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## Book Review: All Boys Aren't Blue - Highlighting LGBTQIA+ Rights in India

Dhannisha Pushparaj Shetty<sup>a</sup>

<sup>a</sup>Swami Vivekanand Education Society's College of Law, Mumbai, India

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### INTRODUCTION

'All Boys Aren't Blue' is a book that provides a glimpse of insight into the author's life growing up Black and Queer in Plainfield, New Jersey, and Virginia. It has been portrayed as an assortment of personal essays due to which it has an autobiographical character. Thus, the book's author has referred to it as a '*memoir manifesto*'.

In the book, the author describes their childhood, adolescence, and college years; presented as a compilation of their writings and letters, exploring the people and events that moulded their life and perception of their identity. In the book, the author has primarily discussed their life from infancy to the age of 21 in a chronological age sequence. Wherein the author has addressed an event or how they perceived themselves at the time in each chapter, the contributing elements, and how they interpret the past, and how it affects them in their 30s. Furthermore, because the book contains content about the LGBTQIA+ community and is sexually explicit, it has been censored and banned by several school districts in the USA. However, the book is exclusively available in India.

## ABOUT THE AUTHOR

'All Boys Aren't Blue' is a memoir manifesto that was written by George M. Johnson in 2020. The author is a Queer Black American novelist, journalist and LGBTQIA+ activist based in New York City, United States of America. With this book, not only did the author make their debut, but they also got the New York Times Bestseller Author award. The author is a journalist who has written for Vice, Teen Vogue, Entertainment Tonight, and NBC among other publications. In addition to advocating for LGBTQIA+ rights and shedding light on topics such as racism, homophobia as well as toxic masculinity, George is an HIV activist who aims to raise awareness regarding healthcare and social justice.

## SUMMARY OF THE BOOK

The book is organized into four acts (their childhood, family, adolescence, and friends) and further into numerous chapters; each of which focuses on a different phase of the author's life, ranging from the author's infancy to their college years.<sup>1</sup> From the memories of the author being five years old and their teeth being knocked out by some bullies to their flea marketing with their grandmother (whom they affectionately refer to as Nanny in the book) to their first sexual relationship; this young-adult memoir intertwines together the trials, hardships as well as triumphs of Black Queer boys and what it was like for the author to grow up uncertain of their identity. The book addresses subjects including gender identity, toxic masculinity, brotherhood, family, structural marginalization, racial discrimination, sex, sexuality, sexual assault, consent, and agency. In addition, the author acknowledges that their experiences as a Black LGBTQIA+ person cannot be kept away from their experiences as a person from a lower socioeconomic background or a disabled person. The author describes how these various facets of their identity influence and overlap with their experiences.<sup>2</sup>

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<sup>1</sup> George M. Johnson, *All Boys Aren't Blue: A Memoir-Manifesto* (Farrar, Straus and Giroux 2020)

<sup>2</sup> *Ibid*

## REVIEW OF THE BOOK

The theme of the book is the author's intersectionality as a black individual and simultaneously identifying themselves as an LGBTQIA+ individual. This subjects the author to face several hardships in their life concerning their race and sexual orientation, as discussed by them in the book. Even though legal themes are not the primary focus of the book does touch on some significant legal issues that are bigotry, prejudice in society, racial discrimination, inequality, sexual assault as well as LGBTQIA+ rights and their protection.

In one of the book's chapters, the author describes their experiences with racism and discrimination they encountered in school. They recall being punished more severely than white kids for the same conduct and being subjected to racial slurs such as 'nigga' or 'nigger' and slurs like 'faggot'. The author also talks about microaggressions they faced from their teachers and peers. These experiences of the author demonstrate the persistent problem of systematic racism in education and the legal difficulties that can develop when attempting to address issues such as racial inequality.<sup>3</sup> Furthermore, the author describes instances of sexual assault they experienced at the age of 12 and as a college student. They discuss the difficulty of reporting these incidents and the lack of legal resources available to the survivors of sexual assault. This highlights the ongoing legal and societal issues related to sexual assault and the need for better legal protections and resources for survivors. This also sheds light on the impacts of assault that can be serious and long-lasting as negative childhood experiences lead to poorer physical and mental health later in life. Also, the author has emphasized the significance of proper sex education as the lack of it leads teenagers to resort to other sources that have a high probability of putting them at risk, which eventually makes them more vulnerable and susceptible to Sexually Transmitted Diseases (STIs) like HIV and more. The book also touches on the legal issues surrounding LGBTQIA+ rights. The author discusses the fight for marriage equality and the importance of legal protections for LGBTQIA+ individuals. They also talk about the dangers

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<sup>3</sup> *Ibid*

of living in a state without legal protections for LGBTQIA+ people and how this can influence their safety and well-being.<sup>4</sup>

Moreover, the book is prominent for its intersectional approach to the author's identity, that is, first as a Black man and second as a Queer individual. The author's candour in writing regarding their issues with identity and how they navigated their relationships with family, friends, and romantic partners is extremely appealing and one of the book's highlights. Through this book, it is evident that the author is on a mission to challenge bigotry and pave the way for youngsters around the world by conveying the message to be himself or herself unapologetically and create a brighter future.

## **REVIEWING LGBTQIA+ RIGHTS IN INDIA OVER THE YEARS**

The LGBTQIA+ community in India has won their rights after a long battle that started with the AIDS Bhedbhav Vrodhi Andolan's publication of 'Less than Gay: A Citizen's Report on the Status of Homosexuality in India' in late 1991.<sup>5</sup> Followed by the first known gay rights protest in 1992, which took place outside the police headquarters in Delhi's ITO area<sup>6</sup>, and other notable events to the 2018 landmark judgment about Navtej Singh Johar & Ors v Union of India<sup>7</sup> and the Transgender Persons (Protection of Rights) Act 2019.<sup>8</sup>

On 6th September 2018, five LGBTQIA+ individuals, viz., Navtej Singh Johar, Aman Nath, Ritu Dalmia, Sunil Mehra and Ayesha Kapur filed a writ petition thereby challenging the constitutionality of section 377<sup>9</sup> and the Indian Supreme Court in this case ruled the age-old figment of colonial creation, Section 377<sup>10</sup> to be unconstitutional as it violated the fundamental

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<sup>4</sup> *Ibid*

<sup>5</sup> Dhamini Ratnam and Dhruvo Jyoti, 'How a 'Pink book' paved the way for equal rights for LGBT community' *Hindustan Times* (10 September 2018) <[https://www.hindustantimes.com/india-news/how-a-pink-book-paved-the-way-for-equal-rights-for-lgbt-community/story-SihCPYm43Kjj24RvDiHPuO\\_amp.html](https://www.hindustantimes.com/india-news/how-a-pink-book-paved-the-way-for-equal-rights-for-lgbt-community/story-SihCPYm43Kjj24RvDiHPuO_amp.html)> accessed 01 February 2024

<sup>6</sup> Vidya Krishnan, 'How the LGBTQ Rights Movement in India gained momentum' *The Hindu* <<https://www.thehindu.com/society/its-been-a-long-long-time-for-the-lgbtq-rights-movement-in-india/article24408262.ece>> accessed 01 February 2024

<sup>7</sup> *Navtej Singh Johar & Ors v Union of India* AIR 2018 SC 4321

<sup>8</sup> THE Transgender Persons (Protection of Rights) Act 2019

<sup>9</sup> Indian Penal Code 1860, s 377

<sup>10</sup> *Ibid*

rights to autonomy (Articles 14<sup>11</sup>, 15<sup>12</sup>, 19<sup>13</sup> and 21<sup>14</sup>), intimacy and identity.<sup>15</sup> Consequently, legalizing homosexuality in India as the Court determined that sexual autonomy and orientation were accountable for bringing about a legal change for the LGBTQIA+ population, making this a landmark decision and a milestone. In addition to providing them with the opportunity to assert their other rights, it was a crucial legal step for them to gain equal rights and status. This helped to conceptualize three novel ideas: transformative constitutionalism, constitutional morality, and the right to privacy (putting light on Justice K.S. Puttaswamy v Union of India<sup>16</sup>, wherein retired Karnataka High Court judge Justice K.S. Puttaswamy along with Centre for Civil Society, S.G Vombatkere, Matthew Thomas, Raghav Tankha, Kalyani Menon Sen, Ram Prasad Misal and Shantha Sinha<sup>17</sup> filed a petition challenging the Aadhar scheme; the Supreme Court's 9-Judge Bench concerning this case and other connected matters upheld the constitutional validity of the Aadhar Act and ruled the right to privacy to be a fundamental right under Article 21<sup>18,19</sup>. In addition, the Transgender People (Protection of Rights) Act 2019<sup>20</sup> was introduced on 19th July 2019 to safeguard the rights of transgender individuals, their welfare, and other related issues. However, it did not include within its ambit human rights related to marriage, adoption, surrogacy, social security benefits, public education, and job discrimination. Furthermore, two same-sex couples in November 2022 filed petitions to legalize same-sex marriage in India. The first petition was filed by Supriya Chakraborty and Abhay Dang; the second by Parth Phiroze Mehrotra and Uday Raj Anand.<sup>21</sup> The Indian Supreme Court headed by DY Chandrachud (Chief Justice of India), concluded the case of Supriyo aka Supriya

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<sup>11</sup> Constitution of India 1950, art 14

<sup>12</sup> Constitution of India 1950, art 15

<sup>13</sup> Constitution of India 1950, art 19

<sup>14</sup> Constitution of India 1950, art 21

<sup>15</sup> *Navtej Singh Johar & Ors v Union of India* AIR 2018 SC 4321

<sup>16</sup> *Justice K.S. Puttaswamy v Union of India* AIR 2017 SC 4161

<sup>17</sup> 'Fundamental right to privacy' (*Supreme Court Observer*) <<https://www.scobserver.in/cases/puttaswamy-v-union-of-india-fundamental-right-to-privacy-case-background/>> accessed 01 February 2024

<sup>18</sup> Constitution of India 1950, art 21

<sup>19</sup> 'Judgment of the Court in Plain English (I)' (*Supreme Court Observer*, 24 August 2017)

<<https://www.scobserver.in/reports/k-s-puttaswamy-right-to-privacy-judgment-of-the-court-in-plain-english-i/>> accessed 01 February 2024

<sup>20</sup> Transgender People (Protection of Rights) Act 2019

<sup>21</sup> 'Plea for marriage equality' (*Supreme Court Observer*) <<https://www.scobserver.in/cases/plea-for-marriage-equality/>> accessed 01 February 2024

Chakraborty & Abhay Dang v Union of India<sup>22</sup>, ruling 3:2 against legalizing same-sex marriage and left it up to the Indian Parliament to enact the necessary legislation, arguing that the Court cannot enter the legislative arena because its fundamental function is interpretation of the law and not making or giving the law. Even though the LGBTQIA+ community was denied the right to marry, it cannot be ignored that via this lawsuit they were awarded adoption rights, rights against discrimination based on sexual orientation, protection of the LGBTQIA+ community, and rights against police harassment.<sup>23</sup> However, at present, the LGBTQIA+ community yet cannot avail of surrogacy and assisted reproductive laws in India.<sup>24</sup> Thus, surrogacy in India is only available to heterosexual married couples and single widowed or divorced women.<sup>25</sup>

Moreover, although same-sex marriage is yet illegal in India, 36 countries worldwide have legalized same-sex marriage.<sup>26</sup> Many nations including Belgium, the United States of America, and the UK have legalized same-sex marriages and surrogacy for LGBTQIA+ individuals;<sup>27</sup> guaranteeing their citizen's right to equality irrespective of an individual's sexual orientation. Also, the legislation for sexual harassment in the workplace covers women only<sup>28</sup> and neither workplace discrimination laws nor maternity benefits account for LGBTQIA+ individuals. The Indian Parliament must enact policies and legislation that protect LGBTQIA+ individuals from hate crimes, violence, social discrimination as well as sexual harassment in the workplace, housing and healthcare sectors.

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<sup>22</sup> *Supriyo aka Supriya Chakraborty & Abhay Dang v Union of India* WP (C) No 1011/2022

<sup>23</sup> 'Same-Sex Marriage Verdict: What LGBTQ Community Got and What It Didn't' *The Economic Times* (17 October 2023) <<https://economictimes.indiatimes.com/news/india/same-sex-marriage-verdict-what-lgbtq-community-got-and-what-it-didnt/articleshow/104491992.cms?from=mdr>> accessed 04 February 2024

<sup>24</sup> Krishnadas Rajagopal, 'Same Sex Couples, Live-in Partners Not Included in Surrogacy and Assisted Reproduction Laws, Says Govt. in Supreme Court' *The Hindu* (10 May 2023) <<https://www.thehindu.com/news/national/same-sex-couples-live-in-partners-not-included-in-surrogacy-and-assisted-reproduction-laws-says-govt-in-supreme-court/article66831323.ece>> accessed 9 February 2024

<sup>25</sup> The Surrogacy (Regulation) Act 2021

<sup>26</sup> 'Marriage Equality Around the World' (*Human Rights Campaign*) <<https://www.hrc.org/resources/marriage-equality-around-the-world>> accessed 04 February 2024

<sup>27</sup> 'Same-sex marriage and surrogacy: Where is it legal?' *Hindustan Times* (27 September 2022) <<https://www.hindustantimes.com/world-news/samesex-marriage-and-surrogacy-where-is-it-legal-101664267313766.html>> accessed 04 February 2024

<sup>28</sup> Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act 2013

## CONCLUSION

According to 'Ipsos LGBT+ Pride 2021 Global Poll', 44% of Indians support legalizing same-sex marriages, 53% of Indians support legislation prohibiting discrimination against LGBTQIA+ people in work, education, housing, and access to social services and 58% support businesses and brands that actively promote equality for LGBTQIA+ people.<sup>29</sup> Positive worldwide implications have resulted from the United Nation's adoption of resolutions for the LGBTQIA+ community's welfare. Nevertheless, the LGBTQIA+ community yet faces ridicule in India; it is because the Indian society lacks the knowledge, comprehension, and awareness required to foster an accepting mind-set towards non-cisgender individuals.

It is requisite to educate people about the presence of the LGBTQIA+ community by raising and encouraging awareness about them in society. It is significant that when LGBTQIA+ individuals address their emotions, they feel acknowledged and at ease, just like men and women do in society. They should also be adequately represented in the media, politics, administration, and mainstream society; through this, their voices will be heard and their issues will be addressed. Thereby, encouraging society to accept them. Hence, it's of utmost importance to make a collective effort to make the LGBTQIA+ community feel empowered, protected, accepted, and loved.

A family is an individual's primary institution. Thus, for society to acknowledge a child's individuality, parents must first accept their child's identity. The majority of homeless LGBTQIA+ youth are evicted from their homes due to their sexual orientation or they flee to escape abuse. They lack access to education, financial aid, and social support throughout their formative years eventually leading them to engage in substance abuse and unsafe sexual conduct. It is vital to provide LGBTQIA+ adolescents with a safe and accepting environment wherein they can engage, discuss, and contribute. Online platforms like Gaysi and Galaxy have contributed to establishing these spaces; using them, the Pride Month and Pride Parade

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<sup>29</sup> Ipsos, *LGBT+ PRIDE 2021 GLOBAL SURVEY* (2021)

<[https://www.ipsos.com/sites/default/files/ct/news/documents/2021-06/LGBT\\_Pride\\_2021\\_Global\\_Survey\\_Report\\_6.pdf](https://www.ipsos.com/sites/default/files/ct/news/documents/2021-06/LGBT_Pride_2021_Global_Survey_Report_6.pdf)> accessed 04 February 2024

Initiative must be advocated at all levels. They ought to receive treatment equally, not preferentially. Once they are properly integrated into Indian society as equals, they will become a part of the process of collective growth.