

## LGBTQ+ VICTIMS

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### ABSTRACT

The legal status of lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons in India has undergone a significant constitutional transformation over the past decade, largely driven by judicial intervention. Despite this progress, LGBTQ+ individuals continue to experience widespread victimization in the form of violence, discrimination, social exclusion, and institutional neglect. This article examines the concept of LGBTQ+ victimization within the Indian legal framework, focusing on constitutional protections, landmark judicial decisions, and the limitations of existing statutory safeguards.

Through an analysis of key Supreme Court judgments—including *National Legal Services Authority v. Union of India*, *Justice K.S. Puttaswamy (Retd.) v. Union of India*, and *Navtej Singh Johar v. Union of India*—as well as recent High Court rulings, the article highlights how Indian courts have progressively recognized sexual orientation and gender identity as integral to dignity, privacy, and equality under the Constitution. It further critically evaluates the Transgender Persons (Protection of Rights) Act, 2019, and identifies gaps in criminal law remedies, enforcement mechanisms, and victim-centric protections.

The article argues that while judicial recognition has provided a strong constitutional shield for LGBTQ+ persons, the absence of comprehensive anti-discrimination legislation, lack of recognition of same-sex relationships, and inconsistent implementation continue to leave LGBTQ+ victims vulnerable. It concludes by proposing targeted legal reforms, institutional sensitization, and policy measures necessary to translate constitutional ideals into effective protection and access to justice for LGBTQ+ victims in India.

### INTRODUCTION

The term LGBTQ+ refers to lesbian, gay, bisexual, transgender, queer/questioning persons, along with other sexual and gender minorities whose identities fall outside heteronormative and cisnormative frameworks. LGBTQ+ identities reflect a broad spectrum of sexual orientations, gender identities, and gender expressions that form an intrinsic part of human diversity. Despite constitutional guarantees of equality and dignity, LGBTQ+ persons in India continue to

face systemic discrimination, violence, and social exclusion.<sup>1770</sup>

Victimization of LGBTQ+ persons manifests in multiple forms, including hate crimes, sexual and physical violence, family rejection, institutional discrimination, and state-sponsored persecution. These harms are often compounded by underreporting, fear of retaliation, and lack of access to inclusive legal remedies.<sup>1771</sup>

<sup>1770</sup> ILGA World, *India Country Report* (2023).

<sup>1771</sup> U.K. Home Office, *Country Policy & Information Note: India – Sexual Orientation & Gender Identity* (2023).

## CONCEPT OF LGBTQ+ VICTIMIZATION

### Forms of Victimization

LGBTQ+ victimization includes hate-motivated violence, harassment, bullying in educational institutions and workplaces, denial of healthcare, homelessness due to family rejection, and intimate partner violence. Transgender and gender-nonconforming individuals, particularly transgender women, experience disproportionately high rates of fatal violence and institutional neglect.<sup>1772</sup>

Medical and institutional victimization has historically included the pathologization of homosexuality and transgender identities, unethical practices such as conversion therapy, and denial of gender-affirming healthcare. In many instances, state institutions themselves become instruments of victimization through discriminatory policing and lack of legal recognition.<sup>1773</sup>

### Barriers to Justice

LGBTQ+ victims often face significant obstacles in accessing justice, including fear of discrimination from police, lack of trained service providers, absence of legal recognition for same-sex relationships, and internalized stigma resulting from social prejudice.<sup>1774</sup> The concept of “minority stress” further explains how chronic exposure to discrimination exacerbates psychological harm and discourages reporting of crimes.<sup>1775</sup>

## CONSTITUTIONAL FRAMEWORK FOR LGBTQ+ RIGHTS

The Indian Constitution provides a robust foundation for the protection of LGBTQ+ persons through Articles 14 (equality before law), 15 (non-discrimination), 19 (freedoms), and 21 (right to life and personal liberty). Judicial interpretation has progressively expanded these provisions to include sexual orientation

and gender identity as protected characteristics.<sup>1776</sup>

## LANDMARK SUPREME COURT JUDGMENTS

### A. *National Legal Services Authority v. Union of India (2014)*

In *NALSA v. Union of India*, the Supreme Court recognized transgender persons as a “third gender” and affirmed their right to self-identification. The Court directed the State to provide reservations in education and employment and to implement social welfare measures.<sup>1777</sup> This judgment directly addressed the systemic marginalization and violence faced by transgender persons.

### B. *Justice K.S. Puttaswamy (Retd.) v. Union of India (2017)*

The nine-judge bench in *Puttaswamy* declared the right to privacy as a fundamental right under Article 21 and explicitly held that sexual orientation is an essential attribute of privacy.<sup>1778</sup> This judgment laid the constitutional foundation for decriminalizing consensual same-sex relations.

### C. *Navtej Singh Johar v. Union of India (2018)*

In *Navtej Singh Johar*, the Supreme Court read down Section 377 of the Indian Penal Code, decriminalizing consensual same-sex relations between adults. The Court recognized LGBTQ+ persons’ rights to dignity, autonomy, equality, and privacy.<sup>1779</sup> This judgment marked a watershed moment in protecting LGBTQ+ persons from state-sponsored victimization.

### D. *Deepika Singh v. Central Administrative Tribunal (2022)*

The Supreme Court recognized “atypical families,” including queer partnerships, as deserving equal protection under social welfare laws.<sup>1780</sup> This expanded the legal understanding of family beyond heterosexual marital norms,

<sup>1772</sup> Id

<sup>1773</sup> World Health Organization, *Sexual Health and Human Rights* (2015).

<sup>1774</sup> ILGA World, *supra* note 1.

<sup>1775</sup> Meyer, I.H., *Minority Stress Theory*, 38 *Psychol. Bull.* 674 (2003).

<sup>1776</sup> INDIA CONST. arts. 14, 15, 19, 21.

<sup>1777</sup> *Nat'l Legal Servs. Auth. v. Union of India*, (2014) 5 SCC 438 (India).

<sup>1778</sup> *Justice K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1 (India).

<sup>1779</sup> *Navtej Singh Johar v. Union of India*, (2018) 10 SCC 1 (India).

<sup>1780</sup> *Deepika Singh v. CAT*, (2022) SCC OnLine SC 1088.

benefiting LGBTQ+ victims in accessing welfare entitlements.

### HIGH COURT CONTRIBUTIONS

Indian High Courts have further strengthened LGBTQ+ protections:

- *Arun Kumar v. Inspector General of Registration* (Madras High Court, 2019) recognized a trans woman as a “bride” under Hindu marriage law.<sup>1781</sup>
- *Chinmayee Jena v. State of Odisha* (Orissa High Court, 2020) granted protection to a same-sex couple facing family threats.<sup>1782</sup>
- *Sultana Mirza v. State of Uttar Pradesh* (Allahabad High Court, 2020) ordered police protection for a lesbian couple.<sup>1783</sup>

These cases highlight judicial sensitivity toward LGBTQ+ victims facing familial and societal violence.

### STATUTORY PROTECTION AND ITS LIMITATIONS

#### A. Transgender Persons (Protection of Rights) Act, 2019

The Transgender Persons (Protection of Rights) Act, 2019 prohibits discrimination in education, employment, healthcare, housing, and access to public facilities.<sup>1784</sup> However, the Act has been widely criticized for undermining self-identification, imposing bureaucratic certification requirements, criminalizing begging, and prescribing disproportionately low penalties for offenses against transgender persons.<sup>1785</sup>

#### B. Criminal Law Remedies

LGBTQ+ victims rely on general provisions of the Indian Penal Code, including Sections 323, 354, 376, 506, and 509. However, gendered language and lack of hate-crime recognition limit effective prosecution.<sup>1786</sup>

### CONTINUING GAPS AND CHALLENGES

Despite judicial progress, India lacks a comprehensive anti-discrimination law covering sexual orientation and gender identity. Same-sex unions remain unrecognized, depriving couples of inheritance, adoption, and medical decision-making rights. Police sensitization remains inconsistent, and healthcare discrimination persists, particularly against transgender persons.<sup>1787</sup>

The evolution of LGBTQ+ rights in India represents one of the most significant constitutional developments in contemporary Indian jurisprudence. Historically subjected to criminalization, social stigma, and institutional discrimination, lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons continue to face severe forms of victimization despite recent judicial progress. This article undertakes a comprehensive legal analysis of LGBTQ+ victimization in India, examining the intersection of constitutional guarantees, judicial interpretation, and statutory responses within the Indian legal system.

The article begins by conceptualizing LGBTQ+ victimization, identifying its multiple dimensions, including hate-motivated violence, family-based abuse, workplace and educational discrimination, healthcare exclusion, police harassment, and state-sanctioned neglect. It situates these harms within the broader framework of structural inequality and minority stress, emphasizing how social prejudice and legal invisibility exacerbate the vulnerability of LGBTQ+ victims.

Through a detailed doctrinal analysis, the article examines landmark Supreme Court decisions such as *National Legal Services Authority v. Union of India*, which recognized transgender persons' right to self-identified gender; *Justice K.S. Puttaswamy (Retd.) v. Union of India*, which affirmed privacy as a fundamental right encompassing sexual orientation; and *Navtej Singh Johar v. Union of India*, which

<sup>1781</sup> *Arun Kumar v. Inspector Gen. of Registration*, 2019 SCC OnLine Mad 8779.

<sup>1782</sup> *Chinmayee Jena v. State of Odisha*, 2020 SCC OnLine Ori 878.

<sup>1783</sup> *Sultana Mirza v. State of U.P.*, 2020 SCC OnLine All 1382.

<sup>1784</sup> Transgender Persons (Protection of Rights) Act, No. 40 of 2019 (India).

<sup>1785</sup> *Id.* s 18.

<sup>1786</sup> Indian Penal Code, 1860.

<sup>1787</sup> U.K. Home Office, *supra* note 2.

decriminalized consensual same-sex relations. It further analyzes recent High Court rulings that have extended protection to same-sex couples and transgender persons facing familial and societal violence. Together, these judgments establish a robust constitutional foundation grounded in dignity, autonomy, equality, and non-discrimination.

The article critically evaluates the Transgender Persons (Protection of Rights) Act, 2019, highlighting its symbolic importance while exposing substantive shortcomings related to self-identification, criminal penalties, and enforcement. It argues that the absence of comprehensive anti-discrimination legislation, lack of recognition of same-sex relationships, and inconsistent implementation of judicial mandates continue to undermine effective protection for LGBTQ+ victims. The article concludes by advocating for legislative reform, victim-centric criminal justice responses, institutional sensitization, and policy measures aimed at transforming constitutional recognition into meaningful access to justice and lived equality for LGBTQ+ persons in India.

The acronym **LGBTQ** is widely used to represent a community of people whose **sexual orientation, gender identity, or gender expression** differs from traditional heterosexual and cisgender norms. Over time, the term has gained social, cultural, and legal recognition worldwide, including in India, as societies increasingly acknowledge diversity in human identity. Understanding the full form of LGBTQ is essential for promoting inclusion, equality, and respect for human rights.

### Full Form and Meaning of LGBTQ

#### L – Lesbian

A **lesbian** is a woman who is emotionally, romantically, or sexually attracted to other women. Lesbian identity relates to sexual orientation and has been recognized as a legitimate form of expression of personal choice and autonomy.

#### G – Gay

The term **gay** generally refers to a person who is emotionally, romantically, or sexually attracted to individuals of the same gender. Although commonly used for men attracted to men, it can also describe same-sex attraction more broadly.

#### B – Bisexual

A **bisexual** person is someone who is emotionally, romantically, or sexually attracted to more than one gender. Bisexuality challenges the notion that attraction exists only toward a single gender and highlights the fluid nature of human sexuality.

#### T – Transgender

**Transgender** refers to individuals whose **gender identity or gender expression differs from the sex assigned to them at birth**. This term relates to gender identity, not sexual orientation. Transgender persons may identify as male, female, both, or neither.

#### Q – Queer / Questioning

The letter **Q** has two commonly accepted meanings:

- **Queer:** An umbrella term used by some individuals to describe non-heterosexual or non-cisgender identities. Though reclaimed by many, its use should be respectful.
- **Questioning:** Refers to individuals who are exploring or unsure about their sexual orientation or gender identity.

#### The “+” Symbol

The **plus sign (+)** signifies the inclusion of other identities not explicitly mentioned in the acronym, such as **Asexual, Pansexual, Intersex, Non-binary, Genderfluid**, and others. It reflects the diversity and evolving understanding of gender and sexuality.

#### Importance of Understanding LGBTQ

Understanding the full form of LGBTQ helps in:

- Promoting **social awareness and acceptance**

- Reducing **discrimination and stigma**
- Supporting **legal recognition and human rights**
- Encouraging **inclusive education and policies**

In the Indian context, increased awareness has contributed to significant legal developments, including the decriminalization of consensual same-sex relationships and recognition of transgender rights by the judiciary.

The full form of LGBTQ represents more than just an acronym; it symbolizes **identity, dignity, equality, and inclusion**. Recognizing and understanding each component of LGBTQ is a crucial step toward building a society that respects diversity and upholds the fundamental rights of all individuals, regardless of sexual orientation or gender identity.

#### GRINDER APP

Digital platforms have played a transformative role in shaping LGBTQ+ visibility, social interaction, and community formation. Among these platforms, **Grindr**, a location-based social networking application launched in 2009, has emerged as one of the most prominent digital spaces for gay, bisexual, transgender, and queer men. While Grindr has facilitated connection, identity expression, and community-building, it has also raised significant legal concerns relating to privacy, data protection, discrimination, and safety. This article examines Grindr through a legal lens, focusing on its social impact and the regulatory challenges it poses.

#### GRINDR: CONCEPT AND FUNCTION

Grindr is a **geolocation-based dating and social networking application** designed primarily for men who have sex with men (MSM). The platform enables users to create profiles, share photographs, disclose personal attributes, and communicate with nearby users.<sup>1788</sup> Unlike traditional dating platforms, Grindr emphasizes proximity and immediacy,

reshaping how LGBTQ+ individuals interact in both public and private spaces.

For many users—particularly in societies where homosexuality is stigmatized or criminalized—Grindr serves as a critical space for identity exploration and social connection.<sup>1789</sup> However, this reliance also increases vulnerability to surveillance, harassment, and exploitation.

#### GRINDR AND LGBTQ+ VISIBILITY

Grindr has significantly contributed to the normalization of LGBTQ+ identities by enabling visibility beyond physical queer spaces. Scholars argue that such platforms create “digital queer publics” that challenge heteronormative spatial boundaries.<sup>1790</sup> In countries like India, where public queer spaces remain limited, applications like Grindr have facilitated community-building and solidarity following the decriminalization of consensual same-sex relations.<sup>1791</sup>

At the same time, Grindr’s design has been criticized for reinforcing exclusionary norms related to race, body type, masculinity, and gender expression, raising concerns under anti-discrimination and equality frameworks.<sup>1792</sup>

#### PRIVACY AND DATA PROTECTION CONCERNS

##### A. Sensitive Personal Data

Grindr collects highly sensitive personal data, including sexual orientation, HIV status, location data, and intimate communications. Such data falls within the category of sensitive personal information under emerging data protection standards.<sup>1793</sup> The misuse or unauthorized sharing of this data can expose users to blackmail, violence, or state persecution, particularly in hostile legal environments.

##### B. Regulatory Action

<sup>1789</sup> Sharif Mowlabocus, *Gaydar Culture: Gay Men, Technology and Embodiment in the Digital Age* 87–90 (2010).

<sup>1790</sup> Id

<sup>1791</sup> *Navej Singh Johar v. Union of India*, (2018) 10 S.C.C. 1 (India).

<sup>1792</sup> Carman Neustaedter & Saul Greenberg, *Intimacy in Digital Queer Spaces*, 19 *New Media & Soc’y* 1154 (2017).

<sup>1793</sup> Carman Neustaedter & Saul Greenberg, *Intimacy in Digital Queer Spaces*, 19 *New Media & Soc’y* 1154 (2017).

<sup>1788</sup> Grindr LLC, *About Grindr* (company description).

In 2020, regulatory authorities in Europe found that Grindr had unlawfully shared users' personal data with third-party advertisers without valid consent, violating data protection principles.<sup>1794</sup> This incident underscored the heightened duty of care owed by platforms that process data relating to sexual orientation.

### SAFETY, SURVEILLANCE, AND VICTIMIZATION

Grindr has also been associated with risks of physical harm and state surveillance. Reports indicate that law enforcement agencies in certain jurisdictions have used dating apps to entrap LGBTQ+ individuals.<sup>1795</sup> Additionally, users have reported instances of sexual assault, extortion, and harassment facilitated through the platform.

From a victimological perspective, these harms highlight the intersection between digital vulnerability and social marginalization, raising questions about platform accountability and user protection.

### LEGAL IMPLICATIONS IN THE INDIAN CONTEXT

In India, constitutional jurisprudence recognizes sexual orientation as an essential aspect of privacy and dignity.<sup>1796</sup> Consequently, digital platforms serving LGBTQ+ users must align with constitutional values of autonomy, non-discrimination, and informational privacy. While India lacks a comprehensive data protection regime fully tailored to such platforms, evolving privacy jurisprudence imposes a positive obligation on both the State and private actors to protect sensitive personal data.<sup>1797</sup>

### THE NEED FOR REGULATORY AND PLATFORM REFORM

To address these concerns, legal and policy reforms must include:

1. Strong data protection safeguards for sensitive LGBTQ+ data;

2. Transparent consent mechanisms;
3. Anti-discrimination policies within platform governance;
4. Collaboration with law enforcement only under due process safeguards; and
5. User education on digital safety.

### RELIGION AND LGBTQ+: INTERSECTIONS OF FAITH, IDENTITY, AND HUMAN RIGHTS

We are live in the new era of our World in this we handle both Religion and Tecnology but in religion we can not accept the individual persons sexual Orientations we don't think their thoughts. Alright, now we see how the Indian Constitution and religion view sexual orientation, as well as how the world perceives it in the twenty-first century. Sexual orientation and religion have intricate relationships that influence social norms, values, and beliefs. Religious attitudes on sexuality differ; some embrace inclusivity, while others uphold conventional ideas about identity and relationships. For example, Abrahamic religions (Judaism, Christianity, and Islam) have historically endorsed heteronormative perspectives, often emphasizing marriage between men and women. However, interpretations within these faiths differ, with some denominations advocating for LGBTQ+ acceptance<sup>2</sup>. Meanwhile, Eastern religions such as Hinduism and Buddhism tend to focus on personal spirituality, with diverse views on sexuality depending on cultural influences. The relationship between religion and LGBTQ+ identities is evolving, with many faith communities working toward greater inclusivity and understanding. Some religious groups actively support LGBTQ+ rights, while others struggle with reconciling traditional teachings with modern perspectives.

The relationship between religion and sexuality is intricate and deeply ingrained. Religions frequently promote heterosexuality and teach about appropriate sexual behavior. A increasing number of people are identifying as sexual minorities, which contradicts such speech. Poor

<sup>1794</sup> European Union General Data Protection Regulation, art. 9, 2016 O.J. (L 119).

<sup>1795</sup> Norwegian Data Protection Authority, Decision Against Grindr LLC (Jan. 27, 2020).

<sup>1796</sup> Human Rights Watch, *Dignity Debated: LGBTQ Surveillance and Entrapment* (2020).

<sup>1797</sup> *Justice K.S. Puttaswamy (Retd.) v. Union of India*, (2017) 10 S.C.C. 1 (India).

health outcomes, such as psychological discomfort and suicidal thoughts, can result from the conflict between a person's sexual minority orientation and their homonegative beliefs or religious context. Attempts to change sexual orientation to satisfy religious expectations are ineffective and frequently dangerous. However, if sexual minorities can find religious and spiritual communities that welcome them, or if they can reconcile their sexual and religious identities, they can find health benefits. The safety of spaces for revealing a sexual minority identification has also been influenced by the COVID-19 pandemic and religious influence on US politics.

Religion has played a central role in shaping moral values, cultural norms, and legal systems across societies. At the same time, lesbian, gay, bisexual, transgender, and queer (LGBTQ+) identities challenge traditional understandings of gender and sexuality that many religious doctrines have historically upheld. The relationship between religion and LGBTQ+ communities has therefore been complex, often marked by tension, conflict, reinterpretation, and gradual transformation. While religious beliefs have sometimes been used to justify discrimination, religion has also been a source of compassion, reform, and inclusion for LGBTQ+ individuals.

Religion and sexuality have a complex historical, cultural, political, social, and moral relationship. While not exhaustive, this review gives an updated overview of how the intersection of religion and sexuality influences identity formation and adoption, affects health and well-being, and is intertwined with politics and current events. Religious and sexual identities are deeply personal characteristics [1,2], but they are also steeped in tumultuous interpersonal and structural contexts that vary by geographic location. This review touches on recent trends, emphasizing new research findings.

The concept of 'homosexuality' was introduced in the late 19th century by Karoly Maria Benkert,

a psychologist of Austrian descent. While the term itself is relatively recent, the discourse surrounding sexuality, particularly same-sex attraction, has been a subject of philosophical inquiry from Plato's Symposium to modern queer theory. Understanding the historical context of cultural perceptions of same-sex attraction is crucial for addressing the philosophical questions that arise from these perceptions, necessitating a brief overview of the social history of homosexuality. In the Western context, this history has given rise to the notion of natural law, with certain interpretations suggesting a prohibition against homosexual acts. Natural law continues to influence contemporary discussions regarding homosexuality across religious, political, and legal spheres. Additionally, a significant recent development in the realm of homosexuality is the rise of the gay liberation movement in the West, which is partially represented in philosophical discussions by a diverse array of thinkers associated with queer theory. A key question posed by queer theory, which will be explored further, is whether homosexuality, along with heterosexuality and bisexuality, is a product of social constructs or if it is fundamentally determined by biological factors.

As has been frequently noted, the ancient Greeks did not have terms or concepts that correspond to the contemporary dichotomy of 'heterosexual' and 'homosexual' (e.g., Foucault, 1980). There is a wealth of material from ancient Greece pertinent to issues of sexuality, ranging from dialogues of Plato, such as the Symposium, to plays by Aristophanes, and Greek artwork and vases. What follows is a brief description of ancient Greek attitudes, but it is important to recognize that there was regional variation. For example, in parts of Ionia there were general strictures against same-sex eros, while in Elis and Boiotia (e.g., Thebes), it was approved of and even celebrated (cf. Dover, 1989; Halperin, 1990). Probably the most frequent assumption about sexual orientation, at least by ancient Greek authors, is that persons can respond erotically to beauty in

either sex. Diogenes Laeurtius, for example, wrote of Alcibiades, the Athenian general and politician of the 5th century B.C., “in his adolescence he drew away the husbands from their wives, and as a young man the wives from their husbands.” (Quoted in Greenberg, 1988, 144) Some persons were noted for their exclusive interests in persons of one gender. For example, Alexander the Great and the founder of Stoicism, Zeno of Citium, were known for their exclusive interest in boys and other men. Such persons, however, are generally portrayed as the exception. Furthermore, the issue of what biological sex one is attracted to is seen as an issue of taste or preference, rather than as a moral issue. A character in Plutarch’s *Erotikos* (Dialogue on Love) argues that “the noble lover of beauty engages in love wherever he sees excellence and splendid natural endowment without regard for any difference in physiological detail” (ibid., 146). Gender just becomes irrelevant “detail” and instead the excellence in character and beauty is what is most important.

While the specific gender to which one felt erotic attraction at any given moment was deemed unimportant, other factors were significant, particularly the exercise of moderation. Concerns regarding social status were paramount. Since only free men possessed full status, women and male slaves were not considered problematic sexual partners. However, sexual relations between free men raised status concerns. The primary distinction in ancient Greek sexual dynamics lay in the active or insertive role versus the passive or penetrated role. The passive role was deemed acceptable solely for those of lower status, such as women, slaves, or young males who had not yet attained citizenship. Consequently, the cultural ideal for a same-sex relationship involved an older man, typically in his 20s or 30s, referred to as the *erastes*, and a boy who had not yet developed facial hair, known as the *eromenos* or *paidika*. This relationship was characterized by courtship rituals, including the giving of gifts (such as a

rooster), and adherence to specific norms. The *erastes* was expected to demonstrate that his intentions towards the boy were noble, rather than purely sexual. The boy was encouraged not to yield too readily, and if courted by multiple suitors, he was to exercise discretion in selecting the one of higher status. Evidence suggests that penetration was frequently avoided by having the *erastes* face his beloved and position his penis between the thighs of the *eromenos*, a practice known as intercrural sex. Such relationships were intended to be temporary, concluding when the boy reached adulthood. Continuing in a submissive role after attaining equal citizenship was viewed as problematic, although numerous adult male same-sex relationships existed that were acknowledged without significant stigma. While the passive role was regarded as contentious, attraction to men was often perceived as a marker of masculinity. Greek deities, including Zeus, were associated with narratives of same-sex encounters, as were prominent figures in Greek mythology and literature, such as Achilles and Hercules. In the Symposium, Plato advocates for an army composed of same-sex lovers. Thebes established such a unit, known as the Sacred Band of Thebes, which consisted of 500 soldiers celebrated for their bravery in combat. Ancient Rome shared many similarities with ancient Greece regarding same-sex attraction and broader sexual matters, particularly during the Republic. However, during the Empire, Roman society gradually adopted a more negative perspective on sexuality, likely as a result of social and economic upheaval, even prior to the rise of Christianity. The New Testament’s perspective on sexuality, particularly regarding same-sex attraction, is a topic of intense debate. John Boswell, in his compelling work *Christianity, Social Tolerance, and Homosexuality*, posits that many biblical passages often interpreted as condemnations of homosexuality are actually more focused on issues like prostitution, and that references to same-sex acts as ‘unnatural’ should be understood as ‘unusual’ rather than

immoral (Boswell, 1980, ch.4; see also Boswell, 1994). Conversely, some critics have effectively challenged Boswell's interpretations, suggesting that the traditional contemporary understanding is more credible (see Greenberg, 1988, ch.5). Nonetheless, it is evident that while the Gospels offer little condemnation of same-sex attraction and the New Testament addresses it sporadically, early Christian church fathers expressed much stronger disapproval. Their writings reflect a profound aversion to any form of sexual activity, although these views softened over time, likely due to the practical necessity of attracting new followers. By the fourth and fifth centuries, the prevailing Christian doctrine permitted only sexual relations aimed at procreation. This perspective, which asserts that procreative sexual relations within marriage are permissible while all other forms of sexuality are deemed sinful, is exemplified in the writings of St. Augustine. This interpretation of acceptable sexual relationships introduces a focus on the gender of one's partner that is absent in earlier Greek or Roman ideologies, explicitly prohibiting homosexual acts. This mindset, particularly regarding homosexual relations, soon found its way into Roman Law. According to Justinian's Code, established in 529, individuals engaging in homosexual acts faced execution, although those who expressed remorse could be granted clemency. Historians concur that the late Roman Empire experienced an increase in hostility towards homosexuality, albeit with significant regional differences. Following the fall of the Roman Empire and the emergence of various barbarian kingdoms, a general acceptance of homosexual acts emerged, with the notable exception of Visigothic Spain. As one distinguished scholar notes, 'European secular law included few prohibitions against homosexuality until the mid-thirteenth century.' (Greenberg, 1988, 260) Despite some Christian theologians continuing to condemn nonprocreative sexual activities, including same-sex relations, a body of homophobic literature, particularly among the clergy,

flourished during the eleventh and twelfth centuries (Boswell, 1980, chapters 8 and 9). During the latter part of the twelfth century through the fourteenth century, there was a significant increase in intolerance towards homosexual acts, coinciding with the persecution of Jews, Muslims, heretics, and other groups. Although the reasons for this rise in intolerance are not entirely clear, it is probable that heightened class conflict and the Gregorian reform movement within the Catholic Church played crucial roles. The Church began to invoke a notion of 'nature' as a moral standard, which it interpreted in a manner that prohibited homosexual acts, as well as extramarital relations, nonprocreative sexual activities within marriage, and frequently masturbation. For instance, the first ecumenical council to denounce homosexual acts, Lateran III in 1179, declared that 'Whoever shall be found to have committed that incontinence which is against nature' would face punishment, the severity of which varied depending on whether the individual was a cleric or a layperson (as cited in Boswell, 1980, 277). This appeal to natural law, which will be discussed further below, became highly influential in Western thought. It is essential to recognize that the critical category in this context is the 'sodomite,' which differs from the modern understanding of 'homosexual.' A sodomite was defined by their actions rather than their identity; thus, an individual who harbored desires for sodomy but refrained from acting on them was not classified as a sodomite. Additionally, individuals who engaged in heterosexual sodomy were also considered sodomites. Historical accounts indicate that individuals were executed by burning or beheading for committing sodomy with a spouse (Greenberg, 1988, 277). Ultimately, a person who had committed sodomy but subsequently repented and vowed to abstain from such acts was no longer regarded as a sodomite. The gender of one's partner was not the primary concern, although some medieval theologians identified same-sex sodomy as the most egregious form

of sexual offense (Crompton, 2003, ch.6). For several centuries in Europe, the penalties for homosexual acts were harsh, although enforcement varied significantly. In certain areas, there could be long stretches without any legal actions. However, during the 1730s, the Dutch initiated a severe anti-sodomy campaign, which included an anti-Roma pogrom and the use of torture to extract confessions. This led to the execution of approximately one hundred men and boys, who were also denied burial (Greenberg, 1988, 313–4). Acceptance of sodomy and same-sex attraction differed by social class; the middle class held the most stringent views, while the aristocracy and nobility were often more tolerant of public displays of alternative sexualities. Despite the threat of harsh penalties, same-sex subcultures occasionally thrived in urban areas, only to face suppression by authorities. The 19th century saw a notable decrease in legal repercussions for sodomy, particularly with the Napoleonic code, which decriminalized such acts and spread through Napoleon's conquests. Additionally, in many nations where homosexual acts remained illegal, the broader trend of moving away from the death penalty often resulted in sodomy being removed from the list of capital offenses. During the 18th and 19th centuries, the discourse surrounding same-sex attraction shifted away from a predominantly theological framework. Instead, secular arguments and interpretations gained prominence. One of the most significant secular arenas for discussions on homosexuality was within the field of medicine, particularly psychology. This discourse was interconnected with considerations regarding the state's need for a growing population, capable soldiers, and stable families characterized by clearly defined gender roles. Courts often summoned doctors to evaluate defendants in sex crime cases (Foucault, 1980; Greenberg, 1988). Concurrently, the notable rise in school attendance and the average duration of education led to a decrease in transgenerational contact, thereby reducing the

occurrence of transgenerational sexual relations. Consequently, same-sex relationships among individuals of similar ages became more commonplace. The elevation of the status of medicine can be attributed, in part, to the growing capacity of science to explain natural phenomena through mechanistic causation. This perspective, when applied to human beings, led to the understanding of sexuality as either innate or biologically determined. The medieval concept of sodomy, which viewed it as a choice of sin, transitioned to the modern, albeit debated, perspective that regards homosexuality as an inherent and unchosen trait of individuals, irrespective of their actions. The notion of a 'latent sodomite' was nonsensical in the past, but under the contemporary framework, it is logical to refer to someone as a 'latent homosexual.' Rather than defining a person by specific actions, as was the case in medieval times, the modern classification of 'homosexual' attributes an entire physical and psychological constitution, often depicted as flawed or pathological. While historical antecedents to these concepts exist (for instance, Aristotle provided a physiological rationale for passive homosexuality), the field of medicine has significantly amplified their visibility and legitimacy (Greenberg, 1988, ch.15). The implications of these ideas are multifaceted. Given that homosexuality is perceived as non-volitional, the rationale for its criminalization diminishes, as individuals are not engaging in malevolent actions by choice. However, it is also posited that individuals may be manifesting a disordered or pathological mental condition, thus justifying medical intervention aimed at a cure. Consequently, medical professionals, particularly psychiatrists, advocated for the repeal or reduction of legal penalties for consensual homosexual acts while simultaneously pursuing methods to 'rehabilitate' homosexual individuals. They also aimed to devise strategies to prevent children from developing homosexual tendencies, for instance, by asserting that childhood masturbation was a causative factor of

homosexuality, necessitating vigilant prevention measures. During the 20th century, sexual roles underwent a significant transformation once more. For various reasons, premarital sexual relations gradually became more prevalent and ultimately accepted. As societal prohibitions against engaging in sexual activities for pleasure outside of marriage diminished, it became increasingly challenging to contest the legitimacy of homosexual relations. These developments were particularly pronounced in the 1960s, a period that witnessed the emergence of the gay liberation movement. Although organizations advocating for gay and lesbian rights had existed for many years, the understated tactics of the Mattachine Society, named after a clandestine medieval group, and the Daughters of Bilitis had not made substantial progress. This dynamic shifted dramatically in the early hours of June 28, 1969, when patrons of the Stonewall Inn, a gay bar located in Greenwich Village, erupted in protest following a police raid. In the wake of this incident, gay and lesbian organizations began to mobilize across the nation. Gay Democratic clubs were established in every major city, and approximately one-quarter of all college campuses formed gay and lesbian groups (Shilts, 1993, ch.28). Large urban gay communities emerged as a common phenomenon in cities nationwide. The American Psychiatric Association declassified homosexuality as a mental disorder. The heightened visibility of gay and lesbian individuals has become an enduring aspect of American society, notwithstanding the significant challenges posed by the AIDS crisis and a backlash against gay rights (refer to Berman, 1993, for a comprehensive overview). The post-Stonewall period has also witnessed notable changes in Western Europe, where the repeal of anti-sodomy laws and the establishment of legal equality for gay and lesbian individuals have become increasingly prevalent. In the 21st century, the legal acknowledgment of same sex marriage has gained widespread acceptance.

Political division in the U.S. These shifting attitudes can be reflected in American politics. Since taking office, the Biden administration has prioritized the expansion of LGBT rights and protections, many of which had been rolled back during the preceding four years. In recent decades, the most significant steps forwards for the LGBT communities were taken under the Obama administration. Although originally opposing gay marriage, President Obama changed his stance to support same-sex marriage during his re-election campaign in 2012; while a majority of surveyed voters said this decision did not affect their opinion of him, almost half of Republican respondents stated their opinion of him had become less favorable. Today, 89 percent of SAME SEX-MARRAGE.

Global attitudes Attitudes towards homosexuality vary by region or country, though global trends generally suggest that acceptance of homosexuality is increasing. Overall, acceptance of the LGBT community is highest in Europe, Argentina, and Canada, where more than 70 percent of the public declaring that support same-sex marriage by society, with the Netherlands heading the ranking. Trends vary across Europe, however, with respondents in Eastern Europe being less tolerant of the LGBT community, particularly in Poland and Hungary. In spite of the progress made in recent years, homosexual activity remains criminalized in 68 countries, mostly in the Middle-East, Africa, and Asia. In 11 countries, the death penalty is imposed or at least a possibility for private, consensual same-sex sexual activity. This text provides general information. Statista assumes no liability for the information given being complete or correct. Due to varying update cycles, statistics can display more up-to-date data than referenced in the text. The evolution of LGBT rights in the United States dates back to the 1920s with the establishment of the first documented gay rights organization. However, the movement for LGBTQ rights truly gained traction in the 20th century. This section aims to provide a concise overview of the significant events and

organizations that have influenced the history of LGBT rights in the United States. One key event in this history is the Stonewall Riots, which occurred in 1969 at the Stonewall Inn in New York City. This violent protest against police raids and discrimination is now recognized as a crucial turning point in the contemporary gay rights movement. Following this, numerous groups and movements emerged to advocate for the rights of the LGBTQ community. In the 1950s and 1960s, the homophile movement arose, featuring organizations such as ONE, Inc., and the Daughters of Bilitis, which sought to challenge societal norms and promote the rights and dignity of LGBTQ individuals. Anti sodomy laws, prevalent in many states, were frequently employed to discriminate against and persecute members of the LGBT community, and it was not until 2003 that the US Supreme Court struck down these laws in *Lawrence v. Texas*. In 1953, President Dwight D. Eisenhower

enacted an executive order prohibiting gay and lesbian individuals from federal employment, further underscoring the discrimination faced by the LGBTQ community, a policy that remained until its repeal in 1975. The American Psychiatric Association significantly contributed to changing societal perceptions of the LGBTQ community by removing homosexuality from its list of mental disorders in the Diagnostic and Statistical Manual of Mental Disorders (DSM) in 1973, a pivotal move that facilitated the gradual acceptance of LGBTQ individuals in society. The 2010s witnessed significant progress in same-sex marriage rights, which were legalized on a state-by-state basis until the Supreme Court's landmark ruling in *Obergefell v. Hodges* in 2015, which legalized The legalization of same-sex marriage throughout the United States has been accompanied by significant efforts to address discrimination related to sexual orientation and gender identity, which are crucial components of the LGBTQ rights movement. In 2020, the Supreme Court's decision in *Bostock v. Clayton County, Georgia*, established that Title VII of the Civil Rights Act of

1964 encompasses employment discrimination cases involving sexual orientation and gender identity. In the United States, LGBT rights have undergone significant progress in the past few decades, with changes in federal and state laws, as well as landmark cases in the US Supreme Court. However, it is crucial to remember that situations can change rapidly, and it is essential to stay vigilant and consistently seek current advice. Federal Law and US Supreme Court Decisions: Some of the most critical advancements in LGBT rights have resulted from notable Supreme Court cases. In 2003, the court struck down remaining state sodomy laws in *Lawrence v. Texas*, effectively decriminalizing same-sex sexual activity. A monumental victory for same-sex couples came with *Obergefell v. Hodges* in 2015, when the court ruled that same-sex marriage was a constitutional right, making it legal across all 50 states. Anti-Discrimination Laws and Protections: The legal landscape for discrimination protections varies across the country. Presently, 22 states have employment protections for LGBT individuals, and 20 states have hate or bias crime protections. The Equality Act, a comprehensive federal legislation aimed at providing nationwide anti-discrimination protections, has recently passed in the US House of Representatives but still faces challenges in the Senate. Adoption Rights: Same-sex couples have the legal right to marry and adopt children in the United States. Following the ruling in *Obergefell v. Hodges*, adoption rights for same-sex couples have been recognized, though local adoption rules and regulations may still vary by state. The Armed Forces and the U.S. Military: Since the repeal of the "Don't Ask, Don't Tell" policy in 2011, LGBT individuals have been allowed to serve openly in the U.S. military. Furthermore, the ban on transgender individuals serving in the military was lifted in 2021.

### Religious Teachings and Sexuality

Many religious traditions developed moral frameworks around sexuality that emphasized heterosexual marriage, procreation, and

defined gender roles. As a result, non-heteronormative identities were often viewed as deviations from religious norms. However, these interpretations were shaped by historical, cultural, and social contexts rather than immutable divine mandates.

Contemporary religious scholarship increasingly argues that sacred texts must be understood within their historical settings and that many traditional interpretations fail to account for modern understandings of human sexuality and gender identity.

### Major Religions and LGBTQ+ Perspectives

#### Hinduism

Hinduism presents a diverse and pluralistic approach to gender and sexuality. Ancient texts, mythology, and temple art include references to same-sex relationships, gender fluidity, and non-binary identities. Figures such as **Ardhanarishvara** symbolize the union of masculine and feminine energies, and communities like *Hijras* have historically held ritual and cultural roles. While social conservatism exists, Hindu philosophy does not uniformly condemn LGBTQ+ identities.

#### Christianity

Traditional Christian interpretations often oppose same-sex relationships based on certain Biblical passages. However, many Christian denominations now adopt inclusive approaches, emphasizing love, compassion, and human dignity. Progressive churches argue that discrimination contradicts the core Christian values of mercy and justice.

#### Islam

Classical Islamic jurisprudence generally views same-sex sexual conduct as sinful, drawing from traditional interpretations of religious texts. Nonetheless, modern Muslim scholars and LGBTQ+ Muslims advocate for reinterpretation, emphasizing privacy, compassion, and the Qur'anic principles of human dignity and non-judgment.

#### Buddhism

Buddhism places less emphasis on sexual orientation and focuses more on ethical conduct, intention, and the reduction of suffering. Many Buddhist traditions adopt relatively inclusive attitudes toward LGBTQ+ individuals, particularly where relationships are based on mutual respect and non-harm.

#### Sikhism

Sikh philosophy emphasizes equality, human dignity, and rejection of discrimination. While Sikh religious texts do not explicitly discuss homosexuality, many contemporary Sikh thinkers argue that LGBTQ+ inclusion aligns with Sikh principles of justice and equality.

#### Religion as a Source of Conflict and Harm

For many LGBTQ+ individuals, religious condemnation has resulted in family rejection, forced conversion practices, psychological trauma, and social exclusion. Religious justifications have historically supported criminalization, denial of healthcare, and opposition to legal protections for LGBTQ+ persons. This has contributed to internalized stigma and mental health challenges among LGBTQ+ believers.

#### Religion as a Source of Support and Reform

Conversely, religion has also served as a source of resilience and advocacy. Inclusive faith movements, affirming religious leaders, and reinterpretations of sacred texts have created spaces where LGBTQ+ individuals can reconcile faith and identity. Many religious organizations now actively support LGBTQ+ rights, mental health, and community acceptance.

#### Indian Context: Religion, Law, and LGBTQ+ Rights

In India, religion strongly influences social attitudes but does not override constitutional morality. The Supreme Court has repeatedly affirmed that **constitutional morality must prevail over religious or social morality** when protecting fundamental rights. This principle has been crucial in advancing LGBTQ+ rights, particularly in decriminalizing same-sex

relationships and recognizing transgender persons.

### **Towards Reconciliation: Faith and Sexual Diversity**

Reconciliation between religion and LGBTQ+ identities requires:

- Contextual and compassionate interpretation of religious texts
- Dialogue between religious leaders and LGBTQ+ communities
- Emphasis on shared values such as love, dignity, non-violence, and justice
- Separation of personal belief from state-imposed morality

Faith and sexual diversity need not be in conflict; both can coexist within a framework of mutual respect and human rights.

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### **COMPARATIVE RELIGIOUS PERSPECTIVES ON LGBTQ+ IDENTITIES**

The relationship between religion and LGBTQ+ identities varies significantly across religious traditions, shaped by theology, historical context, cultural practices, and contemporary reinterpretations. A comparative analysis reveals that no religion is monolithic in its approach; rather, attitudes range from strict

prohibition to cautious tolerance and, increasingly, inclusion.

### **Hinduism: Plurality and Fluidity**

Hinduism, unlike many Abrahamic religions, does not have a single authoritative scripture or centralized doctrine governing sexuality. Ancient Hindu texts, mythology, and iconography reflect a recognition of gender fluidity and diverse sexual expressions. Concepts such as **Ardhanarishvara** (the composite form of Shiva and Parvati) symbolize the integration of masculine and feminine principles. Texts like the *Kama Sutra* acknowledge same-sex relations, and traditional communities such as *Hijras* have historically occupied ritual and social roles.

However, colonial-era morality and modern social conservatism have influenced contemporary attitudes, often resulting in stigma rather than doctrinal condemnation. From a comparative perspective, Hinduism provides interpretive flexibility that allows for LGBTQ+ inclusion.

### **Christianity: Between Doctrine and Reform**

Christianity's traditional stance on homosexuality is often derived from selective interpretations of Biblical passages. Many conservative denominations view same-sex relationships as sinful. However, progressive Christian movements challenge these interpretations, arguing that Biblical teachings emphasize love, compassion, and justice rather than exclusion.

Several churches worldwide now ordain LGBTQ+ clergy and recognize same-sex marriages. This internal diversity highlights a shift from doctrinal rigidity toward ethical inclusion within Christianity.

### **Islam: Textual Tradition and Contemporary Reinterpretation**

Classical Islamic jurisprudence generally prohibits same-sex sexual conduct, drawing upon traditional interpretations of the Qur'an and Hadith. Nonetheless, Islam also strongly

values privacy, human dignity, and compassion. Modern Muslim scholars and LGBTQ+ Muslims argue that condemnations often reflect cultural practices rather than divine mandates.

In recent years, inclusive Islamic scholarship has emerged, advocating reinterpretation through principles of justice (*adl*), mercy (*rahmah*), and human dignity (*karamah*). Thus, Islamic perspectives on LGBTQ+ identities are increasingly being reassessed in light of contemporary human rights discourse.

**Buddhism: Ethics Over Identity**

Buddhism places minimal emphasis on sexual orientation and instead focuses on ethical conduct, intention, and the alleviation of suffering. The Five Precepts do not explicitly condemn same-sex relationships. Many Buddhist traditions view sexual conduct through the lens of harm and consent rather than identity.

As a result, Buddhism is often regarded as relatively inclusive toward LGBTQ+ persons, especially where relationships are based on mutual respect and non-violence.

**Sikhism: Equality and Human Dignity**

Sikhism emphasizes equality, rejection of discrimination, and respect for human dignity. Sikh scriptures do not explicitly address homosexuality. Many Sikh scholars argue that discrimination against LGBTQ+ individuals contradicts Sikh values of justice (*nyaya*), equality (*sarbat da bhala*), and service (*seva*).

While traditional views persist within some communities, there is a growing discourse advocating LGBTQ+ inclusion as consistent with Sikh ethical principles.

**Judaism: Spectrum of Interpretation**

Judaism presents a wide spectrum of views on LGBTQ+ identities. Orthodox Judaism generally maintains prohibitive interpretations, while Conservative and Reform Judaism have adopted inclusive positions, recognizing same-sex relationships and LGBTQ+ clergy. This diversity illustrates how interpretive authority

and modern values influence religious responses to LGBTQ+ identities.

Religion	Traditional View	Contemporary Trend
Hinduism	No uniform prohibition	Increasing acceptance through reinterpretation
Christianity	Generally restrictive	Growing inclusion in progressive denominations
Islam	Traditionally prohibitive	Emerging reformist scholarship
Buddhism	Neutral focus on ethics	Broad acceptance
Sikhism	No explicit prohibition	Inclusion aligned with equality principles
Judaism	Varies by denomination	Strong inclusion in Reform & Conservative branches

**RECOMMENDATIONS**

1. Enact a comprehensive anti-discrimination law covering employment, housing, education, and healthcare.
2. Introduce hate-crime legislation recognizing bias-motivated violence against LGBTQ+ persons.
3. Reform the Transgender Act to ensure self-identification and proportional penalties.
4. Mandate sensitization training for police, judiciary, and healthcare professionals.
5. Recognize diverse family structures through civil unions or marriage equality.

**CONCLUSION**

India’s judiciary has provided a powerful constitutional shield for LGBTQ+ persons by

affirming dignity, privacy, and equality. However, without comprehensive legislation and effective implementation, LGBTQ+ victims remain vulnerable to violence and exclusion. The journey from decriminalization to full citizenship and victim protection remains incomplete. Statutory Definition (Transgender Persons)

The Transgender Persons (Protection of Rights) Act, 2019 provides a statutory definition:

Section 2(k):

“Transgender person” means a person whose gender does not match with the gender assigned to that person at birth and includes trans-man or trans-woman (whether or not such person has undergone sex reassignment surgery), persons with intersex variations, genderqueer, and persons having such socio-cultural identities as *kinnar*, *hijra*, *aravani*, and *jogta*.

The full form of LGBTQ represents more than just an acronym; it symbolizes **identity, dignity, equality, and inclusion**. Recognizing and understanding each component of LGBTQ is a crucial step toward building a society that respects diversity and upholds the fundamental rights of all individuals, regardless of sexual orientation or gender identity.

The relationship between religion and LGBTQ+ identities is neither static nor uniform. While religion has historically been used to justify exclusion, it also possesses the moral resources to promote inclusion, compassion, and justice. A progressive engagement between religious traditions and LGBTQ+ rights—grounded in empathy, reinterpretation, and constitutional values—offers a pathway toward a more inclusive and humane society.

Comparative religious analysis demonstrates that opposition to LGBTQ+ identities is not universal or immutable. Many religious traditions possess internal theological resources that support inclusion, compassion, and dignity. The growing global movement toward reconciling faith and sexual diversity

underscores the possibility of coexistence between religious belief and LGBTQ+ rights.

In pluralistic societies such as India, constitutional morality and human rights must guide public policy, while religious traditions can evolve through dialogue, reinterpretation, and ethical reflection.

The relationship between LGBTQ+ identities, law, and religion reflects a complex interplay of tradition, morality, and evolving understandings of human rights. Across societies, LGBTQ+ persons have historically experienced marginalization and victimization arising from social prejudice, religious conservatism, and legal invisibility. However, contemporary legal developments—particularly in India—demonstrate a decisive shift toward recognition, dignity, and equality grounded in constitutional principles.

Comparative religious perspectives reveal that no religious tradition is monolithic in its approach to sexuality and gender. While certain traditional interpretations have been used to justify exclusion, most religions also contain ethical foundations emphasizing compassion, justice, human dignity, and non-violence. Progressive reinterpretations within Hinduism, Christianity, Islam, Buddhism, Sikhism, and Judaism illustrate that faith and LGBTQ+ identity need not exist in opposition. Instead, dialogue and contextual understanding offer pathways toward coexistence and inclusion.

In the Indian context, the judiciary has played a transformative role by affirming constitutional morality over social or religious morality. Landmark judgments have recognized sexual orientation and gender identity as intrinsic to personal liberty, privacy, and equality. Yet, despite judicial progress, LGBTQ+ persons—particularly victims of violence and discrimination—continue to face significant challenges due to legislative gaps, inconsistent enforcement, and deeply rooted societal attitudes.

The absence of comprehensive anti-discrimination legislation, lack of recognition of same-sex relationships, and limited victim-centric protections highlight the distance between constitutional ideals and lived realities. Bridging this gap requires coordinated efforts, including legislative reform, institutional sensitization, inclusive public policy, and social awareness initiatives.

Ultimately, the pursuit of justice for LGBTQ+ persons is not merely a legal or religious issue but a question of fundamental human dignity. A society that harmonizes constitutional values with inclusive interpretations of faith can ensure that diversity is not merely tolerated but respected. The movement toward full equality and protection for LGBTQ+ persons represents an ongoing journey—one that demands commitment from the state, religious institutions, civil society, and individuals alike.

Grindr exemplifies the dual role of technology in advancing LGBTQ+ inclusion while simultaneously creating new legal and ethical challenges. While the platform has expanded visibility, connection, and autonomy for LGBTQ+ individuals, it has also exposed users to risks stemming from data misuse, discrimination, and surveillance. A rights-based regulatory framework—grounded in privacy, equality, and dignity—is essential to ensure that digital spaces such as Grindr function as tools of empowerment rather than sources of vulnerability. As digital intimacy becomes increasingly central to queer life, law must evolve to protect those who rely upon it.

This discussion addresses the concept of sexual orientation, exploring its evolution and the perspectives of various countries, particularly the USA, UK, and India, towards sexual minorities. Additionally, it examines how our constitution supports sexual minorities, including intersex and transgender individuals, across the nation. Furthermore, it considers the evolution of sexual orientation from a religious standpoint, focusing on major religions such as Hinduism, Christianity, and Islam.

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