MEDIA'S ROLE IN SHAPING VIEWS ON SAME-SEX MARRIAGE IN INDIA

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ABSTRACT

This paper examines the evolving role of mass and digital media in shaping public and legal perceptions of same-sex relationships and marriage in India. Drawing an initial comparative parallel with political and media shifts in the United States, the study categorizes modern Indian media into legacy television broadcasting, digital influencers, and grassroots social media journalists. It traces the historical progression of Indian cinema and broadcasting from post-independence silence, Victorian legal moralism, and effeminate, villainized stereotypes (between 1950 and 2010) to the post-Naz Foundation emergence of more sensitive, progressive storytelling. However, the paper argues that contemporary Indian media perpetuates a counterintuitive dilemma: by framing LGBTQIA+ characters solely through their sexual orientation and coming-out trauma rather than integrating them into broad, everyday narratives, media institutions pigeonhole queer identity as an all-consuming feature rather than a normative aspect of life. This reductionist lens—mirrored across television debates and regional social media content—continues to sever queer civil liberties from universal human rights, inadvertently hindering genuine societal consensus toward same-sex marriage legalization.

Keywords: Same-Sex Marriage, LGBTQIA+ Rights, Indian Media, Section 377, Bollywood, Phallogocentrism, Human Rights.

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There are two versions of current American President Joe Biden. In one version, Biden is taking a fierce stand against Same-Sex marriage. In another version - dating back to his vice-presidential term under Barack Obama, Biden became a headache for his President by openly airing his support for same-sex marriage. The more recent of these two stances came at a time when conservative faction of the media in the United States had just learnt how to make and present their complex ideas in people's friendly manner. More and more colleges had finally skipped the thousands of years old clutches of sturdy biblical interpretation and started reading old textbooks in more and more progressive ways. In fact, it can easily be concluded that Biden himself was a hard-core liberal from the word go, but found the atmosphere conducive to air it only when liberalism had taken its full shape. To his utter dismay, Biden had concluded it wrong and Conservatives pounced on this opportunity. The diversity in media made it a two-way battle and gave us the insight on how this complex and touchy issue needs to be presented to the media. The Conservative section started to use the statement to attack Biden-airing his earlier and before videos to tell people that Biden is an opportunist thug who will do anything for power. On the other hand, liberal media did not go for ad hominem attacks and decided to judge both of Biden's opinions on moral standards. There is zero doubt that on the prevailing moral scale, Biden had increased his rankings. The goodwill Biden earned helped him become President in 2020 elections. In 2022, 10 years after announcing his support for it, Joseph Biden signed federal protections for same-sex couples.[1]

The example shows how a careful deliberation before broadcasting any news can change the course of history and erase stigma around supposedly taboos of the issues.

In the sections which follow, the article discusses how media plays a key role on shaping views on same-sex marriage in India. The nucleus of torching this issue is how films, television serial and news presentations made same-sex relationships as stigma and how its counter movement is not helping to build a societal consensus in an era of polarised world order shaped by social media platform like Facebook, Instagram, and X (formerly twitter) among others.

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INTRODUCTION

Media in India can be categorised as three umbrella units.

First one is of established and legacy ones on Television. Under this category, news channels, tv channels broadcasting movies and serials, channels designed for sports and music exist.

The second category is that of social media influencers. These influencers are known for putting forth their point of views on their respective social media handles of X(formerly Twitter), Facebook and Instagram. They are average opinionated Tom who found a way to air their opinion and luckily found a hungry audience for it on the Internet.

The third category of media belongs to the failed or resourceless category of aspiring journalists. Most of them are people who want to do something but failed to take admission in a reputed college to pursue journalism. Among them, a lot did but found that dreamland to be too fake and out of touch. Ultimately, they returned to their own city and opened a social media page to highlight local issues. The common link in all these groups is that all of them are heard by every section of the society. You will find a 60-year-old erudite IAS Officer pushing a video shot in a village 2,000 kilometres away. In another distant village of Kerala, an uneducated man is busy showing his friends the latest developments about the Russia-Ukraine war.

This is what makes portrayal of same-sex marriage in media a noteworthy phenomenon. India is seeing the demand for legalisation of same-sex marriage[2] at the time when literally anyone can influence anyone's point of view with the help of single clip. The option of feedback is right there and, in these circumstances, it is imperative to clear confusion regarding same-sex marriage and conspiracies around it.

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TRADITIONAL PORTRAYAL OF SAME-SEX RELATIONSHIP IN INDIA

For the major part of post-independence India, the media has shown little interest in portrayal of same-sex couples in India. On one level, it is understandable. When India got freedom, it was one of the poorest countries in the world. With time, it focussed on economic growth and multiple revolutions - green, white, pink, yellow etc helped India increase its farm productivity and food security. Then there is perennial war with Pakistan. These issues did not allow the media enough bandwidth to understand the phenomenon and be able to present it in a fair way. The fact that Victorian morality still ruled Indian laws, as compared to indigenous laws resulted in a kind of censorship on the topic. Despite so much constraint, people found a way to present same-sex relationships on screen. However, most of them were negative.

Between 1950-2010, Indian audience's viewership was shaped by how directors, actors and producers thought on certain topics. Any topic which was a little off the political correctness line and it was thrown out of cinema - if not by authorities, then certainly by the public. In these six decades, same-sex relationships were so far off on the scale of Overton window that even Hollywood rarely used to touch it. Before 2010, Hollywood movies on the same topic can be counted on fingers. Even in those movies, characters were largely portrayed as those lying on the fringes of society. The usual depiction involved homosexuality more as a part of marginalised culture - black, Hispanics and even Asians. Simultaneously, it was portrayed as less masculine if there is a gay couple involved. However, there were rare exceptions too. For instance, in the movie Brokeback Mountain, two cowboys wearing characters were positively portrayed as holding their gay relationship for decades in high regard. Interestingly, both were married and despite that continued their relationship, showing their resilience. For western society, which had seen how cowboys were ultimate archetypes of masculinity, this breaking of shackles in the form of gay relationships showed a whole different angle. To make it sound more normal, characters were not shown as some meek characters. In fact, the characters in the movie had a calm and soothing body language and voice, making it relevant for the audience which consumed Godfather and idealised it.

For Indian movie makers, making movies on homosexuality came up with an inbuilt risk of social ostracization and loss of probable profit. Like its portrayal in Hollywood, homosexuality was also considered to be on the fringes. Indian social setting believed homosexuality as an aberration, rather than norm. It was impossible to find a person who could confidently state that homosexuality is as natural as trees, plants and animals. Even evidence of homosexuality in the animal kingdom was not a convincing argument. The usual counter, even among intellectual groups, was that people catch up to it due to their adolescent lust. When hormones subside, homosexual tendencies also get erased from muscle memory. Resultantly, even enlightened folks in the film community decided to go conventional ways, rather than taking commercial risk. Most movies made on same-sex love were put under B-grade and cinema goers used to watch them in the first or last show of the day as a lusty gesture, rather than anything. For decades, Bollywood films relegated homosexual characters to the fringes, resorting to harmful stereotypes and fuelling prejudice. The most common theme is depiction of gay men as flamboyant, effeminate caricatures. Films like "Dostana" made its mark on this feature. Even with

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homosexual characters, writers and other production managers failed to project it as something more than a side representation of masculinity. The notion that people got was that homosexuality is solely about outward appearance and mannerisms. One further inaccurate representation involved the "villainization" of individuals who identify as homosexual. In films such as "Aaina" (1977), gay men were portrayed as the predatory adversaries of heterosexual masculinity. As a result, there is now a greater dread of same-sex desire and demonization of the LGBTQ+ community. Lesbian partnerships were considerably harder to conceal. They were frequently portrayed in tragic light, as in "Fire" (1996). Even while the movie started a lot of meaningful discussions, its conclusion—in which the main characters are burned out of their house and shunned—reinforces the idea that being gay causes social rejection. The lack of room for homosexual storylines frequently led to an emphasis on the difficulties associated with "coming out" or social rejection. Although they were well-intentioned, movies like "My Brother Nikhil" (2005) focused primarily on the protagonist's battle with HIV/AIDS and his quest for family acceptance, ignoring a more comprehensive examination of experiences. These stereotyped representations not only helped to maintain unfavourable opinions but also made the homosexual community less visible. The marginalisation depicted on screen reflected the marginalisation that existed off screen as well; until 2018, homosexuality was illegal under Section 377 of the Indian Penal Code.[3]

While Bollywood was building on overt and covert negativity around the topic, the whole moral compass around homosexuality had taken a 180-degree shift all across the world. The onset of technologies, emphasis on tolerance, inclusivity, empathy along with amalgamation of scientific data with a refreshing understanding of the natural world in the wake of Darwinism had led to a whole new discourse on the topic. Earlier, it was easy to convince anyone that homosexual was a mental disorder needing some kind of cure. Within a span of one and half decades, Richard von Krafft-Ebing's idea of homosexuality being a degenerative disorder was put upside down. Sigmund Freud's understanding started to prevail. The needle was moved by the American Psychological Association in 1973, when it said that homosexuality is nothing to be ashamed of for everyone.[4] However, the new scientific understanding of the concept needed an ideological cavalry to scurry it through the terrains of social stigma. That is where postmodernism came to be of great help for the disenchanted population of homosexuals. Postmodernism, as the name suggests, rejected all existing notions of wisdom. It terms most of the conventional wisdom as

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phallogocentric. Phallus means masculine, logos means logic and centric means nucleus of something. Jack Derrida, arguably one of the fathers of postmodernism, declared that established social principles in western society are designed to accord power to only one section of the population, or only one biological entity called man or masculine.[5] Males are generally low in trait openness compared to females, hence with males in charge, it became impossible that they would assume that accepting them of any other gender, or gender identity could benefit the world. That is how postmodernists established that it is patriarchy and its unwillingness to open to new experiences, hierarchy and power structure has led to genders being confined to two-male and female while only heterosexual relationships ensuring higher rank for masculine in power hierarchy was permitted in society dominated by males. As the stigma around it started to erode, new and bold theories started to gain mainstream headlines. Now, it is an established notion that there is no natural or biological link between gender and sex since sex is assigned at birth while gender roles are assigned by society. Gender roles turned out to be the ultimate barrier for women and other genders in society. The roles are so strict that it is often next to impossible for them to come out of it and establish a new order while simultaneously becoming happy elements in society. With time, polities across the world, especially in India are also accepting it as a normal way of life, rather than aberration. The movement regarding rights of transgenders in India is one of the culminations of these notions.[6] Every year, hundreds of news stories can be seen when a man decides to change his gender to women and vice-versa through technological intervention in the name of surgery. People on ground seem to be willing to at least hear, if not confirm to their choices, With the time, the overall acceptance will eventually come, especially given the fact that for thousands of years Indians have been so much accepting of homosexuals and everything surrounding LGBTQIA+ acronym.

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At this point, it is pertinent to highlight that depiction of homosexuality and LGBTQIA+ in the aftermath of Naz Foundation judgement[7] in pictures and media is actually having a counterintuitive effect. In the last one and half decades, movie makers have shed their risk of being risk aversive and went on to portray homosexuality in a neutral, if not overly positive aspect. Geeli Pucchi, Moothon, Aligarh, Nagarkirtan, Iratta Jeevitham, Margarita with a straw, Memories in March, Kapoor and Sons, Shubha Mangal Savdhaan, Dear Dad, Page 3, Badai Do and I Am are some of the more prominent movies on people's lips when it comes to portrayal of homosexuality and LGBTQIA+ people.

At the outset, all these portrayals are positive and well-intentioned in their origin. For instance, Badhai Do beautifully shows how two homosexual people get into a socially acceptable marital bond and then explore their own sexual choices by hiding it from society. Similarly, in the Aligarh movie, a homosexual professor ostracised from society finds a way to practise his sexuality in an extreme socially conservative atmosphere. In Aligarh, an honest effort has been made to showcase how even the so-called enlightened section of the population is still rooted in phallogocentric. The struggle for coming out of European morality and accepting your own culture is real and not many can do it successfully. Bollywood has done well in showcasing how even speaking about rights for homosexuals can result in the speaker being categorised as an agent of foreigners. If there is one positive from the media portrayal of homosexuals and the whole LGBTQIA+ community in the last 15 years then it is the renaissance of the concept that their acceptance is more Indian than foreign. No doubt, there is positive development. However, there is one similarity between negative and positive portrayal of homosexual characters on the big screen. In the negative portrayal, the story and narrative centred all around the person's homosexuality and how it shaped his/her key life decisions. It was the need of the hour and in sync with reality. The epoch in which such portrayal was being done was the time in which films and media were called mirrors of the society as they showed what was prevalent in society. Now, the times have changed. Every person - be it actor, director, writer, anchor or even a spot boy knows that media and films no longer work only as mirrors of the society. Instead, they have evolved from being a trend follower to trend setter. The large screen and theatrics around it now decides election results, revenue of sporting events and even acceptance of certain products like Gutkha in society. The accountability around the statement " we only show what is there in society" is long gone. The compass has shifted to "what have you done to raise the voice of the marginalised section of society". On that front, popular and unpopular media are still guilty of portraying homosexuals like it is their only identity. Movies after movies made in the last one and half decades will tell you that the only unique selling point of the movie is its boldness towards homosexuality. In Kapoor and Sons, Fawad Khan has been shown dedicating a major portion of his life deliberating on how to convey to his family members about sexual orientation. Same holds true for Badhai Do or recently released Chandigarh Kare Aashiqui in which Vaani Kapoor's whole life is centred around her struggles regarding gender change operation. Critically acclaimed Aligarh, Dostana and other movies also stand guilty on this front.

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Even on television debates, we see activists for human rights advocating for homosexuals being portrayed as 'pro-homosexual', rather than 'pro-human rights'/ That is how the media end up creating a subconscious demarcating line between human rights and rights of homosexuals in modern polity. Until a gullible audience, which is not aware of ground realities, is made aware of the fact that both human rights and rights of LGBTQIA+ people go together, a substantial change is next to impossible to come by. These kinds of representations on screens are one reason why public was overwhelmingly against providing marital-legal status to same sex marriage in India.[8] The trickle-down effect is witnessed right down the regional cinema and pop culture. Casted Bhojpuri songs making fun of homosexual relationships easily gather millions of views and likes on Instagram reels. A perusal of the comment section will tell you how these hate-filled messages have totally outcasted people from Bihar or Uttar Pradesh from mainstream scientific consensus around the same topic. The psychological foundation of people has not changed much despite people at the top changing their approach. The single reason behind this problem is galvanisation of the social life of homosexual characters regarding his/her sexuality. When movies portray heterosexual couples, love between them is shown as one of the features of life, while for homosexual characters, it is shown as a defining feature of life. It does hold true for most of them, but not when we consider the media as trend setters. In South Korean movies' portrayal of the phenomenon, homosexuality finds a normalised place, contrary to what American and Indian movies show.

Conventional wisdom is that anything travelling close to the speed of light attains divine status for people. Media, especially electronic ones, give us information at the speed of light. It is time for them to understand how divine they are for people. Sexually marginalised section of the population needs them most and they need to be more careful about it.

FOOTNOTES & REFERENCES

[1] Respect for Marriage Act, Pub. L. No. 117-228, 136 Stat. 2305 (2022) (codified at 1 U.S.C. § 7 and 28 U.S.C. § 1738C).

[2] Supriyo @ Supriya Chakraborty & Anr. v. Union of India, (2023) 14 SCC 1 (holding that the legal recognition of same-sex marriage falls within the legislative purview of Parliament).

[3] Indian Penal Code, 1860, § 377; see also Navtej Singh Johar & Ors. v. Union of India, (2018) 10 SCC 1 (decriminalizing consensual same-sex relations).

[4] American Psychiatric Association, Position Statement on Homosexuality and Civil Rights, 131 Am. J. Psychiatry 497 (1974); American Psychological Association Council of Representatives, Resolution on Homosexuality and Civil Rights (1975).

[5] Jacques Derrida, Of Grammatology (Gayatri Chakravorty Spivak trans., Johns Hopkins Univ. Press 1976) (1967).

[6] National Legal Services Authority (NALSA) v. Union of India, (2014) 5 SCC 438; Transgender Persons (Protection of Rights) Act, No. 40 of 2019.

[7] Naz Foundation v. Government of NCT of Delhi and Others, 160 DLT 277 (Delhi HC 2009).

[8] Supriyo @ Supriya Chakraborty, supra note 2.

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