

10) Moral indignation, howsoever strong, is not a valid basis for overriding individual's fundamental rights of dignity & privacy. Discuss in the light of apex court judgement decriminalising section 377.

We, proudly gave ourselves a detailed Constitution that upholds the individuals' rights among many other rights.

The recent judgement decriminalising same sex relationship that the colonial law of Section 377 of IPC granted is to be seen from our Constitutional obligation —

⇒ Preamble of our Constitution guarantees Justice & Fraternity. Social justice is ensured by decriminalising ~~the~~ Section 377 of IPC that such section of people, ~~people~~ popularly referred as LGBTQ community, are not discriminated.

⇒ Fraternity is ensured by decriminalising consensual same sex relationship & maintaining the ~~the~~ dignity of individual as Constitutionally promised.

⇒ Also, the Supreme Court of India has once again reminded its citizen of their Fundamental Duties under Article 51-A of Constitution to promote harmony among all the fellow citizens.

⇒ Also, the previous stance of the state to be concerned with one's sexual orientation is made clear by asserting rights under Article 21 of Indian Constitution on LGBTQ community. This leaves no scope for moral indignation.

However, the social issues arising out of ~~the~~ decriminalising Section 377 such as changes in family structure, population demographics, economic structure as more employers are now open to hire LGBTQ community individuals will have to be addressed constitutionally, if not immediately.