

THE MANY BENEFITS OF MARRIAGE EQUALITY

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To enjoy additional benefits

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Last week, the Supreme Court started hearing [petitions from lesbian, gay, bisexual, transgender and queer \(LGBTQ+\) petitioners](#) seeking same-sex marriage equality. The hearings were widely covered by the media in India because the issue of marriage equality for LGBTQ+ persons is sometimes seen as controversial.

I am a happily married lesbian who chose to legally marry my same-sex partner in the U.K. in 2011 because I did not have the right to marry her in India, even though the institution of marriage is of fundamental importance to Indian society. In India, getting married is one of the highlights of becoming an adult. Remaining single and not being married is frowned upon by the entire family as married couples are generally seen as more accepted and respectable than a non-married couple in our traditional culture.

Therefore, excluding LGBTQ+ persons from marriage excludes us from full benefits of participating in family and community life. It excludes us from acceptance in society. Why is there opposition to two LGBTQ+ persons taking vows in front of family, friends, colleagues and community? Why can we not be recognised as spouses under the law?

A common reason given is that marriage is defined as a union between a man and a woman only, so to allow LGBTQ+ persons to marry would somehow distort this union. But I don't see how some LGBTQ+ citizens getting married takes anything away from the millions of marriages of heterosexual couples.

We know by now that same-sex attraction is a natural part of human society, not any crime or illness. The fact is that some people of the same sex fall in love with each other and want to get married. We want to make life-long promises to each other, gain respect and recognition of our families and community, and join the families of our partners as a son-in-law or a daughter-in-law.

LGBTQ+ marriage takes nothing away from those "straight" couples who already enjoy marriage equality, yet it means everything to the lives of those LGBTQ+ couples seeking this fundamental right.

Marriage benefits a couple in tangible and intangible ways. Many people may not appreciate these until they get married. Tangible benefits include the ability to open joint bank accounts,

jointly buy or rent a property, jointly own and share financial assets, be recognised as a relative under the Indian Income Tax Act, access a spouse's health and life insurance, and inherit a spouse's assets if one partner dies. These are essential protections which most heterosexual couples take for granted, but they are denied to members of the LGBTQ+ community.

Intangible benefits include gaining legitimacy, respect and affection from society and being able to participate fully in all family events. Marriage equality enhances family bonds and encourages unity.

Others may wonder, if Indian society is ready for this change? Public opinion has changed considerably in the private sector over the last five years. Human resource (HR) practices of leading companies have progressed a long way since the Supreme Court de-criminalised homosexual acts by striking down Section 377 of the Indian Penal Code (IPC) in 2018.

Efforts to improve diversity and inclusion in the Indian workplace have gathered momentum. Many corporations have applied core HR principles of fairness, equality and non-discrimination to their LGBTQ+ employees and have re-written their equal opportunity and anti-discrimination policies to explicitly protect LGBTQ+ employees from discrimination, bullying and harassment. Some companies extend benefits such as spouse health insurance to same-sex partners of their employees. However, these policies have been challenging to implement with insurance companies as same-sex partners are not legally recognised as spouses.

These inclusive and fair policies have not led to negative consequences or backlash from the majority workforce. In fact, it has been the opposite — inclusive policies which encourage a diverse workforce have resulted in more loyalty and engagement as employees feel they can be their authentic selves at work and still fully belong to their organisation, a feeling they may not get at home.

It is now time for this sense of belonging to be felt at home too, which starts with belonging to the family and being allowed to marry. LGBTQ+ citizens deserve the right to participate in one of society's major institutions. We deserve to be treated equally under the law in our country.

Being allowed to marry will enable our sense of belonging and will help to gain the acceptance we are seeking in society.

(Radhika Piramal is Vice Chairperson and Executive Director of VIP Industries Ltd.)

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