USING LEGISLATION TO PROTECT AGAINST UNETHICAL CONVERSIONS IN SRI LANKA

Alexandra Owens*

ABSTRACT

The long-standing religious harmony experienced in Sri Lanka between the majority Buddhist population and other minority groups has begun to deteriorate in recent years, due mainly to the issue of improper and unethical conversions. At a time when the U.N. Special Rapporteur on freedom of religion or belief is calling for greater international attention to the practice of forced conversions, this article examines recent proposed laws in the field of unethical conversions in Sri Lanka. It considers the question of state intervention in protecting the often conflicting rights relating to religious freedom. An analysis of draft legislation prohibiting unethical conversions proposed by the Sri Lankan Government and by a small yet powerful political party composed of Buddhist monks, suggests that anti-conversion laws are not an appropriate solution to the issue of improper conversions. Rather than protecting religious freedom, they violate the very rights they are seeking to protect, and only serve to increase religious divisions.

* B.A. (Hons) (Adelaide/Flinders), L.L.B. (Hons) (ANU). At the time of research the author was working at the Centre for the Study of Human Rights, Faculty of Law, University of Colombo. The views contained in this article are those of the author alone and do not reflect those of the Centre for the Study of Human Rights. Many thanks are due to Rohan Edrisinha for his comments on a prior draft and for his assistance during the time of research.