Let me be GAY: The current social standing of LGBTQIA+ community in India

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Abstract

India is a land of remarkable diversity, characterized by a rich tapestry of cultures, traditions, and boundless possibilities. In recent decades, the country has witnessed significant technological advancements and growth. However, despite its progress and technical prowess, India still grapples with the challenge of accepting individuals who identify as gay, lesbian, or transgender.

For many, the journey of self-discovery regarding their sexuality can be fraught with mental turmoil and emotional distress, especially in a society that often stigmatizes those who are perceived as "different." Until recently, being part of the LGBTQIA+ community was even criminalized, creating an environment of fear and persecution.

This research paper aims to explore the struggles faced by the LGBTQIA+ community in Indian society, highlighting the ongoing trials and tribulations that arise from societal rejection and the failure to accept loved ones for who they truly are.

Keywords: LGBTQIA+ community, LGBTQIA+ social status, Challenges faced by LGBTQIA+ community

1. Introduction

Gender is fundamentally a social construct that dictates how individuals are expected to adapt to predefined roles based on their gender. This framework often leaves little room for either gender to deviate from established norms, forcing individuals to conform to culturally and socially defined roles and responsibilities. In her groundbreaking work, *Gender Trouble* (1990), Judith Butler articulates this concept, stating, "Masculine and feminine roles are not biologically fixed but socially constructed." This assertion remains profoundly relevant today, particularly within the Indian context, where societal expectations dictate specific behaviors and characteristics associated with being male or female.

In Indian society, distinct roles are ascribed to boys and girls from a young age, shaping their identities and emotional expressions. Boys are often encouraged to exhibit toughness, while girls are expected to embrace emotionality. This differentiation extends to the types of toys given to children—boys may receive guns or trucks, while girls are presented with dolls. As individuals mature, these gender roles become even more entrenched, reinforcing a binary understanding of identity.

Moreover, Indian society has historically been resistant to recognizing any gender identity beyond male and female. Until 2018, homosexuality was criminalized under Section 377, a remnant of colonial law that categorized "unnatural" sexual acts as criminal offenses. This law created an environment where individuals from the LGBTQIA+ community faced severe repercussions for expressing their identities. It

took over 150 years for India to begin acknowledging that gender cannot be strictly limited to the binary of male and female.

The consequences of such narrow-mindedness have been profound. Members of the LGBTQIA+ community have endured significant mental, physical, social, cultural, and political challenges due to societal rejection and stigmatization. Understanding and addressing these issues is crucial for fostering a more inclusive society that recognizes the diverse spectrum of gender and sexual identities.

1.1 The Battle for Identity

Discussing sexuality has long been considered a taboo in India, creating a culture where many are reluctant to engage openly on the topic. This pervasive mentality has been a major barrier to acceptance for the LGBTQIA+ community. The struggle for identity and social, cultural, and political acceptance began in earnest in 1991 with the release of a document by the AIDS Bhedbhav Virodhi Andolan (ABVA), which detailed the experiences of gay individuals in India. This report was a significant step forward, calling for action against Section 377, the law that criminalized homosexuality. However, despite its comprehensive nature, the report failed to produce tangible outcomes, largely due to societal embarrassment surrounding the subject.

Following the report, various attempts to challenge Section 377 were made through pleas and public interest litigations (PILs), but these efforts were often dismissed by the courts or met with public backlash. Meanwhile, the LGBTQIA+ community continued to suffer the consequences of societal rejection and discrimination.

A pivotal moment came in July 2009 when a Delhi High Court bench ruled to decriminalize homosexuality by abolishing Section 377. This decision sparked hope within the community, but it was quickly challenged by Suresh Kumar Koushal, a Delhi-based astrologer, in the Supreme Court. In 2013, the Supreme Court invalidated the High Court's ruling, shattering the hopes of many and reaffirming the legal status quo.

It wasn't until 2018 that the Supreme Court finally repealed Section 377, marking a historic moment for LGBTQIA+ rights in India. This landmark decision was a significant relief for many individuals within the community, symbolizing progress toward legal recognition and acceptance. However, despite the legalization of homosexuality, one must ask: has the agony of the LGBTQIA+ community truly come to an end?

1.2 The Challenges in Society

The day the Supreme Court deemed Section 377 ineffective in 2018 marked a red-letter day for the LGBTQIA+ community in India, symbolizing a significant legal victory. However, the battle for acceptance and equality is far from over. As we move into 2024, six years after this landmark judgment, one pressing question remains: Has Indian society fully embraced the LGBTQIA+ community? Unfortunately, the answer is a resounding no.

Despite increased awareness and a growing number of individuals coming out, the stigma surrounding the LGBTQIA+ community continues to cast a long shadow. Many still face significant challenges in gaining social acceptance, and discrimination persists in various forms—whether in familial settings, workplaces, or broader societal interactions. The progress made in legal terms has not yet translated into widespread societal acceptance, leaving the LGBTQIA+ community to navigate an environment that often feels hostile and unwelcoming.

1.2.1 Constant struggle for acceptance

According to the 2019 Human Rights Violations Report, of the 810 cases of human rights violations faced by sexual and gender minorities in South Asia, 372 occurred in India, accounting for a staggering 46 percent of the total. This alarming statistic highlights the significant challenges and discrimination that LGBTQIA+ individuals continue to face in India.

In the 21st century, individuals from the LGBTQIA+ community still face an uphill battle for the acceptance they deserve. A significant portion of Indian society continues to look down upon those whose sexual preferences diverge from established norms. This ingrained mindset often leads to harsh judgment and censure of anyone who does not conform to societal expectations.

The deep-seated notions surrounding sex and gender make it challenging to break free from these outdated perspectives. In many regions, there is a troubling view of the LGBTQIA+ community as a "disease" that can be eradicated, reflecting a profound misunderstanding and prejudice. This sad state of affairs complicates the quest for acceptance and respect that LGBTQIA+ individuals rightfully seek.

1.2.2 The Battle at Workplace

In their 2023 survey on LGBT+ inclusion at work, Deloitte gathered insights from 5,474 LGBT+ employees, with 445 respondents from India. A significant finding revealed that nearly three-quarters of Indian respondents expressed a desire to change employers in search of a more inclusive environment. This figure is more than double the global average, highlighting the considerable challenges faced by the LGBTQIA+ community at workplace in an Indian setting.

These statistics underscore the persistent barriers to acceptance and support within Indian organizations, reflecting a broader societal reluctance to embrace diversity.

1.2.3 The Domestic Persecution

The most significant setback faced by the LGBTQIA+ community often occurs within their own homes. Living with a homophobic family that seeks to "cure" their loved one's identity can be profoundly distressing and threatening. This constant state of fear has tragically led many to consider suicide, as they lack the essential support from family members. Instead of providing the love and acceptance needed, these family dynamics become a primary reason for individuals to resort to drastic measures, including self-harm or taking their own lives.

Heartwarming stories of families embracing their child's sexuality are unfortunately rare. This pervasive hostility often forces individuals to conceal their true selves from their parents or siblings, resulting in anxiety, depression, and other mental health challenges.

1.3 The Bright Side

The LGBTQIA+ community continues to face significant social challenges and barriers in India, often struggling for acceptance and understanding. However, there has been a gradual shift in societal perceptions. Success stories from LGBTQIA+ individuals are beginning to resonate, prompting a re-evaluation of views toward this marginalized group. These narratives not only inspire hope but also challenge stereotypes, encouraging broader acceptance and inclusivity within Indian society.

LGBTQIA+ individuals are making remarkable strides across various fields, actively working to raise awareness through their initiatives. Although they have endured countless struggles to achieve visibility and acceptance, many are committed to helping others who still feel the need to hide their true identities. Gauri Sawant stands out as an inspiring figure for those grappling with their sexuality or fearing to come out. Through her own trials and tribulations, Gauri has become a prominent activist advocating for LGBT-

QIA+ rights, serving as a beacon of hope for many in the community.

Beyond Gauri, many individuals of high societal status have come out as homosexual, inspiring those who are afraid or uncertain to embrace their identities. While progress in India is slow, it is heartening to see that change is occurring. More families, especially parents, are becoming supportive of their children's sexuality. However, it remains to be seen how this awareness will reach every corner of the country.

2. Materials and Methods

This paper is the culmination of extensive research on the representation of the LGBTQIA++ community within the Indian context, highlighting the challenges faced by this community in Indian society. A variety of online sources and texts were consulted during the research process, and all references are duly credited in the references section.

3. Research Gap

This research paper explores various aspects of the LGBTQIA++ community's life in India and examines the ongoing challenges they face, even after the decriminalization of Section 377. While this landmark decision marked a significant victory for the community, many individuals still encounter daily struggles. The paper aims to present an accurate portrayal of the LGBTQIA++ experience in India, highlighting the numerous hurdles—mental, physical, social, cultural, and political—that persist. Although legal recognition has been achieved, social stigma continues to weigh heavily on the community in 2024, six years after homosexuality was made legal in the country.

While a positive narrative may be crafted regarding the LGBTQIA++ community's status in the modern world, the reality is far more complex. Despite some progress, we remain behind in creating an inclusive society that accepts and respects individuals regardless of their sexual orientation. This research paper seeks to illuminate the substantial changes still needed and the gap between theoretical acceptance and practical realities.

4. Conclusion

The research conducted for this paper indicates a significant lack of awareness regarding the LGBTQIA+ community in India. Although the government has formally repealed discriminatory laws, practical measures to foster acceptance and support remain inadequate. More comprehensive studies are needed to ensure that the LGBTQIA+ community is embraced across all facets of life.

It is essential for the government to actively promote awareness that recognizes gender beyond the binary of male and female. In the Indian context, disseminating knowledge is crucial for cultivating a society that is inclusive and neutral toward the LGBTQIA+ community.

Educating the public on a national scale is a vital step toward ensuring inclusivity. While India is making remarkable progress in various domains, true advancement will only be achieved when societal mindsets evolve. Grassroots interventions and initiatives are fundamental to bringing about this positive change.

The analysis underscores the urgent need for a positive outlook toward the LGBTQIA++ community. It is essential that every individual is respected and accepted by society, regardless of their sexual orientation. Progress in societal attitudes is the true measure of advancement and must be recognized by all to ensure a community that uplifts rather than marginalizes LGBTQIA++ individuals. Embracing this mindset is crucial for fostering inclusivity and equality, ultimately leading our nation toward a brighter and more compassionate future.

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