



Bound By Bias, Denied By Law - Unmasking How Marital Rights Absence And Prejudice Impact India's LGBTQ+ Experience

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Abstract

This abstract provides an overview of the comprehensive discussion on the multifaceted impact of marital rights absence and pervasive prejudice on India's LGBTQ+ community. India, like many nations, grapples with the complexities of LGBTQ+ rights, further exacerbated by the absence of legal recognition for same-sex marriages and societal biases. This discussion explores the far-reaching consequences, including financial disparities, legal battles over parental rights, immigration issues, and barriers to healthcare. Additionally, it sheds light on the social and cultural challenges faced by LGBTQ+ individuals, the profound impact on mental health, and the coping strategies employed. Finally, it envisions a more inclusive future, advocating for legal reforms, increased representation, and government support to pave the way for a more accepting society.

Keywords– LGBTQ+, India, Mental Health.

I. INTRODUCTION

India, a nation known for its cultural diversity and rich traditions, has also been a stage for the complex interplay of LGBTQ+ rights, social prejudice, and legal recognition. The LGBTQ+ community in India, like in many parts of the world, grapples with multifaceted challenges that significantly impact their lives. Among these challenges, two major factors stand out: the absence of marital rights and the persistence of societal prejudice. This discussion, titled "Bound by Bias, Denied by Law - Unmasking How Marital Rights Absence and Prejudice Impact India's LGBTQ+ Experience," seeks to unravel the intricate web of consequences woven by these two intertwined issues.

Marital rights, including the legal recognition of same-sex marriages, are a crucial aspect of civil rights and social acceptance for LGBTQ+ individuals. Yet, in India, these rights remain conspicuously absent. The inability of LGBTQ+ couples to marry legally carries profound implications for their lives.

On the other side of this equation lies the deep-seated prejudice that continues to permeate Indian society. Social attitudes, often rooted in tradition and cultural norms, perpetuate stereotypes and discriminatory behaviours towards LGBTQ+ individuals. As a result of this complex interplay, the LGBTQ+ community in India confronts an array of challenges.

In the societal and cultural realm, the struggle to live openly with one's partner, to openly discuss one's identity, and to introduce a partner as a significant other is rife with difficulties. Bullying, both by peers and family members, and the prejudiced view of LGBTQ+ individuals as mentally ill or sexually deviant create an oppressive environment. This cultural disconnect between tradition and LGBTQ+ identities can result in isolation and anxiety, with some individuals even being coerced into marrying against their sexual orientation.

Wandrekar JR et al. (2020) conducted a study that delves into the mental health aspects within the LGBTQIA+ community, aiming to understand the intricate interplay of cognitions, emotions, and behaviour among its members. This comprehensive research effort involved an extensive review of literature from diverse sources, including online journal databases, prominent LGBTQIA+ organization websites, and cross-referencing of academic papers.

The study's findings reveal a wealth of knowledge gathered from various sources, encompassing 22 reviews and reports, 4 viewpoints and comments, 7 editorials, 1 conference proceeding, and 60 original articles. These sources collectively contribute to a multifaceted understanding of mental health within the LGBTQIA+ community.

One of the key insights drawn from this research is the high prevalence of mental health concerns among LGBTQIA+ individuals. These findings underscore the importance of recognizing the unique challenges and stressors faced by this community, further supporting the adapted minority stress model as a crucial framework for understanding these mental health disparities.

The study also delves into the lived experiences of LGBTQIA+ individuals, shedding light on the various factors that influence their mental well-being. Societal attitudes, discrimination, and stigma emerge as significant determinants of mental health outcomes within this community.

In terms of research gaps, the study highlights a relative scarcity of intervention studies aimed at improving the mental health of LGBTQIA+ individuals. This suggests a need for more targeted efforts to develop and evaluate interventions tailored to the specific needs of this community.

Additionally, the study recognizes that certain subgroups within the LGBTQIA+ spectrum are underrepresented in research efforts. This underscores the importance of inclusivity and ensuring that the experiences and challenges of all LGBTQIA+ identities are adequately explored and understood.

Purpose of the research

The purpose of this research is to assess multifaceted impact of marital rights absence and pervasive prejudice on India's LGBTQ+ community.

II. METHODOLOGY

Participants

To conduct this study 10 participants of LGBTQ+ were randomly selected. Each participant voluntarily took part in the study upon being informed about the research's purpose. The study involved all age groups in India.

Material

Pre-selected questions were asked to gain insight into 5 aspects- Impact of Marital Rights Absence, Societal and Cultural Impact, Impact on Mental Health, Coping Strategies, and Envisioning a More Inclusive Future.

Data Collection

This a focused-group study. The data was collected through online mode. The participants joined a group Zoom call to participate in the study. All the participants were informed about the aim of the study and given required instructions. The personal information given by the participants, along with their identities, was kept confidential.

Process of Analysis

The study is based on qualitative method, and to analyse the data, thematic analysis method was used.

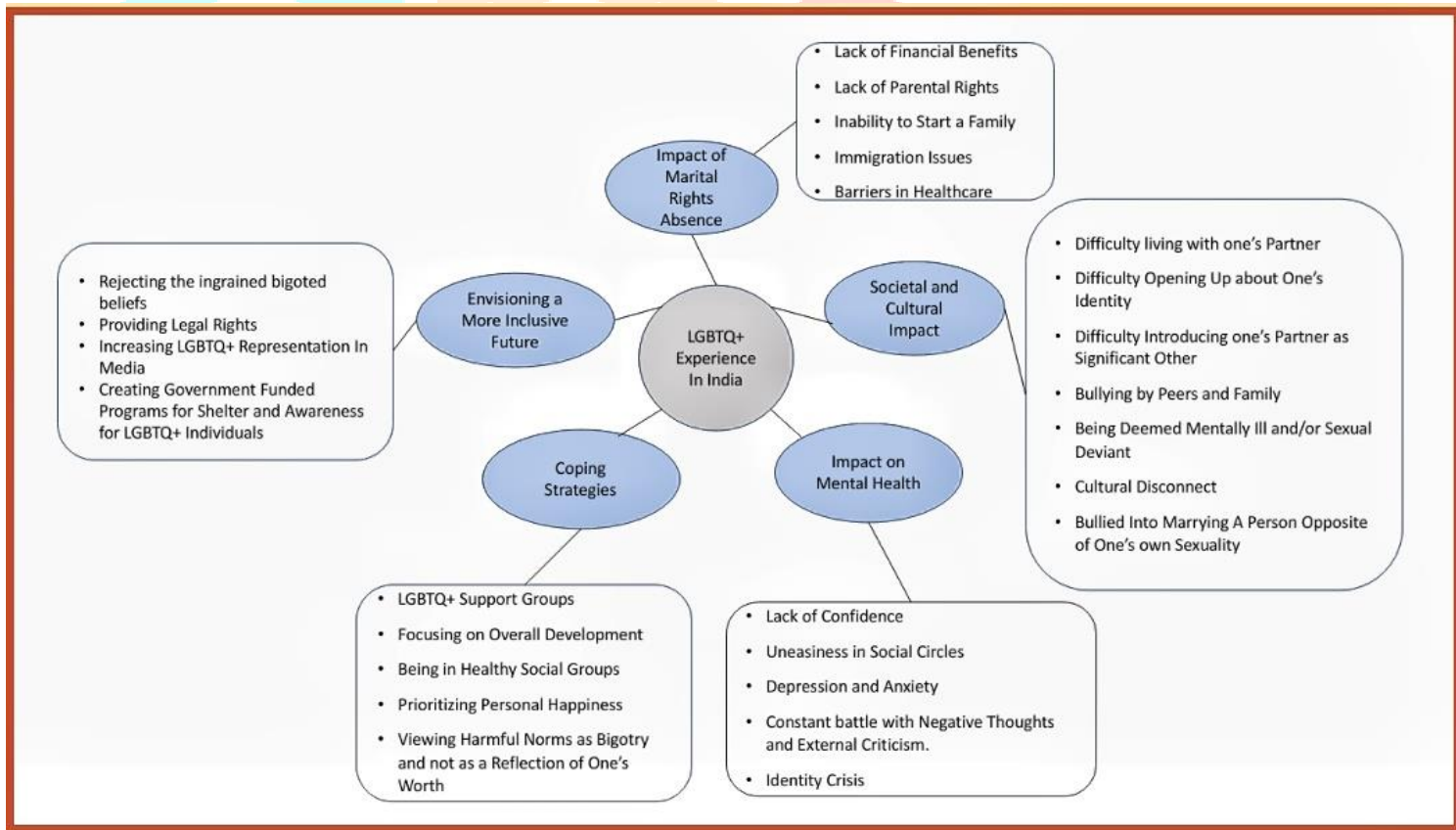
III. RESULT AND DISCUSSION

Result

Pre-selected questions were asked to gain insight into 5 aspects-

1. Impact of Marital Rights Absence
2. Societal and Cultural Impact
3. Impact on Mental Health
4. Coping Strategies
5. Envisioning a More Inclusive Future

To analyse the data, thematic analysis method was used, which yielded common themes which are depicted in Graph 1.



Graph 1. Summarises the salient themes found during the analysis of LGBTQ+ experience in India.

Discussion

India, like many countries, grapples with the complexities of LGBTQ+ rights, a struggle made even more poignant by the absence of marital rights and the pervasive prejudice against this community. In this discussion, we will explore the multifaceted impact of these issues and delve into coping strategies and the vision for a more inclusive future.

Impact of Marital Rights Absence

The absence of marital rights for LGBTQ+ individuals in India poses a range of challenges. Firstly, it denies them significant financial benefits. Unlike heterosexual couples, LGBTQ+ partners often cannot access tax breaks, Government relief benefits, or spousal health insurance coverage, thus perpetuating economic disparities within the community.

Furthermore, the lack of parental rights does not allow LGBTQ+ individuals to adopt a child, causing emotional distress. It also hinders LGBTQ+ couples from starting a family, perpetuating the myth that only heterosexual couples can provide stable homes for children. Immigration issues can tear apart binational same-sex couples, causing separation or deportation, thereby undermining the unity of LGBTQ+ families. Barriers in healthcare also arise when partner's health insurance coverage is not be accessed, affecting access to healthcare benefits in critical moments.

Societal and Cultural Impact

Beyond the legal realm, societal and cultural impacts take a toll on the LGBTQ+ community. Many find it difficult to live with their partners openly due to societal prejudice. Opening up about one's identity becomes a challenging endeavour as fear of judgment looms. Introducing one's partner as a significant other is often met with resistance and discomfort. Bullying by peers and family members perpetuates a toxic environment, causing emotional harm. Being deemed mentally ill and/or sexually deviant is a form of discrimination that takes a toll on mental health.

Moreover, the cultural disconnect between traditional values and LGBTQ+ identities fosters isolation and anxiety. In some cases, individuals are bullied into marrying someone of the opposite sex, perpetuating a cycle of deceit and unhappiness.

Impact on Mental Health

The cumulative effect of these challenges is a profound impact on mental health. Many LGBTQ+ individuals suffer from a lack of confidence, feeling marginalized and undervalued. Uneasiness in social circles is common, as they fear rejection and judgment. Depression and anxiety often become constant companions, fuelled by negative thoughts and external criticism. Identity crisis is a frequent struggle, as societal norms clash with one's authentic self.

Coping Strategies

Coping with these challenges requires resilience and support. LGBTQ+ support groups offer a safe space for individuals to connect, share experiences, and seek guidance. Focusing on overall development, including physical, emotional, and intellectual well-being, helps bolster self-esteem. Being in healthy social groups provides affirmation and a sense of belonging, while prioritizing personal happiness encourages self-care.

Crucially, viewing harmful norms as bigotry rather than a reflection of one's worth is a vital coping mechanism. Recognizing that prejudice is a societal ill, not a personal failing, can empower individuals to advocate for change.

Envisioning a More Inclusive Future

To create a more inclusive future for India's LGBTQ+ community, several steps can be taken. Rejecting ingrained bigoted beliefs is the first step, as it challenges society to evolve. Providing legal rights, including marriage equality, is essential to eliminate disparities. Increasing LGBTQ+ representation in media fosters acceptance and understanding, while creating government-funded programs for shelter and awareness for LGBTQ+ individuals to promote safety and inclusion.

In conclusion, the absence of marital rights and pervasive prejudice has far-reaching consequences on India's LGBTQ+ community. However, through resilience, support, and a collective vision for change, it is possible to pave the way for a more inclusive and accepting future for all individuals, regardless of their sexual orientation or gender identity.

IV. CONCLUSION

In India, the struggle for LGBTQ+ rights is compounded by the absence of marital rights and the prevalent prejudice faced by this community. The impact of these issues is profound, with economic disparities, legal battles, and emotional distress as constant companions. Beyond the legal arena, societal and cultural pressures add to the burden, leading to isolation and anxiety. Mental health challenges are pervasive, but coping strategies such as support groups and self-affirmation offer rays of hope. Envisioning a more inclusive future demands the rejection of ingrained biases, legal reforms, increased representation, and government support. Despite the challenges, resilience and a shared vision promise a brighter, more inclusive future for all.

Limitations and Critique

This study's findings may not fully represent the diverse experiences of India's LGBTQ+ community, as factors like regional variation and cultural diversity are not extensively addressed, potentially limiting the study's generalizability.

Area of Future Research

Future research could delve into the intersectionality of LGBTQ+ experiences in India, examining how factors like age, socio-economic status, and geographic location intersect with the absence of marital rights and societal prejudices. Moreover, a longitudinal study tracking changes in legal and social attitudes over time could provide insights into the evolving dynamics of LGBTQ+ life in India and assess the effectiveness of policy and advocacy efforts in creating a more inclusive society. Additionally, research focusing on the impact of education and awareness programs on reducing prejudice and promoting LGBTQ+ acceptance in India could offer practical insights for societal change.

V. ETHICAL COMPLIANCE

Funding

The authors have no funding to disclose

Compliance with Ethical Standards

- **Informed Consent:** Ensure all participants provide informed consent before participating in interviews.
- **Anonymity and Confidentiality:** Guarantee the anonymity and confidentiality of participants' identities and responses to protect their privacy.
- **Respect and Sensitivity:** Approach the topic with sensitivity, acknowledging the diversity of beliefs and ethical perspectives among participants.

Conflict of Interest

The authors declare they have no conflict of interest.

REFERENCES

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