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Rights of LGBTQ: Let Us Look Beyond Sexuality

DR. AMRITA SINGH¹

ABSTRACT

A group of people who identify as non-heterosexual or non-cisgender is known as the LGBTQ (Lesbian, Gay, Bisexual, Transgender, and Queer) community. Throughout its history, this community has encountered considerable social, legal, and political difficulties, including as marginalisation, violence, and discrimination.

While transgender persons identify as a gender other than the one they were assigned at birth, lesbian, gay, and bisexual people are drawn to people of the same sex or gender. The term "queer" can be used to refer to the entire community and includes all non-heterosexual and cisgender identities.

LGBTQ people are still facing serious challenges and prejudice around the world, notwithstanding some improvements in recent years. Same-sex partnerships are still prohibited in several nations, and LGBTQ people who come out about their sexual orientation or gender identity risk being put to death or being imprisoned.

Many LGBTQ people experience social exclusion, discrimination, and harassment on a daily basis in addition to legal difficulties. In addition to higher rates of suicide and self-harm, this can result in mental health problems like despair and anxiety. In order to value and respect the diversity of human sexuality and gender identity, society must become more welcoming and inclusive.

Keywords: *LGBTQ, discrimination, sexuality, gender identity, inclusion.*

I. INTRODUCTION

A group of people who identify as non-heterosexual or non-cisgender is known as the LGBTQ (Lesbian, Gay, Bisexual, Transgender, and Queer) community. Throughout its history, this community has encountered considerable social, legal, and political difficulties, including as marginalisation, violence, and discrimination. The issue of LGBTQ rights has been one of the most contentious and debated topics in recent times. LGBTQ people have been fighting for their rights and equality for decades, and their struggle has gained momentum in recent years. The growing importance of the rights of LGBTQ people can be attributed to several factors, including changing societal attitudes, legal victories, and increased visibility.

¹ Author is an Assistant Professor at KLE College of Law, Navi Mumbai, India.

II. INDIA'S CASE

India has a long and complicated history when it comes to LGBTQ rights. For many years, homosexuality was criminalized in India under Section 377 of the Indian Penal Code, which was a legacy of British colonialism. However, in 2018, the Indian Supreme Court struck down Section 377, decriminalizing homosexuality and marking a significant victory for LGBTQ rights in the country. Since then, there have been several other measures taken in India to protect the rights of LGBTQ people.

One of the most significant measures taken in India to protect the rights of LGBTQ people is the establishment of legal protections against discrimination. In 2019, the Indian Parliament passed the Transgender Persons (Protection of Rights) Act, which prohibits discrimination against transgender people in employment, education, healthcare, and other areas. The act also recognizes the right of transgender people to self-identify their gender and provides for the establishment of a National Council for Transgender Persons to address issues facing the community.

Another important measure taken in India to protect the rights of LGBTQ people is the recognition of same-sex relationships. While same-sex marriage is not yet legal in India, the Supreme Court has recognized the right of same-sex couples to live together and has ordered the government to extend certain legal protections to same-sex couples. In addition, several Indian cities, including Delhi and Mumbai, have established domestic partnership registries that allow same-sex couples to register their relationships and access certain legal protections.

There have also been efforts in India to raise awareness about LGBTQ issues and promote greater acceptance and understanding of the community. For example, the government has launched several campaigns aimed at promoting LGBTQ rights and combating discrimination, including the "National Legal Services Authority vs. Union of India" case which resulted in the recognition of transgender people as a "third gender." In addition, there are several LGBTQ advocacy organizations operating in India, such as the Humsafar Trust and the Naz Foundation, which work to promote the rights of LGBTQ people and provide support and resources to the community.

III. IN THE WEST

Looking at west, in the past few decades, there has been a significant shift in public opinion regarding LGBTQ people. According to a 2021 Pew Research Center survey, over 70% of Americans now support same-sex marriage, up from just 35% in 2001. Similarly, a 2020 Gallup

poll found that nearly two-thirds of Americans support laws that protect LGBTQ people from discrimination in employment, housing, and public accommodations.

This shift in attitudes can be attributed to several factors, including increased visibility of LGBTQ people in mainstream media and popular culture, as well as the tireless advocacy work of LGBTQ activists and allies. As more and more people have come out as LGBTQ, and as their stories have been shared and celebrated, public opinion has shifted in their favour.

Another reason for the growing importance of LGBTQ rights is the increasing number of legal victories that have been won in recent years. In 2015, the Supreme Court of the United States ruled that same-sex marriage was legal in all 50 states, a decision that marked a major milestone in the fight for LGBTQ equality. Since then, there have been several other significant legal victories, including the repeal of the military's "Don't Ask, Don't Tell" policy, the legalization of same-sex adoption, and the expansion of anti-discrimination protections to include LGBTQ people in several states and municipalities.

These legal victories have not only granted LGBTQ people important rights and protections, but they have also sent a powerful message that discrimination against LGBTQ people will not be tolerated. As more and more legal victories are won, LGBTQ people are gaining greater legal recognition and protection, and their rights are becoming increasingly important.

Finally, the growing importance of LGBTQ rights can be attributed to increased visibility. LGBTQ people are more visible than ever before, thanks in part to the internet and social media. Platforms like Facebook, Twitter, and Instagram have allowed LGBTQ people to connect with one another and share their stories with the world. This increased visibility has helped to break down stereotypes and misconceptions about LGBTQ people and has helped to foster greater understanding and acceptance.

IV. THE CHALLENGES

Despite these positive developments, there is still much work to be done to protect the rights of LGBTQ people. Discrimination and harassment against LGBTQ people continue to be a problem, particularly in rural areas where attitudes towards homosexuality are often conservative. Additionally, there is still significant resistance to LGBTQ rights from some religious and conservative groups in India, which can make it difficult to make progress on these issues.

Due to their fear of prejudice from their families, who may view homosexuality as disgraceful, the majority of LGBTQ persons in India remain secretive. Rural communities still experience

discrimination, as LGBTQ persons frequently experience forced opposite-sex marriages and rejection from their families.

People's preconceptions cause them to believe that LGBTQ individuals are strange and distinctly different. More Indian youngsters than ever before may accept homosexuality and queer identities today, yet acceptability within the walls of families, homes, and schools still presents a challenge for LGBT persons.

Being L, G, B, T or Q is neither a "problem" nor a "choice" in and of itself. LGBTQ people are just people with sexual preferences that are different from what may be considered the "norm," as a result of different acquired behaviours and, you know, having a unique perspective and thinking from everyone else. It is factually incorrect to state that someone's sexual inclinations that deviate from the norm are wrong. Our Indian Constitution in Article 15 prohibits discrimination on the basis of race, religion, caste, sexual orientation, or place of birth.

V. WAY FORWARD

To continue making progress on LGBTQ rights in India, there are several steps that can be taken. One important step is to continue raising awareness about LGBTQ issues and promoting greater acceptance and understanding of the community. This can be done through education and outreach programs, as well as through media campaigns and other forms of advocacy.

Another important step is to work to change laws and policies that discriminate against LGBTQ people. This can include advocating for the passage of laws that protect the rights of LGBTQ people and challenging discriminatory laws and policies through the legal system. It can also involve working with government officials and other policymakers to promote greater understanding of LGBTQ issues and to ensure that policies and programs are inclusive and supportive of the community.

In addition, the LGBTQ community has a lot of opportunities to advance towards complete acceptance and equality. To name a few:

- i. Advocacy and activism: For the LGBTQ community to attain complete equality and acceptance, advocacy and activism must continue. This entails promoting LGBTQ rights in all spheres of society, educating people about LGBTQ issues, and fighting to establish legislation protecting LGBTQ individuals from discrimination.
- ii. Intersectionality: In order to build a more inclusive and equitable society for all, it is crucial to acknowledge the interconnectedness of LGBTQ issues with other kinds of oppression, such as racism, sexism, ableism, and classism.

- iii. Education and awareness: Raising people's understanding and acceptance of LGBTQ issues and identities requires education. In addition to media portrayal and public awareness initiatives, this includes instruction in classrooms, workplaces, and communities.
- iv. Supportive communities: It's crucial to create and preserve supportive communities for LGBTQ individuals in order to give them access to services, a sense of community, and a sense of belonging. This encompasses online communities, social media, and LGBTQ organisations.
- v. Visibility and representation: It's critical to increase the visibility and representation of LGBTQ individuals in politics, the media, and other spheres of society to combat stigma and raise awareness.
- vi. Supportive Policies and Laws: The government can enact supportive laws and policies to shield LGBTQ people from prejudice, violence, and hate crimes. This can include regulations that guarantee access to healthcare that is considerate of the needs of the LGBTQ population and legislation that safeguard the rights of transgender people.
- vii. Aiming for Better Parenting: Since our parents are the closest to us in the human social structure, they must be receptive to their children's identities if society as a whole is to welcome diversity and value each child's individuality.
- viii. Our Diversity, Our Pride: It's crucial to have a welcoming environment where LGBTQ kids may communicate, exchange ideas, and work together. These spaces have been facilitated by platforms like Gaysi and Galaxy.

Overall, while there is still much work to be done, there have been several positive developments in India and abroad in recent years when it comes to protecting the rights of LGBTQ people. By continuing to raise awareness, change laws and policies, and promote greater acceptance and understanding, it is possible to continue making progress on these important issues.

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