



SECTION 377: AN UNNATURAL OFFENCE

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ABSTRACT

The world's LGBT situations are not the same anywhere. It is extremely tough to live as an LGBT person in various regions of the world. Homosexuality is prohibited in many nations and is punished by jail or death. Transgender persons are denied fundamental human rights and protections in several nations. The world's lesbian, gay, bisexual, and transgender (LGBT) circumstances vary greatly depending on where you reside. For example, it is quite difficult to live as an LGBT person in certain areas of the world, although it is much easy in others. We have a general understanding of the LGBT people and their circumstances, but there are more topics we should discuss. You may think of us as an Indian society that is accepting it and becoming intelligent. We will go over the good and bad aspects of this minor sexuality in greater depth. Yes, we implemented some societal improvements. Changing anything is assumed to be simple, but when we do it, we encounter a slew of complications, and it is a resounding yes that there is plenty to reconstruct, investigate, and fix.

Life isn't simple if you're L, G, B, T, or Q. Half of society doesn't get you, and the other half is terrified of you. Religious extremists will speak about your misdeeds and target the worst aspects of your identity. Your partner's employment may be threatened simply because they wish to marry someone like you, and are denied of various other rights.

Many LGBT supporters have devoted efforts to seeking answers to the challenges these adolescents confront to address the melancholy and anxiety that these youth experience. Gay-Straight Alliances (GSAs) may help LGBT children feel less anxious, according to prior research. However, because these groups are still relatively young and few, there is little research on LGBT youth organizations. This research makes a first attempt to evaluate the benefits that these bigger organizations provide for LGBT kids.

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INTRODUCTION

Society's viewpoints on the LGBT community have shifted dramatically over the last two decades. With progress, however, come new terms and titles for all of those who identify more different than heterosexual and cisgender.

We must realize our full potential in the modern world when society, the media, and the educational system are all more inclusive. To do this, we must discuss both the numerous successes that have been achieved as well as the hardships that our community has faced. The LGBTQIA+ community has come a long way, but there are still many obstacles to overcome. There are 37 websites and applications that will instruct you on some of the subjects that are most frequently discussed in our community, such as how to utilize kyriarchy effectively and why it matters.

We are trying our best to liberalize and positively change our society. But can we still see changes around? Maybe yes but not steady. Talking about the LGBT community in our society has always been difficult to date. So basically, protecting their rights is not only the motto but to giving the same priority to this section of the people.

More Indian teenagers than ever before may find homosexuality and queer identities acceptable today, but LGBT people still fight to be accepted for who they are sexually and to freely express their gender choices within the confines of their families, homes, and schools.

AN UNNATURAL OFFENCE?

Our constitution addresses it as an unnatural offense in section 377 but practically this is not applicable, this is natural as it's actually what an individual comes up with and gets to know about his/herself which is completely normal and is supposed to be considered and to be acceptable. This realization naturally occurs without any individual's fault.

The Supreme Court of India has finally overturned this legislation, stating that it violates constitutional rights and is not valid anymore. The verdict has been welcomed by LGBTQIA+ activists who have been campaigning for this change for years.

DO THEY HAVE EQUAL OPPORTUNITIES?

In a culture where adoption and surrogacy are widespread, many rights are granted to those involved, yet we forbid homosexual couples from using surrogacy to have children in favor of adoption. All people have a profound desire to be their children's genetic parents, but owing to laws and norms, this is not feasible.

We are in a new age of life, but We track down and make public abuses worldwide that are motivated by sexual orientation and gender identity. These abuses include but are not limited to: torture, executions and murders, arrests made under false pretences, unfair treatment, censorship, medical mistreatment, discrimination in employment and housing, domestic abuse, abuses of children, and denial of family rights and recognition. We support legislation and regulations that uphold the dignity of every individual. Our goal is for everyone to be able to fully enjoy their rights in the globe.

CONTEXT

Lesbian, gay, bisexual, transsexual/transgender, and queer/questioning (LGBTQ) people are a minority and neglected population with distinct and sometimes unidentified health needs. The LGBTQ population suffers healthcare challenges such as trouble accessing health insurance and stigmatization by some healthcare practitioners based on sexual orientation or gender identity. Furthermore, as compared to heterosexual and gender-aligned populations, the LGBTQ community faces higher cancer risks due to lower detection rates, less utilization of routine health care, and a higher incidence of cancer risk factors. According to recent research by Quinn et al.; anal, breast, cervical, colorectal, endometrial, lung, and prostate cancers may impact the LGBTQ community disproportionately. The goal of this investigation was to identify the attitudes, knowledge, and practice habits of healthcare clinicians who specialize in these seven forms of cancer.

The LGBT community is a group that has been historically discriminated against and marginalized. Despite the progress made in recent years, there are still many opportunities for the LGBT community to be more included in all aspects of society.

1. In the workplace

- Provide an inclusive work environment for LGBT employees.
- Be mindful of gender identity and sexual orientation when hiring new employees.
- Promote equal benefits and treatment to all employees regardless of their sexual orientation or gender identity.

2. In education

- Include LGBTQ history in the school curriculum.
- Offer scholarships to LGBTQ students.
- Support LGBTQ clubs, organizations, and events on campus.

3. In healthcare

Provide transgender surgery as a covered service under health insurance policies.

SURVEY

A total of 1,528 self-identified LGBTQ adults (18 years of age and older) participated in the survey, which was conducted between June 9 and June 30, 2020, utilizing the American Speak online panel maintained by NORC (National Opinion Research Centre). The Competency Assessment Programme (CAP) was able to identify results that were pertinent to significant community subgroups, including race, age, education, income, handicap, gender, or gender identity, because of the size of the overall sample. The complete study results are available for review by the authors, together with an extensive methodology overview. According to the survey's findings overall, a large number of LGBTQ people still experience prejudice in their personal lives, places of employment, public settings, and when trying to obtain essential medical care. Numerous detrimental impacts of this bias are seen in their physical, emotional, and economic well-being. Numerous LGBTQ individuals report that they have altered their lives to avoid discrimination and the psychological distress that results from receiving unfair treatment. Compared to older generations, younger generations report higher levels of discrimination and related concerns. Transgender individuals, people of color, and persons with disabilities are particularly likely to experience discrimination-related challenges. This group experiences more anxiety due to the corona virus, especially the most vulnerable individuals in terms of their health or status as front-line workers.

POSITIVE ATTRIBUTE

We are aware of the possibility that senior attorney Saurabh Kripal would be India's first homosexual judge. After four years of deliberation, the Supreme Court collegiums have finally approved his appointment as a judge of the Delhi High Court. It's a common legal claim that the delay in recommending his name was due to his sexual orientation. If he is chosen, his appointment will signal a watershed moment in LGBT rights. This means that everyone may achieve anything he or she desires, improve his or her level of living, and lead and live life responsibly and with dignity without hesitation or pressure.

IRONY OF THE SOCIETY

In other parts of the nation, family-sanctioned corrective rapes—which are often performed by family members—are committed against lesbians. Lesbians and transmen in rural areas,

according to Vyjayanti Vasanta Mogli, a transwoman LGBT activist and public policy scholar at the Tata Institute of Social Sciences in Hyderabad who has made no secret of her abuse at school, are at the bottom of the human rights hierarchy within the family and village unit.

She cites B.R. Ambedkar when talking about the socioeconomic environment in rural areas. "Ambedkar saw the village as a unit of violence, and this is especially true for LGBT problems." She asserts that "Village doctors and babas sometimes advise rape to cure lesbians of homosexuality." Refusing to be married leads to more physical abuse. Lesbian suicides make headlines in educated urban India every year, but stories about family acceptance that you see on TV and in other media are more common in metropolitan areas. Not surprisingly, then, a panel has concluded that the biggest risk lesbians in India face comes from inside their own families.

In India, the majority of people have a negative view of LGBTQ individuals. This is owing to the ancient beliefs and customs of Indian culture, which are still strongly ingrained in the nation. We are more inclined to select a society where people are connected by love, equality, and respect, yet in the same society, many individuals around us have their sexual orientation, which we cannot ignore. The irony is that we show acceptance but fail to put it into practice. If I offer a clear example of situations in India, we label a gay person a 'hijada' and they still beg on the streets for money, doing nothing new. People also refer to one other as 'hijada' while abusing each other, which is utterly disrespectful and degrading to the person being called by that word. These things continue to demonstrate that there is much to be improved, and we must address them.

CONCLUSION

The significance of LGBTQ people in the workplace has been covered in this article. It has also demonstrated how they are at a disadvantage in terms of getting and retaining work. Finally, we addressed various strategies that employers may use to make LGBTQ workers feel more comfortable and supported at work. The LGBTQ community has made strides in society and its existence. Many people, including activists, have contributed to this development. The community has seen significant progress in the last few decades and will continue to do so via its efforts. Until and unless the government grants equal status to LGBTQIA+ individuals in India, a legitimate and fair battle for societal acceptance by LGBTQIA+ will continue.