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1. Is same-sex marriage only solution to LGBT problem?

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A report on Manjit Kaur's marriage with same sex partner in 22nd April, 2023 at Jalandhar holds different meanings to different interested groups. Media found, in what they are only interest, a sensational news item. Relatives, colleagues and other supporters found it an occasion to prove that they are 'liberal minded'. Celebrities found the occasion for their publicity. The antagonists have their own arguments against it. Coming to the supporters, how many of them would be really interested to give their children orientation for same-sex marriage? Of course, orientation for same-sex partnership is assumed 'spontaneous', and so also hetero-sex orientation whose orientation lies undoubtedly in traditional sense of living.

The marriage also gives a whiff of hope to those who want data to counter same-sex marriage as a concept of urban-elitist and gather evidence for legalisation. However, the greater society is nonchalant considering it an exception. In Indian society, exception is accepted as long as it does not become problematic for normal life. Witchery or sorcery can be taken as example.

It should be argued that the concept of urban-elitist's idea does not mean that it exclusively belongs to and confined among urban elites. It cannot be denied that western idea, life-style of urban elites, urban practices, etc. have demonstrative effect on rural milieu in our contemporary time. Urban-elitist idea in fact is something that does not have a traditional origin. Understandably, Manjit Kaur's marriage is not a logically strong evidence to counter same sex marriage as a concept of urban-elites.

In same sex-marriage, one of the partners is husband and the other wife. The word 'husband' comes from Norse (a demonym of Norsemen) words hús meaning house and bōndi meaning occupier and thus the word connotes the idea of a male head or manager of a household. The word 'wife' comes from the Old English wīf meaning woman. Evidently, the idea of man and woman underlies same-sex

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marriage when one is husband and the other wife. Equality between sex partners is conspicuously absent like hetero-sex marriage; the word husband shows a higher position in husband-wife relations. This is also evident as the wife lives with husband. Why should one partner carry a higher status by assuming husband identity? There is ambiguity in deed. Another question comes to mind. Did Manjit Kaur get the job as a woman or as a man which is what the husband role would convey? Legalisation of same-sex marriage would require answers to many such questions where the existing system proves incompatible. Just to eulogise the marriage as a supportive data to counter the concept of urban elite is not enough. But definitely it will encourage many to fall for the practice.

Manjit Kaur's marriage has unleashed a debate in the society. A question can be asked on the matter of same-sex marriage as a solution to LGBT problem. Can there be any solution to the problems of LGBT other than creating a category of same-sex marriage in the society through legalisation whose future implications are not well perceived and present consequence is social tension?

Exceptions exist in all societies and in all times. Society has its own ethical mechanism of inclusion, though power dynamics violate it. Then there arises inequality and exploitation. Understandably, the problem is not the exception, but to find appropriate means to manage inequality and exclusion. This is the essence of argument in this article.

Uncontrolled sex urge emboldens one to indulge in shameless or abnormal acts and makes one oblivious of public morality and decency meant to uphold civic sense for maintaining an acceptable social order. Several news reports stand testimony to such abnormalities. The act of masturbation by a young man inside Delhi Metro on 28th April, 2023 is an instance of shameless behaviour that made the people around him extremely uncomfortable. Similar instances were reported in November, 2018 and March 2022 about young men indulging in obscene activity in the presence of lady passengers inside fully packed public buses in Guwahati. There are instances of bestiality or zoophilia, i.e. sexual relations between a human being and an animal. Strange and repulsive though they are, there are instances where human beings, the highest creation of God are indulged in such heinous activities. Reports of a Mumbai man having sex with a stray dog (4th April 2022), Mississippi woman with dog (10th April, 2023) and Perumbavoor man with goat (22nd June, 2016) are appalling instances. The ghastly act that is unthinkable in India is sex with cow as was reported in Madhya Pradesh (22nd April and 26 January,2013), Delhi (22nd December, 2015) and in Gujarat (22 December, 2015).



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This is not the end of shameless practices to satisfy uncontrolled sex urge. Confession of a Gurugram man (on 22nd November, 2018) for his obsession in necrophilia (sex with dead body) is such a bizarre act that no civic society can approve it. Such incidents have been also reported in Delhi (25 March, 2023) and in East Burdwan of West Bengal (16th June, 2019). Necrophilia is not a new phenomenon in India; it is known from a long time. It is not a surprise therefore to find Section 377 of Indian Penal Code on the issue.

In this human rights regime, who knows one day there may not be a movement to recognise and legalise what we consider bizarre practices today. It can be further argued that uncontrolled sexual urge underlies rape and murder. Such incidents have been so regular that not a day passes without such reports.

Is sex urge unnatural? Absolutely it is not in normal situation. It is as much a biological need as is hunger and thirst. However, obsession, uncontrolled urge and bizarre and ghastly practices adopted to satisfy sex is not natural behaviour. We eat to satisfy hunger as a requirement to maintain a healthy body and mind. But eating in excess, anything and everything, irregularly and eating for eating sake without following requirement criteria are harmful to both body and mind. It is therefore advised to eat food like medicine so that one does not end up with eating medicine as food. So is also obsessive sex urge and unnatural means of satisfaction which could be harmful to individual and society. It should be clarified that all unnatural means are not ghastly or result of sexual obsession; but a normal course of choice with a difference.

Sex urge is natural. Rishis and sanyasins try to defeat it through the practice of austerity. However, the urge is controlled, but not conquered. That is why there are examples in Indian scriptures which depict rishis' falling for beautiful women and celestial nymphs despite years of austerity. In recent years we come across news of 'babas' and saints, some of them are supposed to be celibates, indulge in rapes. For common people, social norms and relations, religious injunctions, etc. control sexual obsession within socially approved limit. However, it cannot be admitted that such socio-religious restraints yield hundred per cent desired results. There have been violations; there have been a few patriarchy-excess when patriarchy combines with a type of power. While the former could be intentional or unintentional deviations, the latter show organised crime. Institutions of devadasi, prostitution, and other means adopted by political, religious or economic patriarchy are examples. It can be mentioned that child marriage was a means of controlling individual sex urge from an early age; it had other

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problems. Late marriage is not free from social problems either. Despite acceptance of pre-marital sex and live-in relationships by a section, there are problems of divorce, extra-marital allegation, rape and murder as we come to know from media reports. It is worth mentioning that feminism has emerged as an antithesis of patriarchy-excess around female sexuality. The crisis related to marriage, sexual behaviour, crime and feminism, etc. centres around man and woman binarity. Same sex-marriage provides a challenge to redefine feminism in the changing context when sexuality does not remain in exclusive domain of male and female binarity.

Attitude and sexual behaviour of patriarchs, disregarding social norms and ethical considerations, are reflections of mental conditions. In the same line of thinking, lesbianism, homosexuality is mental impulses of sexual satisfaction with same-sex partners. It should be mentioned that these partners do not have physical deficiency, but have an urge to satisfy biological needs for which they find the safest way as society does not look mixing of same sex individuals with suspicion or disapproval as it looks hetero-sex individuals. However, the outlook is changing, but still mixing of same sex individuals is not a taboo until their sexual relationship is not public.

The mental impulse is behind uncontrolled sex urge that incite acts like masturbation, bestiality or necrophilia. These choices, along with hetero-sexual urges are controlled by mind. While heterosexuality is natural, other practices, though they do not invite similar repulsive social reactions, are unusual according to the law of nature. In nature, animals follow rule of heterosexuality and mating frequency. For example, dog, cow, elephant, lion have their time of satisfying sexual urge. Poultry birds have some sort of obsessive urge; but none of them, though may not stick to a single partner, practises homosexuality or show the tendency. In human society, man and woman are nature's determination, while unchanging partnership is human made rule. Choice of same sex partner to satisfy sexual urge is human made, but with an impulse of mind. In the context of the transgender, it should be stated, the issue needs physical appreciation rather than an explanation with reference to only mental impulse.

Late marriage, sex urge, easy access to same sex partners, childhood habit under undesirable situation and many others underlie the mental impulse toward lesbianism or homosexuality. Habit, familiarity and a strong emotional attachment to the idea and practice rationalise a perspective and action in future. It is often alleged in whispers that homosexuality exists in maths, monasteries, hostels and other institutions where teenagers are inmates.

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The problem that emerges in mind must find a solution in it. In other words, solution to the urge for same sex partnership should be searched in mental health care. The practice is not an aberration, but a mental impulse for which there is psychotherapeutic cure. We can take the example of kleptomania, the urge to steal. Medical science attributes its cause to mental health conditions like anxiety, depression, obsessive-compulsive disorder, substance use disorder, addictions, and a lot of other factors causing this mental illness. People with this tendency have higher risk of self-harm and suicidal thoughts or attempts. For such a problem, a mental health provider such as psychotherapist helps curing it. With such treatment and support, a kleptomaniac regains control over impulses of stealing and leads normal life. Drug and mobile addicts also return to normal life through psychotherapeutic treatment. Hyper sexuality, such as the like of a satyriasis or nymphomaniac is a physical or biological desire of a mental impulse and such problems have therapeutic cure.

Irregularity in functioning of natural law is reflected in many instances. We know regular behaviour of X and Y chromosomes for normal birth of man and woman. But there are functional irregularities when we come across such cases as conjoined twins, diprosopus (duplication of face), cyclopia (one eye on forehead) and diphallia (double penises). Transgender is a case of irregularity in the functioning of natural law. With advancement of science and technology we have instances of sex change through surgery. In other words, transgender is not an aberration, but a medical case though it suffers from social stigma.

In view of this it is crucial to investigate the life history of LGBT for medical aid instead of legal means to settle their problem which have several ramifications. It will also help us to know the reasons of its increase in India.