

# Religious groups resist India ruling on gays: Decision decriminalizing homosexuality

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India's Supreme Court agreed July 9 to hear an appeal of a lower-court decision that decriminalized homosexuality after a yoga guru said the right to privacy does not "include the right to enjoy deviant sexual preferences and sexual behavior."

Gay activists had cheered on July 2 when a court in New Delhi overturned a 149-year-old colonial law that described a same-sex relationship as an "unnatural offense."

"It is a first major step, [but] there are many more battles," said gay rights activist Anjali Gopalan, whose Naz Foundation filed the challenge against the colonial-era penal code. "We have finally entered the 21st century. The government cannot ignore this."

Although the New Delhi court ruling applies only in the national capital region of Delhi, legal observers say it is likely to prompt the federal government to change the law nationwide.

Yet even as gay activists celebrated the court's ruling, religious groups denounced the decision. Maulana Abdul Khaliq Madrasi, deputy vice chancellor of the prestigious Darul Uloom Deoband seminary in northern India, said homosexuality "is an offense under Shari'a law and haram [prohibited] in Islam."

Another Islamic scholar, Asghar Ali Engineer, differed, saying, "The Qur'an condemns homosexuality but doesn't prescribe any punishment for it. It's a sin, not a crime. . . . So sexual minorities should be left to their conscience. They should not be treated as criminals."

Cardinal Varkey Vithayathil, president of the Catholic Bishops Conference of India, said "giving the impression that homosexuality is moral will bring in sexual anarchy,

including child abuse, in society.”

Sikh leaders have also protested the decision. The Akal Takht, the Sikh minority’s highest body, has directed Sikh temples not to bless same-sex unions because homosexuality “has no place in Sikhism.”

In his appeal to the Supreme Court, guru Baba Ramdev said homosexuality is a “disease that is curable” through the practice of yoga. *–Religion News Service*