

# Sociological Study on Awareness of Human Rights among LGBTQ

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**Abstract:-** Human rights simply represent the rights of every human being who is born in society; it had described gender equality and some certain standards of human behavior. In the context of Indian society, we are aware of human rights but when we talk about human rights we just count male gender and female gender but we often forget that naturally there are kinds of gender exists in the society. The motive of this research is to understand the physical, emotional and psychological problems faced by the LGBTQ community. According to some demographic records there is only 2.5 million population of LGBTQ community exists in India. Even though progress in many areas over the last few centuries people are still keeping stereotype for other sexual orientations. As we all know that in India LGBTQ community facing problem for so many centuries, we haven't yet accepted them as a part of our daily life, In traditional conservative society they have been abused mentally and physically, They go through name-calling often in very abusive language, even their parents didn't accept them and send them to their community organizations and many times parents don't even know what his/her daughter/son is? How are they feeling? And what might they have felt for not being accepted? In modern Indian society, some improvement has been taken place in status of LGBTQ, but still they do not enjoy as much freedom as other genders do. LGBTQ people may have been accepted by youth but are still not accepted within the boundaries of family, homes and schools, it still remains a struggle for them, and they even struggle to open up about their problems to their family and friends. LGBTQ people have been facing a huge problems related to violence, unemployment, poverty, inequality, education, discrimination and lack of health care and broadly the human rights violations. The motive of the study is to find out the reason why inequality of rights among LGBTQ still exists in modern society. Several studies conducted on secondary literature reviews and even more studies has been conducted on the issue which conclude that there is further need of awareness among people, there is need of strict law against discrimination and some changes need to be done in education system of India so that people understand concept of gender and Why some people are unique? And how natural is it to being unique? Through this study we aim to give moral education to youth and to teach them every human being has right to freedom, right to equality and right to live their life happily.

**Keywords:-** LGBTQ, awareness, violence, mental health, acceptance, rights.

## I. INTRODUCTION

Human rights are rights provided to all human beings from the birth, regardless of their nationality, race, sex, religion, color, and most importantly gender. As a result, human rights are neutral, authorized to all human beings, and cannot be taken away from them. But not all human beings are provided human rights equally and there's a significant imbalance based on biological characteristics [1].

Variety of human rights includes:

- Rights to life and security,
- Rights of equality before the law,
- Rights to work in dignity,
- Rights to education and consent to marriages,
- Right to freely participate in their cultural community,

and Human rights are fundamental to all, but the majority of the time the concern of human rights revolve around women, laborers, and criminals but we barely talk about LGBTQ and even forget about the third gender, which naturally exists currently known as the LGBT community, in traditional society, people think they are suffering from some disorder but, LGBT is not some patients who are affected by any syndrome, they are also human beings who are born naturally. The term "gay" has popularly used to represent a diverse group of people attracted to other individual of the same gender or in a relationship with the same gender [2].

In the countries of Europe and Asia continents, LGBT is the most unprivileged community that has been facing tremendous problems growing up in a society where heterosexuality has been the only one who has been the most acceptable orientation. They have been continuously facing discrimination and inequality all across the world in all spheres of life. LGBT people are the most targeting people who have been facing violence, harassment at school and college, school drop-out, mental illness, homelessness and rejection from Family [3]. The LGBT community in India is various forms of deprivation like- poverty, unemployment, illiteracy, racism, and sexism. This inequality in education and employment opportunity causes a high risk of unemployment due to which they are unable to take part in the economic growth of the country as LGBT contribute as 1-5% of the population of the country [4].

## II. MOTIVE AND OBJECTIVE OF STUDY

Recently released study on LGBTQ: psychologically vulnerable communities during the COVID-19 pandemic [5] to understand the unique vulnerabilities of LGBTQ community to provide equal mental health it is well established that LGBTQ community face many mental health problems which has been boosted significantly after the

COVID-19 pandemic. And also a bill passed by the Indian government on implications of the surrogacy (regulation) bill on Indian society explains the LGBTQ communities and ease of restriction for surrogacy [6]. Researcher approached the study in three parts:-

- To find out the reason why inequality of rights among LGBTQ still exists in Indian society
- To understand the physical, emotional and psychological problems faced by the LGBTQ community.
- To provide suggestions and recommendations on the basis of literature reviewed.

### III. BACKGROUND

The existence of transgender people witnessed in Indian society is mentioned in ancient Indian scriptures, Temples, Epics. The Aravani temple in Tamil Nadu, The Khajuraho temple in Madhya Pradesh, The story of great Indian epic Mahabharata, mentioned the name of Shirkhandi, The story of great Indian epic Ramayana also mention heterosexual peoples [7]. In the Early modern period of India, in the court of the Mughal Emperor Transgender people had significant positions they are also the religious authority who runs the holy places of Mecca and Medina, but after the 18th century the status of heterosexual people has been changed, they have seemed as Criminals [8].

The LGBT community witnessed many attacks such as rap, molestation, bullying, rejection from family, and even the rejection of gay, lesbian love, and even bullied because of their unique physical traits. Imposition of section 377 of Indian penal code by British raj has even worse which defined sexual relation between LGBT is a criminal offense, unnatural and against the will of God [9]. There were several protests globally against the act between 2001 and 2018 such as queer film fests, pride march, and even petitions also summated in courts. After the fight of 158 years, LGBT won their right when section 377 scrapped and Heterosexuality is no longer considered a crime, but it does not end they may have won the legal fight butanemotional and mental fight of expectance by family and friends is still going on [10].

### IV. LITERATURE REVIEW

In her research on the LGBTQ group of Russia employ vignette and focus group discussion method to get the in-depth situation and perception of the LGBTQ section. And their main findings include the high level of intolerance and social isolation faced in society. This Literature provides a great method to explore the issue in the Indian context [11].

In his exploratory research explained the Queer theory with a simple conceptual modal and try to uncover the various forms of injustice faced by LGBTQ of India in terms of taboo and stigma in the society already deals with gender inequality and social stratification [12].

In her research article explains the issue of the LGBTQ section of India from the lens of the religious minority community and also discusses the shortcomings of qualitative research methods and data collection when taking up such sensitive topics [13].

Through rigorous content analysis of daily national newspapers of the English language to recollect the factual information of the issues surrounding the LGBTQ population in India. Also, utilize the quantitative method to measure the frequency and duration of the news reporting and its implications on broader society[14].

### V. METHODOLOGY

The method we utilized for our descriptive study is a critical literature review with a comparative analysis of various events and reporting at the global level in general and in India in particular. Here researcher chooses the Scopus and Google scholar as the source of the content analysis, in which various kinds of literature eliminated at the initial level to maintain the quality of literature and strictly adhered to the pre-decided objectives of the study. The diverse range of journals, reports, and articles selected for the multidimensional and informed analysis.

### VI. DISCUSSION

#### A. *Inequality of rights among LGBTQ*

There are types of LGBT human rights or freedoms that are provided by law but haven't experienced by individuals yet, we must acknowledge the way limitations of this freedom constrain the ability of the LGBT community to contribute to the nation. The LGBT community have been facing physical, mental psychological, and violence threat in very misappropriate rate even their economic productivity has been limited. Everyone regardless of their gender and physical characteristics has the right to work in dignified environment without any discrimination based on sexuality [15]. LGBT communities become less productive at the workplace when they face discrimination as the organizations did not hire them due to their improper documents or identification and sexual orientation.

LGBT people have experienced many health problems such as depression, anxiety, mental abuse, and even sexual problem such as HIV/AIDS. Every individual has a right to attain the standard of physical and mental health based on sexual orientation and gender identity [15]. LGBT students also facing discrimination in school, collage, and university because of their sexual orientation, they face bullying and violence because of that they are unable to contribute in economic development, and sexual orientation is something which is private and one should not face discrimination on the basis of their gender. The right to protection and privacy of individual is mentioned in article 14, 15, and 21 of the constitution [16].

Humans have no control over their sexual identity and sexual orientation it is something on the basis of which one should not face discrimination, everyone has the right to enjoy all human rights entitled to humans. But transgender is the most disparaged and frail community in India. It is also a much non-reported case of LGBT who experience a variety of inequalities in the workplace, family, and society, LGBT experience less respect, worse treatment, lower satisfaction, and minority status [17]. Every individual has the right to recognized everywhere with respect whatever their sexual orientations and gender identity may be. No Individual can

be forced to and deny and hide their sexual identity [15].

As much as the LGBT facing discrimination in the outside world, LGBT don't even get accepted by their friends and family, and it does not appear that family accepts the identity of LGBT of their children as well as other adolescents, many LGBT are forced to being straight even when they are not, their parents blackmail them to get married and parents often behave like their child is suffering from any kind of disease LGBT facing many emotional problems in their own family and due to lack of emotional support many LGBT people attempts suicide [18].

#### *B. The physical, emotional and psychological problems faced by the LGBTQ community*

The LGBT community had to cope up with discrimination, harassment, bullying in school, college, workplace, and public places, physical and verbal violence which give a negative impact on their mental health which even leads to self-harm and self-killing [19]. This results in the experience of a higher rate of depression, anxiety, and emotional problems than other genders [20]. These emotional problems include sadness, loneliness, discomfort and it's not just because of their gender identity alone patriarchal society also contributes to this discrimination because patriarchal society defines sexual orientation as some kind of disorder.

Some of the Experiences that could negatively impact the mental health of every individual are rejection by family, loved ones, or religious group, harassment by colleagues, neighbors, the danger of violence and abuse in a public place, rejection from workplace and discrimination everywhere and LGBT people have been facing discrimination on daily bases. According to one report 40-50% of LGBT people suffering from mental health disorder on average.

Many LGBT has to wait to the adulthood phase to discuss their real identity with their family and friends, which infuse the fear of rejection and negative reaction which kept them from openly sharing their feeling. LGBT people who got rejected by their family because of their identity have a high risk of mental health, poor physical health, and the problem with drug use, feel more hopeless and because of rejection from family out of 10 LGBT people 8 are more likely to attempt suicide, 6 are more likely to have depression, and 3 are more likely to have HIV/AIDS. Many LGBT hides their identity to avoid being rejected and question their own identity and hurt themselves

#### *C. Suggestions and recommendations*

There is no short cut suggestion that we can change worlds LGBT problems immediately, a small step cannot make world change but can help on initial stage.

- India Lacks social examples and inspiration from the LGBT section to inspire the young and conservative family members of India to feel proud of being LGBT in their relatives, friends. We need to give them a proper opportunity as we provide to women.
- There's already a crisis in society related to female birth whereas the birth of a boy is more acceptable but there are no emotions developed in terms of LGBT or nonstraight individuals.

- In India, we need to provide proper awareness through television, social marketing, and the entertainment industry.

There should be a counseling committee in every school whose work is to counsel the student and make them what is gender what makes some people different youth need to learn about gender from basics, they should not wait until their adult age to understand the uniqueness of gender.

- India needs strict laws against discrimination, harassment, and violence in the workplace, public place, home for everyone not only for LGBT.
- There should be a counseling committee in college and education organization for LGBT students as well as for their parents so that their parents also to make them understand what their children is feeling and how important it is to being accepted within the family and how natural is it to being LGBT.
- In India, we need to provide proper education to marginalized LGBT so that they can also contribute to the nation's economy as well as they can also increase their own living standard.
- There should be proper norms at the workplace and strict rules against discrimination based on gender orientation, in the process of recruitment, as well as within the organization.
- Government has to allow LGBT to appear in the exams conducted by state and central government, governmental organizations, LGBT to take part in a governmental organization. Recently in one of the states in India allow LGBT to appear in their state examinations, this kind of initiative has to be taken by all states of India.
- In India human rights are not even experience by women and laborers, so we just need to provide moral education to the youth of our country so that they will understand how important to give freedom to every individual.

#### *D. Self analysis*

While working on the research paper and reading the literature, we find out that initially LGBT was accepted and tolerated in India even we can also find their mention in our traditional literature and Holy books, but after the invasions of other religions in India, we forget about our own culture. Unfortunately, Section 377 was imposed by the British government due to religious considerations. If we see LGBT through the lens of religion we will find out that we Indians were the first who are familiar and comfortable with the natural gender differentiation.

Secondly, we don't have clear terminology for their relationship we have been using a polar status for a relationship like father-mother, brother-sister, husband-wife why haven't we developed any terminology for LGBT. For example, when two gay people married they use the terminology husband for themselves, and when two lesbians married they use the terminology wife for themselves why. Why haven't we developed any third terminology for them as a partner?



Thirdly we accept LGBT as a part of our social life but deep down we haven't yet accepted them as a part of our families like how many of us will wish for a gay baby or a lesbian baby we may accept them after their birth but do we wish for them as their own child? Do we wish for a brother/sister who is gay/lesbian? We need to develop emotions like we have emotions for heterosexual.

Fourthly we have been looking at LGBT as some marginalized group or community who need help, which is wrong because they are not some kind of community or group who need help or our sympathy they are human beings who need acceptance. They are individuals with different sexual orientations who just need equality as another gender in all sphere of life they are as natural as other gender are.

Last but not the least, LGBT is not the only one who experienced inequality of rights, women, poor people, and laborers also facing inequality and patriarchal society is also one of the reasons behind it. Male is the most dominating gender who dominate women as well as the other genders. We can see that LGBT issues come after the revolution of feminism after the feminist revolution LGBT people also come forward to take their rights and equality too.

## VII. CONCLUSION

The study is based on the secondary research method because due to covid-19 we could not able to collect data for primary research method, which is the limitation of the study. We have understand about the inequality of human rights among LGBT and also the problems faced by them, this study conclude that firstly in India we need a strict laws and regulations which can protect the legal right of every individual, secondly Changes in the education system will make a big difference, third moral education is an important part of life and society, fourthly there is need of awareness among the youth of India and last but not the least we need to take step from our side we need to take initiative from our home our family by supporting our LGBT friends and family. LGBT is not just an academic topic to discuss but it is an important part of our nature which needed to be open up.

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