Homosexuality in Indian Society: Tracing the History and Current Position of LGBTQ+ People

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Abstract:

This exploration paper examines the part of homosexuality in Indian society. It explores the literal, legal, and social aspects of homosexuality, throwing the light on the evolving comprehensions and challenges faced by LGBTQ+ individualities in India. By probing into these confines, the paper contributes to a better understanding of the complex relationship between homosexuality and the societies in India. Homosexuals have always been conducted strangely and else. The Hon'ble Supreme Court interdicted a part of Section 377, and that is, a consensual same- coitus sexual exertion is no more offence. Nonetheless, a non-consensual sexual act is still an offence under section 377. So, bare decriminalization is neither enough for LGBTQ+ people nor for our society. They're still deprived of getting status of either legal or societal. This paper aims to present moment's script of LGBTQ+ people in India and make society apprehensive that they are not abnormal or different.

Keywords: LGBTQ+, Gender Fluidity, Discrimination, Misconception

INTRODUCTION

Homosexuality, the romantic and sexual attraction between two of the same gender, has been a topic of significant debate and scrutiny in Indian societies for centuries. With a high tapestry of cultural traditions, religious beliefs, and a history influenced by colonialism, India's perspective on homosexuality is a complex interplay of ancient wisdom, modernity, legal shifts, and societal attitudes. This research paper embarks on an exploration of the intricate relationship between homosexuality and Indian society, seeking to unravel the layers of historical context, evolving legal frameworks, shifting societal perceptions, and the ongoing struggle for LGBTQ+ rights.

India, a country where tradition and progress coexist in a delicate balance, has grappled with questions of sexual orientation for centuries. Ancient texts from India, including the Kama Sutra, depict same-sex love without overt moral condemnation, revealing a historical acceptance that stands in lighten up to contemporary attitudes. Yet, the colonial legacy of Section 377 of the Indian Penal Code, which criminalized "unnatural offenses," cast a long shadow over LGBTQ+ individuals, pushing their identities and rights into secrecy and marginalization. Improvement can not be seen much in Indian societies even after the historical judgement of supreme court in favour of LGBTQ+.

In present homosexuality and queer identities may be taken positively and acceptable to more youths in India than ever before, but within the boundaries of family, home and school, acceptance of their sexuality and liberty to openly express their thoughts and gender choices still remain a constant struggle for the

people belong to LGBTQ+ (lesbian, gay, bisexual, transgender , queer) community. Even after the historic judgement of Supreme Court in favour of homosexuality it is hard to find any major change in Indian society as it is not sufficient for them to change the stereotypical mind of the people who don't want to accept them as the normal human beings. They have suffered a lot from society as well as from their own family and relatives. They have always been treated strangely. The people in Indian society still believes that homosexuality is a sin and lot of people also treat it as a mental disease.

Even though we might call ourselves from an advance and modern generation but it is disheartening to see the atrocities faced by people belong to LGBTQ+ Community at different places and environment. The challenges faced by LGBTQ+ people are deeply rooted in societal biases and discrimination. In various aspects of life, including employment, housing, and healthcare, discrimination can hinder opportunities and lead to economic disparities. Transgenders who face rejection almost everywhere have to beg at different public places for their survival. Concealing one's true self or experiencing rejection from family and society can result in mental health issues like depression and anxiety, disproportionately affects the people belong to LGBTQ+ community. Furthermore, hate-motivated violence and bullying everywhere remain pervasive, posing severe threats to the well-being of LGBTQ+ youth and underscoring the urgent need for safer environments.

Legal protections for LGBTQ+ rights vary widely across regions, leaving many without equal rights or safeguards against discrimination. In some places, outdated laws criminalizing homosexuality persist, subjecting LGBTQ+ individuals to legal persecution and endangering their safety. Access to gender-affirming healthcare remains an arduous journey, especially for transgender individuals who encounter a lack of knowledgeable healthcare providers and financial barriers. Despite global progress in LGBTQ+ rights, the ongoing struggle for full acceptance and equal treatment highlights the crucial role of advocacy, education, and policy reform in creating a more inclusive society where LGBTQ+ individuals can live authentically, free from discrimination and violence.

AIMS AND OBJECTIVES

This research paper aims at fulfilling the following aims and objectives:
• To understand the problems faced by LGBTQ+ community
• To show the portrayals of homosexuality in India myths and how they lost their status in society through history
• To analyze the importance of LGBTQ+ rights and their availability in society

HYPOTHESIS

Gender and the notion related to it are problematic frequently. In recent studies around the world try to define the problems associated with the accepted ideas of gender and its nuances. Society tends to include everyone inside the binary- feminity and masculinity. From time immemorial, the traits associated with each of this gender are framed and those who seems unsuitable in this are isolated or 'othered'. When analyzing history, we find that the LGBTQ+ community was always excluded from society. From rural areas to the world's most modern 'civilized' society LGBTQ+ individuals are seen as aliens. Just like any other human in this world also they have the right to live and contribute to society. Understanding misconceptions and beliefs about the LGBTQ+ community can make a change in their place in Indian society. Discrimination against the LGBTQ+ community is illegal still they face a lot of violence.

LGBTQ+ community recently are given protection under the law but they are not culturally accepted in the society.

RESEARCH METHODOLOGY

Most of the literary works on the LGBTQ+ community can only give readers a Sentimental approach. Their problems are being addressed recently but there is a tendency to Normalize their problems especially the mental and physical conditions they have to face. A queer approach, on the other hand, can make the readers understand and highlight sexual preference and gender roles, By interrogating heteronormativity by accepting a diverse variety of cultures, genders, and desires, as well as emphasizing the sexual, dismantling the notion of what constitutes normalcy within them. The present study discusses the attitude of Indian culture towards the LGBTQ+ community from history till now. It also portrays the issues they face in society in different phases of life.

Books, journals, blogs, and interviews are used as secondary sources. The study is an analysis of mythical stories in Indian epics, folklores, blogs, and LGBTQ+ rights. Almost all directives and guidelines are followed as per the norms and suggestions relating to the research study. For the present study, a broad range of data is collected. Different types of references and critical books relating to this specific area are collected.

HOMOSEXUALITY WITHIN THE INDIAN CONTEXT

From the perspective of History homosexuality means sexual desire or behaviour directed toward people of one's own sex or gender i.e., when a person is attracted towards the same gender to which he belongs, then he is considered to be homosexual. It is not a new concept, it has been prevalent in India from a very long time. Ancient texts like Rig Veda which dates back to around 1500 BC and sculptures depict sexual acts between women as revelations of a feminine world where sexuality was based on pleasure and fertility. The description of homosexual acts in the Kamasutra, the Harems of young boys kept by Muslim Nawabs & Hindu Aristocrats, male homosexuality in the Medieval Muslim history like Malik Kafur are some historical evidences of same-sex relationships. In the Kama Sutra, a 2nd century ancient Indian Hindu text, the chapter "Purushayita" in the book mentions that lesbians were called "Swarinis". These women often married other women and raised children together. They were also readily accepted both within the 'third gender' community and ordinary society. This clearly shows that how, with time, homosexuality has gone on from being completely a natural act to being an unnatural act which is against the order of the nature.

Religious experts consider Homosexuality as Anti-religious but it is not true at all as there are many ancient Indian texts which contains verses supporting the LGBT community. The Hindu epics mention several characters who demonstrate a range of sexual orientations and gender identities, including Shikhandi, Chitrangada (wife of Arjuna and mother of Babruvahana), and Brihannala from the Mahabharata. None of these characters are discriminated against because of sexual orientation or gender identity in the sacred text. Rather, they are all treated with respect, and judged by their abilities rather than their sexuality. The Arthashastra has numerous mentions of LGBT individuals in various professions free from any persecution. And the stories of Ardhanareeshwara (Shiva as half-man, half-woman) and Lord Ayyappa who was born to Shiva and Mohini (Female avatar of Lord Vishnu) indicate the subtle approach that Hinduism adopts towards matters of gender. Apart from the texts, even the Monuments have depicted existence of homosexuality. The scriptures and monuments in Khajuraho, Madhya Pradesh depict the

existence of homosexuals during the past and thus are a proof that they were accepted as a part of the society rather than being anti-religious.

During British colonial rule, the British introduced Section 377 of the Indian Penal Code in 1860, which criminalized "carnal intercourse against the order of nature," including homosexual acts. This colonial-era law contributed to the stigmatization and criminalization of homosexuality in India, lasting for over 150 years. The turning point came in 2018 when the Indian Supreme Court, in a landmark judgment, decriminalized consensual same-sex relations by partially striking down Section 377. This decision was celebrated as a significant step towards recognizing the rights and dignity of LGBTQ+ individuals. Despite this legal progress, challenges persist. Discrimination and prejudice against LGBTQ+ individuals continue, particularly in more conservative or rural areas. Issues like societal stigma, family rejection, and workplace discrimination are still prevalent. Debates surrounding LGBTQ+ rights continue in India. These debates encompass issues like marriage equality, adoption rights, and anti-discrimination laws. While there is progress, achieving full equality remains a work in progress.

Status Of LGBTQ Community in Present

The LGBTQ+ community in India faces discrimination, societal stigma, and a lack of comprehensive legal protections, despite the decriminalization of homosexuality in 2018. This discrimination can manifest in social exclusion, violence, limited access to healthcare and education, and employment challenges, making it difficult for the people belong to LGBTQ+ community to live openly and freely in Indian society.

Negative feelings or attitudes about non-heterosexual behavior, sexuality, marriages, and society can lead to racist behavior, which is a source of discrimination for many lesbians, Homosexuals, bisexuals, and transgender people. Homophobia can manifest itself in a variety of Ways, including homophobic jokes, violent attacks, workplace discrimination, and negative media coverage. People who have been taught to believe that homosexuality is false can experience Feelings of shame and self-loathing as they realize they may be gay. This can lead to poor self-Esteem and low self-esteem. Suppressing homosexuality involves ignoring an important part of a person's personality, which can have a major impact in their life and relationships. In addition, Deciding whether or not to come out may be a cause of significant emotional anxiety. When LGBTQ+ people come out in public about their sexual orientation, they can face bigotry and harassment from their family, co-workers, and the general public. Homophobia has the ability to damage and interrupt people's lives significantly. As a result of their families' alienation after revealing their sexual orientation, many LGBTQ+ people have become homeless. In many cases they are forced to flee from their native place. Homophobic individuals play a major role in interfering in the lives of LGBTQ+ people. As a consequence, they harass such people mentally or physically and assault them. As a Result of their attitudes, LGBTQ+ people face tension, dissatisfaction with their living environment, Physical disruption, depression, and ostracism.

However this will not be wrong to say that in present time the position of the LGBTQ+ community at some places has seen positive changes, including legal advancements and increased social acceptance. But still, challenges remain, and ongoing efforts are needed to ensure full equality and protection of their rights.

CONCLUSION

India is trying to become a superpower and global leader in the twenty-first century; in reality, it has all the abilities to do so. However, this opportunity cannot be achieved unless and until we as a culture are unable to openly embrace and debate so-called taboo topics like homosexuality. And, for it to happen, people's mentality must be altered. Sex education in schools and at home is the first step. A child must feel at ease discussing his or her sexual difficulties or concerns, including sexual choices, with his or her parents or teachers. It is also important that parents/teachers thoroughly comprehend their children's condition time by time and have appropriate guidance. As a result, not just children but also teenagers and adults need more education and sensitization when it comes to sex concerns. Sensitization of law enforcement personnel, such as police, is often needed so that they can understand the real needs of LGBTQ+ people.

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