

COMMENTARY

HOMOSEXUALITY A REALITY

Mehak Reejonia

F:301, Chitrakoot Apartments, Plot 9, Sector 22, Dwarka, New Delhi 110077
mehak.reejonia@gmail.com

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Identity is an important part of our society as it delineates many aspects of an individual. It also helps making us understand things more clearly and in a categorical manner. Outlining and labeling has been an age old process which has been very helpful in comprehending many concepts but not sexuality and gender. There is a vast difference between sex and gender but this paper will mostly focus on sexuality. In clinical manner, sexuality can be defined as “capacity for sexual feeling” or “a person’s sexual orientation and preference”. *Alternative sexuality*, on the other hand, is generally defined as behaviors, identities, and communities that stand in contrast and/or opposition to socially and culturally dominant sexualities. To refer any kind of sexuality as ‘alternate’ is innately offensive and hence the purpose is to not create any such differences that already exists and is stigmatized.

Few recognized sexual orientation are: the most prevalent one – **heterosexuality**; **homosexuality** – which is generally understood as attraction towards similar sex; **bisexuality** – attraction towards same and different sex; **pansexuality** – towards all kinds of sex and gender; **queers**, who do not conform to any traditional gender or sexual norms and **asexuality** – who experience no or little sexual attraction. These ‘categories’ are not limited to above types only. The earliest document concerning homosexual relationship came from Ancient Greece, where same sex relationship was a societal norm. Pederasty in ancient Greece was a socially acknowledged relationship between an adult male, *the erastes* or “beloved” and a younger male, *the eromenos* or “child”, usually in his teens. It was one of the characteristic of the classical period and its influence on Greek culture of that period was so pervasive that it has been called “the principal cultural model for free relationships between citizens”. This erastes-eromenos relationship played an important role in the Classical Greek social and educational system. It had its own complex social-sexual etiquette which used to be crucial in social institution among the upper classes.

In preindustrial societies, homosexuality was generally accepted by the lower classes while some members of upper classes considered it immoral. However with the rise of urbanization and the nuclear family, homosexuality became much less tolerated and outlawed in most of the cases. In 1607, first permanent English colony was established in Jamestown, Virginia and in 1610, Virginia adopted “sodomy laws” of England, making sexual acts between two men a ‘capital crime’, punishable by death. Elizabeth Johnson was the first woman to be punished for violating this law in 1642. The sexual orientation in pre modern era was depicted in love, poetry and paintings and even in historic figures such as Alexander the Great, Plato, Hadrian, Virgil, Leonardo da Vinci, Michelangelo and Christopher Marlowe, where their relationship with people of their own gender was emphasized. It is said that even the Catholic Church, which has been extremely vocal in its opposition to homosexuality in general, approved of same-sex marriages for over 1500 years, only ceasing to perform them in the nineteenth century. However, the term homosexuality appeared in print for the first time in 1869 in an anonymous German pamphlet of the Prussian penal Code and in Draft of a Penal Code for North German Confederation written by Karl Maria Kertbeny. This pamphlet advocated the repeal of Prussia’s sodomy laws. Thus homosexuality is not a new phenomenon.

Plenty evidences of homosexuality are available in Hindu Mythology. The literature drawn from Hindu, Buddhist, Muslim, and modern fiction also testifies the presence of same-sex love in various forms. Ancient texts such as the Manu Smriti, Arthashastra, Kamasutra, Upanishads and Puranas refer to homosexuality. Neither there was any uniform category of forbidden sex nor uniform punishments. Rather, the penalty varied considerably between different acts and persons. The Arthashastra, for instance, prescribed the same grade of *fine* for sex acts between two men as that for robberies of not very high value. A higher amount was rather demanded of a woman who forced sex on an unwilling woman. The Manu Smriti, prescribed a minor penance for a man having sex with a man, the same as that for a man who has sex with nonhuman females, a menstruating woman etc. While a woman *deflowering* a virgin maiden was heavily penalized, sex between two nonvirgin women invited a minor fine. Vatsayana's Kamasutra (written between 1-4th centuries) refers to the practice of eunuchs and male servants giving oral sex to their male patrons and masters respectively. Also there are many reports that same-sex activities are common among *sannyasins* who cannot marry. The erotic sculptures of medieval Hindu temples have depicted lesbian acts, just like there were harems of young boys maintained under Muslim rulers. With Turkish, Persian and Arabian influences and the advent of Islam in the medieval period, the specifications of taboo and tolerance did not seem to have been overwhelmed by any common code. The Quran or the shariat might seem to have a more unequivocal condemnation of same-sex acts related to the Christian condemnation of 'sodomy' but the shariat was never strictly adhered to by the kings and the emperors of the pre-Mughal or Mughal era. Thus, instances of homosexuality are available in historical and mythological texts world over and India is not an exception to this.

The first collective and public reaction to the various injustices perpetrated on queer people was when the AIDS Bedhbhav Virodhi Andolan (ABVA) organised a public demonstration in 1992 against police harassment of gay people. This is the first documented protest for gay rights in India. The Cultural residues of homosexuality can be seen even today in a small village Angaar in Gujarat where amongst the Kutchi community a ritualistic transgender marriage is performed during the time of Holifestival. This wedding which is being celebrated every year, for the past 150 years is unusual because *Ishaak*, the bridegroom and *Ishakali* the bride are both men. Male to female transgender people of India have traditionally organized themselves in communities, usually called *Jamaat*. A unit of matriarchal structure features an older *Hijra* or aravani as a 'guru' (or motherly figure with several chelas), younger, newly initiated Hijras/aravani and her acolytes. There are elaborate rituals that mark one's entry into a jamaat and acceptance as a *chela*. These rituals with their mytho-religious underpinnings bind them to a structure of kinship in which relationships, roles and duties are both implicitly suggested and explicitly performed. There are an estimated half million cross dressing eunuchs in modern-day India, associated with various sects, temples and Hindu deities. Despite being called "*eunuchs*", the majorities of these persons do not practice castration but are more accurately associated with transgender. Links between national identity and gender/sexuality have entered a phase of renewed conflict since the early 1990s, the decade of economic liberalization as well as the political rise of the Hindu right wing. In addition to continuing struggle over feminism, masculinity and (hetero) sexual mores, this conflict became highly visible and intense in the case of nonheterosexual desire, behaviors and identities: for example, the recent issue of revoking section 377 in face of increasing activist's pressure.

The last century witnessed major changes in the conception of homosexuality. Since 1974, homosexuality ceased to be considered an abnormal behavior and was removed from the classification of *mental disorder*. Since then homosexuality has been de-criminalized in different countries. There are various states across the globe that enacted anti-discriminatory or equal opportunity laws and policies to protect the rights of gays and lesbians. In the late 1990s and early 2000s, progress towards and bans of same-sex marriage created a topic of debate all over the world. Currently, same-sex marriages are recognized nationwide in countries like Argentina, Australia, Belgium, Brazil, Canada, Colombia, Denmark, Finland, France, Germany, Iceland, Ireland, Luxembourg, Malta, Mexico, the Netherlands, New Zealand, Norway, Portugal, South Africa, Spain, Sweden, the United Kingdom. The state of Massachusetts in the United States also recognizes same-sex unions (although these marriages have no legal recognition at the federal level in the US). With this an estimated 155 million people worldwide, or approximately 2.5% of the world's total population, will live in places where same-sex marriage exists. That is civil unions and other forms of legal recognition for same-sex couples, which offer most if not all the rights accorded in a civil marriage, exist in Croatia, Denmark, Finland, France, Germany, Iceland, Israel, New Zealand, Norway, Portugal, Slovenia, Sweden, Switzerland and the United Kingdom. Regions of Australia and additional territories in the United States offer some rights and responsibilities as civil unions. Same-sex marriage is not explicitly prohibited under Indian law and at least one couple has had their marriage recognized by the courts. In April 2014, Medha Patkar of the Aam Aadmi Party stated that her party supports the legalization of same-sex marriage. As of 2017, a draft of a Uniform Civil Code that would legalize same-sex marriage has been proposed.

Events such as Mardi Gras in Sydney, Midsumma in Melbourne, Gay and Lesbian Pride in Johannesburg, Women's Celebration Week in Greece, and the Gay and the Lesbian Film Festival in Lisbon express the essence of being homosexual. So, world over many countries has given social and legal recognition to homosexual marriages. A number of cities and larger towns, such as Karnataka, Delhi, Mumbai, Calcutta, Bangalore, Hyderabad, Pune, Chennai, Patna, Lucknow, Akola, Trichi and Gulbarga, had a number of resources for gays, lesbians and transgender communities that include - help-lines, publications/newsletters, health resources, social spaces and drop-in centers. In recent past the homosexual community of Calcutta, Mumbai, Bangalore and Delhi also hosted the gay pride march. All the above instances show that the homosexual community in India is visible and is gradually becoming vocal in their demand and the recent decision regarding Section 377 is appreciated even though it took over 150 years to repeal it.

Invalidation and stigmatization of certain section of people have been practiced for thousands of years and the atrocities faced by homosexuals are not surprising but is still disheartening. This struggle is far from being complete as there are many minds to mend but the process has not been in a vain. As a member of the so-called civilized society, we should often remind ourselves that attaching labels to identities will in time lead to disorder and chaos.

REFERENCES

- Nanda S. The Hijras of India: Cultural and individual dimensions of an institutionalized third gender role. In: Blackwood E, editor, Anthropological and homosexual behavior. Binghampton: Haworth Press: 1985. P. 35-54
- Same-sex marriage. From Wikipedia, the free encyclopedia. Available from: https://en.wikipedia.org/wiki/Same-sex_marriage
- Thapa, Devinder, Singh, Nidhi and Kaimal, Sowmya. 2008. "Homosexuality in India". Indian J Sex Transm Dis & AIDS 2008; Vol.29, No.2
- Parasar, Anuradha. "Homosexuality in India-The Invisible Conflict".
- Rao, Sathyanarayana and Jacob, KS. 2012. "Indian Journal of Psychiatry".
- "History of Lesbian, Gay, Bisexual and Transgender Social Movements". <https://www.apa.org/pi/lgbt/resources/history.aspx>
- "Homosexuality in India". http://shodhganga.inflibnet.ac.in/bitstream/10603/191572/18/18_chapter%206.pdf
- Pederasty in ancient Greece. From Wikipedia, the free encyclopedia. Available from: https://en.wikipedia.org/wiki/Pederasty_in_ancient_Greece
- Sexual orientation. From Wikipedia, the free encyclopedia. Available from: https://en.wikipedia.org/wiki/Sexual_orientation