



Problems and Challenges of LGBT: Social Work Perspectives

Author- Hareem Fatima Nomani

Research Scholar

Dept. of Social Work

University of Lucknow

ABSTARCT

Even though Hon'ble Supreme Court of India has decriminalized section 377 of Indian penal code but we as a citizen of this country has not yet accepted LGBTQ community whole heartedly. Changes have been made to normalize the taboo which circulates in our society when it comes to them, for starters- Third gender category is added in forms and job opportunities are also available for them. But still there are nuances which exist related to their Rights, True Validation, Identity and what not. My topic is about the challenges they face and problems they go through to just fit in this society. We have to accept the fact that as a society we cannot make decisions for LGBTQI+. As an individual they know better about themselves than we ever will, Irrespective whether we are able to understand the basics or not.

The problem they face needs a proper solution and awareness about them is very important because like every other gender they also have right to equality and honor, they are no different than Male and Female, so treating them differently needs to stop.

Main Highlights of this paper is-

- * How LGBTQ is different, only in Body functioning and nothing else.*
- * True validation of LGBTQ*
- * Problem they face in society*
- * Rights of LGBTQ*
- * Statistical data of LGBTQ in India*
- * Findings of the research*
- * Suggestions for their problems*
- * Conclusion.*

Thus this report is an overall study of the problems of LGBT and how much a taboo it is in India. When people are treated as an outcast it becomes unbearable for them. They face psychological, social problems and in countries like India, getting a job for LGBTQ is a hard nut to crack, which always cause the economical problems for them. We as a social worker need to aware people that "life with dignity to every, is a fundamental right of every individual".

Keywords: LGBT, Issues, Sec.377, Challenges, Social Worker, Direct Participation

“My silences had not protected me. Your silence will not protect you”

– Audre Lorde

The term “Homosexual”, coined in 1869 by the Hungarian doctor Karoly Maria Benkert, who wrote under the pseudonym Karl-Maria Kertbeny, was not in popular usage till the early 20th century. Mid 20th century homosexual activists preferred the term “homophile” over homosexual, seeing it as a more nonpartisan and acceptable option because it removed the word “Sexual” while positively declaring same-gender attraction. Homosexuality in India has been a subject of discussion from old times to 21st century. Hindu texts have taken positions regarding the homosexual characters and themes. Rigveda, one of four canonical sacred texts of Hinduism says Vikriti Evam Prakriti (meaning what seems unnatural is also natural) which some scholars believe recognises homosexual dimensions of human life, like all forms of universal diverseness. The ancient Indian text Kamasutra written by Vatsyayana dedicates a complete chapter on erotic homosexual behaviour. The Arthshastra, an old Indian treatise on statecraft, mentions a wide variety of sexual practices which, whether performed with a man or woman, were sought to be punished with the fine. While homosexual intercourse was not licensed, it was treated as a very minor offence, and several kinds of heterosexual intercourse were punished more severely.

Section 377 of the Indian Penal Code (IPC) has existed on the subcontinent since its drafting by Thomas Babington Macaulay in 1862. Macaulay was the head of the Law commission and was installing anti-sodomy laws that criminalised any form of sexual activity “Against the Order of Nature”, punishable by Law and carries a life sentence. During the 157 years of section 377 the LGBT+ community of India suffered terrible awfulness. There are countless accounts of blackmail, police brutality and gang rape, the raiding of HIV/AIDS centres on the grounds they were promoting illegal acts, hijacking and murders of gay men, and lesbian women beaten to death. In 2003 the Indian government refused to decriminalise homosexuality, claiming it would “open the floodgates of delinquent behaviour”. While in 2013 the supreme court of India turned down a challenge to section 377, arguing LGBT+ people were only a “miniscule minority” seeking “so called rights”. On 24 August 2017, India’s Supreme Court gave the country’s LGBT community the freedom to safely express their sexual orientation. Therefore, an individual’s sexual orientation is protected under the country’s Right to Privacy law. However, the Supreme Court did not directly overturn any laws criminalizing same-sex relationships. On September 2018, crowds of Indians cried out in celebration as Justice Indu Malhotra of the Indian Supreme Court told a packed room that “history owes an apology to the members of (the LGBT+) community and their families....for the ignominy and ostracism that they have suffered through the centuries. The members of this community were compelled to live a life full of fear of reprisal and persecution”. And with that on 6 September, the section 377 of the penal code was struck down and for the first in centuries the LGBT+ people of India saw a future without persecution. CJI DIPAK MISHRA said-“Discrimination of any kind strikes at the very core of any democratic society”. Decriminalization of this act is just a beginning of Happy and healthy life of LGBTQ Community. Through this judgement, LGBTQ is now free to live their life with their own choice.

Estimated Lesbian, Gay, Bisexual, and Transgender population of India 2011

All Indians (2011 census)	Percentage estimate	Population 1,210,854,977
All females		586,469,294
Bisexual	2.2	12,902,324
Lesbian	1.1	6,451,162
All males		623,724,568
Bisexual	1.4	8,732,144
Gay	2.2	13,721,941
Transgender	0.3	3,632,565
Total (all LGBT)	3.8	45,440,136

LGBT – Lesbian, gay, bisexual, and transgender

Note- This data has been taken from “The Indian Journal of Psychiatry”, 2018 by Warren Kealy-Bateman.

Rationale:

For a country like India to develop socially and economically, we need to create environment where every citizen, regardless of gender and sex, feels safe and comfortable around others. This paper is about problem and challenges of LGBT, with the population of 45,440,136 as of 2011 census; there are various problems that they face. These problem can be quantified in the manner of; physical, health, socio-economical and emotional. A research paper was written by Chatterjee Subhrajit Researcher, Dept. of Sociology (The University of Burdwan) and Teacher (Sociology), Usatpur S. High School, East Medinipur, W.B., India, “Problems Faced by LGBT People in the Mainstream Society: Some Recommendations” which focused on the various problems of LGBT like marginalization and exclusion from society which results in the negative impacts on the lives of LGBT, impact of family reactions on LGBT children, effects on LGBT after facing/getting negative reaction from families, problem of homelessness, homophobia and harassment in school, psychological distress, socio-economic problem, drug addiction, barriers to health care, victims of hate crimes and violence, and legal injustice.

There are several suggestions and recommendations that researcher gave, some of them are: Support the most marginalized of the LGBT community—people of color, low-income, young, elderly and transgender people. LGBT concerns must be addressed by the teacher and school, which will help the children to maintain the equality and respect for LGBT from their childhood.

Their problem must be considered by the Government and public so that other society member can support them and work on justice that they deserve. National as well as state government should develop initiatives to support employers in making workplace and workplace culture more supportive and inclusive of LGBT people. To check the violence that is perpetrated in the home as well as in the public sphere, the domestic violence law has to be expanded to include non-spousal and parental violence as well. Researcher also quoted- Protecting LGBT people from violence and discrimination does not require the creation of a new set of LGBT -specific rights, nor does it require the establishment of new international human rights standards.

The legal obligations of States to safeguard the human rights of LGBT people are well established in international human rights law on the basis of the Universal Declaration of Human Rights and subsequently agreed international human rights treaties.

The objective of this paper is to create awareness about LGBT, to let people know and understand that other than body functioning there is no such difference in any gender or sex, specially LGBT, because we as a citizen consider them not to be normal, other than Male and Female people find it amusing if they come across any other gender, to make people understand the importance of true validation of their existence and to respect the existent of each and every citizen without any discrimination.

Review of Literature:

A study was conducted by McCann E. of school of Nursing and Midwifery, Trinity College, university of Dublin, Ireland; Brown M. of school of Nursing and Midwifery, Queen's university Belfast, UK. On topic "Homelessness among youth who identify as LGBTQ+: A systematic review in, June 2019. A search of relevant electronic databases was carried out and included the dates August 2008–August 2018 and limited to academic journals and peer-reviewed empirical studies written in English. Included studies specifically addressed the homeless experiences of youth aged 13–24 years old who identified as LGBTQ+. The PRISMA checklist was used in the review. A quality assessment instrument was used to review all of the selected papers and narrative methods utilized in the synthesis of the research evidence. The search resulted in 319 papers, and after applying distinct inclusion criteria, only 14 papers were considered suitable for the systematic review. Following analysis, the four main themes identified were stigma discrimination and exclusion; mental health issues and substance use; sexual risks and vulnerability; and interventions and supports. The conclusion of this study was that LGBTQ+ homeless youth is a major public health concern that has significant consequences for a young person's physical and psychosocial well-being.

A study was conducted by Loretta Hseueh, MA ; Alexandra Wrentz, MA; Steven Hobaica, MS; Sarah A. Owens, MA; Mark A. Lumley, PhD; Jason J. Washburn, PhD, on the topic "Clinical Psychology Ph.D. Students' Admission Experiences: Implications for recruiting racial/ethnic minority and LGBTQ students" The purpose of this study was to explore differences in the Clinical Psychology Ph.D. program admissions experience (i.e., interviewing and decision-making) by race/ethnicity and lesbian, gay, bisexual, transgender, and queer identity. Participants were 803 students (24% racial/ethnic minority; 19% LGBTQ) enrolled in US clinical psychology PhD programs. Two-group comparisons tested for differences in admission experiences by race/ethnicity and LGBTQ identity. Result of this study was that the Racial/ethnic minority and LGBTQ students considered a programmatic commitment to diversity as more important in application decisions compared to non-Hispanic White and heterosexual students, respectively. LGBTQ students were more likely to be advised to not discuss personal information (e.g., sexual orientation) than heterosexual students. Racial/ethnic minority and LGBTQ students identified financial considerations and program outcomes as more important in their decision-making compared with non-Hispanic White and heterosexual students, respectively. The conclusion of this study was that the Increasing funding and fostering authentic

training environments should be prioritized in institutional conversations around recruiting racial/ethnic minority and LGBTQ trainees.

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A study was conducted by M.V. Lee Badgett, distinguished scholar, Sheila Nezhad, Nezhad consulting, Kees Waaldijk, McDonald/Wright Chair of Law, Former, and Yana van Der Meulen Rodgers, Professor, Rutgers University, on the topic “The Relationship Between LGBT Inclusion and Economic Development: Emerging Economies”, This study analyzes the impact of social inclusion of lesbian, gay, bisexual, and transgender (LGBT) people on economic development in 39 countries. The analysis takes two approaches: First study uses “micro-level” approach, which focused on the experiences of LGBT and defines inclusion as the ability to live one’s life as one chooses, in this approach researcher conducted an extensive Literature review of research on Human rights to identify barriers to freedoms for the LGBT, that can have an effect on economic development. Second study uses “Macro-Level” approach, which defined inclusion as the legal rights of LGBT, this was measured through two newly-developed indices, among these two, one reflected the rights of transgender and the other reflected the rights of Lesbian Gay Bisexual. Broad outcome of this approach was the economic development which was measured for each country by Per Capita Gross Domestic Product and the Human Development Index; statistical part of this study used multivariate regression to analyze the effect of LGBT rights on economic development after controlling for other factors that influence development. Micro level analysis found that LGBT in sample countries are limited in their freedoms, which create economic harms: police officers unjustly arrest, detain, jail, beat, humiliate and extort LGBT, taking them out of productive employment. They face physical, psychological and structural violence, which restrict their ability to work because of physical injuries and psychological trauma. While the Macro level analysis reveals a clear positive correlation between Per Capita GDP and legal rights for LGBT across countries. Countries with more rights for LGBT have higher Per Capita income and higher levels of well-being. Unlike micro level analysis, in the macro level the researcher could not draw conclusion about the direction of the causal link;

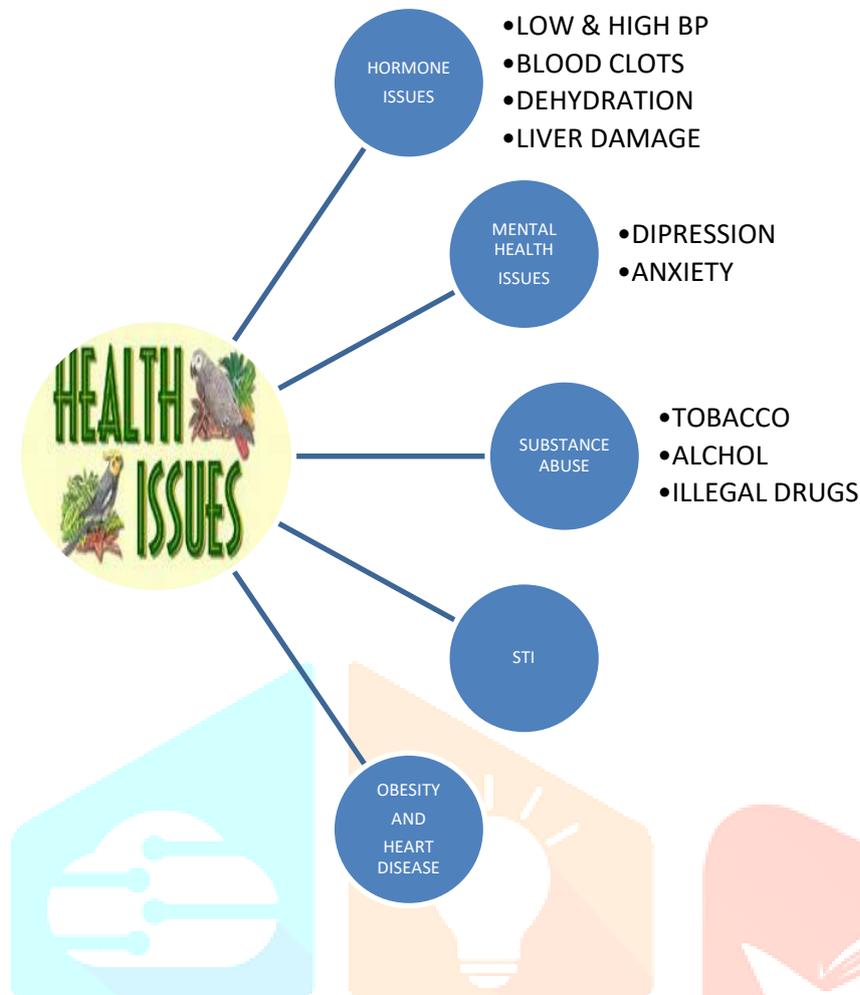
whether more rights cause higher levels of development or more developed countries tend to have more rights.

Issues of LGBT:

LGBT is an initial that stands for Lesbian, Gay, Bisexual, and Transgender of the society. To start with, a woman who gets attracted, physically, emotionally and romantically, to other woman is categorized as Lesbian. And, if a man gets attracted, physically, emotionally, and romantically to other man is termed as Gay. Person who has the capacity to form enduring physical, emotional and romantic attractions to those of same gender is termed as Bisexual. While Transgender is an Umbrella term for people whose gender identity differs from what is typically associated with the sex they are assigned at birth. LGBT came together and formed their own community, known as LGBT community. Here they are united by common culture and social movements. These communities generally celebrate Pride, Diversity, Individuality and Sexuality. They together involve themselves and support civil rights movement and promote LGBT rights around the world.

“Now the Question is what made LGBT to distant themselves from already existing society and form their own community?” Well now to answer this question- Here they are not judged by anyone and live their life in their own way, they come together and celebrate pride months, they hangout together and talk about everything that they want to, without having fear of being judged by anyone around them. Even though Hon’ble Supreme Court of India has decriminalized section 377 of IPC, but we as citizen of this country has not yet accepted LGBT whole heartedly. Legalization of section 377 is just the start of healthy and happy life of LGBT, but still there are various Problems and Challenges that they face in everyday life. These problems can be quantified in the manner of:

1. **PHYSICAL DEMEANOUR-** One of the major problem that LGBT faces in everyday life is physical problem. Be it Lesbian, Gay, Bisexual or Transgender, they are judged and mocked for their behavior and physical appearance by other society members they come across, because our society consider it to be immoral and unacceptable, which is the result of lack of awareness about every gender and sex other than Male and Female.
2. **HEALTH ISSUES-** Another major problem that LGBT face are health related problems, although any sexual orientation can face health problems, but LGBT are at greater risk for health related problem because they don’t visit doctor when they even need to, this is because they have fear of being judged, or may be the healthcare provider is not aware about the problem and solution that has to be provided. There are a lot many health problems that they have to face, such as:-



- SOCIO-ECONOMIC BURDEN-** As the word itself means, economic activity affects social processes. Economic status is directly proportional to the availability of source of income, but LGBT are discriminated at the workplace which acts as a barrier to apply for a job and earn. There are many employers, who are hiring them now, and there are jobs that are available for them, but the insensitive nature of our society does not allow LGBT to come forward and work for their interest. Socio-economic status is related to the rights, quality of life and well-being of LGBT. Lack of acceptance and fear of harassment can lead many LGBT youth to leave their homes and live in transitional housing or on the streets, homelessness of youth have many implications for the socioeconomic status.
- EMOTIONAL PROBLEM-** Judged and mocked by people around them on physical appearance and their behavior; various health related problems, mental health issues like depression and anxiety; lack of acceptance in society, discrimination on the basis of gender and sex in society, non-acceptance from family, this all results in the emotional problem of the LGBT that they have to go through on nearly every stage of their life.

Apart from these categorized problems, there are various other challenges that LGBT face because of the unawareness among other society member. Lack of awareness and capability of understanding gives birth to the challenges and problems of LGBT. Attitudes and behaviors of society are not yet changed even after legalization of section 377, one of the reasons for this can be the psycho-social perception that society has from childhood for them. To deal with such attitudes in daily life is a very

challenging task for them. Transgender often come across the Double standard mentality of society, for example- transgender are believed to be very lucky for new born babies and they are even called by families on very auspicious occasion like marriage, and functions of new born, on the other hand they are mocked and Judged by people on usual days. Lack of effective guidelines and implementation of guidelines, if any, is also one of the major issues of LGBT to survive happily.

Lack of guidelines results in the non-acceptance of LGBT identity and violation of Human rights. The social stigma attached to any non-heterosexual relationship or community results into the social exclusion of LGBT, unjust behavior towards LGBT is because of the stigma that is going on in our society, and it's high time to think about wiping off these stigmas from society so that we can help them to build their life the way they want.

Factors behind the problems of LGBT:

1. LGBT witnesses physical problem because of the societal norm that has been developed into society since childhood, related to the uniqueness of the body feature and how it define the sexuality of a person.
2. LGBT are mocked and judged by society for their behavior and physical appearance, our society has its own definition for every behavioral aspect of individual, and if anything goes beyond societal definition that is considered to be immoral and is not acceptable.
3. Lack of awareness and sensitivity is the major result of health issues faced by them, most of the medical practitioners are not aware about the problems of LGBT therefore there is no required treatment available for them which act as a barrier to come out and share their problem, and health problems that remain unanswered results in the major health problems.
4. Reason behind mental health issue is the discrimination on various levels that is being done to them. Homosexuality or LGBT is still a taboo in India; people make fun of them without even realising the damage they are causing to them, both mentally and physically. Discrimination on any basis in everyday life will make the person mentally exhausted.
5. Most of the time they are not accepted by their families, and are thrown out of the house, since they don't have any source of income they live a very poor and vulnerable life, they are often seen on traffic signals begging for money. We are responsible for this social problem of LGBT, they face this problem because we are not yet ready to accept them and that's why they are left alone in this society, struggling to make their life a little better.
6. There are not very much job opportunities available for them, even though now employers have managed to provide job to them, they lacked in creating or making a comfortable and safe environment for LGBT, Comfortably and safety is very necessary for every individual at a workplace, without these two it's impossible for workers to work properly. LGBT often avoid to work because of uncomfortable and unsafe environment.

7. Reason behind the emotional problem of LGBT is the insensitive behavior and lack of knowledge and awareness among society when it comes to them.

Suggestions:

1. To create awareness about every gender and sexuality and how every individual is important in their own way, regardless of any Gender.
2. To let people know and understand that being of particular gender or to develop into particular sexuality in contradictory to the sex assigned during birth is not a choice but a natural and biological phenomenon.
3. To conduct/organize workshop with the direct participation of LGBT, to know about their problem and challenges they face in everyday life.
4. Direct participation of LGBT to make policy and strategies for their well-being and to create a safe and comfortable environment.
5. To include topic of LGBT in school syllabus, so that one can understand the biological phenomenon of every gender and sexuality from childhood, this way we can stop new generation to discriminate or differentiate among every individual and to judge them on the basis of their sexuality.
6. To conduct workshop so that people can understand the only difference between gender and sexuality, that is their body functioning and nothing else.
7. To make family members understand that if his/her child is different from sex assigned during birth, it is natural and there is no shame in accepting it.
8. To help LGBT in maintaining their confidence and accept themselves as they are, without getting trapped into any form of negativity regarding to their personality.

Conclusion:

While choosing the topic “Problem and challenges of LGBT: Social Work Perspective”, I kept in mind to keep it clear and easily understood by readers, I choose this topic because it’s high time to stop mocking and judging LGBT and talk about their real life problem that they face and challenges they come across. LGBT are left behind in every social gathering and functions, or even functions or workshops that are focused on the development of society. As a social worker we must take initiative to help these people to come in front and take equal participation in every social functioning, which will not only boost their confidence but will also make them comfortable in getting mix up with people other than their community member. As a social worker we can organize workshop with direct participation of LGBT, where we can discuss their issues directly with them and take suggestions on how to help them in creating safe and comfortable environment for them, because as a LGBT they know better about themselves than we ever will, irrespective whether we are able to understand the basics or not.

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