

# LGBT Community in India: Social and Workplace Issues

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## Abstract

Being homosexual in India is a taboo and a social stigma in Indian society. It is not that homosexuality is new to the Indian society, it very much finds its existence in history. But still in 21st century LGBT community has to face social discrimination. Sexual minorities in India are the easy victims of the hate crimes, they are easy target who are exploited physically, sexually, verbally. Police and the legal system is considered to be present for those who are victims of such crimes of brutality. But They are often beaten up by police. It shows that they are exploited by the law and legal system itself. Some international surveys show that most of the LGBT people tend to hide their sexual orientation in order to avoid any kind of discrimination, However, it has been found that most of the countries in the world has now begun to accept LGBT in their respective societies. LGBT employee in many surveys has asserted that they have always faced one or another kind of discrimination at work place. They are even forced to quit their jobs and are often paid less than their heterosexual co-workers. The paper tries to find the various social and workplace issues that LGBT community has to face in Indian mainstream society as well as in organizations. The paper also throws light on the various provisions that Indian organizations have brought in order to make workplace LGBT friendly.

**Keywords:** LGBT, sexual minorities, homosexual, social stigma.

## 1. INTRODUCTION

One of the gay cross dresser Rajesh Yadav from Bilaspur Bihar who is 25 years of age has been gang raped many times and is brutally beaten just because of her sexuality.

“Ayesha Kapoor from Bihar asserted that police come to their house and harass them for money and even sexually abuse them.

In 2014, A doctor from Bangalore stated that he had sexual relations with many men and when someone came to know about this he was extorted the money from.

These are some of the incidents or we can say atrocities that LGBT community has to face in India. (Parashar) India is the country which is considered to accept and embrace all the culture and tradition. But when it comes to the acceptance of homosexuality in mainstream society Indian society remains rigid and still when the whole world is accepting LGBT community, we don't want to accept LGBT person in our so-called modern society. Irony of the situation is that LGBT people do not get their complaints registered in police station as they fear more exploitation by the law. They fear that complaining any FIR or reporting incidents of injustice against them to police may expose them to the society, since LGBT people often don't reveal their sexual orientation.

LGBT refers to the people who are attracted to the person of same sex, these are group of Lesbian, gay, bisexual, transgender person. Homosexuality is not new in India, it is found to exist in History as can be seen in sculptures of Ajanta & Ellora caves etc., but still homosexuality is considered to be an offence, in India homosexuality is still considered to be a taboo and is regarded as social stigma. One of the important reasons for this is the Legal system of India, which has labelled it as unnatural offence. It is considered that Legal system should evolve according to the need of the society and there should be non-discriminatory law, but IPC's section 377 once criminalized homosexuality. However, homosexuality is no more a crime and also last year Supreme court legalised same sex marriage in India. This decision is considered to be a milestone in history of LGBT community. It is being seen as the turning point as it may increase the acceptance of LGBT person in the mainstream society and would change the perception of the society towards LGBT. Homosexual people are still striving against the law as well as against the society in order to mark their respectful presence in the society.

## 2. ACCEPTANCE OF LGBT OVER THE WORLD

The acceptance of homosexuality has gained momentum over the world. (AARP research) In a survey done in European Union around 88% people in Spain were in favour of acceptance of Homosexuality. 87% in Germany and

77% in France population is also willing to accept homosexuality. Canada also have highly positive results with around 80% of population agreeing to accept LGBT community However, these views are not this positive in case of U.S. where only 60% of population believes that Homosexuality should gain acceptance. The Asia/ pacific region which is considered to be a region of negative view about homosexuality, here 79% Australian and 73% Philippines population accepts LGBT population whereas Japan has lower results with only 54% acceptance of homosexuality amongst their population.

African and Muslim countries still remain the least accepting countries as far as Homosexuality is considered, However Kenya and Nigeria have high rate of acceptance towards LGBT.

In Jordan around 97% of population asserted that homosexuality should be rejected. Also, in China and South Korea people in large are not willing to accept homosexuality among their society.

Gender Gap on Views of Homosexuality			
% Homosexuality Should be accepted	Men %	Women %	Diff
Israel	31	48	+17
Venezuela	44	59	+15
Britain	69	83	+14
Japan	47	61	+14
Chile	62	74	+12
Greece	47	59	+12
France	72	82	+10
U.S.	55	65	+10
Only countries with a double-digit gender gap shown. PEW RESEARCH CENTER Q27.			

Sources: Pew research center Q27

### 3. HEALTH ISSUES OF LGBT IN INDIA

It is estimated that there are about 2.5 million gay people who have declared that they are homosexual to the health ministry.

There is no official data on the LGBT population in India, but the government estimates there are 2.5 million gay people, reflecting those who have declared their sexuality to the health ministry. In an Interview it was found that the LGBT people disclose their sexual orientation to their family because of being shunned by the cost of hiding their sexual orientation because of the fear of social rejection and isolation and also because of high vulnerability to police abuse and sexual assault. This community do not have any access to legal resources in order to protect them against this discrimination.

A survey in China as of August 2014 found that 37% of LGBT people worked only with organization which are gay friendly. Only 3% of LGBT people disclosed their sexual orientation completely as per this survey.

LGBT community is the soft target of hate crimes. Hate crimes refer to prejudice motivated crime which occurs when on targets a person or a group of people because they belong to a specific social group, class or race. Hate crimes are not motivated by some personal factors but are expected to occur when some so-called societal norms are broken. LGBT community is the soft target of hate crimes. Being weaker section of the society, these people are often targeted, and they become the victim of some heinous crime. On-going through some references it was found that gay people are often are targeted by others to have forceful unnatural sex with them. They are even gang raped and in some cases they are even murdered. It is not that lesbians do not have to face any criminal situations. Lesbians are forced into unhappy marriages and in some cases, they are forced into corrective rapes which is considered to be a kind of treatment for their "illness" or "disorder". India has witnessed a high percentage of hate crimes against LGBT population.

The society looks at the homosexuality with the disgust and hatred and are often the society considers homosexual less than human being. The law, mainstream culture and the societal values is un-favourable towards sexual minorities, this is the reason homosexuals are not open about their sexual orientation which society defines as "Illicit" relations. These people often face Illegal detention and they are often addressed using filthy languages or abuses. They are often extorted, sexually or physically abused and are blackmailed by the Police itself.

#### Society

The society denies and rejects LGBT community under various undefined pretexts. The society often exposes them to constant abuse and discrimination. The society works on the basis of Heterosexism and it establishes only

male-female relations to be valid and accepted by the society and makes other relations unfit for society.

**Family**

Most Indian families socialize children into heterosexual marriages. And if any of the LGBT child comes out in front of their families, the families do not accept such relations and in some cases, they often completely disown their child. In case of lesbian child, the girls are forced into marriages or corrective rapes, the so-called medication for their disorder.

- In one of the reported cases of a boy studying in a reputed college in Bangalore, the boy reported that when he came out to his parents about his sexual orientation, they completely disowned him, they even didn't pay his fees. However, after a year they mollified and accepted him.
- In another case, the mother when came to know about his son being gay, she threatened to take legal action against his son.

There have been many cases where LGBT couples or individual commit suicide as they are rejected by the families and society and are discriminated which force them to take action like suicide.

However, gradually the perception of the society is changing towards Same sex marriage. There are many families which have come forward and accepted their homosexual child. The society has begun to widen their perspective towards LGBT person, in fact the youth has begun to embrace homosexuality open heartedly.

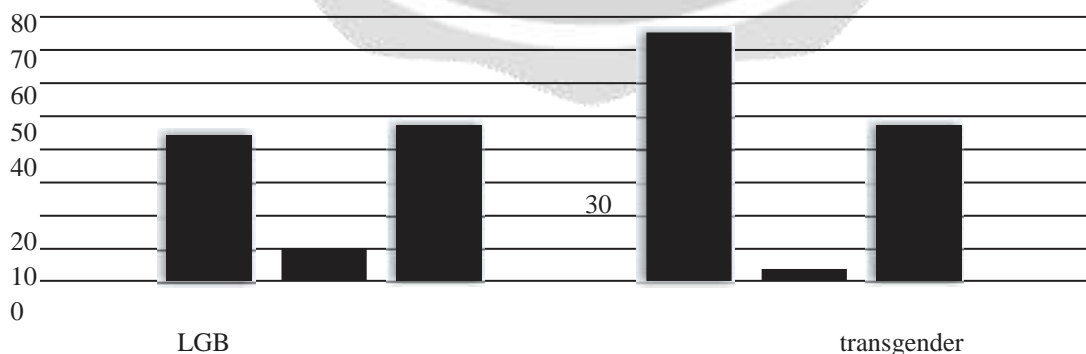
But still there are stereotypes which see homosexuality as a form of sex work and gay people are often pushed into prostitution probably for economic reasons. Although metropolitan cities have begun to accept homosexuality but outside these cities the portrayal of sexual minorities is not only minimal but is also generally negative.

**Workspace**

A workplace should be cohesive and inclusive of all the sections. Any kind of discrimination at workplace affects directly the productivity of the employees which ultimately affect the economic perspectives of the organizations. Most of the organizations, over the world has begun to adopt LGBT friendly policies and follow LGBT non-discriminatory policies. It is considered that having LGBT friendly environment at workplace brings new dimension to the workforce, for instance, diverse workforce, greater ideas and innovations, also it enhances the economic perspectives of the organizations. In a survey in year 2013 it was found that college educated white collared LGBT workers accepted that they have always encountered various forms of discrimination at workplace and in society. These results mark that such discrimination can have an adverse effect on the economic contribution of sexual minorities and it can also result in under employment, lower productivity, lower job satisfaction amongst LGBT community which will drive them to the poverty thus more deteriorating their socio economic and mental conditions.

But many surveys report high rate of discrimination against LGBT employees. They are fired from job when the organization comes to know about their sexual orientation, they are denied job being gay, or if they are working, they are not promoted and often they are paid less than their co-workers. In a survey it was found that amongst LGB around 44% of them were fired when their organization came to know about their being homosexual, this ratio was comparatively high in case of transgender, which was found to be 67%. Around 11% LGB and 3% Transgender were denied the jobs and 46% of LGBT and 30% of transgender were not promoted at their work.

*Graph: Ever denied a job, denied jobs, not promoted in job.*



Many Indian companies have also begun to have LGBT friendly policies. Companies like IBM, Infosys, Godrej have adopted non-discriminatory policies. WIPRO is the first Indian organization to have gender neutral workplace.

**4. CONCLUSION**

It is evident that LGBT community has to face discrimination in almost all fronts of their lives and almost from

every person they meet tend to abuse or harass them either physically or mentally. They are in large the victims of hate crimes not only in India but all over the world, which shows the high percentage of arrogance and hatred that others have for LGBT minorities. They are often beaten up, forced into prostitution or families force them into unhappy marriages. The societal pressure often forces them to conceal their sexual orientation which often brings them under mental stress.

However, the society is gradually changing its perspectives toward Homosexuality and is very much clear from the data above that most of the Asian and European countries are coming forward to accept LGBT in the society, study shows that more than 75% population in these countries are willing to accept LGBT, however the results are not so satisfactory in predominated Muslim countries, only less than 50% population accepts LGBT in society. Youth especially is widely accepting them in the society as well as at workplace. But this is the scenario only in metropolitan cities, rural areas are still rigid when it comes to acceptance of LGBT person. Only 37% of gay reported that workplaces in India are Gay friendly, this shows the lack of support that LGBT employee gains in any Indian organisations.

Over the world 80% of LGBT population revealed that they often have social support network, however their families are a weak support system. These figures show that over the world LGBT community is gaining support and acceptance but in order to bring out a stronger support system network for LGBT in India, Govt. law, legal system as well as the society has to be made aware or this community will have to continue to live the life of dual identity, disgrace and hatred for many more years which also wastes resources and energy of homosexual people to hide their true selves and also make them less productive at work.

It is the high time that proper initiatives are taken in order to make LGBT people aware about the provisions that government provides them. Social media, films, theaters activists, law and legal system together should make efforts to reduce the crimes against them and also it could help to reduce discrimination against them. It will help LGBT person to live with freedom with their own choices and culture. It would also help them to not to waste their energy and resources in hiding their sexual orientation and they will be more productive, after all they are humans like us.

#### **Police and LGBT**

Law is supposed to be there to help people and protect them against any kind of social injustice. Police should be more conducive and empathetic towards LGBT community. They should not fear in approaching police whenever needed. There have been reported incidents where even police tend to exploit them. Thus, it becomes the duty of Law to keep a watch on such incident. After all they are also human and they deserve respect, equality and equity in the society which can be ensured and assured by Police and legal system.

#### **Recommendations**

This study shows that LGBT community is one of the most discriminated section of the society. Thus, in order to raise this section of the society both the government and the laws should be more responsive to the needs of LGBT community. The society should be made more aware towards LGBT community. Provision should be made about proper education, health, jobs and future security of LGBT in the society. Being homosexual is not a crime, so they should not be ill-treated by the law and legal system has to be made stronger as far as they case of hate crimes against homosexual is considered. Hence in order to uplift this community it is important that every other section becomes aware and courteous to them.

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