

unnaturalness



Section 377 of Indian Penal Code:

377.

Unnatural offences.

377. Unnatural offences.--Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal, shall be punished with 1*[imprisonment for life], or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

Explanation.--Penetration is sufficient to constitute the carnal intercourse necessary to the offence described in this section.

Her hands trembled slightly and soaked the worn sleeves of her oversized sweatshirt, creating sweat pools around the rim of her dinner plate.

It seemed like Mom and Dad were chatting about the Diwali party, but she wasn't sure. Again, the simultaneous anticipation and terror of their reaction flashed through her mind, followed by the sunken despair of rejection she SHALL BE PUNISHED WITH hypothesized.

She rehearsed mentally: Mom and Dad, there's something I have to tell you. I'm AGAINST THE ORDER OF NATURE gay.

Initially, she'd thought of saying more: Mom and Dad, there's something I have to tell you. You may have suspected it or not been sure, and I've been hiding it for a while, and I wasn't sure but now I'm sure and I want you to know: I'm AGAINST THE ORDER OF NATURE gay.

But none of the other stuff mattered, in the end. They just needed to know. She needed them to know, and that was it.

Would UNNATURAL OFFENCES change the way Dad hugged her every evening when she slouched into his shoulders at the dinner table? Would CARNAL INTERCOURSE AGAINST THE ORDER OF NATURE change the way Mom would rumple her short, highlighted hair and croon, "beta, beta"? Would it change the way Dad cupped her head in his hands and soothed her when she was stressed? Would it change the way Mom came and sat in her bed every day after work, asking how her day was? If her date to Senior Prom was a girl, would Mom still buy her a dress? Would Dad still enthusiastically set up the lighting and bring out the digital camera, if the date she put her arm around wasn't a guy?

There were a million things NECESSARY TO THE OFFENCE that could change.

There was a pause at the dinner table, suddenly, but she didn't know why. She hadn't been paying attention. Blinking, she realized that Mom and Dad were looking at her.

"Piyu, are you okay?" Dad asked.

It was now or never.

The most important judgment as far as dismantling Section 377 IPC is Paragraph 126 of the Order which held that:

"Sexual orientation is an essential attribute of privacy. Discrimination against an individual on the basis of sexual orientation is deeply offensive to the dignity and self-worth of the individual. Equality demands that the sexual orientation of each individual in society must be protected on an even platform. The right to privacy and the protection of sexual orientation lies at the core of the Fundamental Rights guaranteed by Articles 14, 15 and 21 of the Constitution"

"I need to tell you guys something ON THE BASIS OF SEXUAL ORIENTATION." They looked back at her with a mixture of concern, affection, and uncertainty.

The words that came out next were AN ESSENTIAL ATTRIBUTE heavy. Just two words OF PRIVACY, both heavy and simple. The truth and the unknown about to become known. A secret that she'd hidden AT THE CORE, no longer a secret. Telling a secret, she thought, wasn't possible because once you tell it, it's not a secret anymore. Something DEEPLY OFFENSIVE she'd hidden and wrapped with layers of her body was now exposed and shining.

Her parents' faces changed, but not as much as she'd thought they would. Mom's eyebrows pointed ever so slightly upwards, and Dad's nose crinkled as he scrunched up his face and said, "Oh, my baby" and pulled her DIGNITY AND SELF-WORTH slouching body towards him.

And now the words OF THE FUNDAMENTAL RIGHTS couldn't stop coming out: "I've known for a while, but wasn't sure how you guys would react," and Dad was stroking her hair, and Mom's eyes were tearing up, and now so were Dad's too, but he never actually cried his eyes just reddened, but Mom always cried and now she was crying. And of course, she was crying, and they were all crying together. Mom had gotten up from the other side of the table and scooped over to her other side, putting her arms around her and squeezing her hand. Sonali wasn't there but she knew what her sister would be doing if she was – cuddling her face and pulling her head close to her chest – so that her head would be held by her sister and her body supported by Dad and her arms tucked around Mom.

"We don't care who you love. We just want you to be happy," said Mom or Dad, she wasn't sure who. Actually, it was probably Mom, Dad was too busy kissing her hair. Their tears were mixing together with their running noses and her sweating hands and she could feel that they could feel a little of what she'd been hiding, because now EQUALITY DEMANDS she wasn't hiding it anymore. She'd given over a little bit of that MUST BE PROTECTED part of herself.