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## **LGBTQI+ Rights; Gender-Based Violence, Discrimination & Equal Pay**

### **ABSTRACT:**

This discussion explores the multifaceted issues surrounding LGBTQI+ rights and gender equality, focusing on the intersecting challenges of discrimination, gender-based violence, and the ongoing struggle for equal pay. Delving into the complex landscape of human rights, the discourse highlights the importance of fostering inclusivity and understanding within society. It investigates the persistent barriers faced by the LGBTQI+ community, shedding light on discriminatory practices and the imperative for legal and societal reform. Additionally, the conversation addresses the pervasive issue of gender-based violence, examining its root causes and proposing strategies for prevention and intervention. Furthermore, the discussion critically examines the existing gender pay gap, emphasizing the need for proactive measures to ensure equitable compensation for all genders. Through this exploration, the abstract underscores the interconnected nature of these issues and advocates for a comprehensive approach toward building a more just and inclusive society.

### **KEYWORD:**

LGBTQI+ Community, Equal Pay, Gender-based Violence.

## **INTRODUCTION:**

In contemporary society, the pursuit of human rights and equality stands as a pivotal challenge, with specific emphasis on LGBTQI+ rights, gender-based violence, discrimination, and the ongoing struggle for equal pay. This introduction serves as a gateway to a nuanced exploration of these interconnected issues, aiming to dissect the complexities, illuminate prevailing challenges, and advocate for a more inclusive and equitable future.

The LGBTQI+ community continues to grapple with discrimination and marginalization, necessitating a closer examination of the legal, social, and cultural barriers hindering their full participation in society. Simultaneously, gender-based violence remains a pervasive global concern, demanding comprehensive analysis to identify its roots and effective strategies for prevention and intervention.

Gender discrimination extends its reach into the economic realm, perpetuating the gender pay gap. This introduction sets the stage for an in-depth exploration of the multifaceted challenges facing marginalized communities, emphasizing the need for holistic approaches to dismantle discriminatory practices, eradicate violence, and establish fair economic landscapes.

## **What Do You Understand by Gender - Based Violence:**

Gender-based violence (GBV) refers to any harmful act that is perpetrated against an individual or group of individuals based on their gender or sex. It is a form of discrimination that targets individuals specifically because of their gender, and it is rooted in unequal power dynamics between genders. Gender-based violence can affect anyone, but it disproportionately impacts women and members of the LGBTQI+ community.

### **Key forms of gender-based violence include:**

**Physical Violence:** Any form of physical harm or force, such as hitting, slapping, kicking, or other types of physical abuse.

**Sexual Violence:** Acts of a sexual nature that are committed against a person without their consent. This includes rape, sexual assault, and other forms of non-consensual sexual acts.

**Emotional or Psychological Violence:** Inflicting emotional or psychological harm through tactics such as intimidation, verbal abuse, humiliation, or controlling behavior.

**Economic Violence:** Controlling a person's access to economic resources, employment, or financial independence as a means of exerting power and control.

**Cultural or Traditional Violence:** Harmful practices rooted in cultural or traditional norms that perpetuate discrimination and violence based on gender, such as female genital mutilation or honor killings.

Gender-based violence can occur in various settings, including the home, workplace, community, or during armed conflicts. It is a violation of human rights and has severe consequences for the physical, emotional, and mental well-being of survivors. Efforts to address gender-based violence involve legal reforms, awareness campaigns, support services for survivors, and broader societal changes to challenge and dismantle ingrained gender norms that perpetuate violence.

## **Why is gender-based violence a problem?**

- **Gender-based violence is a human rights violation**

It is an unrelenting assault on human dignity, depriving people of their human rights. Freedom from violence is a fundamental human right, and gender-based violence undermines a person's sense of self-worth and self-esteem. It affects not only physical health but also mental health and may lead to self-harm, isolation, depression and suicidal attempts.

- **Gender-based violence threatens a person's physical and psychological integrity**

Everyone has the right to feel safe and secure, and where this is not present, people's ability to function in the family, community and society is likely to be impaired, as self-realisation and development are affected. Gender-based violence is an obstacle to the realisation of every person's well-being and to their right to fulfilment and self-development.

- **Gender-based violence is discrimination**

It is deeply rooted in harmful stereotypes and prejudices against women or other people who do not fit into a traditional gender binary or heteronormative society. For that reason, gender-based violence can have the effect of pushing women and others who are affected to the margins of society and making them feel inferior or helpless. In the case of men who do not act according to dominant masculine gender roles, gender-based violence has the function of correction by example. The severity of the 'punishment' for men who do not act according to expectations concerning male gender roles (whether gay, bisexual or heterosexual) may be related to the perceived danger that their difference presents to normalised and dominant assumptions about gender. Their very lives might collide and appear to contradict the idea that there are natural forms of behaviour and social roles in general for men and women.

- **Gender-based violence is an obstacle to gender equality**

Gender equality is central to safeguarding human rights, upholding democracy and preserving the rule of law. Gender-based violence contributes to cultivating a heteronormative society and perpetuates the power of men. Gender equality, on the other hand, entails equal rights for people of all genders, as well as equal visibility, and equal opportunities for empowerment, taking responsibility and participating in all spheres of public and private life. Gender equality also implies equal access to, and equal distribution of resources between women and men.

- **Gender-based violence is under-reported and there is often impunity for perpetrators**

Common myths, such as that ‘what happens at home should stay at home’ or that ‘it is nobody’s business what happens in the family’ are very powerful. This makes denouncing violence in the family difficult, and it may affect the provision of help and support services, thereby exposing the abused person to greater harm, with possibly fatal consequences. Furthermore, violence very often silences those who are affected by it. By failing to speak out against domestic violence we also mirror the techniques used by perpetrators. In some countries, most types and forms of gender-based violence are illegal and punishable by law, but there are countries which lag behind in this respect. The Istanbul Convention of the Council of Europe asks for criminalisation of different forms of gender-based violence.

- **Gender-based violence affects everyone**

Children raised in families where a woman is abused are also victims of violence (sometimes not physically, but always psychologically). The children witness violence and may form the impression that such behavior is justified or ‘normal’; in other words, they assimilate violent norms. They are also brought up in a culture of violence that may negatively affect their self-development and ability to function in society. Gender-based violence affects family members, friends and colleagues.

- **Gender-based violence has a very heavy economic cost.**

It requires the involvement of different services - medical, psychological, the police or the justice system – and it results in the loss of resources or of employment by victims. It makes people underachieve at work and in education, and it negatively affects their productivity. Many people who suffer from gender-based violence cannot stay at home and need a place to stay, which sometimes results in homelessness. Shelter services need to be provided for such people, and while there are services for abused women and their children in many places in Europe (although not in sufficient numbers), the inadequate number of shelters for LGBT+ people remains critical.

## **What causes gender-based violence?**

Gender-based violence, and in particular violence against women, is one of the most pronounced expressions of the unequal power relations between women and men. The main cause of the violence is the perpetrator him or herself: it is very important to keep in mind that a person who has been affected by gender-based violence is never responsible for the perpetrator’s actions.

There is no single factor that can explain gender-based violence in our societies, but rather a myriad of factors contribute to it, and the interplay of these factors lies at the root of the problem. Four types of factors can be identified: cultural, legal, economic and political.

## **Cultural factors**

Patriarchal and sexist views legitimise violence to ensure the dominance and superiority of men. Other cultural factors include gender stereotypes and prejudice, normative expectations of femininity and masculinity, the socialisation of gender, an understanding of the family sphere as private and under male authority, and a general acceptance of violence as part of the public sphere (e.g. street sexual harassment of women), and/or as an acceptable means to solve conflict and assert oneself.

Religious and historical traditions have sanctioned the physical punishment of women under the notion of entitlement and ownership of women. The concept of ownership, in turn, legitimises control over women's sexuality, which, according to many legal codes, has been deemed essential to ensure patrilineal inheritance.

Sexuality is also tied to the concept of so-called "family honour" in many societies. Traditional norms in these societies allow the killing of women suspected of defiling the "honour" of the family by indulging in forbidden sex or marrying and divorcing without the consent of the family. Norms around sexuality also help to account for the high numbers of homeless LGBT+ young people, and for the prevalence of hate crimes against them, on the grounds that they are considered a "threat" to societal norms. The same norms around sexuality can help to account for the mass rape of women.

## **Legal Factors**

Being a victim of gender-based violence is perceived in many societies as shameful and weak, with many women still being considered guilty of attracting violence against themselves through their behaviour. This partly accounts for enduring low levels of reporting and investigation.

Until recently, the law in some countries still differentiated between public and private spaces, which left women particularly vulnerable to domestic violence.

The Istanbul Convention ensures the right for everyone, particularly women, to live free from violence in both the public and the private spheres.

While most forms of gender-based violence are criminalized in most European countries, the practices of law enforcement in many cases favour the perpetrators, which helps to account for low levels of trust in public authorities and for the fact that most of these crimes go unreported.

The decriminalization of homosexuality is still very recent in many societies. While progress has been achieved in many states by adopting equal marriage, this has sometimes led to a backlash, for example by strengthening opinions holding the traditional family to be the union between a man and a woman, or where countries have adopted laws that forbid "homosexual propaganda".

## **Economic Factors**

The lack of economic resources generally makes women, but also LGBT+ people particularly vulnerable to violence. It creates patterns of violence and poverty that become self-perpetuating, making it extremely difficult for the victims to extricate themselves. When unemployment and poverty affect men, this can also cause them to assert their masculinity through violent means.

### **Political Factors**

The under-representation of women and LGBT+ people in power and politics means that they have fewer opportunities to shape the discussion and to affect changes in policy, or to adopt measures to combat gender-based violence and support equality. The topic of gender-based violence is in some cases deemed not to be important, with domestic violence also being given insufficient resources and attention. Women's and LGBT+ movements have raised questions and increased public awareness around traditional gender norms, highlighting aspects of inequality. For some, this threat to the status quo has been used as a justification for violence.

### **Types of gender-based violence**

Violence is often associated only with physical violence, neglecting other nonphysical forms. Violence is a complex issue and categorising different 'types' of violence can never be exact. The Council of Europe Istanbul Convention mentions the following types of violence:

- psychological violence (Art. 33)
- stalking (Art. 34)
- physical violence (Art. 35)
- forced marriages (Art. 37)
- sexual violence, including rape (Art. 36)
- female genital mutilation (Art. 38)
- forced abortion and forced sterilisation (Art. 39)
- sexual harassment (Art. 40)
- aiding or abetting and attempt (Art. 41)
- unacceptable justifications for crimes, including crimes committed in the name of so-called "honour" (Art. 42).

Using these as a basis, in this publication, we shall distinguish five inter-related types of violence:

- Physical
- verbal (including hate speech)

- sexual
- psychological, and
- socio-economic.

There also two other categories of violence that can be found in this chapter: domestic violence and (sexual) harassment – both of which may be a combination of all five types of violence mentioned above. In reality, some or many forms of violence can be present at the same time, particularly in abusive relationships. All forms can occur both in the private sphere (in families and intimate relationships) and in the public sphere, committed by (unknown) individuals in public space, or by organisations, institutions, and states.

### **Exploring Gender and Gender Identity:**

Gender enters into all our social relations. When people interact, their view of themselves, including their identity and their rights and possibilities, comes up against the way they are perceived by other people, and the way that others behave towards them. However, it often appears that gender in its truest sense is absent from our social relations, because the way in which most people perceive gender tends to be internalised so deeply that it appears ‘normal’ and natural. Understanding how we live together means being able to question the things we take for granted in our everyday lives. This includes a key part of our identity: our gender. This manual is a resource for working with others, but it is also a resource that underlines the need constantly to work with oneself. It could even be said that one is not really possible without the other. In some ways, the reasoning behind this can be expressed easily: each of us is a person with our own subjectivity and experience of living with others in society – so everyone is personally involved in discussions of gender. It is easy to test this out: most people have had experiences where someone’s appearance does not immediately signal ‘male’ or ‘female’. Perhaps fewer people then go on to ask themselves what this indicates about gender, or about how they perceive gender stereotypes. In fact, on a daily basis, it is common for people to organise their perceptions according to gendered assumptions that have never been questioned.

The concept of ‘gender awareness’ reminds us that we all need to be aware of issues such as the following:

- We are likely to see ourselves within such categories as male/female or man/ woman, but these categories do not in fact do justice to the complexity of gender and sexual identities;
- We consciously and unconsciously express our gendered selves in numerous ways, including in our relations with others;
- We interpret and evaluate other people’s gender and this affects the ways that we interact with them;

- We use images, associations, assumptions and normative standards to interpret the gender(s) and sexualities of others, and are often unaware of the way this happens or how these influences originate;
- Gender is of key importance in defining the power, privilege and possibilities that some people have and some people do not have in a given society. It affects progress towards equality and freedom from discrimination.

Gender awareness is necessary as an end goal for everyone, but deliberate work on this issue is particularly important for youth workers and young people who want to address issues of gender and violence with their peers. Gender awareness is necessary because no one is ever completely able to 'step outside' of the social and cultural processes that partly shape our identities, values and perceptions, but we can still develop ways of reflecting and ways of interrogating ourselves, and this is very important for group work and group interaction. Gender awareness should also be seen as a process, because our ways of thinking about ourselves and others as gendered, sexual beings shift over time and in different contexts.

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