

Access to Knowledge as a Human Right Evaluating Legal Barriers Faced by Sexual Minorities in the Global South

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ABSTRACT

Contemporary human rights jurisprudence requires the recognition of access to knowledge as a basic human right for all. It is deep-rooted under the international human rights framework including the UDHR, ICCPR, CRC etc. However, despite such robust promises, access to knowledge remains unevenly distributed among marginalised communities. This research seeks to examine the extent to which sexual minorities, i.e. the LGBTQIA+ community faces systemic legal barriers in accessing knowledge in the Global South, thus questioning whether in fact this right is universal or not. In several States of the Global South, laws operate within heteronormative and morally-driven paradigms which poses as the biggest hindrance in the percolation of rights to sexual minorities. This paper shall particularly focus on the restrictions pertaining to access to education such as absence of representation in educational curriculum, digital platforms, public discourse and reinforcing epistemic marginalisation. It also aims to situate the discussion within a broader theoretical framework of knowledge justice and capability deprivation. A doctrinal and comparative methodology shall be adopted to analyse domestic legal regimes alongside international human rights standards. The research would ultimately answer the question - whether a systematic reorientation of legal and educational frameworks is required in the Global South to ensure equitable access to knowledge for sexual minorities.

Keywords: Access to knowledge, sexual minorities, Global South, human rights, education.

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