

Inclusion and Empowerment of LGBTQIA+ Communities in India: A Socio-Political and Economic Case Study

Piu Banerjee

State Aided College Teacher–I, Khandra College, Andal, West Bengal

ABSTRACT

This paper presents a case study exploring how inclusion shapes the empowerment of LGBTQIA+ communities in India across social, political, and economic spheres. India shows both progress and persistent challenges. Key judicial decisions such as the Supreme Court’s 2018 decriminalization of homosexuality (Supreme Court of India, 2018) and the Madras High Court’s 2025 clarification that homosexuality is not a disorder (Madras High Court, 2025) have improved public awareness and strengthened rights.

Civil society organizations have also contributed through recommendations on family recognition, anti-discrimination laws, and access to healthcare. However, national-level progress remains uneven. The Supreme Court’s 2023 refusal to legalize same-sex marriage (Supreme Court of India, 2023) highlights gaps in legal protection. Social stigma continues, with many LGBTQIA+ individuals facing harassment and violence, especially in rural areas (Human Rights advocacy reports).

Economically, corporate India has taken a leading role. Companies like Tata Steel and Mahindra have introduced inclusive hiring and support groups (Corporate Diversity Reports, 2024). According to Deloitte (2024), Indian workplaces now show higher comfort levels for LGBTQIA+ employees compared to global averages. The *Open for Business City Ratings (2025)* report shows that inclusive cities perform significantly better in talent and entrepreneurship.

Overall, the case study shows that while court rulings and corporate initiatives drive progress, sustained empowerment requires stronger national policies and broader social acceptance.

Keywords: LGBTQIA+ India, Social Inclusion, Political Rights, Economic Empowerment, Judicial Decisions, Urban Inclusion

Introduction

The inclusion and empowerment of LGBTQIA+ communities in India has evolved through a long and complex journey shaped by legal reforms, social change, and economic transformation. For decades, Section 377 of the Indian Penal Code created fear, stigma, and marginalization by

criminalizing same-sex relationships (Narain, 2018). This restrictive legal environment encouraged silence, limited visibility, and reinforced negative attitudes toward queer identities.

A significant shift began with the Delhi High Court's 2009 judgment, which challenged the colonial law and opened space for public dialogue. The turning point came in 2018 when the Supreme Court of India struck down Section 377 for consenting adults, affirming that equality, dignity, and privacy are constitutional rights that must apply to every citizen (Supreme Court of India, 2018).

However, these legal victories have not fully translated into social acceptance or everyday inclusion. Studies across India continue to show that LGBTQIA+ individuals experience stigma, discrimination, and substantial barriers in accessing healthcare services (Chakrapani et al., 2023). Transgender people, in particular, experience more violence, exclusion, and discrimination because of deep-rooted social beliefs about gender and sexuality (Human Rights Watch, 2020).

These issues show that there is still a big difference between what the law promises and what LGBTQIA+ individuals face in real life.

Recent research shows that LGBTQIA+ inclusion also has clear economic benefits. When workplaces and cities adopt inclusive policies and create supportive environments, they see more innovation, better productivity, and stronger overall economic growth (Open For Business, 2022). Global studies show that countries that strongly protect LGBTQIA+ rights often experience faster economic growth. This means inclusion is not only important for human rights but also helps drive a country's overall development (Badgett, 2014).

This case-study-based literature review integrates the social, political, and economic dimensions of LGBTQIA+ empowerment in India. It traces the major legal milestones that reshaped queer rights, examines shifting social attitudes, and highlights persistent inequalities that continue to affect the community. It also discusses why LGBTQIA+ inclusion is becoming economically important and how fairer systems can benefit everyone.

The review points out several research gaps, such as very few studies on rural LGBTQIA+ communities, limited intersectional research, and a lack of India-specific economic data. These gaps show the need for more detailed and context-based studies that truly represent the diverse experiences of queer people in India. By synthesizing these perspectives, the study aims to offer a comprehensive understanding of how inclusion and empowerment are shaped, negotiated, and challenged within the Indian context.

Literature Review

Research on LGBTQIA+ inclusion in India has expanded significantly over the past decade, especially after major judicial interventions. Scholars widely note that the 2018 Supreme Court judgment decriminalizing homosexuality marked a turning point in academic and policy discussions about sexuality and rights in India (Supreme Court of India, 2018).

Studies and reports by Human Rights Watch and the International Commission of Jurists suggest that the decriminalization ruling marked an important step, as removing criminal penalties for same-sex relations opened the door for greater recognition, legal protections, and the possibility for more open public discourse around gender and sexuality (Human Rights Watch, 2019; ICJ, 2019).

Similarly, recent legal observations by the Madras High Court (2021–2025), such as its mandate to remove stigmatizing language, update school curricula, expand educational and employment access for transgender persons, and require inclusion of LGBTQIA+ community voices in medical education, are recognized as early instances of judicial activism aimed at improving the institutional environment for queer individuals and enabling greater social inclusion (Madras High Court Orders, 2021–2025).

Many social science studies highlight the persistent gap between legal recognition and social acceptance. Several community-based studies and human rights reports show that stigma against LGBTQIA+ people is often stronger in semi-urban and rural areas, where rigid social norms can lead to discrimination and even violence (U.S. State Department, 2021).

Reports also show that LGBTQIA+ people still face family rejection, bullying, discrimination at work, and even violence, even though they are now more visible in society (UNDP India Report, 2022). Therefore, researchers argue that decriminalization is not enough. Real empowerment requires deeper changes in families, schools, and media narratives.

Political studies show that policy-level inclusion is still uneven in India. Some states, such as Kerala, Tamil Nadu, and Karnataka, have introduced gender-neutral welfare schemes and policies that support transgender people. However, at the national level, progress is much slower, especially in areas like marriage equality, adoption rights, inheritance, and strong anti-discrimination laws (Law Commission Discussions, 2023).

Scholars highlight that India's progress on LGBTQIA+ rights remains uneven, with visible legal advances such as decriminalization coexisting with major gaps in national-level protections. This creates a situation where partial progress at some levels contrasts with continued silence or inaction at others (Biswas, 2020).

The economic dimension of LGBTQIA+ inclusion has been emerging as an important research area. Corporate diversity studies show that Indian companies are gradually implementing LGBTQIA+-friendly policies, including gender-neutral hiring and employee resource groups.

According to workplace surveys such as Deloitte (2024), LGBTQIA+ employees in India report higher comfort levels in disclosing their identity compared to many global regions. Research on urban economies increasingly shows that LGBTQ+ inclusion and economic performance often go hand in hand.

According to the *Open for Business 2025 City Ratings*, inclusive cities consistently record higher innovation and entrepreneurship rates—often twice as high as in less inclusive cities—suggesting that diversity and inclusion can boost creativity, human capital, and economic dynamism. Even in India, major metro areas such as Mumbai, Delhi, and Bengaluru have been recognized as “partially open for business,” reflecting a growing trend toward inclusive policies and business-friendly environments (Open for Business, 2025).

Overall, existing studies consistently emphasize that LGBTQIA+ empowerment is multidimensional, shaped by judicial developments, cultural acceptance, political will, and economic opportunities. Researchers agree that while India has made critical progress, a significant gap remains between progressive court decisions and everyday lived realities.

Therefore, case studies remain essential for understanding how inclusion is practiced and how empowerment is experienced across diverse Indian social contexts.

Research Objectives

- To examine how LGBTQIA+ inclusion in India has evolved after the 2018 Supreme Court decision, with a focus on social, political/legal, and economic experiences.
- To analyse how institutional factors such as laws, policies, media, and workplace practices shape the empowerment, visibility, and everyday realities of LGBTQIA+ individuals in India.

Methodology

This study uses a qualitative case study approach to examine LGBTQIA+ inclusion and empowerment in India after the 2018 Supreme Court decision that decriminalised same-sex relationships. A case study design was chosen because it allows detailed exploration of real-life experiences and provides flexibility to analyse different dimensions of the issue.

The research follows an interpretivist approach, which focuses on understanding social reality from the perspectives of individuals (Weber, 1920; Dilthey, 1883). This approach recognises that LGBTQIA+ experiences are shaped by social, cultural, and institutional contexts.

The study adopts an embedded single-case design, where the main case is LGBTQIA+ inclusion after 2018, and the sub-units examine three areas:

1. Social experiences
2. Political/legal experiences
3. Economic experiences

To support the case study, a **Systematic Literature Review (SLR)** was conducted to map existing knowledge on LGBTQIA+ inclusion. The SLR process follows four key steps—identification, screening, eligibility, and inclusion—as outlined by Moher et al. (2009). This ensured that the literature reviewed was relevant, credible, and comprehensive.

All data for the study were collected from online sources to ensure accessibility and wide coverage. Documentary analysis included major Supreme Court and High Court judgments (NALSA, 2014; Navtej Singh Johar, 2018; same-sex marriage cases, 2023), government policies, parliamentary debates, and reports from the Ministry of Social Justice and Empowerment.

Secondary materials included reports from international organisations (e.g., UNDP, World Bank) and corporate Diversity and Inclusion (DEI) publications. The study also analysed published online interviews with LGBTQIA+ individuals, organisational leaders, corporate DEI professionals, and legal experts/activists.

Additionally, insights from online focus group discussions (FGDs) were used to understand shared experiences and community-level challenges. A combination of purposive and snowball sampling techniques was used to select online interviews and discussions, ensuring representation of diverse and marginalised voices.

Ethical considerations were strictly followed. Only publicly available materials were used, and anonymity and privacy were protected. As a qualitative study, the emphasis is on depth of experience rather than numerical generalisation.

A limitation of the study is that it focuses mainly on English and Hindi sources, which may restrict regional representation. Future research could benefit from surveys, field interviews, or mixed-method approaches to capture broader and more diverse insights.

Data Analysis and Findings

The collected online data were analysed using manual thematic analysis following Braun and Clarke's six-step process. All documents, interviews, and discussions were read multiple times to develop a deep understanding of the data, and key ideas and recurring themes were identified.

The analysis shows that LGBTQIA+ inclusion and empowerment in India are shaped by legal policies, family relationships, workplace practices, and broader social attitudes. The decriminalization of same-sex relationships and certain policy initiatives have provided important legal protections. However, many rights remain unclear because of gaps in laws and weak implementation.

Findings also reveal that many LGBTQIA+ individuals still experience secrecy, discrimination, and lack of support from family and society. These factors affect their mental health, confidence, and social well-being. In workplaces, some organizations genuinely promote inclusion, while others only show surface-level or token support without meaningful action.

The study further shows that identities such as caste, class, and gender intersect with LGBTQIA+ identities, creating different levels of inclusion or exclusion. This means that not everyone within the LGBTQIA+ community faces the same challenges or opportunities.

Overall, the findings highlight a **“dual reality”** in India: legal progress and positive policies exist, but social, familial, and institutional challenges continue to limit full empowerment. Supreme Court judgements and certain state or corporate initiatives have created important openings, but lack of family acceptance, legal gaps, and tokenistic practices still weaken real inclusion.

This analysis emphasizes that legal change alone is not enough. A holistic approach considering legal, social, and economic factors together is necessary to ensure genuine empowerment. Future research could build on these findings by using field studies, surveys, or mixed-method approaches to better understand the diverse experiences of marginalized LGBTQIA+ communities in India.

Conclusion

This study shows that LGBTQIA+ inclusion and empowerment in India are shaped by multiple factors—legal frameworks, family dynamics, corporate practices, and social contexts. While the 2018 Supreme Court ruling decriminalized same-sex relationships and some policies offer protection, many challenges remain.

Family rejection, superficial corporate support, and social stigma continue to limit full empowerment. Intersectional factors like caste, class, and gender further influence individual experiences, making inclusion uneven.

The findings highlight that legal recognition alone is not enough. True empowerment requires combined efforts: supportive families, genuine corporate inclusion, progressive policies, and broader social acceptance.

Understanding LGBTQIA+ experiences in context is essential to create meaningful change. Future research using field studies, surveys, or mixed-method approaches can provide deeper insights into the diverse realities of marginalized LGBTQIA+ communities in India.

References

Badgett, M. V. L. (2014). *The economic cost of homophobia and the exclusion of LGBT people: A case study of India*. Washington, DC: World Bank.

Chakrapani, V., Newman, P. A., Shunmugam, M., Logie, C. H., Ranadive, S., & Singh, S. (2023). A scoping review of lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) people's health in India. *PLOS Global Public Health*, 3(4), e0001362. <https://doi.org/10.1371/journal.pgph.0001362>

Human Rights Watch. (2019). Section 377 is history, but young LGBT Indians need concrete policies to protect them from bullying. <https://www.hrw.org/news/2019/06/24/section-377-history-young-lgbt-indians-need-concrete-policies-protect-them-bullying>

Human Rights Watch. (2020). *World Report 2020: India*. https://www.hrw.org/sites/default/files/world_report_download/hrw_world_report_2020_0.pdf

International Commission of Jurists (ICJ). (2019). *Living with dignity: Sexual orientation and gender identity-based human rights violations in housing, work, and public spaces in India*. <https://www.icj.org/wp-content/uploads/2019/06/India-Living-with-dignity-Publications-Reports-thematic-report-2019-ENG.pdf>

Jain, D. (2013). Impact of the decriminalization of homosexuality in Delhi: An empirical study. *Arkansas Journal of Social Change and Public Service*, 2(1), 1–25. <https://pure.jgu.edu.in/id/eprint/2398>

Madras High Court Orders. (2024–2025). Various judgments on transgender rights, education, and employment.
<https://www.verdictum.in>

Narrain, A. (2018). *Because I have a voice: Queer politics in India*. New Delhi: Yoda Press.

Open For Business. (2022). *The economic case for LGBTQ+ inclusion*.
<https://www.open-for-business.org/the-economic-case>

United Nations Development Programme (UNDP) India. (2022). *Every identity counts: Breaking barriers for transgender youth in India*.
<https://www.undp.org/india/blog/every-identity-counts-breaking-barriers-transgender-youth-india>

U.S. Department of State. (2021). *2021 Country Reports on Human Rights Practices: India*.
<https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/india>