

# Sri Lanka

The Democratic Socialist Republic of Sri Lanka is a country of just over 20 million people occupying an island in the northern Indian Ocean. Formerly part of the British Empire, “Ceylon” attained independence in 1948, and became a republic in 1972. There are many ethnic groups on the island and Sri Lanka’s post independence history has been marked by ethnic violence.

Constitution and government	Education and children’s rights	Family, community, society, religious courts and tribunals	Freedom of expression advocacy of humanist values
		<p><u>Government authorities push a socially conservative, religiously or ideologically inspired agenda, without regard to the rights of those with progressive views</u>  <u>Prohibitive interreligious social control (including interreligious marriage bans)</u>  <u>Religious control over family law or legislation on moral matters</u></p>	<p><u>‘Blasphemy’ is outlawed or criticism of religion is restricted and punishable with a prison sentence</u></p>
<p><u>There is systematic religious privilege</u>  <u>Preferential treatment is given to a religion or religion in general</u></p>	<p><u>There is state funding of at least some religious schools</u>  <u>Religious schools have powers to discriminate in admissions or employment</u>  <u>Religious or ideological instruction is mandatory in at least some public schools (without secular or humanist alternatives)</u></p>	<p><u>Discriminatory prominence is given to religious bodies, traditions or leaders</u></p>	<p><u>Expression of core humanist principles on democracy, freedom or human rights is somewhat restricted</u></p>
			<p><u>Some concerns about political or media freedoms, not specific to the non-religious</u></p>

Legend

## **Constitution and government**

According to the 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.” The constitution gives a citizen “the right 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, or teaching.”

However, the constitution also accords Buddhism the “foremost place” and commits the government to protecting it, but does not recognize it as the state religion.

<[priu.gov.lk/Cons/1978Constitution/Introduction.htm](http://priu.gov.lk/Cons/1978Constitution/Introduction.htm)>

## **Education and children’s rights**

Religion is a mandatory subject in the state school curriculum. Parents may choose for their children to study Buddhism, Islam, Hinduism, or Christianity. Students belonging to other religious groups may pursue religious instruction outside the public school system.

## **Family, community and society**

### **Belief Demographics**

Just over 70% of the population are followers of Theravada Buddhism. There are significant minorities of Hindus (12.6% ), Muslims (9.7%) and Christians (7.4%). There are no records on the numbers of non religious people and only 0.1% of the population are recorded as “other” in the last census.

<[statistics.gov.lk/PopHouSat/CPH2011/index.php?fileName=pop43&gp=Activities&tpl=3](http://statistics.gov.lk/PopHouSat/CPH2011/index.php?fileName=pop43&gp=Activities&tpl=3)>

According to a recent Gallup poll, Sri Lanka was the 3rd most religious country in the world with 99% stating that religion plays an important part in their lives.

<[gallup.com/poll/114211/Alabamians-Iranians-Common.aspx](http://gallup.com/poll/114211/Alabamians-Iranians-Common.aspx)>

### **Ethnic and Religious Tensions**

Tensions between the Buddhist majority and the Christian minority—particularly evangelical Christian groups, which are accused of forced conversions—sporadically flare into attacks on churches and individuals by Buddhist extremists. Muslims have also faced harassment: in April 2012, Buddhist monks stormed a mosque in Dambulla and the government complied with their demands to destroy the mosque, ordering that the mosque would be demolished and relocated.

### **Family law**

Matters related to family law, including divorce, child custody, and inheritance, are adjudicated according to the customary law of the applicable ethnic or religious group. In order to solemnize marriages, religious groups must register with the Ministry of Buddha Sasana and Religious Affairs.

Muslim marriages fall under the version of Sri Lanka’s family law that applies only to Muslims. It does not specify a minimum age for marriage and it does not discuss consent. Furthermore, the penal code exempts Muslims from prosecution for statutory rape providing the victim is married to the perpetrator and is 12 or older. Muslim marriages and divorces, and interfaith marriages involving a Muslim, are governed by the Muslim Marriage and Divorce Act, which also permits a man to commit polygamy without the acquiescence or knowledge of other wives he may have.

Husbands can get quick divorces without having to offer any explanation, however the wife endures a long process that requires her to produce witnesses and attend hearings.

Activists have recently begun a vigorous campaign to change the law. Gathering data to prove this however is rather difficult as parents or guardians lie about the age of the women they are giving in marriage and some marriages are not even registered. A government committee appointed in 2009 proposes to change Muslim personal law, but as of June 2017 its chairman, a former supreme-court judge, is struggling to get the Muslim community to embrace it.

<[economist.com/news/asia/21723450-girls-any-age-can-wake-up-married-without-having-given-their-consent-sri-lanka-debates-its](http://economist.com/news/asia/21723450-girls-any-age-can-wake-up-married-without-having-given-their-consent-sri-lanka-debates-its)>

## **Freedom of expression, advocacy of humanist values**

Although freedom of expression is guaranteed in the constitution, a number of laws and regulations restrict this right. These including the Official Secrets Act, the Prevention of Terrorism Act (PTA), additional anti terrorism regulations issued in 2006, and laws on defamation and contempt of court.

Journalists throughout Sri Lanka, particularly those who cover human rights or military issues, encountered considerable levels of intimidation, which has led over the past several years to increased self-censorship. Past attacks on journalists and media outlets, such as the murder of Lasantha Wickrematunga in 2009 and the disappearance of Prageeth Ekmaligoda in 2010, have not been adequately investigated, leading to a climate of complete impunity.

### **‘Hurting religious feelings’**

The Criminal Code under article 290 prohibits injury or “defilement” to places of worship, and under article 291 the “disturbance” of worship. 290A further criminalizes any act in a variety of circumstances within or near places of worship which is intended to “wound religious feelings” or may be considered an “insult” to religion.

Moreover, the law goes on to criminalize in very broad terms any act, including speech acts and written words, made with the intention of “wounding the religious feelings of any person” (article 291A) or “outraging the religious feelings of any class of persons” (291B), respectively.

These are all imprisonable offences.

<[commonlii.org/lk/legis/consol\\_act/pc25130.pdf](http://commonlii.org/lk/legis/consol_act/pc25130.pdf)>

Police often take strict action against perceived insults to Buddhism. Foreign tourists perceived to be “disrespecting” the religion have regularly fallen foul of the law.

In April 2014 a British woman who said she held Buddhist beliefs was deported from Sri Lanka for having a tattoo of Buddha on her arm. Police said she was arrested and detained for “hurting religious feelings”. Naomi Coleman was held in Immigration Detention centre before being deported. Other European tourists have faced similar accusations previously.

<[bbc.co.uk/news/world-asia-27107857](http://bbc.co.uk/news/world-asia-27107857)>