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## LGBTQ and their struggle for identity: An overview

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**Abstract :** Human beings are social animals as they cannot live alone or in isolation. They need each other to fulfill their needs or importance. Also they need each other to express their thoughts and love, gratitude - feelings. But biologically, men and women body structure are not same. In the society , number of people they have both men and women quality. We simply knew them as ' Transgender ' or 'LGBTQ' . This paper is focused on LGBTQ and their rights

**Keywords :** Transgender ,LGBTQ , Social System, India

**Introduction :** " Treating different things the same can generate as much inequality as treating the same things differently " -- Martin Luther King Jr.

Human beings ( men, women and others) are social entities as they cannot live alone or isolation.They need each other to express their thoughts and feelings.Over the past decade , LGBTQ people have gained more attention in society.India's LGBTQ culture has recently progressed in its cities due to the growing acceptance of the LGBTQ community in Urban India in the 21st century.

Thus this report is an overall study of the LGBTQ+ and their problems which is needed a proper solution and awareness about their very important because like every human beings they also have LGBTQ+ and their struggle for identity.

**Objectives of study :** From the above study the researcher have found the following important objectives which are mentioned below :

- 1)Trace the history of LGBTQ in details
- 2) Critically examine their issues to gender identity.
- 3) To discuss the role of the legislature and Judiciary in recognition of the issues.

**Methodology :** This paper is descriptive in nature and research method are comprised of secondary sources.The paper relies on the secondary data like journals, books, magazine newspapers and on also Internet etc

What is LGBTQ+ ?

LGBTQ+ is an acronym used to refer to people who select those sexual or gender identity labels as personally meaningful for them, and sexual and gender identities are complex and historically situated.LGBTQ+ people have always existed,even if some concepts new. Let's review the meaning behind "LGBTQ+" letters.

"L" stands for Lesbian

The term ' lesbian ' describes a woman who is physically, emotionally,or romantically attracted to other women.

"G" stands for Gay

The term ' gay ' describes a person who is physically, emotionally,or romantically attracted to people within the same gender.

"B" stands for Bisexual

The term " bisexual " describes a person who is physically, emotionally,or romantically attracted to people within more than one sex,gender,or gender identity.

"T" stands for Transgender

The term " transgender" describes a person whose gender identity or expression is different than their sex assigned at birth.

"Q" stands for Queer

The term 'queer' is used by some people whose sexual orientation is not exclusively hetero - sexual or straight. It's an umbrella term that includes people who have non - binary or gender - fluid identities.'Q' has also stand for those, questioning their identity.

In addition 'LGBTQ', some also add the letters 'I', 'A'.

"I" stands for Intersex

Those born with differences in their sex traits and reproductive system.

"A" stands for Asexual

People are those who lack a sexual attraction or sexual interest in others.

"+" stands for Plus

The '+' sign is a symbol that represents members of the community who identify with a sexual orientation or gender identity that isn't included within the LGBTQ acronym.

When these lesbians, gays, bisexuals, transgenders are attracted to the same sex, rather than the opposite sex. We know them 'Homosexual'.

**LGBT to LGBTQ** -- In the 1990's the long-standing bonds between Lesbian, gay, bisexual people in both daily life and liberation activism led to the adoption of the LGB. But it took to gain acceptance for another term that is now part of the modern acronym: 'Transgender'. More recently, Q has been added to the acronym. 'Q'(Queer) was increasingly used by people within the gay rights movement beginning in the 1990's. 'Q' also used to stand for 'questioning' as a way to acknowledge those who are exploring their gender or sexual identity.

### Historical perspective of LGBTQ community :

LGBT history dates back to the first recorded instances of same sex love and sexuality of ancient civilizations, involving the history of LGBT peoples and cultures around the world. They survived after many centuries of persecution -- resulting in shame, suppression and secrecy has only in more recent decades been pursued and interwoven into more mainstream historical narratives. In India, LGBTQ people have a long recorded and documented history since early times. Religion suggests that homosexuality thrived in early India until the Medieval times. In the early modern period it more centralized legal that imposed Christian European morals that were homophobic in nature. In the 21st Century, these traditions, there has been a significant amount of progress made on liberalizing LGBTQ laws and rights.

In 1994, the annual observance of LGBT history Month began in the U.S., and it has since been picked up in other countries. This observance involves highlighting the history of the people, LGBT rights and related civil rights movements. The LGBTQ community forms 8% of our population, and we have slowly started opening ourselves to this new outlook of practice tolerance and treat other individuals with respect, irrespective of the differences.

The LGBT/ homosexual community is struggling for acceptance and equality in society. Finding acceptance is particularly challenging for Transgender persons. Society misconceptions cause them to believe that LGBT individuals are strange and distinctly different.

Nowadays globally accept homosexuality and queer identities, but within the confines of family, home, school, office and any other places acceptance of their sexuality and freedom to openly express their gender choices still remain a constant struggle for LGBT community. The condition for Homosexual peoples in urban India as well as rural areas, where social media/ different source of medium and corporate initiatives have increased awareness of LGBT rights now. They were heard through different sources, and represent only a small portion of the many difficulties the communities. Numerous LGBT individuals deal with significant problems each year linked to violence, unemployment, prejudice, poverty and access to health care.

### Some issues of LGBTQ community faced in society :-

**(1) Family issue** - The parents' main role play in their child's life. Family makes a comfortable environment of taking openly about their child's sexuality. Lack of communication and misinterpretation between parent and their LGBTQ child increases conflict. Family disruption that can result in an LGBTQ child being moved out from the house. Most of the cases in basically India, family rejection leads to poor self-esteem, increased risk of suicide, drug use. Overall, parents of LGBTQ child may struggle with acceptance, societal judgement and concerns for their child's well-being, highlighting the need for interventions and support to reduce risk and improve parent responses.

**(2) Parenthood issue** - Rejections by loved ones, the physical and psychological well-being of their child are also common challenges for heterosexual parents. The right to parenthood for people of the LGBTQ community is not recognised by law or even society. Their pregnancy journey isn't straight forward and involves IVF, donor's, surrogacy, adoption, fostering and eco-parenting. There are challenges around finding out the right information for their family and starting that journey. LGBTQ families faced for a new family planning challenges due to intrusive questions from friends, family, colleagues and even health expertise.

**(3) Discrimination at Job** - Discrimination against LGBTQ persons at job is a major factor in the differences in socio-economic status for LGBTQ persons. Discrimination directly causes on their job, stability and it results in unemployment and poverty. This type of discrimination is often called 'LGBTQ discrimination' or 'LGBT discrimination'. This type of discrimination can occur in any workplace, regardless of company size or industry. The discrimination in the work fields can have adverse effects on both employees and business, also lead to feelings of isolation, anxiety and depression. In some cases, LGBTQ discrimination can even lead to physical violence.

**(4) Bullying and harrasment** - Bullying and harrasment play a important role in pushing members of the LGBTQ community towards drug abuse. When LGBTQ child's are bullied,it sets the stage for prolonged problems that can carry into adulthood . Bullying for gender can affects on that person depression and anxiety, and it can lead to low self esteem and low confidence.Instead of opening up about their problems, many choose to battle their emotions.This is especially common in the LGBTQ community.

**(5) Unemployment and homeless** - LGBTQ/ Homosexual members to experience homelessness or unemployment.This is especially common among youth who don't feel comfortable living with unaccepting parents or whose parents kick them from home because of their sexuality. They also have mental issues due to rejection and discrimination, making it difficult to find a work and shelter.Some they individuals turn to drugs and alcohol to self - medicate, which can cause them to lose their jobs and their homes.

**(6) Mental Stress** - The LGBTQ community members suffer mental issues like substance use disorders, affective disorders and suicidal thoughts. They suffer bullying at everywhere.Be it lesbian,gay, bisexual or transgender,they are judged

and mocked for their behaviour and physical appearance by other society consider it to be immoral and unacceptable, which is the result of lack of awareness about every gender and sex other than.Sexual assault is something very common they come across . Some of the common mental health issues thecommunity suffers from the depression and anxiety.The LGBTQ youth are likely to suffer 1.75 times more anxiety and depression. Lack of love, recognition and approval put them at the risk of an identity crisis, feelings of rejection and hope lessness, social isolation, Homophobia or transphobia,and difficult experiences of coming out nowadays.

**(7) Marginalization / Exclusion** - Marginalization / Exclusion is one of the major problems faced by homosexuals.Marginalization means treating a people as peripheral.Sometimes society refuses to accept them so that it becomes difficult for them to live as an individual.They want to contribution every steps of society,but they aren't allowed to participate equality because they are marginalized.We can term that as the ' Social Exclusion ' of homosexuals.Marginalization /- Exclusion of LGBTQ people often starts from the family where they are born.

Day to the life,they faced limitless harrasment from the society.Thats why LGBTQ community starts social movements that advocate for LGBTQ people in society and want's equal rights.Although there is not a primary or an overarching central organisation that represents all LGBT person and their interests, many LGBT rights organisations are active worldwide.The first organisation to promote LGBTQ rights was the ' Scientific Humanitarian Committee ' founded in 1897 in Berlin.

### **LGBTQ community started Social Movements -**

The LGBTQ rights movement is more visible in the 1970's.In the early 1970 arose a more reformist and single issue gay rights movement, which portrayed gays and lesbians as a minority. Beginning in the mid 20 th Century, an increasing no. of gay organization were formed.Their movement was beginning to win victories for legal reform, particularly in Western Europe. LGBTQ movement advocates to an end discrimination them in against employment, credit, housing, public accommodations and other areas of life.

LGBTQ movements have critised identity politics as limited and flawed, elements of the queer movement have argued that the categories of gay and lesbian are restrictive, and attempted to deconstruct those categories, which are seen to 'reinforce rather than challenge a cultural system that will always mark the non - heterosexual as inferior.

The movement has grown in the past few decades as a social movement that challenges patriarchy and inherent hetero - sexism in society that love between men and women as natural, necessary and compulsory.

### **LGBTQ movement in India -**

LGBTQ movement is still quite new, it's first step in 20th century.However , the movement didn't start overnight and it was the result of several visible and invisible developments taking place over the years at the global and national level.The role of ' AIDS Bhedbhav Virodhi Andolan ' popularly known as ABVA is very important in the gay rights protest in India.In 1991 , ABVA came up with a report titled less Gay : A Citizens ' Report on the status of homosexuality in India, which was the first document to publically demand queer rights in India.There were many developments, both at the micro and macro levels, which facilitated LGBT rights Movements in India.Many people only talk their sexuality just because of inspired other common people to ' come out ' and openly talk about their sexual orientation.Various gay pride parades were organised throughout the country and in 1999. The first gay parade in India took place in Kolkata and subsequently it spread all over the country.In 2001, an NGO fighting for gay rights.After that these pride parade got huge support from society,media , famous personalities etc.In Madurai first LGBT Queer Rainbow festival was held in 2012 with demand to eradicate social discrimination faced by LGBT community.

After the struggle of many year's,on 2009 Delhi High court struck down Section 377 of IPC , discriminalizing homosexuality, which was a victory in the history of struggle against criminalisation of homosexuality.Indian Home Ministry opposed discrimination of homosexuality, calling it ' immoral ' and in December 2013 , the supreme court of India reversed the ' Delhi High Court ' decision.

Therefore, at present, homosexuality is a criminal offence in India.

**Major purposes of LGBTQ Movement are -**

- (1) To discriminate sections 377 of Indian Penal code.
- (2) To make people aware about homosexuality and clear the misconceptions about it.
- (3) To seek people attention towards LGBT issue and make them sensitive towards it.
- (4) To protect individuals from homophobic/ transphobic and violence.
- (5) To prohibit discrimination based on sexual orientation and gender identity.
- (6) To make LGBT people aware of their rights and encourage them to fight to achieve them.

**LGBTQ struggle for Rights' and identity -**

The GOI has passed various laws for the upliftment and normalisation of LGBTQ community which are as ---

- (1) Discrimination of Section 377 - In the year 2018, the supreme court of India has partly discriminated the section 377 of the Indian Penal code. Court has explained the problems faced by the people of LGBTQ community and also upheld their constitutional rights. On the lines of discrimination of section 377, petitions are filed in the court's for recognition of same sex marriages.
- (2) Transgender Persons (Protection of Rights) Act, 2019 - The apex court has recognised transgender as the third gender. It was the most celebrated judgement and on these lines in the year 2014 first ever bill for the Rights' of transgender community had been introduced, however it was lapsed in the year 2016. The purpose of this legislation is to provide equal access to education, jobs and other opportunities to the transgender people. The act prohibits any kind of discrimination against the transgender community, further it punished any kind of abuse towards transgender under section 354, section 354A, section 354B, section 376, section 498A, section 499 of Indian penal code, 1860. This act also provides for medical facilities, shelter and rehabilitation of the people of community. It protect the people of transgender community.
- (3) Reservation to transgender people - In the case of National legal services authority (2014), the Apex court declared the transgender has been made eligible to the reservation policy of India. The transgender community has been granted educational and economic reservation according to the constitution of India.
- (4) Rights under Constitution of India - The article 14, 15, 21 has been included in the constitution which guarantee every person Rights' to equality and rights to life which are basic human rights.

**Results and Findings :**

Overall, this research finds that many LGBTQ people continue to face discrimination and exclusion from society. This worse experience leads to adverse affects of their financial, mental and physical well-being. The supreme court of India judgement gave as a huge relief to the LGBTQ community and now they safely express their sexual orientation.

**Suggestions :**

- (1) To create awareness about every gender and their sexuality. To conduct workshop, meeting, conference etc, through people can understand the body functioning and nothing else.
- (2) The government has the power to repeal laws for Homosexuality rights. Government is taking any strong step to provide legal safeguards for the LGBT people.
- (3) There is also need to bring some changes in the process when we socialize over family, friends and society.
- (4) To make policy and strategies for LGBTQ well beings and create a safe comfortable environment.
- (5) To include in the topic of LGBTQ in school syllabus, so that one can understand the biological phenomenon of every gender and sexuality from childhood. First educated them selves.
- (6) We selves take to 1st step towards stop to marginalized them from the society, stay connect with them.
- (7) To make family members understand and make easy environment for them.
- (8) They should must aware the their rights.

**Conclusion :**

However LGBTQ community rights has been made, attitude towards them has changed in the past few decades. The implementation of LGBTQ prejudice and and recommendations remains. Social scientists, educators and practitioners continue to develop a robust knocked base to guide these efforts. Much of the evidence on norm change towards greater acceptance of and support for LGBTQ people. We may say last we all same, we all equal. We all are God creatures. Every year on 29 June is celebrated as 'World Gay Day' because promote the constant fight for the equality in this community.

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