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Sufis allege forced conversion in Muslim town

TamilNet (03.11.2004)/HRWF (04.11.2004) – Email: info@hrwf.net - Website: <http://www.hrwf.net> - Clerics of a Sufi sect of Islam in Kattankudy, a large Muslim town near Batticaloa riven by religious clashes which started four days ago, said Wednesday that more than six hundred of their followers were forcibly converted to orthodoxy under threat of violence and death. Sri Lanka army troops were also deployed in the troubled town along with special riot Police to prevent further violence.

More than two hundred Muslim families that belong to the Sufi sect led by the cleric Abdur Rauf Mowlavi sought refuge in Araiampathy, a Tamil village next to Kattankudy Tuesday night, fearing violent attacks by armed orthodox Islamic groups.

Some adherents of the Sufi sect alleged that a Muslim politician who was close ally of President Kumaratunga had instigated armed extremists against them.

"Our people were made to give up their faith at gun point", a spokesman for the Sufis said.

An orthodox cleric denied the charge. He said that the followers of Rauf Mowlavi voluntarily came over to accept orthodoxy.

Meanwhile, government officials and Police convened two separate peace meetings between the Sufis and the orthodox Ulama board members.

"They have agreed to a truce tentatively. It is difficult to dispel fear and suspicion overnight", a Police officer said.

A large number of families that follow the teachings of the pantheistic Sufi sect led by Abdur Rauf Mowlavi are on protest fast in their main mosque premises. Sri Lanka army troops and special motorbike commandos provided security to the Sufi mosque compound Wednesday.

On Sunday armed orthodox Islamic groups also attacked another Sufi sect in Kattankudy led by the charismatic cleric called Payilvaan.

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Extremists attempt to make Buddhism Sri Lanka's state religion

Christian Solidarity Worldwide (30.09.2004)/HRWF (01.10.2004) Buddhist extremists in Sri Lanka have drafted an amendment to the country's constitution, changing the status of Buddhism from the 'foremost' religion to the State religion. One clause in the constitutional amendment would prohibit Buddhists from converting to another religion.

Christian Solidarity Worldwide (CSW) obtained a draft copy of the so-called 18th Amendment, which has not yet been tabled, on a recent visit to Sri Lanka. While the amendment contains an article providing freedom for the practice of other religions, this is qualified by the requirement that they are practised "in peace and harmony with Buddha Sasana [Buddhist teachings]". Article 9.5 of the proposed amendment states explicitly: "To convert Buddhists into other forms of worship or to spread other forms of worship among the Buddhists is prohibited."

CSW also heard fresh evidence of anti-Christian violence. Although the number of attacks on churches and Christians has decreased in recent months, it has not stopped. On September 17, for example, a pastor was attacked by a mob armed with oars in Kiribathagoda, 20 km north-east of Colombo. Mud was thrown at him, and he was told: "If you come back, we will kill you." On August 20, the annual conference of the Four Square Gospel Church, with 1,400 participants, was attacked. A group threw five homemade bombs into the venue near Kandy, injuring one person. The bombs were made from firecrackers, which contained nails and pins. "We fear the future will be tough, tougher than in the early days," Pastor Niranjan, Vice-President of the Four Square Gospel Church told the CSW team.

During the ten-day visit, CSW met representatives of all major Christian groups, including the Catholic Bishops Conference, the National Christian Council (NCC) and the National Christian Evangelical Alliance of Sri Lanka (NCEASL), constitutional lawyers, media and a senior Government official. CSW also met Buddhist and Hindu groups, including the President of the Hindu Council, the Director of the Dharma Vijaya Foundation, and the founder of the Sihala Urumaya party, which became the Jathika Hela Urumaya (JHU), a party of Buddhist monks with nine seats in Parliament. As well as working on the constitutional amendment, the JHU is proposing the introduction of an anti-conversion law.

As part of its fact-finding, the team also visited a church in Kesbewa, a suburb of Colombo, which had been completely burned down in September 2003. Evidence of anti-Christian propaganda was also presented to CSW. Inflammatory posters are displayed on street corners with slogans such as "Buddhists, Sinhalese, stand up and protect Buddhism for future generations", and leaflets distributed with headlines such as "Buddhists wake up! Protect Buddhism from the Christian invaders!" Newspaper articles with distorted reports and provocative headlines are also regularly published, and one reporter told CSW that the media was generally not very balanced in its coverage of the issues. Some newspapers, she added, have promoted the Buddhist viewpoint and justified attacks on Christians.

CSW understands some of the grievances that Buddhists and Hindus have against Christians, and those concerns are shared by the major Christian groups. Godfrey Yogarajah, General Secretary of the NCEASL, told CSW that the church in Sri Lanka had "made mistakes" in the past and sometimes behaved in ways that were "insensitive to the culture". However, much of the evidence of allegations of "unethical" conversions is purely

anecdotal, and often exaggerated. In its report, CSW reflects the concerns that Buddhists and Hindus have, urges Christians to adopt methods of mission which are more sensitive and respectful to the local culture and encourages Christian efforts to find non-legislative measures to address these concerns.

CSW firmly opposes anti-conversion laws and the proposed constitutional amendment as they directly contravene Article 18 of the Universal Declaration of Human Rights. CSW also strongly condemns acts of violence against Christians.

CSW's Chief Executive, Mervyn Thomas said: "CSW is sensitive to the concerns of Buddhists and Hindus in Sri Lanka, and we stand for the freedom of all people to practise the religion of their choice. We are pleased to have been able to hear first-hand the concerns of all the major faith groups and to be able to reflect those views in our report."

"In the interests of religious liberty, however, we strongly oppose any move to restrict the freedom of Sri Lankans to change their religion, or to share their beliefs with others. We also condemn anti-Christian violence and hate propaganda, and urge Buddhists and Hindus to enter into dialogue with Christians to ensure religious freedom, respect and harmony for all."

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Debate continues on Sri Lanka anti-conversion law

Buddhist monks lobby for international support of controversial bill

by Sarah Page

Compass Direct (13.09.2004)/HRWF (14.09.2004) Buddhist monks from the Jathika Hela Urumaya (JHU) party have launched an international campaign to win support for a proposed anti-conversion bill in Sri Lanka. The monks have met with representatives at the United States, United Kingdom, Canadian, Indian, Australian, French and German embassies in Sri Lanka, according to local press reports.

Mr. Peter Hughs, the acting British High Commissioner, met with the JHU on August 25. According to an article in the Sinhala newspaper *Divaina* on August 26, the Commissioner told the JHU, "Christian fundamentalists cause problems not only to Buddhists, but to Catholics, and traditional religions must work together against fundamentalists."

A small delegation of monks led by the Ven. Athureliye Rathana Thero, a JHU member of Parliament, also attended the Commonwealth Parliamentary Association Summit in Ottawa, Canada, in early September. Sources say the JHU lobbied for support at the summit.

A JHU delegation is also expected to visit North America and the U.K. later this year.

Meanwhile, Christian advocacy groups seem confused by a Supreme Court announcement in August that two articles of the proposed bill are unconstitutional.

The Supreme Court ruled that Section 3 and 4(b) of the bill violate Article 10 of the constitution. Article 10 guarantees the freedom of thought, conscience and religion, including the freedom to have or adopt a religion or belief of one's choice.

Yet the Bill for Prohibition of Forcible Conversion has not been overturned. On the contrary, it may still be presented to Parliament for a final vote. However, if the two contentious articles are not amended, the bill will not become law unless it gains a two-thirds majority vote in Parliament and passes a public referendum.

Senior church leaders in Sri Lanka say they fear complacency may set in among local Christians and foreign advocacy groups in the wake of the Supreme Court decision.

Even if the JHU bill fails in Parliament, the similar "Act for the Protection of Religious Freedom" proposed by Minister of Buddhist Affairs Ratnasiri Wickremanayake may be adopted. (See *Compass Direct*, "Sri Lankan Cabinet Approves Anti-Conversion Law," June 24, 2004.)

However, not all Buddhists in Sri Lanka support the idea of anti-conversion legislation. An ongoing debate in newspaper opinion columns and online forums shows that many lay Buddhists, in fact, oppose it.

For example, Linda van Schagen, writing to the *Sunday Leader* on August 28, said the JHU bill would only encourage "religious division and hatred."

One irate Buddhist castigated the JHU in an online forum in July, saying that corruption and mismanagement were responsible for the decline of Buddhism, rather than the activity of fundamentalist Christians.

Another writer told an online forum on August 30: "I am from Negombo which has churches, mosques and temples within a couple of kilometers. I have friends from all religions. It is disgusting to see religion [made into an issue] by some for their own sinister motives."

Historically, the Buddhist temple was at the center of Sri Lankan village life, providing education, acting as a moral guardian and settling disputes. In modern Sri Lanka, however, some Buddhists have accused the monks of corruption and neglecting traditional duties.

Monks in turn are alarmed at the decrease in numbers attending the temple. The decline in Buddhism directly affects the monks, who rely on the generosity of temple donors to meet their daily expenses.

Corruption among Buddhist monks has raised considerable anger in some quarters. "To the men in robes -- you are always taking from society -- what are you giving back?" wrote another contributor to the *Indo Lanka* online forum on August 30. "Put your house in order and people will not move!"

Sri Lankan citizens also report seeing Buddhist monks, supposedly dedicated to a lifestyle of asceticism, driving BMW's while clutching state-of-the-art mobile phones.

Meanwhile, Christian leaders in Sri Lanka have pleaded with advocacy groups to continue their work on behalf of minority religions in Sri Lanka.

"The danger of the anti-conversion bill remains very real," said a representative from the National Christian Evangelical Alliance of Sri Lanka.

"The resolve of the JHU to see it through can be seen by these unprecedented moves of monks paying visits to foreign embassies and governments to lobby support for their cause."

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Lankan anti-conversion bill hits the rocks

by PK Balachandran

Hindustan Times (18.08.2004) / HRWF Int. (24.08.2004) Email info@hrwf.net - Website <http://www.hrwf.org> -- Sri Lanka's controversial anti-conversion bill seems to have hit the rocks given the Supreme Court's critical observations and the distinct possibility of the mainstream political parties opting for a free, "conscience vote" in parliament.

In a determination sent to the Speaker of the parliament on Tuesday, the Supreme Court had declared some of the major clauses of the bill unconstitutional and suggested deletions and additions.

Perhaps due to the bill's potential to divide Sri Lankan society sharply on religious lines (it is already deeply divided on ethnic lines), the court said that, in the present form, it ought to get the support of two thirds of the entire membership of parliament, and then submitted to a referendum.

Incidentally, this is the set procedure for a constitutional amendment.

The "Prohibition of Forcible Conversion of Religion Bill" was presented to parliament as a Private Member's bill by a member of the Buddhist monks' party, Jathika Hela Urumaya (JHU). It was subsequently sent to the Supreme Court for a determination on its constitutionality under Art.123 of the Constitution.

At the outset, the court granted that the objective of the bill set out in Clause 2, was not unconstitutional, thereby accepting the growing opposition in Sri Lanka to religious conversions by the use of force, allurements or fraudulent means. "Fundamentalist" and new Christian churches are accused of systematically converting poor Buddhists and Hindus to Christianity through dubious means exploiting their poverty and dependence.

Clause 2 says: " No person shall convert or attempt to convert, either directly or otherwise, any person from one religion to another by the use of force or by allurement or by any fraudulent means nor shall any person aid or abet any such conversion."

But the court declared Clause 3 (a), (b), 4 (a) (b), 5 and 6 as being unconstitutional.

Clause 3 (a) and (b) say that a person who converts from one religion to another, and the person who has been directly or indirectly responsible for the conversion, should, within a time period determined by the Minister in charge (Justice Minister) , intimate the Divisional Secretary of the area in which the conversion had taken place.

Clause 4 (a) says that anyone who violates Clause 2 prohibiting unethical conversion can be proceeded against, notwithstanding contrary to any provision in the Code of Criminal Procedure Act. He may be liable to imprisonment for a period not exceeding five years and a maximum fine of Sri Lankan Rupees 150,000.

If the victim of forcible conversion is a minor (under 18), a woman, inmate of a jail/hospital/rehabilitation centre or a recipient of a poverty alleviation dole, the offender may be sentenced to a maximum term of seven years and asked to pay a fine of up to SLRs. 500,000.

Clause 4 (b) says that if anyone violates Clause 3 (a) and (b) by failing to inform the competent authority in the local government within the prescribed time period, he may get a prison term of not exceeding five years and a fine not exceeding SLRs.150,000.

Clause 5 says that legal proceedings could be instituted by the Divisional Secretary of the area or an officer authorised by him for this purpose; by the police; an aggrieved person, an Attorney at Law, or any person authorized by the Minister in Charge.

Clause 6 says that the Minister of Justice can frame rules under the act and place them before parliament for its approval.

Clause 8 defines "allurement", and in this, is included gifts, gratification (both monetary or non monetary), material benefit in cash or kind, and employment and promotion in jobs.

The Supreme Court said that if Clauses 3 and 4 were deleted, the bill would not be inconsistent with Art10 of the constitution which guarantees that "every person is entitled to freedom of thought, conscience, and religion, including the freedom to have or to adopt a religion or belief of his choice."

The court said that Clause 4 (a) was violative of Art 12 (1) of the Constitution, which guaranteed equality before the law and equal protection of the law. It therefore asked for the deletion of the line; "Notwithstanding anything to the contrary to any provision in Code of Criminal Procedure Act," in that clause.

The court said that any institution of legal proceedings should be in accordance with Sec 136 of the Code of Criminal Procedure Act and subject to the written sanction of the Attorney General of Sri Lanka.

On Clause 8, the court said that "allurement", to be punishable, must be wilful and specifically meant for the purpose of conversion. The clause must make this clear, it said.

By taking away the power to institute proceedings from the Minister in charge, government officials, the police and others, and striking down the clauses prescribing punishments, the court has virtually rendered the bill toothless.

By insisting on compliance with the Code Criminal Procedure Act, the court has taken away a special power intrinsic to the bill. It makes the task of the authorities and those who institute litigation that much more difficult.

Given the fact that a large section of the ruling United Peoples' Freedom Alliance (UPFA) and the opposition United National Front (UNF), the Tamil National Alliance (TNA) and the Sri Lanka Muslim Congress (SLMC) are against the anti-conversion bill, it is expected to run into difficulties in parliament.

Both President Chandrika Kumaratunga and the Leader of the Opposition, Ranil Wickremesinghe, are committed to a secular, and multi-religious state and are opposed to the bill.

Informed sources told Hindustan Times that the Christian political leaders on the government as well as the opposition side, would be asking for a free or conscience vote on the bill, if it came to parliament again. And both Kumaratunga and Wickremesinghe are expected to give this their nod to this.

Given the general awareness of the divisive potential of any such anti-conversion law, the bill is very unlikely to get two thirds majority in parliament.

The court's recommendation of a referendum at the end of it all, will make the passing of the bill almost impossible.

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Sri Lanka's Supreme Court ponders anti-conversion law

Petitions in favor of the proposed legislation slightly outnumber those against it

by Sarah Page

Compass (10.08.2004) / HRWF Int. (11.08.2004) Email info@hrwf.net - Website <http://www.hrwf.org> -- Religious tensions in Sri Lanka are running high as the Supreme Court considers a final verdict on the "constitutionality" of new laws proposed to ban or restrict religious conversions. The court plans to release their judgment to the Sri Lankan Parliament by August 12.

Two separate laws have been proposed, one by the Buddhist Jathika Hela Urumaya (JHU or National Heritage Party), and one by Ratnasiri Wickremanayake, the Minister of Buddhist Affairs. However, only one bill, the "Prohibition of Forcible Conversion of Religion Act" proposed by the JHU, has so far been tabled for debate in Parliament.

The JHU bill was tabled on July 21, giving opponents just seven days to formally present their concerns to the Supreme Court.

The draft anti-conversion bill proposed by the JHU states that, "No person shall convert or attempt to convert, either directly or otherwise, any person from one religion to another by the use of force or by allurement or by any fraudulent means, nor shall any person aid or abet any such conversions."

Those found guilty under the terms of this Act would be subject to a maximum of seven years imprisonment and a maximum fine of 500,000 *rupees* (\$5,027).

Objectors say the terms of the bill are too loosely defined. An article in the *Sunday Leader* on August 1 pointed out that a similar law adopted in Tamil Nadu, India, was dropped in May 2004. The Tamil Nadu law was widely criticized for its loose definition of terms such as "allurement" and "forced conversion" which allowed abuse of the law to settle personal vendettas.

Representatives from Christian, Buddhist and Hindu communities attended the Supreme Court sessions on Friday, August 6, and Monday, August 9, to present their petitions. According to reports in the *Sunday Leader* and the *Lakbima*, 22 petitions were filed by various groups and individuals against the bill, while 25 petitions were filed in support of it.

Those opposing the bill included Catholic and Anglican priests and bishops, Hindu organizations, civil societies and ordinary citizens.

One of the objectors was the Center for Policy Alternatives (CPA). Research Associate Asanga Welikala told the *Sunday Leader* that the new bill was unconstitutional. "The reason articles relating to freedom of thought and religious freedom are enshrined in any democratic bill of rights, like the Sri Lankan Constitution, is to protect the individual from any state machinations," said Welikala, "particularly those that curtail his fundamental right to practice or propagate a religion of his choice."

Other objectors agreed that the bill was unconstitutional and demanded that the Supreme Court clarify this issue before proceeding any further with the bill. If the bill was declared unconstitutional, a special parliamentary majority of 75 percent would be required for the bill to pass into law.

The debate centers around Article 9 of the constitution, in which the government of Sri Lanka is required to give Buddhism "the foremost place." However, the same article says that while the state must protect and foster Buddhism, it must also assure "to all religions the rights granted by Articles 10 and 14(1)e."

Article 10 states that, "Every person is entitled to freedom of thought, conscience and religion, including the freedom to have or to adopt a religion or belief of his choice."

Article 14(1)e reiterates those basic rights, saying that, "Every citizen is entitled to the freedom, either by himself or in association with others and either in public or in private, to manifest his religion or belief in worship, observance, practice and teaching."

Petitioners on both sides of the debate have referred to these three articles in support of their arguments for and against the bill. They have also cited the International Covenant on Civil and Political Rights (ICCPR) which Sri Lanka signed in 1980. The ICCPR guarantees the right to freedom of religious belief and association.

Buddhists who presented petitions in support of the bill said conversions violated the right to freedom of thought and religion as guaranteed under Articles 10 and 14.

However, Christian groups, including the Catholic Bishops' Conference, the National Council of Churches (representing mainline Protestant churches), and the National Christian Evangelical Alliance of Sri Lanka (NCEASL), have condemned and denied any involvement in forced conversions.

The NCEASL has also worked tirelessly to log a growing tally of violent attacks by Buddhist mobs against Christians on the island. By May 2004, the tally had climbed to over 150 attacks against churches and individuals since December 2003. A few of those attacks were directed against Catholic and other mainline churches.

Godfrey Yogarajah, general secretary of the NCEASL, says the proposed law is a violation of basic human rights, including religious expression. Under the terms of the bill, "all Christian social projects and humanitarian work can be considered inducement ... The words 'allurement,' 'fraudulent,' and 'force' are very widely defined in the bill, and any ministry activity can be falsely categorized under one or more of the above words."

Yogarajah also pleaded with those who support the bill to reconsider their position. "We are already fragmented racially," he explained. "Do we need religious fragmentation as well?"

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Government-Christian groups lock horns over anti-conversion bill

by Champika Liyanaarachchi

OneWorld (29.07.2004) / HRWF Int. (02.08.2004) Email info@hrwf.net - Website <http://www.hrwf.org> -- Christian groups are strongly opposing Sri Lanka's move to introduce a Bill banning religious conversions, with the Supreme Court also receiving 25 petitions in its favor and 21 against it, placing the government in a tight spot.

While the Bill was tabled in Parliament last week as a private member motion by opposition parliamentarian Venerable Dr Omalpe Sobhitha of the all monks party Jathika Hela Urumaya (JHU), it is considered a test run for the ruling United People's Freedom Alliance (UPFA) which had earlier promised to table a similar one.

Pressured by these groups, the ruling UPFA and the opposition JHU both pledged to table Bills in Parliament to arrest the dangerous trend with legislation prohibiting unchecked conversions.

After the controversial Bill was tabled, it was opposed by both the Catholic Church and the Christian Council, both of whom had earlier been condemning fundamentalist groups.

Protesting that the Bill would impinge on the fundamental rights of individuals, the Catholic Bishops Conference and the Christian Council issued a joint statement saying that, "We wish to state that if they are enacted into legislation, the freedom of thought, conscience and religion of all Sri Lankans will be seriously eroded.... these drafts contravene the fundamental human rights of our people enshrined in our Constitution as well as accepted prevailing international conventions and norms."

In a bid to allay the fears of the established Churches, the country's leading Buddhist organizations issued a statement on July 27 saying the Bill's purpose was to monitor the "unchecked activities of Christian fundamentalists" who were posing a threat to the "1000 years of religious harmony maintained in this country."

Says Indrani Devendra, Secretary of the All Ceylon Women's Buddhist Congress, "The Bill is aimed at minimizing the tension created by fundamentalist groups whose provocative conduct made even sections of the Buddhists react violently. Unless we keep a tab on the pernicious fundamentalists, the situation is very likely to go out of hand."

She cited observations made at the European Court of Human Rights in the case of Kokinakis versus Greece. The court observed that the fundamentalists represent " a corruption or deformation of the established religions."

But Catholics and Christians fear that given the overzealousness of law enforcement agencies, there is a strong possibility of the laws being abused.

Says Bishop of Batticaloa Kingsley Swamipillai, "There are fears that routine events organized by the Church could be misinterpreted as ones to attract potential converts."

As he points out, "While we condemn the activities of fundamentalist sects who have created problems, we believe rigid laws with heavy fines and prison sentences are not the solution."

Agrees activist of the Christian sect Assembly of God, Bandula Jayamanna, himself a Christian convert, "Religion is a very personal thing and nobody can force anyone to convert to another religion in a country like Sri Lanka. If that happens, they can always go and lodge a harassment complaint at the police station."

He warns, "These kind of blanket laws will only encourage those out to crush minority religions to take the law into their hands."

But there is a lobby that believes the country needs to adopt stringent anti-conversion laws.

Dr K. Vigneswaran, adviser to Hindu Affairs minister, Douglas Devananda, remarks that there are very disturbing reports from the predominantly Hindu Northern province and the Indian Tamil areas in the central province about major moves to convert the poor to fundamentalist sects by promising various perks. He believes these groups pose a bigger threat to Hindus than to Buddhists.

He adds, "Although we have yet to study the JHU Bill, we have carefully examined the draft to be tabled by the government. There is no room for misinterpretation of the clauses and I feel all these fears about somebody misusing it, are unfounded."

Unfazed, Minister of Buddhist Affairs Ratnasiri Wickramanayake asserts that the government has finalized the draft Bill. "So far there has been no change in our stand to table the Bill," he declares.

While the majority of agitations were organized by Buddhist organizations, the minority Hindu community is also feeling threatened.

The Hindu Affairs Minister of the previous United National Front (UNF) government alleged that nearly 15,000 Hindus in the North-East and Central province became fundamentalist sects due to discrimination and unethical measures adopted over the last couple of years.

The Roman Catholic Church here issued two statements early this year condemning fundamentalist Christian groups for employing unethical tactics such as offering material rewards for conversion, and posing a threat to the co-existence of diverse religious groups in the country.

Reportedly some of these groups were forcing Buddhists to smash Buddha statues and eat sweets fashioned in the shape of Lord Buddha.

An independent commission appointed to examine allegations by the Ministry of Buddhist Affairs last year accused 188 nongovernmental organizations of engaging in unethical conversions.

Since last year, prayer centers belonging to these sects in the predominantly Buddhist and Hindu areas, were attacked by hard line Sinhala Buddhists. Some of them even targeted established churches, triggering fears among the country's minority Catholics and Christians.

Currently, Christian sects form less than one percent of the country's 19 million population, while the Catholics total 6.4 per cent, and Hindus number 15 per cent.

Buddhists constitute 70 per cent of the country's population.

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Twenty-one petitions challenging prohibition of forcible conversions bill, filed

by Wasantha Ramanayake

The Daily News (28.07.2004) / HRWF Int. (02.08.2004) Email info@hrwf.net - Website <http://www.hrwf.org> -- A total of 21 petitions challenging the constitutionality of the Prohibition of Forcible Conversion of Religion an Anti-Conversion Bill filed before the Supreme Court yesterday which was the last day for challenging the Bill.

Chilaw Bishop Frank Marcus Fernando, Rev. Kumara Illangasinghe, Bishop of Kurunegala, Dutch Reformed Church President Charles N. Janzs, National Christian Evangelical Alliance of Sri Lanka, K. Neelakandan, General Secretary of All Ceylon Hindu Congress, The Centre for Policy Alternatives, Liberal Party National Committee member Anura Samarajeewa, Attorney-at-Law Elmore Perera and Colombo University Law Faculty lecturer V. Thambirajah Thamilmaran were among the petitioners who sought to determine the constitutionality of the Bill.

V. Thambirajah Thamilmaran, a lecturer of the Colombo Law Faculty stated that as a university academic teaching human rights he was concerned about the freedom of thought, conscience, expression and religion including the freedom to have or adopt a religion of choice.

He stated that he was proud to have been born a Hindu. He stated that the Hinduism allowed any one to change his religion.

He argued that the Prohibition of Forcible Conversion of Religion Bill if enacted would harm the ideals of tolerance, forbearance, co-existence and love which any Hindu could take pride and satisfaction.

They stated that the Bill titled "An Act to Provide for Prohibition of Conversion from one religion to another by use of force allurement or by fraudulent means and for matters incidental therewith or incidental thereto" had been placed on the Order Paper on July 21 as a Private Member's Bill of Parliamentarian Dr. Omalpe Sobhitha Thera.

Petitioners alleged that Clause 2 of the Bill would prohibit a person from converting from one religion to another by means of force, allurement or by any fraudulent means. They stated that "the use of force, fraud or allurement" was a fetter placed on the freedoms guaranteed under the Article 10.

They argued that if the freedom guaranteed under the Article 10 was to be given effect to, such fetters should not be imposed on the exercise of such freedom. Petitioners sought a Court determination that the Bill was not consistent with the Constitution and needed to be passed by a two-third special majority of the whole number of members of the Parliament.

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Christians launch legal challenge to anti-conversion bill as Sri Lankan parliament resumes

Christian Solidarity Worldwide (22.07.2004) / HRWF Int. (23.07.2004) Email info@hrwf.net - Website <http://www.hrwf.org> -- Christians in Sri Lanka are preparing a legal challenge to a new anti-conversion bill tabled in the Sri Lankan Parliament today.

The Private Member's Bill, presented by the Jathika Hela Urumaya (JHU) party of Buddhist monks, has been anticipated for some months. Parliament was suspended in June just days before it was expected to be tabled, and it resumed again on July 20. The JHU tabled the bill on July 21.

The bill, known as the "Prohibition of Forcible Conversions of Religions Bill", if enacted would require individuals who convert from one religion to another to inform the local authorities within a prescribed period. Those who fail to notify the authorities can be imprisoned for up to five years or fined up to 150,000 Rupees (£1,800).

The law also states that: "No person shall convert or attempt to convert, either directly or otherwise, any person from one religion to another by the use of force or by allurement or by any fraudulent means, nor shall any person aid or abet any such conversions." Anyone who breaches this law would be subject to up to five years imprisonment and a fine of up to 150,000 Rupees. If a minor, a woman, a physically or mentally disabled person, a prisoner, a student, a refugee or a hospital patient is converted by "fraudulent means", the penalty is seven years imprisonment and 500,000 Rupees (£5,900) fine.

In addition to this Private Member's Bill by the JHU, the Minister of Buddhist Affairs is expected to table a Government bill, with Cabinet support, which goes even further. The so-called "Act of Safeguarding Religious Freedom" is not limited to 'forced' conversions. The draft states: "No person shall convert or attempt to convert or aid or abet acts of conversion of another to a different religion". Converting to another religion, under this law, would be punishable by up to seven years in prison, and heavy fines.

The National Christian Evangelical Alliance of Sri Lanka (NCEASL) and other Christian groups in Sri Lanka have been campaigning against these proposed laws, and will launch a legal challenge this week in the Supreme Court. The NCEASL is also seeking ways to pursue reconciliation with the Buddhist community.

CSW's assessment is that 'forcible' and 'unethical' conversions, if they take place, are of course wrong. However, impartial prosecutions in the midst of inter-religious tensions would be difficult to guarantee. In essence CSW fears that the law would adversely affect the activities of many genuine religious groups, including those providing social and humanitarian services. Evidence of the divisive nature of the legislation can be found in neighbouring India where five states have passed similar laws. As feared, false charges of forced conversions have been brought to the courts. Encouragingly though, the law in Tamil Nadu State on which one of the Sri Lankan bills is considered to be based, was recently withdrawn following a change in government. CSW worked with MPs to draft Early Day Motion (EDM) 210 on religious freedom in Sri Lanka and is urging supporters to ask their MPs to sign.

Tina Lambert, Advocacy Director of Christian Solidarity Worldwide, said: "We urge the Sri Lankan Parliament not to support these two bills, which compromise international standards of human rights and religious liberty. This is not simply a Christian issue. We want to work with people of other faiths, and of none, who may share a concern for religious liberty for all. If passed, these laws will be deeply damaging to Sri Lanka's reputation."

For more information, please contact Richard Chilvers, Communications Manager, CSW at richard.chilvers@csw.org.uk or ring 020 8329 0045 or visit www.csw.org.uk CSW is a human rights charity working on behalf of those persecuted for their Christian beliefs. We also promote religious liberty for all.

Notes to editors:

The anti-conversion laws are being introduced after a period of rising anti-Christian violence. Over 45 churches have been attacked since January, and during the past year more than 140 churches have been forced to close, due to attacks, intimidation and threats.

Members of Parliament in the UK have expressed concern over the anti-Christian violence, with an EDM which has so far attracted almost 150 signatures. Part of EDM 210 reads: "That this House recognizes that the people of Sri Lanka have a long-standing reputation for tolerance and respect; notes however that the plight of one of the religious minorities in Sri Lanka, Christians, is getting worse; is also aware that anti-conversion legislation, modelled on the controversial and divisive anti-conversion law in Tamil Nadu, India, is about to be presented to the Sri Lankan Parliament; and calls upon the Sri Lankan Government to give full protection to religious minorities, to bring to justice those found to have participated in attacks upon religious minorities, and to promote genuine and lasting inter-faith harmony in Sri Lanka."

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Sri Lanka's Evangelical Alliance suffers break-in

Offices ransacked but campaign against anti-conversion law will continue

by Sarah Page

Compass (06.07.2004) / HRWF Int. (12.07.2004) Email info@hrwf.net - Website <http://www.hrwf.org> -- Unidentified vandals broke into the office of the National Christian Evangelical Alliance of Sri Lanka (NCEASL) over the weekend and ransacked filing cabinets

and desks. The attack placed NCEASL staff workers on a growing list of victims of religious violence in the predominantly Buddhist country.

The office caretaker arrived to clean the premises at 8 p.m. on Saturday, July 3, and discovered the break-in. The vandals had apparently forced open the back door of the building sometime during the day.

NCEASL staff workers say the focus was clearly on documents stored at the office. Vandals had searched files in haste before strewing them on the floor. A small amount of money went missing from a cash box, but expensive equipment such as a video projector, camera and computer accessories were left untouched.

The staff of the Alliance has been leading a public awareness campaign on an anti-conversion bill known as the "Act for the Protection of Religious Freedom" now being considered by Parliament. The cabinet gave its initial approval to the legislation, but a second approval is needed before the bill becomes law.

When the second vote on the bill is called, opponents will have only seven days to present their objections to the Supreme Court. If the vote of approval is affirmative, the law cannot be revoked.

NCEASL staff members believe the Saturday break-in may have been an attempt to find documents relating to their campaign against the anti-conversion law. An NCEASL advertisement prepared as part of its awareness campaign appeared for the first time on July 3 in the *Sri Lanka Daily News*, perhaps triggering the break-in.

The advertisement challenges the legal basis of the anti-conversion bill, saying it would violate basic human rights as outlined in the constitution and legitimize the oppression of minority religious groups.

The ad quoted Article 10 of Sri Lanka's Constitution: "Every person is entitled to freedom of thought, conscience and religion, including the freedom to have or to adopt a religion or belief of his choice."

Article 2 of the act now being considered by Parliament states that "no person shall convert or attempt to convert or aid or abet acts of conversion of a person to a different religion." (See *Compass Direct*, "Sri Lankan Cabinet Approves Anti-Conversion Law," June 24, 2004.)

Milroy Fernando, the Minister of Christian Affairs, described the proposed bill as "absurd." He told reporters from the *Sunday Leader* that the bill would adversely affect the international image of Sri Lanka.

"We cannot bring pressure on the freedom of thought, movement and conscience of the citizens," he said. "This is wrong. The constitution of this country itself provides for such freedoms."

Fernando acknowledged the rising number of violent attacks against Christians and churches. "But it is only very recently that some elements have resorted to these ruthless attacks on Christians openly. And I think this is only the beginning. In the days to come, I feel Christians in Sri Lanka are going to face more problems.

"I am glad that the Christians have not reacted, even after the savage attacks on them. This is what the religion teaches and I strongly believe the Christians will abide by the principles of their religion."

Fernando added, "We have faced a civil war for more than two decades and this resulted in both the Tamil and the Sinhala communities living with fear and hostility between them.

And now this proposed plan to introduce the anti-conversion bill, in my view, is going to create room for new conflicts.

"In my view, the anti-conversion bill is pointless. It makes no sense and does not contribute to anything."

When questioned by reporters, Minister Fernando emphasized that many of the churches and organizations attacked by militant Buddhists in recent months were not registered with the government. However, he failed to mention that several of these entities had applied for registration and been turned down on the grounds that Sri Lanka must "safeguard the supremacy of Buddhism."

Meanwhile, the Catholic Bishops' Conference and the National Christian Council of Sri Lanka issued a joint statement on June 29 expressing objections to the anti-conversion bill. "Having carefully studied these drafts, we wish to state that ... they contravene the fundamental human rights of our people enshrined in our constitution, as well as accepted prevailing international conventions and norms," the statement read in part.

Despite events over the weekend, the NCEASL remains committed to its goal of defeating the new legislation. The break-in simply represents one of over 150 similar attacks against Christians and Christian organizations since January 2003.

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Anti-conversion law will inflict yet another socio-political fracture

by PK Balachandran

Hindustan Times (05.07.2004) / HRWF Int. (12.07.2004) Email info@hrwf.net - Website <http://www.hrwf.org> -- Sri Lanka, which is already crippled by the fifty year old Sinhala-Tamil conflict, appears poised to inflict on itself yet another fracture, namely, socio-political antagonism between Buddhists and Christians.

Current attempts by the ruling United Peoples' Freedom Alliance (UPFA) and the opposition Jathika Hela Urumaya (JHU) to bring about a rather draconian law banning unethical religious conversion, may divide the country on religious lines, this time into Buddhists and Christians. They will only add to the woes of a country already reduced to tatters by the ethnic conflict between the majority Sinhalas and the minority Tamils.

As a student of sociology told this correspondent, if the Buddhist-Christian conflict develops, many Sinhala families will be disrupted because it is not uncommon in Sinhala society for Buddhists and Christians to inter-marry and allow religious freedom within the integrated family. The existing familial, social, cultural and political tolerance will go up in smoke.

Fortunately, the proposed law is unlikely to affect Buddhist-Muslim relations because Islam in Sri Lanka, like Buddhism, is not a proselytising religion. Islam here is preoccupied with sharper definition and internal consolidation rather than expansion. On the other hand, Christianity, especially the new fangled brands known as "Evangelist" or "Fundamentalist", is expansionist. Some of the new churches are manifestly and aggressively so.

Such high voltage evangelism has scared the Buddhist leadership, and a section of the Hindus too. Buddhists and Hindus are no match to the highly organized, foreign-funded, and cash rich churches and religious NGOs. Not being organized religions, Buddhism and Hinduism have been forced to appeal to the State to intervene on their behalf. Hence the clamour for an anti conversion law.

But the medicine may be worse than the malady, as is the case with the Prevention of Terrorism Act (POTA) in neighbouring India. The draconian nature of the proposed anti-conversion law could create a siege mentality among the Christians. It could lend itself to gross misuse by the rulers to achieve personal, political and Sinhala communal goals. It could result in the kind of communal divide (Sinhala-Tamil) which followed the "Sinhala Only" policy adopted in the 1950s. What was then done to correct an imbalance between the underprivileged Sinhala majority and the privileged Tamil minority, actually widened the rift between the two and made them implacable enemies. The rift is now threatening to partition the country.

The Buddhists constitute about 70 per cent of the population and the Christians about 7 per cent. Although much smaller in number and not a match to the Buddhists in democratic politics, Christians are ahead in education and are key members of the socio-economic elite and the upwardly mobile classes of Sri Lanka. Unlike the Buddhists, the Christians have international links through their churches. Any Buddhist-Christian conflict will, therefore, be bitter, with long term social, economic and political consequences.

The proposal to bring an anti-conversion bill is not new. The previous United National Front (UNF) government had promised to bring a bill to parliament, following an agitation by Buddhist monks. But the promise could not be kept for want of time. The UNF was out of office as a result of the April 2 parliamentary elections.

The UPFA, which was voted in, had come riding a wave of Sinhala-Buddhist nationalism. Moreover, the elections had put into parliament an explicitly and unabashedly Sinhala-Buddhist force a party of Buddhist monks called the Jathika Hela Urumaya (JHU). The minority UPFA government is dependent on the support of the JHU to stay in power.

An avowedly secular formation, UPFA was not, deep down, keen on any law to ban religious conversions, because such a law would only further divide an already divided Sri Lankan society and polity. But it was coming under pressure from JHU, which claimed to be the authentic spokesman of the Sinhala-Buddhist community, the largest political constituency in the island.

In fact, the JHU took the lead and threatened to steal the show, by introducing its own bill in parliament. Its Private Member's bill "Prohibition of Forcible Religions Conversions" was gazetted on May 28. This is scheduled to be taken up in parliament when it meets later this month.

The JHU's moves forced the Buddha Sasana Minister, Ratnasiri Wickramanayake, to draft a government bill on the same matter.

Euphemistically called "Act for the Protection of Religious Freedom," the bill was approved by the cabinet in June, albeit against the wishes of the Christian members.

"Once parliament takes one of the bills up, we will have just seven days to raise our objections," a worried Godfrey Yogarajah, General Secretary of the National Christian Evangelical Alliance of Sri Lanka (NCEASL), told Hindustan Times on Sunday.

Anticipating opposition to the bills, unruly but unidentified elements started terrorizing the NCEASL into submission. "Last night (Saturday) our office was attacked and ransacked. Some documents and CDs have been taken away. The police are investigating," Yogarajah said.

The NCEASL had put in advertisements in the leading papers of Sri Lanka calling upon all freedom lovers to resist the bills. The ads point out that Article 10 of the Sri Lankan Constitution states that "every person is entitled to freedom of thought, conscience and religion, including the freedom to have or to adopt a religion or belief of his choice." But the bills seek to deny these rights.

"They legitimise oppression of minority religions by those seeking to destabilize society or settle personal disputes, by bringing false charges. They allow courts to determine what forms of religious devotion and practices are acceptable. They criminalize all works of charity and good deeds carried out by individuals and establishments of minority religions as allurements for religious conversion. They prohibit teaching and propagation of religion," the ads say.

"The bills are clearly draconian," commented SL Gunasekara, a top notch lawyer, and a former leader of the Sinhala party, Sihala Urumaya (SU).

Interestingly, "SL" had himself been a victim of anti-Christian prejudice in the SU and had to quit. He was a Christian, albeit a non-practicing one.

According to "The Sunday Leader", Section 8 of the government's draft bill defines conversion in such a way that any kind of motivation to convert is illegal. The government will deem as objectionable any direct or indirect action or behaviour designed to cause a person to "embrace" a religion or religious practice or religious philosophy to which he does not subscribe to. Any direct or indirect action or behaviour designed to cause a person to "abandon" the practice of his religion or religious philosophy will also be considered illegal.

Again, according to "The Sunday Leader", the government's bill is more stringent than the Private Member's bill. If the offence is committed against a minor, the offender could get a maximum sentence of seven years and/or a fine of SLRs.500,000. Teachers and heads of institutions may be liable to more severe punishment if conversions take place under their aegis. The state could confiscate the assets of the offender. If the offence is committed by a group of persons (like those belonging to an organization), every director, shareholder, officer and every employee of that organization is considered guilty of the offence.

According to the Private Member's bill, anyone who performs or takes part either directly or indirectly in an initiation ceremony to convert another should inform the Divisional Secretary (the top most local level government officer) about the act.

"Allurement", in the "unethical" conversion process, is defined as the offer of any temptation in the form of any gift in cash or kind; the grant of any material benefit, monetary or otherwise; or employment or promotion in employment."

The term "fraudulent" includes "misinterpretation". As "The Sunday Leader" fears, the state may construe a Christian's claim that Jesus is the Son of God as a "fraudulent" claim made to influence the target of conversion.

In a statement issued in late June, the Catholic Bishops' Conference (CBC) and the National Christian Council (NCC) had said that while they were also opposed to unethical conversions, the proposed legislation would "pave the way for the oppression of minority religions in the country." It could also "seriously erode" the freedom of thought, conscience and religion, guaranteed by the country's Constitution and sanctioned by international conventions. They pointed out that the bill would have the effect of banning all charitable work by religious persons and institutions.

"Our already oppressed people simply cannot be burdened with more restrictions of this nature," the two organizations warned.

However, few will deny that unethical conversions are taking place in Sri Lanka, especially in the economically deprived rural Sinhala-Buddhist areas, the plantation areas in Central Sri Lanka and the war-ravaged Eastern Tamil districts. Neglect by the state and by the Buddhist or Hindu organizations, has driven the poor into the waiting arms of the evangelists dangling carrots in front of them.

"The new Fundamentalist groups, backed by foreign money, are indulging in open bribery to get converts," charged SL Gunasekara, although opposed to the proposed law. He also feared a cultural annihilation if the trend were allowed to continue unchecked. "The new

Western-oriented churches create a cultural cleavage in the village and destroy the traditional harmony."

The traditional and established Christians churches, on the other hand, have not had such a destructive impact. And this is acknowledged by both the Buddha Sasana Minister and the JHU.

The new-fangled smaller churches come with American, European and increasingly, South Korean money. According to government minister Wickramanayake, these evangelical churches are only interested in increasing their flock in the shortest possible time. And to achieve their goal, they would adopt any stratagem.

Many of these "religious NGOs" feel the need to show an increase in their flock to continue to get grants from donors in the West. Many of them get themselves registered as non-profit companies under the Companies' Act and indulge in economic activities which are used as instruments to secure converts.

The UPFA government has assured the established and traditional churches that the proposed law will not curb their activities and that it will only target the questionable activities of evangelistic and fundamentalist churches. Minister Wickramanayake has even proposed a "Conciliation Council" to settle disputes.

But the traditional churches are not mollified. They fear that a draconian law necessarily gives room for misuse and will be misused. To them it seems that the two bills in question aim at stopping all conversion, not just "unethical" conversion.

Rationalists like SL Gunasekara argue that the practice of ascribing a particular religion to a new born child is also an "unethical" practice, which is being conveniently ignored by all religious groups. "There should be freedom of choice in this matter. You cannot thrust a particular religion on an innocent child, just as much as you cannot thrust a political view," he told Hindustan Times.

The government itself is divided on this issue. According to The Sunday Leader, the present Commerce Minister and former Christian Affairs Minister, Jeyaraj Fernandopulle, will not support such a bill. He is quoted as saying that he will ask for a "conscience vote" on it. According The Sunday Leader, the current Minister of Christian Affairs, Milroy Fernando, has described the bill as "absurd". He claims that only a small section of the Buddhist community wants the bill.

As an alternative, the Catholic Bishops' Conference and the National Christian Council, have jointly suggested that the government and the various religious groups discuss a "democratic" way of tackling the menace of unethical conversion.

Realising the truth that the so called "unethical" conversions take place because of poverty and unemployment, a top leader of Sri Lankan Buddhists, the Chief Prelate of the Malwatte Chapter, Ven Thibbotuwawe Siddhartha Thero, has suggested that vocational training institutes be set up for youth from the underprivileged sections of Buddhist society.

Some doubt if such a bill will actually be passed, because politicians may not want to lose the votes of Christians (7per cent of the population). But others think that it will be passed in the belief that the Sinhala-Buddhist majority in the country will be pleased, just as the "Sinhala Only" bill was passed in the 1950s to please the Sinhala majority, unmindful of its long term consequences for Sinhala-Tamil relations in the country. If short term and short sighted political strategies were adopted consistently in the past, they see no reason why things should be different this time round.

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Lanka's anti-conversion law targets evangelical movements

by PK Balachandran

Hindustan Times (01.07.2004) / HRWF Int. (05.07.2004) Email info@hrwf.net - Website <http://www.hrwf.org> -- The Sri Lankan government has said that the proposed legislation against 'unethical conversions' (mainly from Buddhism to Christianity) is aimed only at the new-fangled evangelical movements bent on converting people, and not the established churches (such as the Catholic or the Methodist church).

This was stated in a letter written by the minister of Buddha Sasana, Ratnasiri Wickramanayake, to Dr Janet Epp Buckingham, Director of the Evangelical Fellowship of Canada, released to the media on Wednesday.

"I wish to categorically state that those professing the Christian religion should not be afraid, as this legislation is only against the misdeeds of those whose only ambition is to convert people of other religions by force to their evangelical faiths," Wickramanayake said.

He said that the proposed legislation stemmed from requests made by the clergy and religious organisations.

But he did not indicate whether the clergy and the religious organisations encompassed all religions.

Wickramanayake also said that government would form a Conciliatory Council comprising of members of all religions to "foster religious harmony".

The new fangled evangelists, who are also known as "Fundamentalists", are mostly foreign funded.

They are accused of brazenly using money and other allurements to convert poor Buddhists and Hindus to their brand of Christianity.

They are not part of any of the established Christian churches. In fact, the mainstream churches also complain that these new fangled churches are weaning away their flock with various promises.

The new evangelists register their organisations under Sri Lanka's Companies Act as non-profit making companies, borrow money from banks, and indulge in "non-profit making" economic activities, which allegedly aid the conversion process.

Though themselves victims of the new evangelists, the established churches are afraid that the anti-conversion law will be used against them too.

Though conversion is not their main aim or activity, some amount of conversion is done by them too.

They do a lot of charity, which can be misinterpreted as a means to get converts. Spreading the word of Christ and saving souls are considered legitimate spiritual activity.

But their methods are subtle, not brazen and unprincipled, like those of the new evangelists.

In a statement issued on Tuesday, the Catholic Bishops' Conference and the National Christian Council said that while they were opposed to unethical conversions, the proposed legislation would "pave the way for the oppression of minority religions in the country."

The legislation will 'seriously erode' the freedom of thought, conscience and religion guaranteed in the constitution and sanctioned by international conventions.

It would tar the image of Sri Lanka abroad, they warned.

"Our already oppressed people simply cannot be burdened with more restrictions of this nature," they added.

All religions urged their followers to do charitable works and it would be wrong to dub all such acts as allurement to get conversions, the statement argued.

It pointed out that all the four religions of Sri Lanka had cherished their right to propagate their doctrines throughout the world.

In other words, what the Christian churches are asking is: If Buddhism can be spread abroad, why cannot Christianity be spread here in Sri Lanka?

The two organisations called for discussions to find a 'democratic way' to deal with inter-religious tensions.

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Sri Lankan Cabinet approves anti-conversion law

'Act for the Protection of Religious Freedom' makes religious conversion a criminal offense

by Sarah Page

Compass (24.06.2004) / HRWF Int. (28.06.2004) Email info@hrwf.net - Website <http://www.hrwf.org> -- On June 18, the Sri Lankan Cabinet gave initial approval for a draft bill designed to prevent religious conversions. The "Act for the Protection of Religious Freedom" will now be revised by the government's legal draftsmen before being enacted as law.

Two separate acts were initially proposed to parliament -- one by the Buddhist Jathika Hela Urumaya (JHU), a minority party allied with President Chandrika Kumaratunga; and one by Ratnasiri Wickremanayake, the Minister for *Buddha Sasana* (Buddhist Affairs).

The draft "Bill on Prohibition of Forcible Conversion" proposed by the JHU was released in late May. It advocated fines of up to \$5,027 and up to seven years in prison for anyone involved in illegal conversion. Both the convert and the person responsible for his or her conversion would suffer penalties if found guilty.

The JHU bill was scheduled for presentation to parliament on June 8. However, that morning the JHU announced in parliament that they would not vote with the government on any issue. A scuffle broke out between the JHU and members of the opposition, and parliament was dissolved. Further sessions were postponed until July 20.

Under the terms of the Sri Lankan Constitution, once a law has been passed by parliament, there is no opportunity for judicial review. If the JHU bill had been presented on June 8, opponents would have had only seven days to present their objections to the Supreme Court.

Following the suspension of parliament on June 8, Minister Wickremanayake presented his own draft bill to the cabinet. The "Act for the Protection of Religious Freedom," much wider

in scope than the one proposed by the JHU, was based on recommendations put forward by the Buddha Sasana Commission of 2002.

The 2002 commission called for the introduction of anti-conversion laws, and the creation of an informal court system or *Sanghadhikarana*, presided over by Buddhist monks. The Sanghadhikarana would resolve village level disputes without reference to the police or courts of law.

Observers are concerned that the introduction of the Sanghadhikarana in tandem with anti-conversion laws could have serious implications for religious minorities.

Wickremanayake's bill effectively makes conversion from one religion to another under any circumstances a criminal offense. Section 2 stipulates that no person shall convert or attempt to convert or aid or abet acts of conversion of a person to a different religion.

If the bill becomes law, Sri Lanka will break with several international conventions, including the International Covenant on Civil and Political Rights (ICCPR) which guarantees the right to freedom of thought, conscience and religion. The ICCPR stipulates that no one should be subject to coercion which would impair his freedom to have or adopt a religion of his own choice. Anti-conversion legislation itself could be seen as a form of coercion.

Despite this, Sri Lanka seems determined to adopt legislation modeled after similar laws in India.

The campaign to introduce anti-conversion laws began soon after the Buddha Sasana Commission in 2002 and intensified in 2003, with 91 attacks on Christians and churches last year.

Until the campaign began, most Buddhists in Sri Lanka lived peacefully with adherents of other faiths. However in 2002, senior Buddhist clergy became disturbed by the decline of Buddhism and the growth of Christian churches in rural areas. The 2002 commission was an attempt to address this issue. One source confirmed to Compass that, during the commission's tenure, the clergy laid out a clear strategy to suppress the growth of Christianity and stir up popular opposition to the Christian faith.

In September 2003, over 1,500 Buddhist monks gathered for an anti-conversion rally in Colombo. They accused Christians of offering financial enticements to the poor to encourage them to convert -- a claim which Christians vehemently denied.

Tensions increased in December 2003 when the well-known Buddhist monk Gangodawila Soma, a key figure in the anti-conversion campaign, died of a heart attack while traveling in Russia. Christians were immediately accused of a conspiracy leading to his death, despite three autopsies showing that Soma died of natural causes.

In January 2004, a group of Buddhist monks launched a fast, demanding that the government enact anti-conversion laws within the next 60 days. Parliament agreed in principle and the fast was called off.

However, when President Chandrika Kumaratunga dissolved parliament in February and called for snap elections, the introduction of the new law was postponed. The Buddhist clergy immediately formed the JHU party to contest the elections in April. They won nine seats and eventually formed an alliance with the president, effectively giving them considerable power in government.

The JHU now finds itself in a difficult position. Having vowed not to vote with the government on any issue, they are now unable to vote in favor of the new legislation.

Even as the cabinet gave initial approval for the new legislation, a fresh attack was underway. On June 18, several Buddhist monks drove through the village of Wadduwa in a van, calling residents to a protest march the following day. On June 19, about 50 monks led a crowd of 150 people to the local Christian Fellowship Church and staged a protest rally. Police officers arrived at the scene but were unable to control the mob. The crowd broke into the church, threw chairs at the altar, pulled down scripture banners and verbally threatened the daughters of the pastor, who was absent at the time.

On Sunday, June 20, police officers assigned to protect the church arrived before the morning service and managed to prevent a small group of protestors from breaking into the building. However, a larger crowd of 200 people soon arrived, waving banners and placards. Bricks, stones and petrol bombs were thrown at the church, damaging the roof and windows. Police officers used tear gas in an effort to dispel the crowd; in return, they were pelted with stones.

The pastor was finally forced to announce that he would suspend all meetings at the church.

The disturbance in Wadduwa was the latest in a series of 50 incidents throughout Sri Lanka in the first six months of 2004.

Sri Lankan Christians have asked the international community to support them in protest against the new legislation.

(For the Sidebar)

Conversion Controls Key provisions of the draft legislation.

The bill introduces itself as legislation that will strengthen the “mutual trust/unity that exists among religions and with a view to protecting the religious freedom that people have enjoyed in the past. An Act to provide for the prohibition of conversion to another religion forcibly or by use of force or inducement, or by fraud, or by unethical means or in any other manner ...”

The key focus of the bill appears to be on the person responsible for the conversion, rather than the person who actually converts, although both are covered by the bill. Section 2 states: “No person shall convert or attempt to convert another person to another religion, and no person shall provide assistance or encouragement towards such conversion to another religion.”

Sections 3, 4 and 5 deal with “conversion by force,” which includes persuading someone to attend “prayers or prayer meetings of any religion of which he is not a member.” This applies particularly to any employer or person holding a position of trust or responsibility, including teachers, hospital staff and children’s caregivers.

Under Section 5(v), if conversion is “committed” by a group of persons, “every director or shareholder ... partner, member, employee or officer of that group or company shall be guilty of an offense.”

Under Section 5(vi), any non-permanent citizen of Sri Lanka who is found guilty of an offense under this Act may be expelled from the republic and banned from re-entry.

Under Section 6, court action against conversion may be initiated by the police, by any person “affected aggrieved by an offense” or by anyone “interested in the welfare of the public who has reason to believe that the provisions of this Act have been contravened.”

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Sri Lankan Parliament to consider anti-conversion bill

Attacks on churches continue as politicians campaign to "promote and preserve" Buddhism.

by Sarah Page

Compass (08.06.2004) / HRWF Int. (14.06.2004) Email info@hrwf.net - Website <http://www.hrwf.org> -- Members of Sri Lanka's new Buddhist party, the Jathika Hela Urumaya (JHU), will present a "Bill on the Prohibition of Forcible Conversion" to Parliament within the next two weeks. The JHU or National Heritage Party, formed to contest snap elections on April 2, published a draft of the bill in the *Government Gazette*, released on May 31.

Ratnasiri Wickremanayake, the Minister of Buddha Sasana, has also announced plans to introduce three new bills implementing the recommendations of a presidential commission on Buddhism held in 2002. According to a report in the *Lankadeepa* newspaper on June 4, these bills will address the conversion of Buddhists to other faiths and the formation of a Buddhist court system or "Sanghadhikarana" where monks can settle disputes without reference to the courts.

The alternative bill offered by the JHU describes itself as "an act to provide for prohibitions of conversion from one religion to another by use of force or allurement or by fraudulent means."

Claiming that Buddhism is the "foremost religion professed and practiced by the majority of people of Sri Lanka," the bill sets out the conditions by which religious conversion will be accepted. Any person converting to another religion must report the conversion to local authorities. Those responsible for encouraging the conversion must also report their involvement.

Those who fail to meet the conditions of the bill may be "punished with imprisonment for a term which may not exceed five years and also be liable to a fine not exceeding *rupees* one hundred and fifty thousand (\$1,508)."

In cases where the conversion involves a minor, a woman or any other group deemed "vulnerable" under the terms of the bill, the punishment increases to a possible seven years and a maximum fine of 500,000 *rupees* (\$5,027).

According to a spokesman from the National Christian Evangelical Alliance of Sri Lanka, "Even if the government decides to vote against the conversion bill brought forward by the JHU, they will obviously support the alternative bill championed by Minister Wickremanayake."

The JHU took voters by surprise in the April elections, winning nine of the 225 available seats. Consisting entirely of Buddhist monks, the party was formed only a week before the February 24 deadline for poll nominations.

President Chandrika Kumaratunga had dissolved Parliament on February 7 and called for snap elections on April 2. Her party won 105 seats, falling just short of the 113 required to form a majority government. She was then forced to negotiate with smaller parties to form a new alliance.

However, the Tamil National Alliance party with its 22 seats and the Sri Lanka Muslim party with seven both sided with the opposition United National Party, giving them a total of 110 seats. This left only the JHU to align itself with the president's United People's Freedom

Alliance, effectively making JHU the “kingmaker” and placing great power in the hands of the Buddhist monks.

Prior to the elections, an anti-conversion campaign begun in late 2002 and led by senior Buddhist monks had resulted in scores of attacks on churches throughout Sri Lanka. Statistics from the World Evangelical Alliance show that from January 2003 to March 2004, more than 140 anti-Christian incidents were recorded. These incidents ranged from mild threats to death warnings, arson and the complete destruction of church buildings.

The snap elections brought a temporary halt to the violence, but attacks quickly resumed. On April 29, a Buddhist monk accused Pastor Kumarasiri of the Peniel Evangelical Church in Hali-ela, Badulla, of building an unauthorized structure. Pastor Jumarasiri was called to the police station, where he explained that the church had submitted building plans and received a building permit in August 2003.

That night around 11:30 p.m., a small group of people tried to set fire to the pastor’s house. Disturbed by neighbors, the group then moved to the church property where they pulled down concrete pillars erected for the new church, and destroyed a temporary shelter constructed for church services.

On May 17, a small crowd confronted the pastor of the Prayer Tower Church in Mahawewa, Puttlam district, warning him to cease construction of his house, as a rumor had spread that he was building a Bible school. The following day, about 400 people arrived at the building site, throwing rocks into a well and creating havoc. The pastor was warned not to report the incident.

The same day, a crowd of about 50 people led by a Buddhist monk stormed the home of an Assembly of God pastor in Yakkala, Gampaha, demanding that he cease worship services.

Then on May 23, a mob of 20 armed with sticks and clubs broke into the church during Sunday services, assaulting the church members and breaking chairs and musical instruments.

Police arrived during the attack and arrested one of the assailants. Investigations are continuing.

Finally, a dispute between two people in Kalutara district on May 28 escalated into a full-scale riot between Sinhalese Buddhists and Tamil Hindus and Christians. Fourteen people were injured and 400 families were left homeless after the violence. Sources said two Buddhist monks were instrumental in instigating the riot.

JHU politicians have made their agenda quite clear. As party member Venerable Medhananda Thera told reporters three days after the elections, “Our sole intention is to establish a righteous Buddhist state with Buddhist values.”

(For the Sidebar)

Eliminating Reasonable Doubt

The *Bill on Prohibition of Forcible Conversion of Religions* proposed by the JHU provides specific legal definitions of terms involving “forced” or “fraudulent” conversions.

- “Allurement” means an offer of any temptation in the form of any gift or gratification whether in cash or kind; grant of any material benefit, whether monetary or otherwise; or the grant of employment or grant of promotion in employment.
- “Convert” means to make one person to renounce one religion and adopt another.
- “Force” includes a show of force such as a threat or harm or injury of any kind, or threat of religious displeasure or condemnation of any religion or religious faith.

- "Fraudulent" includes misinterpretation or any other fraudulent contrivance.

The bill also defines "Schedule 1," a category of people who, along with women and children, are deemed more vulnerable to "forced conversions." Under the proposed law, anyone convicted of forcibly converting a person in this category will be liable for a maximum sentence of seven years, and a fine of 500,000 *rupees* (\$5,027).

Schedule 1

1. Those persons classified as *samurdhi* beneficiaries.
2. Prison inmates.
3. Inmates of rehabilitation centers.
4. Inmates of detention centers.
5. Physically or mentally retarded.
6. Employees of an organization.
7. Members of the armed forces or police.
8. Students.
9. Inmates of hospitals and or places of healing.
10. Inmates of refugee centers.
11. Any other category as may be prescribed by the minister by regulations.

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Demand for anti-conversion law gains momentum

by Champika Liyanaarachchi

OneWorld (28.01.2004) / HRWF Int. (26.05.2004) Email info@hrwf.net - Website <http://www.hrwf.org> -- The issue of unethical conversions to Christianity is snowballing in Sri Lanka, with the country's leading Buddhist organization demanding the government ban all nongovernmental organizations (NGOs) engaged in anti-Buddhist activities, and introduce an anti-conversion law by the month end.

Last week, a leading organization of Buddhist monks, National Bhikkhu Front (NBF) staged a large demonstration in the capital, Colombo, handing over a letter with the demand to President Chandrika Kumaratunga.

Warns NBF secretary Venerable Galewala Chandraloka Thera, "We are prepared to take drastic steps if the government fails to keep the February-end deadline. It is bound to protect Buddhism by the provisions in the Constitution."

Agrees the President of another key Buddhist monks' organization, Jathika Bhikku Sammelanaya (JBS), Venerable Ellawala Medananda Thera, who organized a fast unto death campaign last month, "This is a joint demand from Buddhists and Hindus to eliminate Christian fundamentalists whose activities have caused the biggest damage to religious co-existence here."

On their hit list are around 37 NGOs who have alleged links with Christian sects said to be promoting conversions in Sri Lanka -- like the Assembly of God, Pentecostal Church and Jehovah's Witness.

Interestingly, the list includes several prominent local and international NGOs.

Most of them are involved in community development work in the country.

Among them are World View International Foundation (WIF) and Save the Children Fund (Norway).

Since last year, following the revelation of a major fraud by them, Norway has withdrawn all its funds to WIF.

Also in the dock is the country's largest local NGO - Sarvodaya, which, ironically, was formed to promote the Buddhist concepts of loving kindness, compassion, sympathetic joy and equanimity.

Medananda Thera alleges that the failure of consecutive governments to monitor foreign NGOs operating in Sri Lanka has resulted in the poor falling prey to them.

Adds NBF Secretary Venerable Kalavelgala Chandraloka Thera, "While we are alive to the fact that the government is trying its best to dodge the issue, we also feel laws alone will not help remedy the situation. It is mandatory for the government to identify and ban all NGOs engaged in anti-Buddhist activities."

Declares a spokesperson for Sarvodaya, Neetha Ariyaratne, "There have been posters alleging we are involved in anti-Buddhist activities. But none of these elements had the courage to come forward and tell us precisely what they are."

She adds in her defense, "We have been into community development for the last three decades, and serve all communities irrespective of their race and religion."

Retorts the NBF secretary, "We are not saying Sarvodaya is promoting Christianity here. But the way they operate threatens the roots of the Buddhist civilization."

Buddhist leaders point out that, "The government is bound to protect Buddhism by the provisions in the Constitution."

Article 9 of the Sri Lankan Constitution gives prominence to Buddhism over other religions, holding the State responsible for its protection.

The resurgence of the demand for anti-conversion laws followed last month's mysterious death of one of Sri Lanka's most widely respected Buddhist monks --Venerable Gangodawila Soma Thera, while in Russia to accept a doctorate.

His death whipped up anti-Christian sentiments, resulting in a slew of attacks on Christian churches and prayer centers by unidentified groups.

The latest such attack occurred on the night of January 26 in the town of Mattegoda, about 12 kilometers from Colombo.

A strident critic of unethical conversions, Hindu Affairs Minister T. Maheswaran alleged recently that nearly 7000 Hindus in the North and East and the Central province had been converted to Christianity by NGOs operating in these areas.

He demanded that anti-conversion laws like those prevailing in the southern Indian state of Tamil Nadu should be introduced to curb the wave of unethical conversions in Sri Lanka.

The Archbishop's House in Colombo too issued a statement saying the work of certain Christian sects was a major threat to religious harmony.

The protests made the government promise to introduce anti-conversion laws within 60 days, but it has taken no steps to do so yet.

Says Minister of Buddhist Religious Affairs, W.J.M. Lokubandara, "We are trying our best to introduce them as soon as possible."

The discovery of an online pharmacy selling a drug called Gangodawila Soma, has further insulted Buddhist sentiments. It states that, "Soma relaxes the muscles and relieves pain and discomfort associated with strains, spasms or other injuries."

Declares the Propaganda Secretary of the nationalist Sihala Urumaya (SU) party, Udaya Gammanpila, "We found it had been created on November 18, almost three weeks before the death of Soma Thera. It is obvious the website was created with the intention of insulting him, proving there was a major move to destroy him."

For its part, the government says it is investigating into the offensive site. Says Lokubandara, "We are looking into this matter. It seems it was done by somebody with the intention of provoking the Buddhists. I request everybody not to fall prey to these elements."

Given the communally surcharged environment, the Archbishop of Colombo has requested all Catholics to conduct special prayers on February 1 to pray for religious tolerance and harmony.

Buddhists form 71 percent of the country's 19 million population, while Catholics comprise 6.4 per cent. On the other hand, Christian sects comprise a little less than 1 per cent.

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Anti-Christian violence escalates in Sri Lanka

Christian Solidarity Worldwide (01.03.2004) / HRWF Int. (03.03.2004) Email info@hrwf.net - Website <http://www.hrwf.org> -- Christians in Sri Lanka are facing mounting pressure, with an escalation of violent attacks and an increase in demands for anti-conversion legislation.

Last year, a total of 91 attacks on Christians and churches were recorded, and so far this year 41 incidents have already been documented. Christian Solidarity Worldwide (CSW) is increasingly concerned about the deteriorating situation.

On February 15th three churches came under attack in one night.

The Pastor of the Apostolic Church in Boraluwewa was warned that his church would be attacked. The police were notified, but they failed to provide protection, or to investigate the threats. That night, a crowd of about 100 people with two vehicles completely demolished the church and the staff living quarters and all their personal belongings were set on fire. Five people were later arrested.

The same mob also attacked Gethsemane Church in Boraluwewa, demolishing their worship centre.

The third incident took place in Kurundugaha Hathapma Anuruddhagama (Karandeniya), in Galle. A gang of 10 attacked the home where the Calvary Church worshipped, armed with five swords and a gun. The homeowner was attacked with a sword, but he escaped with minor injuries. His wife was trapped in the house and the intruders threatened to kill her if the worship service continued. The family informed the Elpitiya police the next day and asked for protection, but so far none has been provided.

These incidents in February are the latest in a catalogue of anti-Christian violence that has developed in Sri Lanka in recent years. In January, CSW received reports of at least six attacks by militant Buddhist mobs on Christian churches.

Extremists, stirred up by the death of anti-Christian Buddhist nationalist monk the Venerable Gangodawila Soma Thero, have intensified their calls for the introduction of anti-conversion laws modelled on legislation introduced in five states in neighbouring India. Demand for anti-conversion legislation in Sri Lanka has been developing over the past year.

In January, Buddhist monks launched a "fast-unto-death" campaign demanding that the government enact anti-conversion legislation within 60 days. The government agreed to this demand, and the fast was called off. Subsequently, however, the Parliament was dissolved and the legislation has not been introduced. In the forthcoming elections, however, the Supreme Council of Monks will contest seats on a religious platform, with the objective of introducing anti-conversion laws.

CSW is increasingly concerned about the situation in Sri Lanka. We have recently worked with a cross-party group of UK MPs to table an Early Day Motion (EDM No. 210 Attacks upon Christians in Sri Lanka) in the House of Commons. CSW has urged the public to write to their MPs in support of the EDM.

"The persecution of Christians in Sri Lanka, through both violent and legislative means, causes us deep concern," said Stuart Windsor, CSW-UK's National Director. "The rise of militant, violent Buddhism, and the disregard for human rights, must be stopped before it spreads further. We urge the government of Sri Lanka to take action to stop the violence and to reject anti-conversion legislation, and we encourage efforts by moderates to engage in reconciliation between the Christian and Buddhist communities."

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Violence against Christians escalates in Sri Lanka

Drive to stop religious conversion attributed to death of controversial Buddhist monk

by Joshua Newton

Compass (22.01.2004) / HRWF Int. (22.01.2004) Email info@hrwf.net - Website <http://www.hrwf.org> -- Christians suffered further violence in the Buddhist-majority country of Sri Lanka on January 20, when a Catholic church was attacked near the capital, Colombo, despite the presence of a heavily armed police guard.

Witnesses said the attackers brought in tires and set fire to them at the door of St. Anthony's church at Hokandara near Colombo. Police later dispersed the mob, a resident said.

Priest Hishantha Perera told reporters that the attackers managed to vandalize a cross outside the church even though they failed to enter the church building. "The attackers came in despite the armed police guard," he said.

A week earlier, Sinhala Buddhist protestors set fire to a Catholic church in Homagama, on the outskirts of Colombo. A police spokesman said an investigation was under way and a man had been arrested in connection with the arson attack.

Catholic sources said a group of Buddhist monks had earlier threatened the parish priest of the burned church and hoisted Buddhist flags on the church premises. The police in Homagama took no action even though Buddhist monks had threatened the priest, telling him to leave the area or face dire consequences.

Sri Lankan police and armed forces are predominantly Sinhala Buddhist.

Six churches of different Christian denominations have been burned in recent months in a rising tide of violence against Christians in the Sinhala majority districts of Sri Lanka.

"At least 65 churches, mostly non-Catholic ones, have been attacked this year and 15 came under attack in December alone," said Godfrey Yogarajah, general secretary of the National Christian Evangelical Alliance of Sri Lanka.

Attacks against churches escalated in December following the death of Gangodavila Soma, a controversial Buddhist monk who led a campaign against religious conversions. The monk died of a heart attack while traveling in Russia, fuelling conspiracy theories despite an autopsy showing he died of natural causes.

Dozens of Buddhist monks launched a sit-down protest outside the Buddhist Affairs ministry in Colombo after the monk's death, demanding legislation to ban conversions.

Following the monk's death, Christmas masses at almost all Catholic churches across the country were conducted under police protection amid fears of attacks from Buddhist mobs.

"Over the past two months in particular, several churches have been attacked and on some occasions, church workers beaten up," said a representative of the National Christian Council, comprised of Protestant and Anglican churches.

In the Kegalle District, a mob of about 15 laymen and 10 monks attacked an Assemblies of God church in Deraniyagala on December 7, 2003. The pulpit, windows and doors of the church were destroyed. Attackers made their way to the first floor of the building and set afire Bibles and other valuables belonging to church workers. They then threatened church workers with death if they continued their work in the community.

The call for anti-conversion legislation has been underway for over a year. At least 1,500 Buddhist monks gathered in Colombo last September to call for a total ban on Christian activity leading to what they call "unethical conversions." Like the Hindu extremist groups in India, they argue that Christian groups offer cash to poor people to persuade them to convert, a charge Christians deny.

Buddhist monks of the Jathika Sangha Sammelanaya are in the forefront of the campaign against conversions. Sammelanaya President Ven. Ellawala Medhananda Thera has said they will continue their campaign until the government takes action and enacts laws to prevent Christians from converting Buddhists and Hindus.

Christians make up 7.5 percent of the population of Sri Lanka, a majority-Buddhist tropical island located off the southern tip of India.

Sri Lanka's President Chandrika Kumaratunga has ordered the police to "show no leniency in arresting those responsible" for attacks against Christians.

However, local authorities in Sri Lanka have recently rejected applications from Christian groups to build churches on the grounds that "it will be a nuisance to the Buddhists in the area."

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Church distances itself from "unethical" conversions

But defends religious liberties in Sri Lanka

[Zenit.org](#) (21.01.2004) / HRWF Int. (22.01.2004) Email info@hrwf.net - Website <http://www.hrwf.org> -- The Catholic Church is trying to distance itself from some Christian groups that have come under criticism in this Buddhist-majority nation for bribing poor people to convert.

An anti-Christian backlash has led to attacks on Catholic churches, and fueled demands for a law to ban what some Buddhist monks call "unethical conversions."

Against this backdrop the Catholic bishops' conference issued a statement.

"We, the bishops of the Catholic Church of Sri Lanka," the statement says, "are deeply conscious of the social unrest alleged to be caused by certain activities of the fundamentalist Christian sects, particularly by the more radical elements."

"It must be stated that the Catholic Church is not associated in any way with any of these sects," the statement says. "We do not support any of the measures, such as material enticements or undue pressures that are alleged to be made by these groups in order to carry out so-called unethical conversions."

The bishops' conference also came out against any laws that would prohibit religious conversions.

"In fact," the conference says, "legislation would only exacerbate the situation further. For instance, if a prosecution is initiated against supposed 'unethical' conversion, the adversarial court proceedings will polarize our society and lead to a serious erosion in interreligious relations."

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