

Homosexual Relations Across the Globe: Is This Really A Blotch?

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Abstract— Homosexual relations are not the norm of the present day society. These relations have been and are still a very contentious and litigious issue throughout the globe. It is very thorny question as to why particular persons develop such kind of sexual orientation and there are varied and assorted reasons for this with no kind of parity. Homosexual relationships have seen both the sides. They have been in awe of as well as slammed, reviled and denounced throughout history and even in the present scenario things have not much abated. People are for and against the said issue. On this controversial and debatable issue, there is no eye to eye with. There is no unanimity as far as their living conditions are concerned, their position varies from nearly accepted to total inequity and bigotry in different countries, the government policies range for same sex couples, even in the courts, the issue has been taken endless number of times. The scenario is there is no accord and harmony on this staid and sombre issue throughout the globe. The author would be talking about various issues concerning homosexuals throughout the orb, advocacy for and against homosexuality, position in different countries etc, to name a few.....

Keywords—homosexual; blotch; relations; same sex; sombre issue;

I. INTRODUCTION

Homosexual relations are not the norm of the present day society. It was very much prevalent in the past and is still a part of the present day society. Since centuries homosexual people have been harassed, fraught and besieged in every walk of life. They are often disdained, ridiculed and sneered by the public at large. They are often discriminated and discrimination leads to hostility of a brutal, reprehensible and wicked nature. It is not only the society that does this abysmal act but the most appalling part is that they are being discriminated by the people who have brought them on this earth, which is their family. It is a matter of shame and ignominy that these people face problems and tribulations in their family which is considered to be the place where a person can consider him to be at ease and can trust and confide and opens his heart to his members of family. The extreme stigmatization surrounding transgressions and misdemeanours around make it extremely difficult and thorny for families to accept and acknowledge their children. The family instead of protecting and shielding a child from the

outside world, out of fear, mortification and humiliation neglects and overlook the child and there are constant tortures, beatings and spankings. (1) Many times they themselves don't want to admit and make a clean breast of the fact of discrimination because it intensifies and strengthens their trepidation, culpability and infamy. Such is the vulnerable, deplorable and pathetic condition of the homosexuals who are made to endure for no fault of theirs.

II. MEANING

Homosexuality is no more considered a word that was coined by Karoly Maria Kartbeny in the 19th century which meant sexual minorities. (2) It is a word that is mounting and rising throughout the orb.

Homosexuals are the persons who are sexually attracted towards persons belonging to the same sex. They can be both men and women. In case of men, the word commonly used is "gay" and in case of females the word used is "lesbian".

In the words of Rakesh Kumar (3)

The term 'gay' is used to refer to homosexual persons of either gender although it is mostly used to refer to males. In women, romantic or sexual desire for other women is also called lesbianism. Persons with the sexual orientation of homosexuality are sometimes called homosexuals. Many people regard the term 'homosexual' as derogatory or clinical because of its cold, antiseptic connotation, particularly when applied to a person and most people who regard themselves as having a homosexual orientation prefer the term gay, lesbian, or, less frequently queer or same gender loving.

Thus, homosexuals are the ones who are attracted toward their own same gender as opposed to heterosexuals who are attracted toward the opposite sex which in the eyes of the society at large is considered as normal.

III. CAUSES

The reasons as to what causes homosexuality are still not known. Some believe that it could be because of genetic, social or individual factors. Some people say that it is a mental disease or disorder which was refuted by World Health

Organization and it removed homosexuality from the list of mental illness in the International Classification of Diseases. Although reasons for homosexuality are not known till date, yet the scenario is, it is prevailing in all the countries and the subject is very contentious.

It will not be out of place to mention position of homosexuality in different countries mentioned below

IV. POSITION IN DIFFERENT COUNTRIES

United States: In United States marriage of same sex couples have been permitted and allowed and now it is not limited and bound to heterosexual couples

United Kingdom: In United Kingdom same sex couples are legally allowed to marry in England, Wales and Scotland barring Northern Ireland. Thus, Northern Ireland is the only part where such marriages are not allowed and are illegal.

France: In France same sex marriages have been legalised and these couples also have been given right to adopt.

Canada: In nine out of thirteen provinces, same sex marriage has been legalised when the law was passed by the parliament in the year 2005.

Iran: Homosexual relations between men are punishable with the sentence of death

Saudi Arabia: All sex outside the wedlock is illegal and not recognised. A married man engaging in the act of sodomy or a non Muslim committing such act with a Muslim can be stoned to death.

India (1): Homosexuality has been a very debatable issue under the Indian Territory. Under the Indian Penal Code, 1860, section 377 which criminalizes homosexual behavior and certain sexual acts, which both homosexuals and heterosexuals, married and unmarried people, might engage and take on in, finds place and continues and carry on to be in the Indian statute book. The Supreme Court of India on 11 December, 2013, ruled homosexuality to be a criminal offence setting aside the 2009 judgment given by the Delhi High Court. On January 28, 2014 Supreme Court dismissed the review Petition filed by Central Government, Naz Foundation and several others, against its December 11 verdict on Section 377 of IPC. Apart from this, it is also seen that police is also not far behind as far as tormenting and perturbing of homosexuals are concerned. There are catena's of cases endorsing the fact that they are being harassed, tormented, besieged and beleaguered by the protectors of the state i.e. police. The police often abuse the men using filthy, grimy and smutty language, punch and thrash them up and even subject them to sexual abuse and molestation.

V. REASONS FOR AND AGAINST

Homosexuality is a very contentious issue and people are for and against this staid and sombre issue. Some of the arguments put forward by them in Indian context are:

- 1) Decriminalization of homosexual relations will lead to the augmentation of such relations which in turn will result in the diminution and dwindling of marriages and as such the whole system will get disturbed. Opponents of this argue that this is totally ridiculous and incongruous. It is a known fact that sexual orientation of a person is due to generic factors and as such decriminalization will not result in amplification of homosexual relations.
- 2) People say that homosexuality is a disease and a mental disorder. It is something which is abnormal. The opponents put forward that it is something very normal and is not a disease and mental disorder. It is an expression of human sexuality and as such was deleted from the diagnostic and Statistical Manual of Mental Disorder. Additionally the World Health Organization has also erased homosexuality from the list of mental illness in the International Classification of Diseases.
- 3) People argue that homosexuals can never be put at par with heterosexuals. The main aim of sexuality is procreation and homosexuals are unable to procreate and thus, their sexual activity is unnatural. Opponents say that it is their sexual orientation and is very much natural. This might have been true during the time when section 377, IPC, 1860 was drafted but now it no more holds true. Procreation is not now the main concern of people. (3)
- 4) Decriminalization of such relations will result in enhancement of such relations in public and private and thus, more child molestation. This has again been refuted and there is no evidence to show such.
- 5) Decriminalization will result in same sex marriage which in real sense is immoral. Opponents dwell that marriage has always been a changing institution. Nobody likes a change and people do protest when change occurs. People say that such marriage will damage institution of marriage but again there is no evidence to support this. (3)
- 6) Homosexuals are the ones that are responsible for spreading of sexually transmitted diseases. Due to criminalization many gays are hesitant to consult and visit doctors, hospitals and health services because by doing this they are exposing themselves to the prosecution. Moreover, even the doctors are reluctant and loathed to advise and provide services to them because of the fear of aiding the commission of criminal offence. People say that the crux of the solution lies in educating them rather than penalizing them.
- 7) Criminalization of homosexuality results in ghastly, atrocious and horrific methods adopted by the police. Police are often unsympathetic and dispassionate when they are encountered with the matters relating to homosexuals. Decriminalization may not see such incidents happening.

VI. CONCLUSION

There is no iota of doubt that homosexuals had been and are still treated as something outside the society. People are not ready to come to the terms that they are very much a part of this society. The most reprehensible, most appalling and most abysmal part is parents of homosexuals who have brought them on this orbit feel ashamed and in order to get rid of this blotch and splotch, sometimes torment, agonize and harass them. One can very well imagine the tribulations and ordeals these persons go through when the people in front of whom they would have opened their heart to fail to accept them. Is it justified? Are these the persons to be blamed and held responsible? Should only heterosexual relations be termed as normal? Is homosexuality a disease? Should it be treated as a heinous crime and be made culpable? (5) Should people scorn and scoff at them, the way they have been doing and are still doing? Should police harass and pester them and make them a laughing stock? Are they harming anyone in the society? Perhaps, the answer to all the above raised questions is "NO". Why is it not understandable and comprehensible that just like other human beings, homosexuals also have a heart, a soul, a brain and when the society in which you live in is not ready to accept you, it really sores a lot. It is not understandable that when these persons are not harming anyone in the society then what is the quandary? Every human being on this earth has got a right to privacy and it is something which comes in the

private sphere of a person (6). It is a right which is given to everyone on this globe, then why these deplorable persons are deprived and devoid of this right? Everyone on this earth has got a right to live with dignity and with poise. It is high time now. Steps should be taken to stop the bigotry and disparity that has till now prevailed and treat these persons at par with other human beings on the earth. They should not be made to suffer and endure for a so called crime which they have not committed.

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