
SAME-SEX MARRIAGE AND FEMINISM IN INDIA: A QUEST FOR EQUALITY AND SOCIAL JUSTICE

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ABSTRACT

This project aims to explore the intersection of same-sex marriage and feminism in the context of India, a country known for its diverse cultural and social fabric. Same-sex marriage refers to the legal recognition and union of individuals belonging to the same gender, while feminism advocates for gender equality and dismantling patriarchal structures. The project investigates the challenges faced by the LGBTQ+ community and women in India, examining the progress made towards recognizing same-sex marriage rights and advancing feminist principles. It also analyses the societal attitudes, legal framework, and cultural factors that influence the acceptance of same-sex marriage and feminism in India. By highlighting the struggles and achievements, this project aims to shed light on the ongoing fight for equality and social justice.

• INTRODUCTION:

India has a broad and rich cultural legacy, but it has also had to deal with pervasive socioeconomic inequality and prejudice against people based on their gender and sexual orientation. Two significant movements that try to address these problems and advance equality and social justice in India in recent years are feminism and same-sex marriage.

The legal and societal acknowledgment of marriage between two people of the same gender is referred to as same-sex marriage. In the past, same-sex relationships were stigmatised and criminalised in India under Section 377 of the Indian Penal Code, which criminalised “unnatural” sexual conduct. This colonial-era statute continued to discriminate against the LGBTQ+ (lesbian, gay, bisexual, transgender, and queer) population.

However, in a major ruling in 2018, the Supreme Court of India deemed Section 377 unconstitutional, decriminalising consenting same-sex relationships. This ruling was a watershed moment in the fight for LGBTQ+ rights since it recognised the rights and dignity of persons regardless of sexual orientation.¹

Feminism is a movement in India that aims to alleviate gender inequalities and advocate for women’s rights. Despite constitutional guarantees of gender equality and legal measures protecting women’s rights in India, widespread gender discrimination, patriarchy, and gender-based violence exist. Gender-based violence, job discrimination, access to education and healthcare, reproductive rights, and political representation are all examples of Indian feminism. Feminist activists and organisations aim to deconstruct patriarchal practises and systems that maintain gender inequity. Feminism in India has evolved over time, including intersectionality to recognise the overlapping types of oppression suffered by women from marginalised populations such as Dalits, Adivasis, religious minorities, and LGBTQ+ individuals. It strives to combat not only gender inequality but also other societal inequities based on caste, class, religion, and sexuality.

¹ Joseph Shine v. Union of India, (2019) 3 SCC 39

Significance:

In India, the struggle for same-sex marriage and feminism is extremely important for equality and social justice. India will promote the rights and dignity of LGBTQ+ people by recognising and supporting same-sex marriages, as well as fight the social stigma and discrimination they endure. Legalising same-sex marriage would also provide same-sex couples with access to the legal, financial, and emotional benefits of marriage, such as inheritance rights, medical decision-making, and social recognition.

Feminism, on the other hand, aims to eradicate gender inequality and build a more egalitarian society. Feminism challenges traditional gender norms, unbalanced power relations, and systemic discrimination by campaigning for women's rights. It aspires to provide women a voice, to empower them economically and politically, and to provide equal opportunities and access to resources.

By confronting social norms, biases, and discriminatory legislation, both same-sex marriage and feminism help to establish a more inclusive and just society. They serve as a platform for marginalised persons and communities to assert their rights and demand fair treatment, building a more equal and harmonious society for all.

- **SAME-SEX MARRIAGE IN INDIA:**

Historical overview of LGBTQ+ rights in India:

We all have a deep sense of pride in our country's cultural heritage. We've seen our traditions evolve without losing their essence, and we've accepted these changes as part of the times. The LGBT community played a vital role in shaping Indian culture. We, as Indians, should celebrate this beautiful legacy together. Not because they were part of it. But because they deserve our love and respect, just like any other community.

The queer community represents about 8% of the total population. Over the years, we have started to open up to this 'new' way of thinking about tolerance and treating others with respect, even if they are different from us. But if we look back at our history, we may find that this idea is not as

new as we think. Love has always been celebrated in different ways in India. In ancient India, acceptance and value of all kinds of love was a priority. This is evident in Indian religious texts that featured homosexual characters and themes in texts that are otherwise neutral towards the idea of homosexuality.

In the Rigveda, the phrase '*Vikriti Evam Prakriti*' means 'what looks abnormal is natural'. Lesbians are called '*Swarinis*' in 'Kama Sutra', and they often get married and have children together. One of the most remarkable examples of this is the 12th century Madhya Pradesh temple of Khajuraho, which is renowned for its explicit erotic sculptures showing homosexual sexual fluidity. Although homosexuality in the Middle Ages was prohibited, LGBT people were not ostracized, and society was tolerant. No one was killed for being of different sexual orientation.

Mubarak is said to have been in an affair with one of the noblemen of his court. Allaudin Khilji's son, who ruled the Delhi Sultanate between 1296 and 1316, is said to have had an affair with a nobleman of his court. Babur is said to have written because he was in love with a boy called Baburi. Babur's writing did not receive any criticism during his reign or after his death. There are many examples of noble class Mughals indulging in homosexual activities. Sexual practises "against the order of nature," including all gay behaviours, were criminalised under section 377 of the Indian Penal Code in 1861, following the advent of Britishers. The Catholic Church's conviction that a sexual act not tied to reproduction was sinful heavily affected this.

In the year 1977 Shakuntala Devi's book "*The World of Homosexuals*" was the first study on homosexuality in India. It demanded "complete and total acceptance, not tolerance and sympathy." Soon after, in 1981, Agra hosted the inaugural All-India Hijra Conference, which drew 50,000 members from throughout the country. Hijras were legally awarded voting rights as a third sex in 1994. The AIDS Bhedbhav Virodhi Andolan filed the first petition challenging *Section 377* in 1994, but it was eventually dismissed.

Naz Foundation filed a PIL in the Delhi High Court in 2001 to challenge Section 377. In 2009, the Delhi High Court ruled that Section 377 violated the fundamental rights to life, liberty, privacy, and equality guaranteed by the Indian Constitution. This meant that gay sex was no longer a crime, but it was still illegal. However, the verdict of the Delhi High Court was challenged in the Supreme

Court by detractors, including Suresh Kumar Koushal, a Delhi-based astrologer. This was nonetheless a significant milestone in the LGBTQ liberation struggle.

In 2014, the Supreme Court rejected a review petition of the Centre and several other organisations challenging its earlier judgment on Section 377, ruling that the LGBTQ community constituted a “very small part” of India’s total population and thus could not be legally upheld. In April 2014, the apex court of India ruled that transgender persons should be included in the category of the third gender.

On August 24, 2017, the Supreme Court granted the LGBTQ community the right to freely express their sexual orientation. The law protecting an individual's sexual orientation was known as the Right to Privacy. LGBTQ persons had the right to express their sexual preference by this point, but gay actions were still illegal.

Finally, on September 6, 2018, the Supreme Court overturned the portion of Section 377 that criminalised consenting gay behaviour.

The Transgender Persons (Protection of Rights) Bill was passed by Parliament on November 26th, 2019. A transperson was defined in this measure as someone whose gender does not match the one assigned at birth. It made it illegal to discriminate against them in employment, education, healthcare, and other areas. However, it was rejected by India’s LGBT communities since it required each person to be recognised as transgender on the basis of a certificate of identification issued by the district magistrate after providing proof of sex reassignment surgery. The emphasis was primarily on hijras or transwomen, with minimal emphasis on intersex, gender queer, or transmen. The updated Transgender Persons (Protection of Rights) Rules, 2020 were passed by the Ministry of Social Justice and Empowerment in July of this year. The government would grant free access to expensive sex reassignment surgery at state-run hospitals under this plan. In addition, the government will cover the costs of transgender community education and housing.

Legal landscape and key legislations:

Section 377 of the IPC, which criminalised all forms of non-procreative sexual relations, was imposed by the British colonial government before to independence. The tyrannical rule not only

targeted gays, but also all other forms of non-traditional sexual relations, including heterosexual unions. As a result, this regulation was nothing more than a relic of traditional Victorian morality, which had no place in a democratic society like India. However, it took more than 70 years and nearly two decades of judicial battle to repeal this antiquated rule that had become a tool for harassing and exploiting anyone who did not conform to the standard binary of sexuality and gender. But first, let's look at how the current laws in India, even after the repeal of Section 377, are insufficient to protect the LGBT+ community's basic human rights.

Public opinion and societal attitudes:

In India, public opinion and societal sentiments on same-sex marriage have been complex and varied. India is a diversified country with a rich cultural and religious tapestry, which influences opinions regarding same-sex relationships greatly. Here are some significant features of Indian public opinion and societal views on same-sex marriage:

- a. ***Traditional Values and Religious Beliefs:*** Traditional values and religious beliefs are deeply ingrained in India, and they frequently emphasise heterosexual marriage and family systems. Some religious groups hold conservative views on homosexuality, viewing it as immoral or contrary to their religious beliefs.
- b. ***Stigma and prejudice:*** In Indian society, same-sex partnerships have long endured stigma and prejudice. Because of their sexual orientation, LGBTQ+ people have frequently faced societal marginalisation, harassment, and prejudice.
- c. ***Evolving Perspectives:*** Despite the difficulties, there have been good shifts in public perception in recent years. Increased LGBTQ+ knowledge and education have resulted in more open and welcoming views among some segments of the society.
- d. ***The Urban-Rural Divide:*** Attitudes regarding same-sex marriage can vary greatly between urban and rural communities. When compared to some rural communities, which may be more conventional and conservative, urban centres, where exposure to varied perspectives is more frequent, tend to have somewhat more progressive attitudes.

- e. **Media Representation:** The media has a large influence on public opinion. Positive depictions of LGBTQ+ people and same-sex partnerships in popular media can assist to break down misconceptions and build acceptance.
- f. **Youth & Generational Divide:** When compared to older generations, younger people are more open-minded and welcoming of LGBTQ+ rights. As younger people grow more politically active and vocal, they are pushing discussions about social issues such as same-sex marriage.
- g. **Role of LGBTQ+ Activism:** LGBTQ+ activists and advocacy groups have worked relentlessly to increase awareness, promote inclusivity, and confront discriminatory beliefs. Their initiatives have aided in the advancement of discussion and acceptance in certain areas of society.
- h. **Incomplete Data:** It is crucial to remember that thorough data on public opinion in India about same-sex marriage may be lacking. There have been few large-scale surveys and research specifically focused on this topic.

- **FEMINISM IN INDIA:**

Historical perspective on women's rights movement:

Historical evidence shows that the position of women in Indian history has deteriorated since its inception. Women had equal respect and liberty in society throughout the Rigvedic period. She serves in public offices such as Sabah and Samity. Since the beginning of the Later Vedic Civilization, women have been denied the right to education and widow remarriage, as well as the right to inherit and own property. Manu's introduction of the varna system resulted in the rise of some varna men's supremacy over other members of society as well as women.

The history of Women's Empowerment in the ancient age is perplexing because it encouraged women to choose their life partner on their own while also forcing them to perform sati according to social norms. The "Bhikkuni Sangh" was the first ever social network for women, and it was founded in ancient times. The "Enlightened Buddha" invented it. Women, according to Buddha,

can achieve Nirvana via systematic practise of his teachings (Dhamma). This was a historic step.

Despite the fact that women were revered in the home, these Varnas imposed various restrictions on the rights of women and other members of society. Some Varnas were expelled from society, while the Upper Varnas were forced to work as slaves. Then these Varna's fell into the fold of they were supreme than other fellow beings, they were given special privileges and rights, they monopolised certain professions which were treated as high positions in society. Many people were excluded from education, education was the only privilege of few Varna's, women were not allowed to receive education, her duties were explicitly mentioned, she cared for the children and respected them, she served men and fulfilled his desires, she was not allowed to leave the house.

During the Muslim period, evil practices were introduced in the society to protect the child from the atrocities of Muslim invaders. Child marriage was introduced. Sati system and Parda system were introduced. Women were confined to the kitchen; they were not allowed to walk in public without the support of the male members. Untouchability was introduced in the society. Women were not allowed to enter the main village. During the British period, many social reformers such as Rana Ram Mohan Roy, Eswara Chandra Vidyasagar, Jyothiba Phule, Veerasalingam, Gurajada Apparao started agitating for the empowerment of women. Raja Ram Mohan Roy's efforts resulted in the abolition of Sati. Vidyasagar's efforts led to the passage of the Vidyasagar Widow remarriage Act. Later on, Mahatma Gandhi and Nehru worked for the rights of women. As a result of their efforts, the position of women in social, economic and political life began to improve in the society.

Feminist ideologies and goals:

First Wave of Feminism: Women's suffrage was not given to women overnight. They had to struggle for it. When he was writing the Constitution, Babasaheb Ambedkar made sure that women also got equal voting rights. He kept women's right to vote in mind. He also did not want to see Indian women suffer like the women in the Western part. The text talks about the abolition of Purdah system because it is uncomfortable to perform daily chores. It also talks about child marriage because it is their age to learn and grow in different aspects. It also talks about Sati system because they were under a lot of responsibility. A girl is not mentally or physically ready to become

pregnant at such a young age. She might not be ready to feed or bring a child into the world. Between the 2nd WW, Indian women began to form a women's right ideology. The struggle started against equality, rights within a democracy.

Women also fought against the things that were historically wrong. No education girl child, female feticide there were many other things. Some people saw it as a Dalit feminism movement looking for apathy. After independence, the movement started to work for women's rights. Women have been marginalised and oppressed for a long time. But during our freedom struggle, feminist movement mixed with Dalit movement and their rights. At that time, women did not talk about entitlement but they talked about equal rights. They were able to express themselves through various movements. They also spoke against India's patriarchal society.

The nationalist movement was interlinked with the feminist movement. Indian feminist movement drew inspiration from the West like equal rights, education for girls but it also faced major challenges like dowry, violence at home, custodial rape, etc. Thus, Indian feminist movement took a different shape from the West.

Second Wave of Feminism: Second wave Feminism was started for equal rights in political as well as in the employment field. Personal as well as political slogans became very popular during this period. After the wars, the movements for favouring Feminism came to an end. The reason the feminists used to give for the Feminism was that the male dominated society put the women under artificial barriers under the home. The women were called homemakers but no one listened to them that what they wanted and wanted to achieve. Women faced discrimination in all aspects of society. Even in the workplace there were huge differences in salaries and opportunities.

The wave was widely criticised for its lack of solidarity among the women. The wave focused on the middle-class white women, but the black women were not encouraged and the collective goal was never achieved. In India, women of higher society were respected, but what about the rest of the society? Women were still struggling in all aspects of their lives. The wave opposed the violence and harassment against women, which provided a space for feminists to share their ideas.

The late 60's and 70's saw the emergence of the autonomous women's movement, which raised awareness about violence against women. Second wave Feminism has been seen as problematic

by many feminist scholars due to its generational split, with the second wave being the Baby boomer generation. Second wave Feminism also focused on the issues of Domestic Violence and marital Rape.

Third Wave of Feminism: The third wave was marked by the development of many new feminist theories, including intersectionality, gender queerism, sex positivism, vegetarian ecofeminism, transfeminism, and postmodern feminism. The term intersectionality refers to the fact that a woman experiences multiple layers of oppression due to her gender, race, and class.

The second wave of Feminism helped the third wave by providing a good basis for women to achieve what they wanted, which was equality. During the third wave, many new initiatives were introduced in the fight against rape and social violence, as well as in child care services and educational institutions. The first stage of the third wave was called the refined wave of the second wave because they both share many similarities. While the second wave ignored the black and poor people, the third wave embraced them and helped them focus on their future.

The issues raised in the third wave included violence against women, reproductive rights in the respected wave, reclaiming derogatory terms like “bitch”, “whore”, and “spouse”, skips for sexual liberation, social class, and transgender rights etc.

- **CASE STUDIES ANS SUCCESS STORIES:**

- i. Naz Foundation v. Govt. (NCT of Delhi)²:*

Background: In July 2001, the Lucknow police, who were keen to press charges under IPC, stormed a park and arrested several men on the charge of being homosexuals. The police also arrested nine men associated with ‘Bharosa Trust’, a non-profit organization working to educate people about safe sexual activities and sexually transmitted diseases (STDs). These people were accused of running a sexual racket and were not granted bail. It was only after The Lawyers Collective came forward and proved that the allegations made against them were false, that they were finally released. Following the incident in Lucknow, an non-governmental organization

² (2016) 15 SCC 619

(NGO) called Naz Foundation along with the legal aid organisation Lawyers Collective challenged the constitutional validity of IPC in the Delhi High Court for the first time in 2001.

Arguments: The petitioner claimed that IPC Section 377 breached the fundamental rights to life, liberty and security, to privacy and respect for human dignity, to health, to equality and to freedom of opinion. The petitioner also alleged that the law adversely affected the public health objectives of preventing transmission of the HIV/AIDS virus because the fear of being prosecuted under the Section of IPC prohibited people from discussing sexuality and lifestyle openly.

Judgement: Last but not least, in 2009, the Delhi High Court in its judgment held that the provisions of Section 377 of the Indian Penal Code (IPC) constitute an excessive restriction on the fundamental rights of two consenting adults to engage in sexual relations in private. In other words, the provisions of IPC directly infringed upon the fundamental rights of the two consenting adults as guaranteed in Articles 14, 15, 19 and 21.

ii. Suresh Kumar Koushal vs Naz Foundation³:

Background: Many individuals and religious organisations strongly objected to decriminalizing homosexual relations, arguing that India has a long history of morality and tradition that should be respected. They also petitioned the Supreme Court to review the constitutional validity of Section 377.

Judgement: On December 11, 2013, just as the community was enjoying a sense of relief after 8 years of struggle, the apex court annulled the judgment of Delhi High Court re-criminalising homosexuality. The judgment of the bench of justice GS Singhvi and Justice SJ Mukhopadhaya court held that lesbian, gay, bisexual, transgender and queer (LGBT+) persons were a ‘very small minority’ which did not qualify for constitutional protection. The bench also held that section 377 of the Indian Penal Code (IPC) did not fall into the category of ‘unconstitutionality’.

Aftermath: The good news, however, is that rather than stifling the movement of the LGBT community in India, the Supreme Court's iconoclastic judgment faced massive criticism from all

³ (2014) 1 SCC 1

quarters for eroding fundamental human rights for homosexuals. As a result, public discourse on the issue of LGBT rights witnessed a surge in India.

iii. National Legal Services Authority v. Union of India⁴:

Background: In India, the transgender community has suffered the most from exploitation among the entire LGBT+ community because of their poor social, educational and economic background. They have never been accepted as part of the society and have always faced exploitation, ostracism, humiliation and violence at the hands of the society or the government. Due to their constant rejection and lack of resources, they often turn to begging or prostitution. This makes them vulnerable to discrimination, sexually transmitted diseases and crimes like human trafficking. In 2014, the Supreme Court judgement brought a ray of hope for the transgender community as it recognised them as the third gender for the first time.

Issue: The Supreme Court was asked to determine whether there is a need to recognize the community of hijras and transgender as a third sex for public health, educational, employment, reservations and other social security schemes.

Judgement: In its landmark judgment, the Supreme Court established the third gender status for the hijras or the transgenders. Earlier, the transgender people had to identify themselves as male or female but after the judgment, they were able to identify themselves as transgender with pride. However, what makes this judgement unique is that it provided a framework to ensure that the transgender community enjoys a wide range of fundamental human rights, which can be summarised as follows:

- a. The Court held that the Government of India's failure to recognise their identities was contrary to Articles 14, 15, 16 and 21 of the Indian Constitution.
- b. The Court ordered the GOI to classify the members of 'Third Gender' as economically and socially backward classes.

⁴ (2014) 5 SCC 438

- c. The Court ruled that the GOI should provide proper policies to the transgender community in accordance with Article 15 (2) and 16 (4) to ensure equal opportunities in education and employment. According to the judgment, the third gender will be classified as other backward classes (OBCs) to grant them reservation in government jobs and education institutions.
- d. The Court took note that a mismatch between one's birth gender and identity does not constitute a pathological condition. Therefore, instead of adopting a 'treatment of abnormality', the emphasis should be on 'resolution of distress over a mismatch.'

In short, this means that the Court acknowledged the distinction between sex and sex-related biological characteristics. The Court defined biological characteristics as genital characteristics, secondary sexual characteristics, chromosome characteristics etc. However, it defined sex-related attributes as self-image, i.e., a person's profound emotional or psychological perception of sexual identity or character, which is not limited to the binary concept of male or female, but can cover a wide range.

Aftermath: After this ruling, transgender individuals are now able to legally change their gender, without having to undergo sex reassignment surgeries. Transgender individuals also have the right to legally identify and register as a third gender. In addition, several state governments have taken small steps to improve the lives of transgender individuals through health and housing policies.

iv. K.S. Puttaswamy v Union of India⁵:

Background: When the Naz Foundation made the claim before the Supreme Court that Section 377 violated the fundamental right to privacy in its judgment in the so-called 'Naz vs. India' case, in which the Naz Foundation challenged the validity of the provisions of the IPC, the Supreme Court went on to give a long-winded account of the constitutional case-law and the development of the 'right to privacy'. However, once the importance of this right was established, the Supreme Court underestimated the right-to-privacy argument in relation to 377. The Court acknowledged that there have been instances in which Section 377 has been abused against the sexual orientation

⁵ (2017) 10 SCC 1

and gender identity of the community on the ground of blackmail, harassment or torture, in general. However, the Court recognised that this is never the aim of the section itself, which neither permits nor condones this kind of treatment, and thus does not reflect the nature of such a law as to whether it is beyond the meaning of the Constitution.

Judgement: However, in the Aadhar Judgement, in the section entitled ‘discordant notes’, Judge Chandrachud referred to two Supreme Court judgements. In the first, he referred to the infamous case of *‘ADM, Jabalpur v. Shivakant Shukla’*⁶, in which the denial of fundamental rights was upheld. In the second, he referred to ‘Koushal’, in which the ‘so-called’ rights of the ‘LGBT+ community’ were rejected. ‘Sexual orientation’ also falls under the broad ambit of the right to privacy,’ he said. He also noted the criticism of the ‘minimis hypothesis principle’ used in Koushal, and said that ‘the small population of LGBT+’ cannot be used as a reason to deprive them of fundamental rights and that such a restriction of fundamental rights cannot be accepted, even if a small number of people are subjected to a hostile treatment.’

v. *Navtej Singh Johar V. Union of India*⁷:

Background: After the Delhi High Court judgment in 2013 annulled Section 377 of the Indian Penal Code (IPC), homosexuals were once again considered criminals. India saw a surge in the number of protests for the rights of gays and lesbians when several prominent figures such as hotelier, actress Ritu Dalmia and dancer Navtej Sing Johar filed a petition before the Supreme Court challenging Section 377 of the IPC.

Arguments: The Supreme Court decided to transfer the matter to a bigger bench and heard a number of petitions related to the matter. The Government said that it would not intervene in the matter and would allow the court to decide the matter in accordance with its wisdom. Some arguments were made that section 377 breached the constitutional right to privacy, free speech, equality, dignity and non-discrimination.

Judgement:

⁶ (1976) 2 SCC 521

⁷ (2018) 10 SCC 1

- a. The Court ruled unanimously that Section 377 violated the fundamental rights of privacy, autonomy and personal identity and decriminalized homosexuality by reading down the provision to exclude consensual sexual relations between consenting adults of the same gender
- b. The Court reasoned that the provisions of Section 377 are vague and do not create a clear distinction between what is natural and what is unnatural. It also restricts the freedom of expression of sexual identity, which is a fundamental right of the Indian Constitution.
- c. According to the Court, sexual orientation is an integral part of the self-identification and to invalidate the same is to deny the right to life. The fact that they are a small minority cannot be a valid ground to deny them that right.
- d. The Koushal judgment was widely criticised by the court as being irrational, arbitrary, and clearly unconstitutional.
- e. The court also stressed that discrimination based on sexual orientation is also unconstitutional as it is an intrinsic part of the natural world as demonstrated by the scientific and biological evidence.
- f. The Supreme Court also ordered the government to sensitise the public about the rights of the LGBT people and to remove the prejudice against them. The judges went on to discuss issues such as mental well-being, dignity, private life, right of self-determination, and transsexuality.

- **CHALLENGES AND FUTURE DIRECTIONS:**

Same-sex marriage is still not legally recognized in India also they are not recognized at federal level and no specific legislation exists to recognize marriage equality for LGBTQ+ individuals in India. There are still traditional and conservative views on same-sex relations in India. Homophobic and other forms of discrimination against LGBTQ+ people are widespread, resulting in social stigma, ostracism, and hostility. India's heterogeneous cultural and religious environment can make it difficult to accept same-sex weddings. Certain religious communities have strong anti-

same-sex views, which shape public opinion and policy debates. The complexity and length of India's legal system make it challenging to bring about significant legal changes. There are numerous constitutional challenges and legislative reforms that would need to be made.

- **CONCLUSION:**

To sum up, the project highlights the ongoing struggle of the LGBTQ+ community in India and the fight for social justice for women. The project calls for a collective struggle to challenge social norms, break down patriarchal structures, and build a more inclusive and just society where same sex marriage and feminist values are fully accepted and celebrated. The fight for equal rights and social justice necessitates long-term commitment and co-operation from people, communities, CSOs, and policy makers to build a future that respects and respects human rights for everyone.