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LGBTQ couples, families and marriage are 'against the natural order,' Thai Constitutional Court rules

Monday 6 December 2021, by [Coconuts Bangkok](#) (Date first published: 3 December 2021).

Thailand's Constitutional Court yesterday conceded that its objections to same-sex marriage are ideological rather than legal in a statement declaring it "against the natural order."

The comments, included in the court's full 12-page ruling against a challenge to the charter's prohibition of same-sex marriage, angered proponents and supporters of marriage equality and has sent #ConstitutionalCourtisSexist trending atop Thai Twitter since last night.

"The Constitutional Court had many ways to write its ruling on marriage equality that recognized people's hearts and exercised goodwill. But from the way it was written, it obviously shows that they had no heart nor empathy of any kind," wrote writer and illustrator Teepagorn "Champ" Wuttipitayamongkol. "They see that all people are just inferior subjects to them."

Gender rights activist Nada Chaiyait's post on Facebook was more succinct: "This country is not haven but hell for LGBTIQNAs+"

Portions of the ruling reflected the court's culturally conservative roots, stating that because marriage is only for reproduction, LGBTQ relationships are unnatural because they cannot produce children.

"Marriage equality would not only overturn the natural order, but it would also shake the very foundation of society and humanity," read the ruling.

The ruling continued in its surprisingly antediluvian rationale, invalidating untold numbers of nontraditional families.

The court cited traditional family values, saying that "bond" exists only between a father, mother, brother, sister, uncle, and aunt, whereas a marriage of "people of gender diversity" cannot form such a "delicate bond."

All eight judges who signed the ruling were men.

The ruling went further to discourage lawmakers from legalizing same-sex marriage.

It said that if legislators were to do so, it would place a greater "burden" on the government to provide welfare and benefits, such as maternity or paternity leave, or medical insurance, to same-sex couples.

The judges said that same-sex spouses seeking medical care - husbands with cervical cancer or

wives with prostate cancer - would somehow be unfair toward heterosexual couples.

Another part of the ruling compared LGBTQ+ people to animals.

“If science discovers more details that some animal species exhibit strange biological behaviors or characteristics, they will be grouped into separate groups for further study,” the judges reasoned.

Anger at the intransigent and archaic arguments has been erupting online.

“This is simply outrageous ! Comparing people with animals and strange behavior? What era do you live in?” wrote Twitter user @Mgpfwgwuv. “It’s so disgusting I can’t even comprehend how can you deliberately hurt others like that. Let people be happy with their loved ones!”

The full ruling came a month after the court summarily rejected a challenge brought by Permsub Sae-ung and Puangphet Hengkham, a lesbian couple of 12 years, asking the court to rule the constitution in fact covers the right to marry for all.

The couple filed the challenge after their marriage registration was rejected in Bangkok because they were “a woman and a woman.”

The Constitutional Court said the clause in question - Section 1448 of the Civil and Commercial Code - specifies marriage as being between heterosexuals and does not contravene the constitution.

This resulted in a demonstration this past Sunday calling for LGBTQ people and their allies to show up and sign up a petition calling for legal marriage for all, regardless of gender identity and sexual orientation. The petition has garnered more than 250,000 signatures.

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