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Lesbian, gay, bisexual, transgender, queer+ people's rights and their fight for social acceptance

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Abstract

Due to their sexual orientation, gender identity, or expression, many LGBTQ+ people experience stigma, prejudice, and discrimination that can have a substantial detrimental impact on their mental health. Different manifestations of this prejudice include verbal abuse, physical assault, isolation, social rejection, and legal injustices. Discrimination may cause people to feel alone, ashamed, and low in self-esteem, which can exacerbate mental health issues like melancholy and anxiety. The goal of the research is to learn more about the experiences of homosexual and lesbian youth in academic and college settings and further to understand the peer pressures such as homophobia in speech and behaviour, physical harassment, and staff attitudes towards this section of society. An examination of the text, restrictions on existing research, ramifications for future study, ramifications for practice, and also included was a summary of the study. Provide the necessary knowledge on how social identity develops and is currently a topic, with a focus on the LGBT community, to help people understand how important this is in today's society's perceptions of the most underserved group of people. In order to broaden the scope of the research, a thematically analyzed interview was also undertaken.

Keywords: LGBTQ, pride, social rejection, discrimination, homosexual, community

Introduction

The fundamental tenet of human rights is that all people are created equally ^[1]. It follows that all people should be treated equally and with decency. Anything that lessens that dignity is wrong since it violates the equality principle and makes discrimination possible. The preamble of the Indian Constitution, which demands fairness and equality of position for everyone in all realms, whether they be social, economic, or political, is also broken by this prejudice.

According to the vision of the state outlined in our constitution, social fairness is its main goal. Social justice indicates that all individuals are treated equally regardless of their place in society, which might be determined by factors such as accident of birth, race, caste, religion, or sexual orientation ^[2].

Problems that LGBTQ people encounter even though we may pride ourselves on being an advanced and sophisticated generation, it is heart breaking to witness the injustices suffered by members of the LGBTQ Community in various settings. Some of the frequent issues they deal with are: in schools, colleges, and other settings, LGBTQ children experience significant bullying as well as discrimination. It frequently takes people years to overcome the irreparable scars left in their lives by this act of bullying and discrimination. (2018 UNESCO Report) ^[3]. Lesbians, gays, bisexuals, and transgender people are more likely than heterosexual people to encounter intolerance, discrimination, and the possibility of harassment because of their sexual orientation. Even the death penalty is a result of homophobia. Certain aspects of a dominant group's moral, religious, and political convictions in various countries may contribute to the resurgence of homophobia on a greater scale. Homophobia refers to a variety of unfavourable views and sentiments towards homosexuality or those who identify as lesbian, gay, or bisexual or who are thought to be such individuals ^[4]. It has been described as disdain, prejudice, dislike, hostility, or antipathy and may be motivated by irrational fear or occasionally by religious convictions. The crime of homosexuality is punishable by fines, imprisonment, life in prison, and Human security is flexible and experienced in many different ways. The existence of transgender, transsexual, and intersex recognized people has further blurred the lines between male and female sexuality. LGBT rights still struggle to get widespread recognition, despite the fact that many have achieved tremendous progress in human rights campaigning.

Fast facts

The fact that the 1948-adopted Universal Declaration of Human Rights does not expressly mention LGBT rights leads some individuals to question their validity ^[5]. The term LGBT is an adaptation of the initialism LGB, which began to replace the term gay (Or gay and lesbian) in reference to the. Broader LGBT community beginning in the- mid- to late 1980s. When not inclusive transgender people, the shorter term LGB is still use instead of LGBT. It may refer to anyone who is non heterosexual or non - cisgender, instead of exclusively to people who are lesbian, gay, bisexual, or transgender ^[6]. International human rights groups like Amnesty International and Human Rights Watch continue to run successful campaigns. The elimination of discrimination based on sexual orientation and the protection of people from hatred and hate speech in the law will be the primary worldwide issues. It seems that a propaganda for LGBT rights in the years to come will demand for equal rights and privileges (marriage, for instance). Relationships, medical decisions, wills, and estates, as well as employment and to work, homophobia, parenting, and adoption educate others on heterosexism. They are singled out for physical attack, assaulted, tortured, and, in some cases, beaten, sexually assaulted, and killed. In 64 countries, discriminatory laws criminalise pecivate, consensual same-sex relationship, posing individuals to the risk of arrest, prosecution, imprisonment, or even the death penalty. Most of these countries are located in the Middle East, and Asia ^[7]. Lesbian, gay, bisexual, and transgender people are referred to as LGBT. first initialise. LGBT is a term that refers to heterosexual and is used to stress a diversity of sexual orientation and gender identity in non-cultural contexts. For those who identify as LGBTQ and/or are unsure of their sexual identity, in order to acknowledge this inclusivity, a common version adds the letter Q. LGBT, referred to as whether LGBT individuals publicly identify themselves today or have done so since 1996 may depend on their level of societal discrimination, the state of LGBT rights where they live, and other factors.

Purpose of the Study

The study's goal is to understand how social identity develops. Analyze recent literature on the environment at schools and colleges for lesbian students, as well as research peer impacts on gay and lesbian people, particularly those connected to gender roles and homophobia. Staff attitudes, physical harassment, and profanity. An examination of the literation restrictions in the current research and its consequences for the future research, practical applications, and a There is also a summary included. study the necessary identity development and current issues facing the LGBT community as a topic, emphasizing the significance of those issues. In modern thinking, there is a shift the most ignored neighborhood and what people believe.

A more drastic change

The Supreme Court has invalidated legislation from the colonial era that was eventually overturned. As a result of the LGBTQ verdict, it was the guarantee of equal citizenship. The criminalising ambit of Section 377 of the Indian penal code (IPC) violated this guarantee as it 'singles out people by private choices' and "marks them as less than citizens, or less than human". The law that criminalized homosexuality and homosexual people was finally overturned by the Supreme Court. Four concurring verdicts

were included in a decision on the lives of LGBTQ case that covered all of the fundamental rights guaranteed by the constitution and found that the provision violated the rights of LGBTQ people to expression, equality and privacy.

A stringent morality

The Court has made clear that it will defend the Constitution by designating itself as a guarantee of minority rights, regardless of the viewpoint of "popular legislative majorities." The importance of the judiciary in protecting the rights to life of people of all races and ethnicities cannot be overemphasised in a period when lynching is the norm. The government remains mostly a spectator in this situation. The Constitution, as described by Justices Misra and Chandrachud, is in conflict with Nautej Singh Johar's rationale ^[8]. A transposed form of 99 the goal of having a constitution, in the words of Justice Misra, "is to alter society" to embrace the values of justice, liberty, equality, and fraternity. The nature of the study requires information by some responded who has been selected from LGBTQ. All these people answered the question hiding their identity and agreed to completion of a questionnaire. Their answers are being mentioned here.

Ques: Before we get into the deeper knowledge of our topic, I want you to describe all the components and distinctions within the LGBTQ community because the majority of people don't know what that term means.

Ans: Yes, as you pointed out, most people don't know what the term "LGBTQ" implies, which causes certain erroneous beliefs to develop in their minds. This word doesn't require an understanding of biology related to hand hygiene. Simply described, bisexuals are those who experience equal levels of attraction to both men and women. Gays and lesbians are both genders of homosexuals. Transgender individuals have a sense of self and gender that differs from their biological sex.

Ques: Why is it difficult for people to socially acknowledge that they are a member of the LGBTQ community? Why do they find it so difficult to go outside of India due to societal stigma? compared to Ans: Due to the bad perceptions that society has about homosexuals and transgender persons, these individuals simply cannot come forward with their confessions, even if they would like to. These individuals fear that if they go out in public, they would lose their respect, be verbally attacked, suffer for their families, and maybe face harassment. In addition, up until now, there has been no legal support from the judiciary in India.

Ques: Why is it difficult for people to accept that the other person is part of the LGBTQ community?

Ans: see, there are several variables, like our Vedas and Puranas, which play a crucial role if we wish to accept anything socially, especially in a culture like ours. These serve as the cornerstone of social norms, practices, and traditions that we uphold in society. Homosexuality has always been seen as something abnormal from the beginning of time, and in my opinion, this is the sole factor that causes society to view homosexual individuals negatively. Desire culture is the foundation of civilization, and we learn everything from these old writings.

Ques: How would the new Section 377 ruling impact this community? Aside from focusing on the benefits, are there any drawbacks associated with it?

Ans: There are definitely benefits, drawbacks, and both associated with it. The only positive aspect of section 377's discriminatory nature is that it upheld the rights to personal freedom guaranteed by articles 21, 14, and 15 of the Indian Constitution. And one drawback of it may be that, while it undoubtedly moves society in the right direction, it won't put an end to prejudice.

Ques: Do you believe that a person's sexual orientation should be used to define them?

Ans: In my opinion, sexuality should not be criminalized by the legislature or the judiciary. For individuals who do not comprehend society, suppose India criminalizes sex between straight people. How would the straight populace react if courts decided whether their private life was lawful or not? Similarly, no one on Earth has the authority to tell somebody how their private life should appear on the inside of a bed chamber.

Ques: In India, how do parents respond when their children are homosexual or lesbian?

Ans: I think this depends what kind of the individuals they themselves are values family to parents who are supporting very much their children while there are others whose thinking has been hardened by years of social conditioning and stigmas.

Ques: Before decriminalising section 377 what were the hardships which these people had to face? How tough was life for them?

Ans: There are lot of hardships that these people had to face and some might still continue to face them. Since there was no legal backing for them, they were being threatened at their workplaces, homo sexuality derived HIV/AIDS affected gays from using medical facilities, they couldn't approach doctors to seek help that they as they feared will be imprisoned.

Ques: And are there any more rights which the LGBTQ community is demanding or any such rights which must be made fundamental for them?

Ans: Yes, there are other important areas which require similar legal & legislations like securing the right to marriage, inheritance, guardianship and adoption. The time, now, transgender have been marrying but they as per Hindu traditions couldn't register their marriage and adopt a child and till the times these issues are not taken care of there cannot be equality for LGBTQ community.

Ques: What's the status of LGBTQ community | India in comparison with other countries the world? Are such communities accepted and respected in a better way in the western countries?

Ans: Section 377 of the IPC was introduced by the British Government, which subsequently introduced it to other colonies around the world. Currently 32 members of the

commonwealth, excluding India, 31 countries do not so criminalise homosexuality but more developed nations like Canada, the UK and New Zealand have legalised same sex marriage. But the dynamics of homosexuality in India are different from many other parts of the world. In India it was public health concerns connected with HIV/AIDS crisis which played an important part in initiating the challenge to status while in us gay liberation was associated with other struggles of the 1960's and 1970's like civil rights in the US, for women's rights against censorship. And moreover homosexuals in India were never treated brutally as Arabian countries like Saudi Arabia and Malaysia where homo sexual are given corporal punishment for indulging into same sex, sexual intercourse.

Ques: In your opinion do you think, if these couples decided to have a baby or adopt a baby, will this notion will be passed on to their kids as well?

Ans: It is a myth that children of same- sex couples will have same sexual orientation and some even say that their children will have some psychological problems. It is very easy to say to understand this concept, just as that homosexuals are born out of heterosexual couples but will turn out to be homosexuals so it is not a compulsion that the babies. Of homosexuals will be homosexuals only. If we talk about other nations in the world, the European nations, especially Canada, are the ones with the most accepting attitudes toward homosexuality, whether it be at job, college, or school. The majority of nations, including Sweden, the United Kingdom, Belgium, and Denmark, have anti-gay laws. However, India has a long way to go before it can be said that it is socially accepting of homosexuality and queer organizations.

Many LGBTQ+ persons encounter stigma, prejudice, and discrimination because of their sexual orientation, gender identity, or gender expression, which can have a serious negative effect on their mental health. This bias can take many different forms, such as verbal abuse, physical harm, social exclusion, isolation, and legal injustices. Discrimination may aggravate mental health conditions like depression and anxiety by making people feel alone, embarrassed, and low on self-esteem [9]. Some LGBTQ people may use drugs or alcohol, among other substances, as a coping mechanism for the mental discomfort brought on by prejudice [10].

Phase 2: Analysis

To identify social identity and social awareness development the following data has been collected via above mentioned survey conducted on 20 people out of which 14 of them were heterosexuals and 6 of them were from the LGBTQ community.

Education Level

We found that 75% of the students are involved in the bachelor's program or even completed and 25% of them have completed High school which means that all of them are educated to answer the survey. While considering the LGBTQ community, we found out that 54% students of LGBTQ are involved in bachelor's program that means that in LGBTQ community education level is good which is a positive sign for the functional future of the community.

Family Status

The majority of the students fall under the category of middle class and it might be possible that students haven't revealed their family background, so the family background as indicators hasn't much importance to them. The data of shows middle and high class have equal number of numbers of LGBTQ community and thus indicators family class in meaningless to study LGBTQ community.

Current living situation

Most of the respondents current living situation is either hostel or with family / guardians. If we look up on the LGBTQ perspective, we found that 66.6% are from hostel as their current living situation. As we know that all the respondents are students and it is logical to think that these people are here for their higher studies so current living status indicates that they are free to take their own decisions.

Social recognition of Homosexuality

From the above data we can conduct that in India there are more people who recognize homosexuality (75%) rather than opposing it (15%).

Acceptance Homosexual Marriage

The acceptance of homosexuality and homosexual marriage is higher than social recognition and rejection, this shows that there is an increase in the level of awareness and it is a positive shift towards the acceptance of homosexuality.

Legalisation of Homosexuality and equal Rights as Heterosexuals

There are equal number of people who support the SC's decision on legalizing homosexuality and these people also believe in the fact.

Hide from parents or not

From the above survey we see that only 10% of people have disclose their sexual orientation to their parents and have not disclose it yet.

Conclusion

LGBTQ individuals may experience multiple forms of marginalizations such as racism, sexism, poverty or other factors - alongside homophobia or transphobia that negative impacts mental health. The exclusion and discrimination has resulted dropping out of school and leaving home and family. Families are their children's primary sources of support, and when families reject their LGBTQ children, it always tends to be detrimental to the children's mental health. Youth need the support of their LGBT families the most. More and more people, together with their families the most. Families are their children's primary sources of support, and when families reject their LGBTQ children, it always tends to be detrimental to the children's mental health. Youth need the support of their LGBT families the most. More and more people, together with their families and parents, are stepping forward as a result of the increased level of awareness and assistance. It gives them greater confidence in themselves. Experiences that may have a detrimental impact on mental health include being rejected by a loved one's religious community, verbal harassment, bullying at work, at school, and in public^[11].

According to numerous studies, LGBTQ people are more likely than the overall population to use alcohol, tobacco, and drugs, and they are also more likely to experience

substance abuse issues. All of the concluding observations serve as evidence of how painful, depressing, difficult, torturous, contemptuous, and abhorrent these people's lives are. Their fundamental human rights and civil liberties are not protected, and they frequently endure prejudice and even possible physical abuse.

People should have a clear understanding that homosexuality is NOT AN ABNORMAL behavior. The nations of the world that still view homosexuality as a crime must take action to decriminalize it, and for India, decriminalizing Section 377 is another feather in her cap. India has provided a shining example for the rest of the world to follow as they reevaluate their treatment of LGBTQ people.

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