be supported in their efforts to speak out to multiple audiences.

- **Improving the accuracy and fairness of media reporting.** Given the pervasiveness of the media and the influence it has, particularly on issues where public opinion is still fluctuating, the Social Justice Program supports efforts to promote fair and accurate reporting through media monitoring, advocacy, and training. Our primary focus is on reporting on trans communities with regard to eliminating misgendering and "dead naming."

Both the Arcus International and U.S. portfolio staff teams are in the process of better defining our faith-related funding. On the international side, we have commissioned an external evaluation of faith efforts in East Africa with the objective of gaining a better understanding of what approaches have been effective. On the U.S. side, the 2019 request for concepts process did not adequately surface requests from faith-based organizations working to advance LGBTQ justice in our focal states. As a result, we are retaining a consultant to conduct a scoping project that will identify potential faith grantees that can be funded in early 2022.

Program-Wide Strategic Objectives

Across all of these goal areas, and across all of the regions in which we fund, the Arcus Social Justice Program's theory of change points to the following objectives:

Support ecosystems of organizations

It is rare that one organization by itself brings about impactful change. That is why the Arcus Social Justice Program funds ecosystems of organizations working on the same or similar issues and employing a range of tactics. Many of these groups are based in the U.S. states or in countries that we have prioritized for support. Others are regional or national in scope (in the case of the United States) but are authentically partnering with those closest to the ground.

Support the enablers of policy and social change

When taken together, the goal-level objectives described in the preceding section comprise, as a group, enablers of change: documentation, base building and mobilization, advocacy, strategic litigation, lifting of pro-LGBTQ faith voices, fair and accurate reporting, and community-generated initiatives.

Provide grantees with adequate flexibility

The opportunities and challenges presented to Arcus grantees change and shift regularly. With a new U.S. administration have come new possibilities and threats. At the state and country levels, well-funded opponents are engaging in multi-issue culture wars that manifest in new policy proposals on a variety of issues. These threats mean that grantees must be able to pivot and flex their priorities and tactics, and therefore their funding must be flexible and sustained. Thus, when possible, the Social Justice Program provides its grantees with multiyear general operating support that takes into account the shifting landscape grantees face but nevertheless advances grantees' missions and plans, as well as Arcus goals and indicators.

We are committed to aligning our funding with our strategic objectives, which means remaining focused on our objectives and engaging in an evaluation process that identifies areas of impact, areas of challenge, learnings, and the need for adjustments when necessary.

Addressing Strategy Implementation Questions

To ensure that our strategy is on track and advancing, we addressed the following questions to assess whether our funding is focused on the most pressing issues facing our target populations and whether the grantees we support are effectively advancing the goals and objectives of this strategy.

1. How do we know we are focused on the most pressing issues facing LGBTQ people most pushed to the margins in our focus regions?

In both the development of our strategy and its subsequent implementation, Social Justice Program directors and officers consistently source information and feedback through deep consultation with grantees and other stakeholders. Our efforts balance the need to be disciplined in aligning grants with the objectives of our strategy (as detailed above) and the need to ensure that the assumptions that underpin the strategy are tested for validity throughout the implementation time period. Consultation takes two main forms: 1) retention of consultants to conduct extensive

research that updates our knowledge of context, threats, and assets and identifies potential grantee partners; and 2) ongoing discussions with grantees, currently via video meetings but normally through site visits and conferences. In addition, meetings with funder colleagues and our involvement in the Global Philanthropy Project and Funders for LGBTQ Issues help us remain current.

In a few instances, we have needed to question our original assumptions or assess progress in specific areas of work to ensure that we are indeed focused on the most pressing issues facing the communities we center. The following are two key examples of this reconsideration:

- **In the United States, re-examining whether we are adequately supporting efforts to advance the safety of LGBTQ people.** Arcus began to implement its strategy in this goal area with a focus on improving anti-LGBTQ violence data gathering and reporting, while also supporting a small number of community-generated safety initiatives. We learned through consultation and through a partnership with the National Coalition of Anti-Violence Projects, a grantee, that while accurate data is important, it is not central to keeping people and communities safe—especially when the main perpetrators of violence include those same public officials who are charged with addressing incidents of violence. As a result, Program Officer Glo Ross conducted an extensive research and consultation process on how grantees and other partners are addressing safety. This recently completed research will be the basis on which the U.S. portfolio team builds out stronger efforts to fund new approaches to safety and adjusts our current goal-level indicators to measure change in this area. Those changes are currently in process and will be completed early in 2022.

- **In East Africa, assessing whether faith-related efforts are advancing acceptance and inclusion.** Faith has been an essential aspect of Arcus' Social Justice Program over the last 15 years, though not outside the United States until 2013. In the countries we fund in Africa, we have supported the work of pro-LGBTQ faith leaders and faith communities to train other clergy in the theological underpinnings of LGBTQ acceptance and how to best support their LGBTQ parishioners, to advocate publicly against hate violence, and to work with public authorities to improve their treatment of LGBTQ people. While we are seeing some positive outcomes from these efforts (e.g., the growth of accepting clergy and faith communities and a decrease in hate violence in one region where a minister spoke out on the radio), it is still unclear whether these in-

terventions are sustainable, particularly those that involve a seemingly never-ending cycle of training activities. As a result, Program Officer Erica Lim commissioned an evaluation to better understand the types of faith-related efforts that can be effective in East Africa. That research has been completed with final recommendations based on those findings available in early 2022.

2. Are the grantees we support advancing the goals and objectives of the strategy?

Implied in this question is its corollary: are we funding "the right grantees"? In some ways, this question is impossible to answer in the abstract, since it implies knowledge of whether there are other organizations, which if funded, could achieve more. (To be clear, when such organizations come to our attention, we do invite them to apply for funding.) In sum, we believe we are on the correct course, both with regard to the selection of grantees (some of which we funded prior to the adoption of the current strategy, although most of which emerged through the Request for Concepts process in 2019) and the early results they are producing. That said, just as we balance strategy discipline with emerging critical needs, in this context we balance our commitment to building long-term, deep relationships with core partners with the need to reassess the degree of grantees' alignment with our strategy and the need to bring on new partners. For example, in a few cases the U.S. portfolio this year includes transition grants to organizations whose strategy fit isn't as highly aligned as we need it to be. In addition, this year the U.S. portfolio team is recommending the addition of a new grantee that has been able to achieve some impressive outcomes in the areas of base building and civic engagement—two important elements of our protections goal.

In "The Strategy at Work" section of this report, we detail the advances that specific grantees are making in each priority geographic region. Rolling up these outcomes, we have been able to identify the following areas of impact.

GOAL 1 **Increased Safety**

- **Documentation of hate violence.** In the international regions where Arcus works, the Foundation supports a significant number of grantees in documenting incidents of hate violence and then using this data to a) advocate with public officials to prosecute these cases, b) introduce evidence in litigation, and c) present evidence of mistreatment and impunity by criminal justice officials. Some grantees are working closely with public officials to develop protocols for investigating incidents of hate violence. One grantee in Africa developed an app that

enables LGBTQ people to report incidents of violence without having to contact public authorities.

■ **Migrants' and asylum seekers' rights.** Arcus grantees are supporting LGBTQ migrants and asylum seekers in a refugee camp in Kenya, an ICE detention center in the U.S. South, and along migration routes in Mexico. In Kenya, a grantee forged a partnership with the U.N. High Commissioner for Refugees to provide safety and legal rights training for those in the camp. In the United States, grantees are slowly but surely successfully gaining the release of trans detainees from ICE custody while advocating with the Biden administration for an end to trans detention. In Mexico, Arcus helped a grantee create the first network of 20 organizations working with LGBTQ migrants throughout the country.

■ **Pandemic-related interventions.** An Arcus grantee secured the released of more than 20 gay men arrested in Uganda for allegedly violating COVID-19 restrictions. The court awarded compensation to the men for their mistreatment while in custody. In the United States, Arcus grantees across the southern tier provided funding, food, shelter, and other mutual aid assistance to community members.

> **GOAL 2**   **Increased Protections**

■ **Advocacy for pro-LGBTQ policies.** Advocacy by Arcus grantees contributed to the following policy advancements: a ban on conversion therapies in Mexico City and in Tallahassee and Jacksonville, Florida; passage of a comprehensive hate crimes bill in Georgia; and passage of nondiscrimination ordinances in Mesa, Arizona, and in seven localities in Georgia.

■ **Advocacy in opposition to anti-LGBTQ policies.** Arcus grantees contributed to the defeat of all religious refusal policy proposals at the state and local levels in Georgia, Florida, and New Mexico. In Uganda, our grantee is working to prevent the enactment of a law that would increase criminalization of LGBTQ people.

■ **Correcting gender markers on ID documents.** Across all regions, Arcus grantees have been successful in advocating for changes to policies and procedures to enable correction of gender markers on identification documents. Grantees are working at the administrative, legislative, and judicial levels on these issues; for example, a grantee in New Mexico is involved in a successful collaboration with the department of motor vehicles.

■ **Strategic litigation.** Continuing a long successful strategy for policy change in the United States, Arcus is contributing to the building and strengthening of this sector of the movement in Africa, Central America, Mexico, and the Caribbean, including the establishment of one region-wide litigation network in Central America and Mexico. Notable outcomes to date include a positive ruling on decriminalization in Botswana in a case supported by an Arcus grantee; accountability by governments in Honduras and El Salvador for murders of trans women; and a positive ruling on decriminalization in Jamaica.

■ **Base building and new movement capacities.** The growth of movement strength and capacity is a necessary precursor for sowing the seeds of victories down the line. In Africa, the continent-wide LGBTQ coalition increased its membership by 85 percent. Arcus' support helped create the aforementioned litigation network in Mexico and Central America and the network of organizations assisting migrants in Mexico. Arcus is also the first significant funder of a national LGBTQ advocacy coalition in Mexico. In the United States, grantees expanded their bases of supporters and mobilized them to vote, resulting in the defeat of two anti-immigrant sheriffs in Georgia and increased LGBTQ Latinx turnout in Arizona, North Carolina, and Florida. In the Central Valley of California, Arcus grantees are building a growing base of young Latinx LGBTQ activists and leaders in one of the most conservative regions of the state. In Florida, an Arcus grantee established the Black LGBTQ Leaders Network, the first network of its kind in the state.

> **GOAL 3**   **Increased Acceptance and Inclusion**

■ **Promoting faith-based work.** In Africa, a growing number of clergy are being trained on LGBTQ issues by Arcus faith grantees, resulting in more clergy speaking up in public, including on radio broadcasts. In one region in Kenya, after a faith leader spoke up against anti-LGBTQ violence, incidents in that area decreased.

■ **Engaging with the media.** Media advocacy in Mexico by an Arcus grantee resulted in the accurate and objective reporting on the community of muxe people—Indigenous gender variant people and trans women—living in a region of the country.