

Challenges and Rights

of

LGBT:

A SOCIOLOGICAL STUDY

Abstract

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ABSTRACT

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INTRODUCTION

The LGBT community, also referred to as the gay community, is a group of lesbian, gay, bisexual, and transgender. Queer is an umbrella term for sexual and gender minorities that are not heterosexual. The term queer may be used by those who reject traditional gender identities as a broader, and deliberately alternative to LGBT. The LGBT community is diverse in political affiliation.

The LGBT community people are the vulnerable group around the globe. They have been facing discrimination, intolerance, harassment, exploitation, verbal and sexual abuse, hate crime and even murder for possessing different gender identity and sexual orientation. The rejection of the acceptance of the human rights for any group of persons is the rejection of their humanity. LGBT individuals have to face biasness and human rights abuse in most of the countries of the world.

People have common prejudices for LGBT community, which has their roots in beliefs and traditions about sexuality and gender. LGBT people are the members of a social minority group, and are suffering from various forms of socio-economic and cultural injustice. They are discriminated against in the labor market, in schools, hospitals and most often abused in their own families. They are impoverished from getting social recognition in the society, and thus cannot have proper access to enjoy their rights as citizens of the country.

The LGBT population has to counter with the **stigma** which is somewhere attached to their personality. The negative public attitude towards LGBT people leads to develop low self-confidence which also creates negative attitudes towards their own personality and they started believing such stereotypical views for themselves.

At times we may have heard LGBT people spoken of as if their entire survival was limited only to their sexuality, but this is only one part of their being, and how they identify themselves. There is a need to understand that being an LGBT is not just about physical attraction, but rather, encompasses the same needs all people have, to love another person and be loved in return.

The minority group around the world face inequality, violence, torture and sometimes execution even because of who they are, how they look and who they **love**. The criminalization of homosexuality or consensual acts between the members of same sex, by law encourages harassment, exploitation, and assault towards the lesbian, gay, bisexuals, and transgender individuals by the police and larger society.

The LGBT issue is a hidden but vital issue all over the world. In most of the countries they are at risk for discrimination, abuse, poor health sometimes being put to death. The LGBT people have to face stigma and discrimination everywhere in every society.

These sexual minorities are being fired from jobs, kicked out of housing and denied from services like restaurants or hotels, not because of their poor performance at work but, because of holding different gender identity. They went through various psychological stress and health problems. Their family members also even don't support them in most of the cases. They are physically and emotionally harassed by the members of society and family to not to disclose their gender identity and are afraid of moving freely in public places. This would be a big challenge for LGBTQ to survive in such societies where they are not accepted in families, schools, colleges, workplaces and other public spaces, especially where religion creates homophobia, biphobia and transphobia.

Queers have to face extreme violence in most of the countries. In United States, according to the FBI (Federal Bureau of Investigation) report of 2013, biasness for sexual orientation and gender identity recorded for more than 21 percent of hate crimes, with **sexuality** the second most common bias category after race.

Discrimination against LGBT people is often resistant by laws, policies, and practices that either fail to take LGBT needs into account or intentionally exclude them. These laws and policies and practices support negative social attitudes, and encourage negative reaction against the LGBT communities calling for equality and Inclusivity.

The LGBT community needs to have proper rights. Although many societies have made major strides in human rights advocacy, LGBT rights are still struggling to fight universal acceptance.

It is due to the efforts of some groups and organizations that LGBT rights are steadily accepted in various parts of the world. Governments in some countries started to legislate in favor of LGBT rights and anti-discrimination laws.

The term LGBTQ falls under the category of human sexuality. Over the last two decades, social constructionism and postmodernism are the vital approaches to the sociological study of human sexuality. The sexual behavior of people varies from one society and one historical period to another.

The sexuality of a person cannot be define whether it is given biologically or it is constructed throughout life. It is also considered a matter of power or politics. **Jeffrey Weeks** (1986) holds that sexuality is not biologically given but it is produced by society through webs of social interaction and definition. According to him sexual orientation and behavior are social rather than biological products. Weeks implies that the distribution of sexual orientation is a matter of power; heterosexuals have historically had the power to define heterosexuality as normal and homosexuality as deviant.

Queer theory is a domain of **post-structuralist critical theory** which emerged in 1990's from the fields of queer studies and women's studies. Queer theory builds upon feminist challenges to the idea that gender is a part of the essential self and upon gay-lesbian studies which examine socially constructed nature of sexual acts and identities. Queer theory undersees the constitutive discourses of homosexuality developed in the last century in order to place "queer" in its historical context, and surveys contemporary arguments both for and against latest terminology. It is derived largely from post-structuralist theory, and deconstruction in particular. The theory used to challenge the validity and consistency of the discourses regarding heteronormativity, that is, the normalizing practices and institutions that privilege heterosexuality as fundamental and natural in society.

The most prominent recent social constructionist/postmodern theorist of human sexuality are Steven Seidman (1994, 1996), Jeffrey Weeks (1986), and Adrienne Rich (1980). The social constructionist and postmodernist thinking about sexual behavior is rooted in the ideas of the renowned French philosopher **Michel Foucault** (1978). According to Foucault, societies construct "sexual regimes", which are the entire complexes of sexual attitudes, values, and practices, that were infused with politics (Vinod Goel, Role of Sexuality in Sociology).

Other sociologists who supported this field are, Pierre Bourdieu (1998), and Michel Maffesoli (1982). While some sociologists produced more nuanced work (Pollak 1988, 1992, 1994; Davies 1993; Dowsett 1996).

Organization of the Study

The current research entitled "Challenges and Rights of LGBT: A Sociological Study" has been divided into six chapters. All the chapters discussed about the problems faced by LGBT individuals, different sexualities, and current status of LGBT in the world.

The first chapter is "Introduction" which includes the brief description of global scenario of LGBT community. It also includes research strategy of the study such as, tools and techniques of data collection, methodology, research questions, and review of literature.

The second chapter named "Concepts of LGBT" defines the LGBT people in relation to human sexuality. It describes the different terms that clear the idea of LGBT. Also, it gives a description of the existence of different sexualities in Hindu mythology.

The third chapter gives a full description on the types of challenges that the LGBT community face all over the world.

The fourth chapter gives a small empirical study done on LGBT people. It gives a description of challenges of sexual minorities. It provides detail of rights of LGBT people in some specific countries.

Lastly, in the fifth chapter, researcher gives the explanation of findings and concludes the chapter along with suggestions for the betterment of LGBT people.

SIGNIFICANCE OF THE STUDY

LGBT (Lesbian, Gay, Bisexual and Transgender), is a term used for minorities based on sexual and gender orientation. They are considered as a “**social stigma**” in the society, who perceived to be non- heterosexual as their beliefs, identities and behaviors are distinct from the common people or heterosexuals.

There is indeed a spectrum of sexuality among all living beings. Although most people identify themselves as heterosexuals which is the majority group in comparison to minority people which are Lesbian-Gay-Bisexual- Transgender.

It is matter of fact that sexuality of any person is governed by genetic structure. Thus, it must be noted that a person is homosexual or bisexual not by his will but rather by birth. Most people recognize their sexuality at the teen age level when they find themselves different from others.

However, many of these pupils remain in **closet** due to the fear of discrimination and abandoning by family and society.

LGBT people are the members of a social minority group, and are suffering from various forms of socio-economic and cultural injustice. These people are facing several challenges in their daily lives. They are impoverished from getting social recognition in the society, and thus cannot have proper access to enjoy their rights as citizens of the country.

Hence the logic behind the cause of LGBT is just humans' ignorance towards LGBTQ.

Definitely there is a dire need to cast the light on the existence of LGBTQ in order to remove inequality and make the society more inclusive, peaceful thus livable.

As almost **3 to 4 percent** of the population of any country is not heterosexual but rather homosexual, bisexual, and transsexual.

This research work mainly shows the problems encountered by LGBT individuals due to ignorance and unawareness for this unprotected and powerless group. It explains how these people are marginalized or being socially excluded in different parts of the world. The research work also shows the scenario of rights provided to LGBT community in some different countries along with LGBT personalities.

METHODOLOGY

In this research work feminist research methodology has been used.

Feminist Research Methodology

It is defined by three principles of feminist research:

First, feminist research is described by its double dimension. As opposed to traditional research, its objectives include both the construction of new knowledge and the production of social change. Historically, feminist research has been informed by women's struggles against the multiple forms of their oppression.

Second, feminist research is grounded in feminist values and beliefs. It seeks to include feminism within the process, to focus on the meanings women give to their world, while recognizing that research must often be conducted within institutions that are still patriarchal.

Third, feminist research is characterized by its diversity. It is interdisciplinary and trans disciplinary, it uses different methodologies, and it is constantly being redefined by the concerns of women coming from very different perspectives (Michle Ollivier and Manon Tremblay, 2000).

Methodologically, feminist research differs from traditional research. It actively seeks to remove the power imbalance between research and subject; it is politically motivated in that it seeks to change social inequality; and it begins with the standpoints and experiences of women. A wide range of methods, both qualitative and quantitative, are available to feminist researchers.

Research Design Framework

Research Design Framework is the conceptual structure within which research is conducted; it constitutes the blue print for the collection and analysis of data.

As such framework includes an outline of what the researcher is going to do from writing the hypothesis and its operational implications to the final analysis of data. A research design includes-

- A clear statement of research problems,
- Procedures and techniques used for gathering information,
- The population to be studied
- Methods to be used in processing and analyzing data.

Universe of the Study

The primary research has been done in NAZ Foundation and Humsafar Trust, organizations in Delhi, and in eminent institutions of India namely, Panjab University (Chandigarh), IIT Roorkee (Uttarakhand), JNU (Jawaharlal Nehru University) Delhi, and in Pride March, Chandigarh.

Sampling

The sample chosen for Qualitative approach are:

- 4 transgender (educated)
- 1 gay (student)

The sample chosen for Quantitative approach are:

- 15 students of Jawaharlal Nehru University (JNU)

Tools and Techniques

The present study is based on both qualitative and quantitative approach and it is descriptive in nature. Narrative analyses, focused group discussion (FGD) have been used as techniques for collections of information on the research problem.

The Empirical observation is divided into three sections:

- Case Study of four transgender people and one gay from different places.
- Students of JNU, PU, IIT Roorkee
- Organizations of Delhi

Case Study, questionnaire and informal interview have been used as tools to collect information from field.

Information has been obtained through various sources like:

- Pew Research Centre's 2013 Global Attitudes Survey
- Gallup Survey 2016-2017
- LGBTQ Nation
- Huffington Post
- BuzzFeed
- Hindustan Times, 2017
- Times of India, 2017

As these sources produce more information on queer people therefore, some information is also gathered from these sites.

Limitation of the Study

Due to unavailability of LGBT respondents, primary research has been done on a small scale.

RESEARCH QUESTIONS

1. What are the challenges and rights of LGBT in different countries?
2. Why homosexuality is considered a taboo? What are the factors responsible for the non-acceptance of homosexuality?
3. What is the relation between LGBTQ and Mythology?
4. Why there is discrimination on the basis of gender identity or sexual orientation?
5. What are the types of discrimination on the basis of gender identity?
6. What possible measures can be taken to uplift the social status of LGBTQ?
7. What is the status of different LGBTQ personalities?
8. What are the ways to make LGBTQ friendly policies to work

CONCLUSION

The research study has come to various conclusions. These are as following findings:

The challenges of lesbian, gay (homosexuals), bisexual, and transenders are almost similar and the main of non acceptance of these sexualities are mainly- the Victorian morality, which is the colonial law still followed in many regions of the world criminalizing sexual relationships other than heterosexual partners. It promotes homophobia, biphobia, and transphobia among heterosexuals and the people who are not aware of such different sexualities. Then, religion, is another main reason for non acceptance of diverse sexualities. Most of the religions in the world consider such sexualities as a sin and therefore people learned to not to accept these different human sexualities.

People have bad ideas and views for transgender people. Though transgender people want to live a normal life just like heterosexual people and government has also given rights to them but the

main part is that whether the society has accepted them or not. And if same sex people get into marriage then the society do not accept them as the constitution and religion prove them wrong.

Gradually, countries started recognizing these different sexualities and trying to preserve and celebrate making their lives more livable. Right to free expression should be there everywhere in the world. There is a need to do realignment of sexual rights movements in the contemporary world.

The developing countries like India where heterosexual relationships are bound with cultural values and norms, it will take time to accept the homosexual and bisexual relationships.

The LGBT group is at greater risk of suffering social problems as compare to other social groups. They are deprived of recognition as a member of the society. Therefore, this group needs more attention for providing basic rights to them. For making the LGBT community or the sexual minorities inclusive in the society, firstly the societal morality needs to be change with time. People should be aware of the sexual minority community and they should accept them as they are. Removing inequality and achieving gender equality should be the goal of every country of the world. There is a great need of changing the false mindset of the societies for LGBTQ people. Also, there is a need of making the society and the government understands the role of gender and sexuality in the ways in which families and communities are structured and the ways in which they intersect with the state and economy.

Suggestions:

For education institutions:

- Sex education should be included in schools to make aware of the LGBT community and to well behave with them; to accept them, so that the people of this community need not to hide their unique gender identity.
- To make sure that the school and college environment is LGBT inclusive .
- There is a need of changing school culture and practices by providing training to teachers, staff members and counselors on how to deal with LGBT students and to students who are questioning their sexual orientation and/or gender identity. Also, to include, comprehensive anti- bullying and harassment policies with enforcement, and community education. This would help in improving LGBT youth development.
- **School and college administration should provide physical and psychological safety to the sexual minorities.**
Schools play a very important role in the empowerment of LGBTQ students which makes their adulthood and society well prepared.
- Therefore there is a dire need of education in sexuality in schools and family so that they could accept people of different sexuality and gender identity equally and they should

learn to behave friendly and not to be hostile with such people just like they behave with other heterosexuals.

For Government:

- To set up education, income generating schemes, and social security measures for transgenders.
- Free Sex Reassignment Surgery (SRS) should be provided in selected government hospitals.
- Special public grievances cell should be establish in order to redress LGBT grievances.
- To adopt a zero tolerance policy for homophobic, biphobic, and transphobic bullying. In the societies where these sexual minorities are still a taboo, there is a great need of passing of enumerated anti-bullying and non-discrimination laws at the state and central level.

This includes, adopting, implementing, and enforcing specific school district policies and procedures protecting LGBT students and teachers.

- Transgender need separate sections in prison as they are at the risk of sexually harassed by other males in the prison.
- More **NGO's** (Non-Government Organizations) and **Civil Society Organizations** need to be set up for availing beneficiary schemes of the government to make this community more self –reliant and self- sufficient.
- Queries based on sexual orientation and gender identity must be incorporated in the Census conducted by the governments. For instance, many South American countries incorporate such queries in their census.

For Parents or Family:

- Emotional and moral support from family members.
- Strong bonds with family members and friends helps in sharing stress and provides solutions to many problems.

For Office or workplaces:

- Personal relationships with peers that emphasize and support healthy attitudes and behaviors. There is a need to change the negative attitude of the people towards the LGBT community.
- There is a need to change the negative attitude of the people towards the LGBT community.

Government and the Constitution play a very important role in the acceptance of the community. Also, the public support and recognition plays a vital role in the upliftment and inclusion of LGBT group in the society. Many countries are gradually accepting

LGBT people and changing laws to protect the community from various types of discrimination and to make the society more inclusive. Thus, other countries must learn from such countries to protect the minority citizens of their countries.