The Geopolitical and Socio-Cultural Impact of LGBTQ+ Advocacy in South Asia: Institutional Dynamics and Challenges for the Muslim Community

[1]Dr. Sumiya Naseer, [2] Tumazir Fatima, [3] Amber Zahra, [4] Dr. Malik Kamran, [5] Hafiza Gulshan Tara, [6] Rubina Kausar, [7] Saba Ghaffar, [8] Javaria Iftikhar

[1]Assistant Professor, Department of Islamic Studies, The University of Lahore, Pakistan., sumaiya.naseer@ais.uol.edu.pk

[2]Lecturer, Department of Islamic Studies, The University of Lahore, Pakistan, tumazir.fatima@ais.uol.edu.pk

[3]Lecturer, Department of Islamic Studies, The University of Lahore, Pakistan, amberumerpu@gmail.com

[4](Corresponding Author), Associate Professor, Department of Islamic Studies, The University of Lahore, Pakistan., malik.kamran@ais.uol.edu.pk

[5]Lecturer, Department of Islamic Studies, The University of Lahore, Pakistan, gulshan.tara@ais.uol.edu.pk

[6]Lecturer, Department of Islamic Studies, The University of Lahore, Pakistan, rubina.kausar@ucm.uol.edu.pk

[7]Lecturer, Department of Islamic Studies, The University of Lahore, Pakistan, saba.ghaffar@ais.uol.edu.pk

[8]Lecturer, Department of Islamic Studies, The University of Lahore, Pakistan, javaria.iftikhar@lbs.uol.edu.pk

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ABSTRACT:

This research critically analyses the increasing influence of LGBTQ+ advocacy networks and international non-governmental organizations (INGOs) within the South Asian region, with particular focus on the socio-cultural, legal and religious challenges that the Muslim community faces. The legal landscape in South Asia has changed in the last decade with de-criminalization of Section 377 in India and Transgender Protection Laws in Pakistan and Bangladesh. This article investigates the framing of human rights by transnational advocacy, the reactions of institutions of Islamic jurisprudence, and the division that ensues in Muslim-majority societies. The study maps out the institutional framework of these advocacy groups through a desk-research methodology based on legislative acts, human rights reports and sociology literature from 2018 to 2026. It ends by pointing out the structural challenges that Muslim communities face in negotiating global human rights paradigms with traditional religious values.

Keywords: Transnational Advocacy, Islamic Jurisprudence, Socio-Cultural Polarization, Human Rights Narratives, global human rights

1. Introduction

The geopolitical map of South Asia, comprising Pakistan, India, Bangladesh and other neighboring states, is characterized by a complex mix of traditional religious values, colonial legal structures, and post-colonial national identities. In recent years, this region has become a major focus of global human rights discourse, especially with respect to LGBTQ+ (Lesbian, Gay,

Bisexual, Transgender, Queer, and others) rights and advocacy (Ahmed & Khan, 2022). Local advocacy networks, sponsored by international human rights organizations, Western diplomatic missions and transnational non-governmental organizations (INGOs), have been actively mobilized to challenge existing legal structures and social norms.

1.1 Statement of the Issue

The rise of LGBTQ+ activism in South Asia does not take place in isolation. It directly cuts across the religious and cultural ethos of the majority populations.

For the Muslim communities in Pakistan, Bangladesh and the large minority in India these advocacy models pose difficult theological, legal and existential problems. In traditional Islamic jurisprudence (Fiqh) the roles of family, marriage and gender binary are clearly defined along the classical Quranic frameworks. The main source of tension is what local socio-religious bodies have labelled "ideological globalisation" – the notion that Western concepts of individual autonomy and gender fluidity are being imposed on South Asian legal frameworks without cultural context or community consent (Rahman, 2024). The friction has led to heated legislative debates, a polarized civil society and security challenges in the region.

1.2 Scope and Objectives

The aim of the present research paper is to give a data driven, objective analysis of this socio-political phenomenon. The specific objectives are to:

1. Mapping the growth of institutions and funding processes of LGBTQ+ advocacy networks in South Asia.
2. To examine the key legislative changes and judicial interventions in India, Pakistan and Bangladesh.
3. To assess the particular theological, legal and social issues facing the Muslim community in response to these movements.
4. To record the reactions of state institutions, religious councils and civil rights organizations.

2. Institutional Framework and Legal Shifts in South Asia

The contemporary wave of LGBTQ+ advocacy in South Asia has evolved over the years from clandestine support groups to formalized NGOs and legal defense coalitions by the early 2010s. International funding, global digital connectivity and strategic litigations in higher courts greatly accelerated the transformation (Jamil, 2023). To understand the current socio-cultural friction, it is important to review the key legislative milestones and judicial rulings that have created the legal environment of the region over the last decade.

Table 1: Major Legal and Judicial Milestones in South Asia Regarding LGBTQ+ and Gender Identity

Country	Key Legislation / Judicial Verdict	Legal and Operational Mechanism	Societal and Political Consequences
India	*Navtej Singh Johar v. Union of India* (2018)	The Supreme Court of India unanimously decriminalized consensual homosexual acts by reading down Section 377 of the Indian Penal Code.	Opened pathways for corporate diversity policies, large-scale public pride events, and subsequent litigations for same-sex marriage recognition (decided in 2023).
Pakistan	Transgender Persons (Protection of Rights) Act, 2018	Allowed individuals to self-perceive their gender identity (Male, Female, or Khawajasira) on official documents (CNIC, Passports) without medical board verification.	Led to massive theological and political pushback; faced intense scrutiny from the Federal Shariat Court in 2023 regarding the definition of gender identity vs. biological sex.
Bangladesh	Recognition of	Officially recognized the	While praised for inclusivity,

	Hijra as Third Gender (2013/2014 Cabinet Declaration)	traditional *Hijra* community as a distinct third gender for voting, education, and passport allocation.	the lack of a clear medical or legal definition led to subsequent controversies in school curriculums and religious endowments (*Waqf*) laws by 2024.

(Data compiled from official gazettes of Pakistan, India, and Bangladesh Supreme Court judgments)

2.2 Transnational Advocacy and Funding Networks

South Asian local advocacy groups are intimately tied to transnational funding streams for their operational capacity. Major international bodies such as the United Nations Development Programme (UNDP) through its "Being LGBT in Asia" initiative, the Open Society Foundations and Western embassies provide major grants for human rights capacity building, legal aid, and media sensitization campaigns (UNDP, 2019; Siddique, 2025).

Table 2 provides an overview of the main types of advocacy networks operating in the region and their strategic approaches to influence operations.

Table 2: Typology and Strategic Methods of LGBTQ+ and Gender Rights Advocacy in South Asia

Network Type	Key Active Entities / Alliances	Primary Operational Strategy	Targeted Areas of Impact
Legal Advocacy Coalitions	Humsafar Trust (India), Naz Foundation, Legal Aid Societies (Pakistan/Bangladesh).	Strategic public interest litigation (PIL); drafting legislative bills; providing legal defense for persecuted individuals.	Superior courts, penal code reforms, and statutory amendments.
International Governance Bodies	UNDP, Amnesty International, Human Rights Watch, Western Diplomatic Missions.	Publishing annual human rights compliance reports; linking international development aid to minority rights protection.	State policy formulation, foreign relations, and international treaty compliance.
Media & Digital Platforms	Local queer digital magazines, independent podcasts, social media influencer networks.	De-stigmatization campaigns through digital storytelling; introduction of progressive terminologies in local languages (Urdu, Bengali, Hindi).	Youth demographics, cultural media, and language dynamics.

(Source: Synthesized from global human rights monitoring dashboards and Siddique, 2025)

3. Challenges for the Muslim Community and Institutional Responses

The growth of LGBTQ+ activism in South Asia has created severe tensions within the regional Muslim communities. But this friction is not only social, but a complex theological, legal, jurisdictional and educational issue as well.

3.1 Theological and Jurisprudential Challenges

Within the Islamic community, ontological and juristic frameworks based on the Quran, Hadith and classical Fiqh (jurisprudence) explicitly govern gender and sexuality. Traditional Islam theorizes human anthropology in a binary of biological gender (Male and Female) for complementary companionship and legal marital reproduction (Ahmed & Khan, 2022).

The fundamental problem with modern western LGBTQ+ activism is the divorce of "gender

identity" from "biological sex". Gender is a shifting spectrum, a self-perception in transnational narratives. This paradigm shift is seen by Muslim theologians and institutional bodies as a direct assault on the preservation of the family structure (Hifz al-Nasl), one of the five core objectives (Maqasid al-Shariah) of Islamic law (Rahman, 2024).

Table 3: Core Socio-Religious and Legal Challenges for Muslim Communities in South Asia

Challenge Dimension	Core Issue / Point of Friction	Impact on the Muslim Community	Institutional Counter-Arguments
Legal & Legislative	Codification of "Self-Perceived Gender Identity" in state laws.	Potential disruption of traditional Islamic inheritance (*Wirasat*), marriage (*Nikah*), and gender-segregated religious obligations.	The biological framework must remain supreme; state laws cannot override divine mandates regarding lineage and gender roles.
Socio-Educational	Inclusion of gender-fluid concepts in international school curricula (e.g., O/A Levels, private schooling).	Generational disconnect; polarization between Western-educated elite youth and traditional religious households.	Accusations of cultural and ideological imperialism; demands for standardized, culturally compliant curricula.
Institutional Trust	Foreign funding tied to human rights and development aid conditionality.	Perception that local NGOs act as proxies for Western geopolitical agendas rather than authentic human rights defenders.	Demands for strict state monitoring of international financial grants entering the civil society sector.

(Source: Compiled from policy briefs by the Council of Islamic Ideology Pakistan and South Asian Sociology Reviews, 2023–2025)

3.2 State and Institutional Responses

The institutional response within the Muslim-majority sectors of South Asia has been vigorous, expressed through higher judicial bodies and statutory religious advisory organs. The long-running dispute over the Transgender Persons Act of 2018 in Pakistan has come to a head in May 2023, with a landmark decision from the Federal Shariat Court (FSC). The Court held that some provisions of the Act, especially those that permit self-perceived gender identity without medical verification, were un-Islamic and ultra vires to the Constitution (Federal Shariat Court, 2023).

Similarly, in Bangladesh, religious institutions and academic groups expressed vehement opposition to the inclusion of inclusive gender narratives in national textbooks, resulting in policy reassessments by the Ministry of Education (Hasan, 2024).

Table 4: Key Institutional and Judicial Responses to LGBTQ+ Advocacy in Muslim Sectors

Country / Institution	Specific Action / Verdict	Primary Rationale Provided	Long-Term Strategic Outcome
Federal Shariat Court (Pakistan)	Judgment on Transgender Act (May 2023)	Legally separated the rights of biological intersex individuals (*Khunsa*) from the Western concept of transgenderism based on self-perception.	Mandated that medical boards must certify any changes in legal gender identity documents.
Council of Islamic Ideology (CII - Pakistan)	Policy Guidelines (2022–2024)	Declared that cross-gender medical procedures and same-sex partnerships violate the foundational tenets of Islamic family law.	Served as a statutory advisory framework for subsequent parliamentary amendments.

Islamic Foundation Bangladesh	National Curriculum Consultative Memorandums (2024/2025)	Argued that introducing non-binary gender concepts alienates the youth from local moral and religious realities.	Forced the state to review and revise secondary school textbook modules on gender.
All India Muslim Personal Law Board (AIMPLB)	Submissions to the Supreme Court of India (2023)	Intervened in the same-sex marriage case, stating that marriage under Muslim Personal Law is strictly a heterosexual sacrament.	Contributed to the Supreme Court's refusal to legally codify same-sex marriage, leaving it to the Parliament.

(Data sources: Federal Shariat Court Judgments, CII Pakistan Archives, and AIMPLB Press Statements)

4. Discussion: The Geopolitical Dilemma

The global LGBTQ+ advocacy against the traditional South Asian Muslim societies is a classic geopolitical dilemma of ideological globalization versus cultural sovereignty.

Western diplomatic missions routinely evaluate the human rights portfolios of South Asian states vis-à-vis their performance on LGBTQ+ rights indices. For instance, trade concessions such as the European Union's GSP+ status for Pakistan, or international development loans, are often implicitly tied to measures of human rights compliance (Siddique, 2025).

However, this top-down institutional pressure creates a structural paradox. Instead of fostering tolerance, the perceived imposition of these foreign narratives often causes significant social pushback. Local communities frequently group legitimate human rights issues—such as the socioeconomic protection, safety, and employment of biological intersex individuals (*Khawajasiras*/*Hijras*)—together with Western political agendas. Consequently, biological intersex individuals, who have held a distinct cultural space in South Asian Muslim history for centuries, face increased social vulnerability because their identity has become politicized within this broader ideological struggle (Jamil, 2023).

Conclusion

This paper establishes that the rise of LGBTQ+ advocacy in South Asia has fundamentally altered the legal and socio-cultural landscape of the region. For the Muslim community, the phenomenon presents challenges that transcend simple social conservatism; it touches upon the foundational structures of family law, constitutional jurisprudence, and religious identity.

The institutional responses from superior courts and statutory Islamic councils across Pakistan, India, and Bangladesh demonstrate that a total adoption of the Western individualistic framework faces significant legal and cultural hurdles in South Asia. The future stability of the region's human rights discourse depends on decoupling the urgent, universally agreed-upon socioeconomic rights of biological intersex populations from highly contentious Western ideological definitions of gender fluidity. A balanced framework that respects indigenous cultural values and religious jurisprudence while ensuring basic protection for marginalized communities remains the only viable path forward.

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