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Influence of section 377 on relationships of the MSM community with their family members

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Abstract---Background: Sexual and gender minorities all over the world are heavily impacted by the attitudes and beliefs of those around them. With this study, the researcher is trying to explore the impact of Section 377 (2018 judgment) on the relationships between the Men who have Sex with Men (MSM) and their parents. Method: This qualitative study was completed using semi-structured interviews that were conducted with 11 MSM who were living in Delhi and had come out to their parents. Additionally, interviews were also conducted with 5 parents of the selected MSM Community members. Qualitative content analysis was used to examine the data. Five major themes were identified; awareness of one's sexual orientation, relationship dynamics with parents before coming out, disclosure of MSM identity to parents, change in relationship with parents post coming out and parent's response and support towards their son's sexual orientation. Results: During their adolescent or early adulthood years, the selected group of MSMs became certain of their sexual orientation. During the age range of 15-23 years, all MSM participants reported disclosing their sexual identity to their parents. The majority of MSMs (73%) reported no changes in their relationship dynamics with their parents after they came out, whereas the minority (27%) reported significant alterations. The majority of participants were thrilled with the 2018 Section 377 judgment and 64% of MSMs stated that as a result of the verdict, their parents have become much more supportive of their sexual orientation. Conclusion: The release of the 2018 judgment on Section 377 marked the decriminalization of the LGBT community. Through a systematic review of literature and results of the study, it can be concluded that the majority of parents and their MSM sons were relieved and thankful to the government for finally serving justice and equality for millions of people in India.

Keywords---MSM (Men having sex with men), homosexuality, LGBT, parents, acceptance, rejection, sexuality, relationship, youth.

Introduction

Homosexuality as a sexual orientation

Sexual orientation is a term used to describe your pattern of emotional, romantic or sexual attraction. Homosexuality is a type of sexual orientation that describes a person attracted only or almost only to those of the same gender. (Sexual Orientation, 2020) Homosexual men refer to themselves as gay and female homosexuality is often referred to as lesbianism.

Men having Sex with Men (MSM)

The term MSM refers to all males who engage in sexual and/or romantic relations with other males. Men who have Sex with Men” encompasses the large variety of settings and contexts in which male-to-male sex takes place, across multiple motivations for engaging in sex, self-determined sexual and gender identities, and various identifications with a particular community or social groups. (HIV & Young Men who have Sex with Men, 2015)

Status of the MSM community in India

The term “MSM” has evolved in many parts of India. Now the MSM community identify itself into three categories; *kothi* (they are the gay partners who act as the receptive one in the sexual act), *panthi* (they are the gay partners who engage in both penetrative and receptive sex) and double-deckers (they are stereotypically the penetrative or masculine male partner in the sexual act). (Patel, Mayer, & Makadon, 2012)

Section 377

Section 377 of the Indian Penal Code (section of the Indian Penal Code) was introduced in 1861. It refers to 'unnatural offences' and says “*whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal, shall be punished with imprisonment for life, or with imprisonment of either description for a term which may extend to 10 years, and shall also be liable to pay a fine*”.

In a historic verdict, the Supreme Court of India on September 6, 2018, decriminalized Section 377 of the IPC and allowed gay sex among consenting adults in private. The SC ruled that consensual adult gay sex is not a crime saying sexual orientation is natural and people have no control over it. While the lesbian, gay, bisexual, and transgender (LGBT) community has overcome great obstacles yet a lot of distress is faced by people with same-sex orientation due to difficulties they face living in our predominantly heterosexual world.

Section 377 & Family Acceptance

(M. Oswal, Rathor, & Patel, 2017) studied the sexual behaviors, relationships and perception of fifty HIV-AIDS risk MSMs. The results showed that early first sexual relationship is seen in the majority of MSM and sexual coercion is a reality for

many. Anal sex is the preferred sexual act and multiple relationships seem to be prevalent. Targeted interventions should keep these factors in mind in light of HIV transmission. More than half of the MSM were having multiple sexual partners.

Method

A qualitative methodology was adopted to explore post coming out relationship changes between the identified MSM and his parents. The variables of the study were Parental Acceptance and Time of Disclosure of Sexual Orientation ("Coming Out"). In-Depth interview schedules aligning with the research questions were designed. Convenience Sampling was done to identify the target audience of the study; MSM Community Members and Parents of the Selected MSM Community Members. Inclusion criteria of the study were; the participants who self-identify themselves as MSM, who have "come out" to their parents and were residents of the selected geographic area i.e. Delhi and NCR. Participants were recruited using various convenient sampling methods such as; personal contacts, social media and emails to MSM groups, professional contacts etc., The participants who agreed for participation and met the inclusion criteria were included in the study.

Eleven potential and interested MSM's living in Delhi and who have come out to their parents were selected for the study. Additionally, interviews were also conducted with 5 parents of the selected MSM Community members. Participants were contacted to schedule an interview and were given an option of a face-to-face interview or through virtual modes. Semi-structured interview schedules were used. The data was analyzed using qualitative content analysis. Five major themes were identified; relationship dynamics with parents before coming out, disclosure of MSM identity to parents, parental support towards their son's sexual orientation, opinions on Section 377 and impact of the 2018 judgment.

Procedure

All interviews followed an outlined interview design that consisted of fifteen questions (for MSM) and twelve questions (for Parents). Prior to the interview, the objectives of the study were discussed with all participants. Individual consent for interviews and audio recordings of the interviews were taken by all participants.

Results & Discussion

Selected MSMs

No of participants	Age	Religion	Education Qualification	Gender Identified
11	22-29	Hindu=9 Jain=2	Graduate =7 Post Graduate=4	MSM

All selected participants identified their gender as MSM and belonged to the age group of 22-29 years. Eight participants became sure of their sexual orientation during their adolescent years and three during their young adult years. Out of the eleven six participants reported that they were currently living with their parents. All participants reported that they had disclosed their identity as MSM to their

parents, during the age group of 15-23 years. Before coming out to their parent's nine participants confirmed that their relationship with their parents was good and healthy but the remaining two reported that they did not have a healthy relationship with their parents.

Which parent did the MSM reach out to first? Were they supportive of his sexual orientation?

Approached both parents and they were supportive =3	Approached both parents and both were non-supportive =4	Approached mother and she was supportive =1	Approached mother and she was non-supportive =2	Approached father and he was supportive =0	Approached father and he was non-supportive =1
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The majority of the participants reported that they were fortunate and felt relieved after the Section 377 judgment was passed in 2018. Six out of eleven participants reported that the 2018 judgment has also helped them to gradually achieve acceptance from their parents whereas, the remaining participants reported that the judgments have not affected the level of acceptance of their parents towards their sexual orientation. The majority of participants felt that the 2018 judgment of Section 377 has positively impacted the perception of society towards them.

Selected Parents of the MSM Community

No of participants	Parent Gender	Education Qualification	Aware about their son's sexual orientation
5	Mother=3 Father=2	Illiterate=1 10+2=1 Graduate =2 Post Graduate=1	Yes=2 No=2 Maybe=1

All selected parents reported that they had good relationship dynamics with their son before he came out to them as a MSM. Additionally, two out of five parents reported that there were extreme changes in their relationship dynamics after their sons came out to them as MSM, two parents reported slight adjustment changes and one reported no relationship change between them and their son. Three out of five selected parents reported that they supported their MSM son and his sexual orientation but were still worried about the acceptance from society. On the other hand, the two parents reported that they were completely non-supportive towards their son's sexual orientation and have completely rejected them.

Parental opinions towards the 2018 judgment of Section 377

Relieved and thankful to the government	Relieved but had concerns about the society	No opinion
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After the release of the 2018 judgment of Section 377, a ray of hope was seen for the LGBT community people and their family members. All the selected parents also reported their opinions on the verdict. Some reported that they were relieved and thankful to the government for finally serving justice and equality for their

children. Some reported that they were also relieved but had concerns about the acceptance of society towards their son and their family. The majority of the parents also reported that there was a positive impact of the 2018 judgment on their relationship with their sons.

Conclusion

The current study was conducted to explore the influence of Section 377 (2018 judgment) on the relationships of the Men who have Sex with Men (MSM) Community with their parents. Five major themes were identified from the data set;

- (i) relationship dynamics with parents before coming out,
- (ii) disclosure of MSM identity to parents,
- (iii) parental support towards their son's sexual orientation,
- (iv) opinions on Section 377 and (v) impact of the 2018 judgment.

All selected participants identified their gender as MSM and belonged to the age group of 22-29 years. The majority of the MSM participants were currently living with their parents and had disclosed their identity as MSM to them, during the age group of 15-23 years. The majority of the MSM participants reported that they were fortunate and felt relieved after the Section 377 judgment was passed in 2018. Some reported that the judgment had also helped them to gradually achieve acceptance from their parents. The majority of participants felt that the judgment had also positively impacted the perception of society towards them.

The majority of the selected parents of the MSMs reported that there were extreme changes in their relationship dynamics with their sons after they came out to them as an MSM. All parents shared their opinions on the 2018 verdict of Section 377. Some reported that they were relieved and thankful to the government for finally serving justice and equality for their sons. Some reported that they could finally see a ray of hope when it comes to being accepted in society. An overall positive impact of the verdict was seen amongst the majority of the participants.

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