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## QUEER RIGHTS: FIGHT FOR PRIDE

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## QUEER RIGHTS: FIGHT FOR PRIDE

Komal Arora<sup>1</sup> & Kajal Arora<sup>2</sup>

### INTRODUCTION

Every month of June, we see rainbow flags everywhere, people who are for most part of the year apathetic to queer rights posting for supporting pride, brands celebrating pride month with their uniquely rainbow coloured products, queer marches in the cities etc. It is indeed a festival of its own kind.

On the first blush, it feels like the world is supporting queers. But then on deeper, closer examination it is revealed that maybe people are supporting pride month with their social media posts and hashtags but that's where it ends. Their support doesn't transmute to 'accepting queer'.

Acceptance is what matters for queer rights. The whole struggle is to acknowledge and respect LGBTQ. The emergence of demand for equality in queer rights started in 1969 from Stonewall Inn in New York. It is popularly known as 'Stonewall Riots'. Since June of 1969 we celebrate Pride Month for liberation of LGBTQ rights. India's first pride march took place in 1999 in Kolkata. Unequivocally, we have come a long way. We are now one of the countries recognizing LGBTQ rights. The following passage from *Navtej Johar v. U.O.I.*<sup>3</sup> succinctly explains it:

History owes an apology to the members of this community and their families, for the delay in providing redressal 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, reprisal and persecution. This was on account of the ignorance of the majority to

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<sup>2</sup> Advocate, High Court of Punjab and Haryana.

<sup>3</sup> AIR 2018 SC 4321.

recognize that homosexuality is a completely natural condition, part of a range of human sexuality. The mis-application of Section 377 denied them the Fundamental Right to equality guaranteed by Article 14. It infringed the Fundamental Right to non-discrimination under Article 15, and the Fundamental Right to live a life of dignity and privacy guaranteed by Article 21. The LGBT persons deserve to live a life unshackled from the shadow of being '*unapprehend felons*'.

After 'acknowledging' third gender rights, then comes another battle for accepting, embracing and welcoming LGBTQ.

For betterment of their tragic condition a lot has been said but only a little is done.

Let's consider the reasons why still acceptance of queer rights is strenuous and it remains merely on paper, a sham, an imposture on queer rights.

Since 2018, when controversial Section 377 Indian Penal Code, 1860 was scrapped various brands have tried to show their support to LGBTQ by advertisements like: Fastrack advertisement showing two lesbians come out of closet, or Vicks showing love between daughter and a transgender mother, or through their products like: Apple Pride bands, Nike, Adidas etc.

But the core issue remains 'acceptance'. What these brands are propagating is called 'Rainbow capitalism'. It is a concept to explain situations when brands commercialize LGBTQ. The term was coined to describe acts of using rainbow colours for products to prove brand's solidarity with queer rights. The agenda behind pride month is deviated and as more entities are entering pride month it become more expensive. Undeniably, it has raised awareness about pride month but it is also responsible for undermining the role played by pride month in persistent battle for queer rights. Not to forget that our society is still

deeply entrenched in homophobia and these brands are no different, they may tolerate but not accept queer rights.

As there is lack of concrete actions on part of these brands it gives them the opportunity to thrive off and earn huge profits on demand of LGBTQ for their fundamental right to equality. They claim to be an ally but their efforts are not palpable in the sense that they do not publicly give employment to LGBTQ at all levels, there are no separate columns for third gender in the forms, no separate washrooms etc. Not just that, it is also a fact that with rainbow capitalism emerges issue of 'homonormativity'.

Historian Lisa Duggan defines 'homonormativity' as a trend which is the proliferation of a culturally specific way of being gay that is enough in sync with existing gender, class, racial, and cultural norms as to be considered 'acceptable'.<sup>4</sup> The inevitable takes place and our society due to such conditioning now believes that there are some good queer and some bad who are not acceptable.

With television series, movies, web series like: Modern love Mumbai, Dostana, Will and Grace, Modern Family, etc. what has happened is that our society now accepts upper class LGBTQ, cisgender but not transgender, intersex, bisexual and asexual. The kind of relationships portrayed in the media are so repetitive that they have limited the representation of queers to these relationships which in fact tend to copy heteronormative gender roles. With one partner being feminine and the other muscular. The result is that we start to believe that in all the relationships there is a man and a woman. We straighten every relationship.

Homonormativity is the belief that LGBTQ people are no different from straight people and that 'good queers' should want the 4 Ms (marriage,

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<sup>4</sup> 'Homonormativity - an Overview' <<https://www.sciencedirect.com/topics/social-sciences/homonormativity>> accessed 8 July 2023.

matrimony, military and money) whereas ‘bad queers’ oppose the 4 Ms and are a burden.<sup>5</sup>

But in India these 4 Ms are a distant dream for queers (good or bad). But with homonormativity and trying to mimic heteronormative family structures the whole struggle for marriage equality for queers becomes a facet of ignorance and transgressions for other non-acceptable queer relationships.

Pride is a time for LGBTQ community to use the power of its collective voice, at the same time to listen and reflect. To understand that our queerness makes us human and to fight back for our human rights. With rainbow capitalism and homonormativity, the battle for LGBTQ rights takes a step backwards as without being cognizant of the ultimate anti-LGBTQ goals of companies and brands we assist them in racketeering.

Recognition is not acceptance.

Rainbow capitalism is not allyship.

Equality means something more than just passing laws. The struggle is really won in the hearts and mind of the community, where it really counts - Barbara Gittings

The season for boldly demanding our human rights is due. With each day we lose without educating others about the negative impacts of homonormativity and rainbow capitalism we let another person suffer in obscurity of his future.

A research study found that the adverse, punitive, and traumatic reactions from parents and caregivers in response to their children’s

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<sup>5</sup> Ecotalker, ‘Homonationalism- A Broken Barometer of Modernity’ (*Arthashastra*, 26 April 2019) <<https://ecotalker.wordpress.com/2019/04/26/homonationalism-a-broken-barometer-of-modernity/>> accessed 8 July 2023.

sexual orientation were closely correlated with poor mental health and an increase in substance use. What needs to be done is to find a righteous, sound way to deal with 'coming out of closet' stories as for those who come out, life doesn't suddenly become uncomplicated and simple. For their safe journey to find themselves we need to focus on the solutions

## **THE SOLUTIONS**

We can start with queer inclusivity and not queer baiting in the media. Attempts must be made to actually include queers as an ordinary person instead of making it discriminatory. It must not be superficial, just to earn pride profits.

We all need to understand that as we do not have to be black to support Blacks Lives Matters or an animal to support Animal rights, similarly we can be an ally to LGBTQ and support them. Support does not mean buying rainbow flags in pride month and changing our profile to show our collaboration with pride. If we do not accept queers as human, we are complicit in the violation of their human rights.

We need to build a safe environment that is queer friendly for individuals to share their sensitive stories. Education and awareness are the pillars of the fights for LGBTQ rights. With consciousness of these two, families may become well equipped with sufficient knowledge and understanding of emotional, physical difficulties faced by their child.

Our country is still deeply embedded in conservatism, homophobia and transphobia. Homosexuality should no more be treated as a taboo topic and needs to be discussed. We need to educate ourselves of how concepts related to LGBTQ are evolving and how it affects their human rights. Many times, people are hesitant with usage of terms like lesbian and gay as they still have no clear definition in their mind. With using

regular and correct terms the tension surrounding the topic can be lifted off.

Battle For LGBTQ Rights Is A Revolution And We Cannot Miss A Second Of It.