

## Islamophobia and anti-Muslim hate in Sri Lanka

**Note:** The structure of this submission follows the guiding questions raised in the concept note for the online consultation. It provides a synopsis of concepts and a snap shot of issues and includes a number of references to more detailed information and analysis.

### Definitions

**Islamophobia** is used in Sri Lanka mainly by Muslim commentators, scholars, a few Islamic scholars and a handful of non-Muslim intellectuals to describe the hatred and fear of Islam by non-Muslims and/or as one of the root causes of anti-Muslim hatred.

It is often used in online platforms though not limited to it.

**Anti-Muslim hate** is used to refer to hate campaigns and messaging by non-Muslims targeting Muslims.

There is more usage of the term anti-Muslim hate than Islamophobia and the latter is at times used to describe the former.

### Historical/political context affecting usage of terms:

There are number of factors that influence and affect the usage of these terms. They include:

- a) Muslim's historical ethnic claims – pre-independence Muslim political representatives fearing they would be a 'minority within a minority' fought hard to establish their own ethnic identity. The British enabled this through a problematic and weak classification titled 'Moor' (Ceylon and Coastal). There were also other Muslim ethnic groups such as the Malays. Based on weak ethnic markers (Arab origin, distinct culture) and as they were conversant in both local languages (Tamil and Sinhalese), Muslims became less ethnically distinctive and more commonly identified as a religious group, or as 'Muslims.' Nevertheless, claiming an identity distinct from the two larger ethnic groups and seeking recognition as a separate group remains critically important to community representatives and leaders.<sup>1</sup> Consequentially, both from outside and inside the community hate, attacks and violence are framed as against 'Muslims' rather than 'Islam' and renders to the more frequent reference of 'anti-Muslim' violence/hate/attacks over Islamophobia.
- b) Ethnic conflict: The above analysis is further complicated in the context of an ethnic conflict where othering and hate has historically been rooted in and continues to manifest in ethnic terms.<sup>2</sup> For Buddhists and Muslims, religion no doubt constitutes a critical and influential

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<sup>1</sup> For more information see: M.A. Nuhman. *Sri Lanka Muslims: Ethnic Identity within Cultural Diversity*. Colombo: International Centre for Ethnic Studies, 2007; Farzana Haniffa, "Piety as Politics amongst Muslim Women in Contemporary Sri Lanka," *Modern Asian Studies*, 42(2-3), 347-375, 2008; Qadri Ismail, "Unmooring Identity: The Antinomies of Elite Muslim Self-Representation in Modern Sri Lanka," in Ismail, Qadri and Jeganathan, Pradeep, *Unmaking the Nation: The Politics of identity and history in Modern Sri Lanka*. Colombo: Social Scientists' Association, 1995.

<sup>2</sup> For further reference see: F. Mihlar. [Coming out of the margins: justice and reconciliation for conflict-affected Muslims in Sri Lanka](#). Colombo: International Centre for Ethnic Studies, 2018; Dennis McGilvray and Mirak Raheem, *Muslim perspectives on the Sri Lankan conflict*, Washington DC: East-West Center Washington, 2007; International Crisis Group, *Sri Lanka's Muslims: Caught in the Crossfire*, Asia Report No.134. Colombo and Brussels: International Crisis Group, 2007; B. Klem, "Islam, Politics and Violence in Eastern Sri Lanka," *The Journal of Asian Studies*, 70(3), 730-753, 2011; Mohamed Ismail, Abdulah Rameez and Mohamed Fazil

component of ethnicity, which have been created, developed and continue to survive in the larger archeology of the conflict.

- c) The identity of the perpetrator and Majority/Minority dynamic: as explained below, the nature of hate and discrimination against Muslims differs based on the source, i.e., Tamil anti-Muslim hatred, attacks and violence focuses on the group whilst Sinhala/Buddhists target the group and the religion.<sup>3</sup>

#### Value of using Islamaphobia:

- The term is only able to capture the hate and fear of Islam articulated or underlying in the anti-Muslim hate and violence perpetrated by non-Muslims.
- Therefore it does not capture the intra-Muslim hate/attacks/violence, including against feminists, human rights activists and dissenters.
- It does not also account for the hate/attacks/violence perpetrated against Muslims that have an ethnic dimension or is based on cultural factors accorded to the group (see examples below).
- Though clearly specific and limited, it nonetheless can identify and explain the hate and fear of Islam that is an important component of the Buddhist and Christian anti-Muslim hate/attacks/violence.
- This is clearly problematic as it is based on 'interpretations' of Islam and ignores the heterogeneity within the religion and of the religious group.
- Faith leaders and religious commentators however, see the term as valuable in identifying aspects of anti-Muslim hate and in interpreting the causes of this hate and attack.

#### Experience of anti-Muslim hatred

Anti-Muslim hatred is found among all the main ethnic and religious groups; Sinhalese/Buddhists; Tamil; Hindu/Christian and Christians as a religious community.

#### Sinhalese/Buddhist hatred

Sinhala Buddhist nationalist/extremist groups have historically engaged in hate campaigns against Muslims mainly in the national media. These campaigns took the form of newspaper articles and letters to the editor on issues such as slaughter of cattle during the Haj festival, disturbance caused by the call for prayer from mosques and building of new mosques. These campaigns were visible from around the 1980s.

Following the end of Sri Lanka's three-decade armed conflict between government forces and the Liberation Tigers of Tamil Eelam (LTTE) the hate campaigns against Muslims have increased, intensified and become widespread. These campaigns were spearheaded by Buddhist extremist groups such as the Sinhala Ravaya, Bodu Bala Sena and Mahasen Balakaya and took multiple forms of expression including mainstream media, social media, public meetings, religious gatherings and public posters.<sup>4</sup>

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Mansoor, "Muslim Perspectives from the East," in Frerks, Georg and Klem, Bart (eds.), *Dealing with Diversity: Sri Lankan Discourses on Peace and Conflict*, The Hague: Netherlands Institute of International Relations (Clingendael), 2004; Farzana Haniffa, "Three Attempts at Peace in Sri Lanka: A Critical Muslim Perspective." *Journal of Peacebuilding & Development*, 6, 49-62, 2011

<sup>3</sup> The above analysis is part of a future publication. If it is to be used, please contact author for details on referencing.

<sup>4</sup> For details on anti-Muslim hate campaigns and Islamaphobia by Sinhalese/Buddhists see: Farzana Haniffa, "Stories in the Aftermath of Aluthgama: Religious Conflict in Contemporary Sri Lanka," in John Clifford Holt,

The core themes of the anti-Muslim hate campaigns are as follows:

- Muslims are trying to take over Sri Lanka through control of the economy and population growth.
- Muslim food establishments were accused of trying to poison Sinhalese Buddhists and clothing businesses were said to be planting substances in Buddhist women's clothing that could affect the latter's fertility. The campaigns thereby called for a boycott of all Muslim businesses and food and fashion establishments. These campaigns were widely publicized including through sermons in some Buddhist temples.<sup>5</sup>
- Muslims have increasingly become extremists, turning towards Wahhabism, with allegiance to Saudi Arabia, evidenced in the high number of mosques and funding for religious institutions.
- Muslims have been given too many freedoms, including enabling them to have their own laws (Muslim personal laws), which they have exploited and gained from through the years.

- Islamophobic campaigns

- Islam is oppressive towards women
- Islam is a violent religion. This was seen to be validated following the Easter Sunday attacks.
- Islam preaches hate against non-Muslims.<sup>6</sup>

The widespread and explicit attacks against Islam are a more recent phenomenon and it is partly the shift in the nature of hate that commentators argue need to be captured through the use of Islamophobia.

#### Hostility and hate experienced from Tamils

The anti-Muslim hate experienced in the country's war torn north and east from the Tamil community has a longer history and has arguably been felt with more intensity by affected Muslims. In the early years of the armed conflict Muslims in the north and east sympathized with and at times showed support to Tamil militancy. However, torn between aligning with the state or militants, because the latter were increasingly exclusivist in areas they controlled, fissures between Muslims and militant groups began to take place in the late 80s. The LTTE engaged in hate campaigns against the Muslims population presenting them as untrustworthy and traitors which culminated in the

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*Buddhist Extremists and Muslim Minorities*, Oxford University Press, 2016, pp. 164-193; Mohamed Faslan and Nadine Vanniasinkam, *Fracturing Community: Intra-group relations among the Muslims of Sri Lanka*, International Centre for Ethnic Studies, 2015; Dhammika Herath and Harshana Rambukwella, *Self, religion, identity and politics: Buddhist and Muslim encounters in contemporary Sri Lanka*, International Centre for Ethnic Studies, November 2015; A.R.M. Imtiyaz and Amjad Mohamed-Saleem, "Muslims in post-conflict Sri Lanka: understanding Sinhala-Buddhist mobilisation against them," *Asian Ethnicity*, vol. 16:2, pp. 186-202, 2015;

<sup>5</sup> For specific reference to anti-Muslim hate preaching in Buddhist temples see Marisa de Silva, Nilshan Fonseka and Farah Mihlar, *The forgotten victims of war: a border villages study*, NTT: Colombo, 2019.

<sup>6</sup> The following report provides information on how Muslims and Islam were associated with extremism prior to and after the Easter Sunday attacks: [International Crisis Group, After Sri Lanka's Easter bombings: reducing risks of future violations](#), Asia report 302, 27 September, 2019.

ethnic cleansing of the entire Muslim population, amounting to some 60,000, from the country's north in October 1990.<sup>7</sup>

Muslims in the east continued to face anti-Muslim hate which also manifested in attacks, violence and violations of International Humanitarian and Human Rights Law.

When the war ended in 2009 and Muslims began to return to the north to resettle in their homes, they were faced with a hostile grieving Tamil population who had no experience of interacting with any other groups over the previous 20 years. In both the north and east anti-Muslim hate has risen since the end of the war as Muslims are seen to be taking resources from Tamils.<sup>8</sup>

#### Themes in Tamil anti-Muslim hate:

- Muslims cannot be trusted; they abandoned the Tamil cause and will align with whatever groups that benefit them.
- Muslims are trying take over land and other resources that belong to Tamils.
- Muslims want a separate identity; they have historically rejected associating themselves with Tamils and thereby do not belong to a Tamil homeland.

#### Anti-Muslim hate found among Christians

Christians are in ethnicity Sinhalese and Tamil and have been part of the hate campaigns identified above. More recently, particularly following the Easter Sunday attacks which targeted Catholic populations, anti-Muslim hate among Christian groups has distinctly increased. In addition to the ethnic positioning the hate originating from some Christians is focused on Islam and is Islamophobic.<sup>9</sup>

#### Themes include:

- Islam is a violent religion that advocates violence
- Islam preaches hate against non-Muslims.

#### Online anti-Muslim hatred in Sri Lanka

According to reports analysing social media by Hashtag Generation Muslims are the target group that attract the largest component of hate speech.<sup>10</sup> The following table of content analysed by the group in the period March – November, 2020, provides an indication of how disproportionately Muslims are targeted with hate on social media (Graphs of the monthly breakdown have been annexed at the end of this report).

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<sup>7</sup> Details of anti-Muslim hate by Tamils against conflict affected Muslims can be found in: F. Mihlar, [Coming out of the margins: justice and reconciliation for conflict-affected Muslims in Sri Lanka](#). Colombo: International Centre for Ethnic Studies, 2018

<sup>8</sup> See: Mihlar, F. [Coming out of the margins: justice and reconciliation for conflict-affected Muslims in Sri Lanka](#). Colombo: International Centre for Ethnic Studies, 2018;

<sup>9</sup> Authors interviews with Christian clergy, Negombo, September 2019; Jaffna, 2017 and Mannar 2017.

<sup>10</sup> Hashtag Generation is "a movement led by a group of young tech-savvy Sri Lankans working towards building a society where citizens have the skills, information, and tools to be active participants in making the decisions that affect their communities, technologies and bodies." See: [www.hashtaggeneration.org](http://www.hashtaggeneration.org)

### Hate Speech Content Disaggregated by Target Groups:

Target Group	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov
Sinhalese	0	0	2	0	1	1	2	1	1
Buddhists	0	0	0	0	0	1	0	0	0
Tamils/Hindus	1	2	5	0	2	4	4	0	1
Muslims	40	77	25	3	31	16	11	6	12
Christians	4	3	1	0	2	3	1	1	0
LGBTQI	1	0	0	0	0	0	1	0	0
Diseased/Disabled	1	3	0	0	0	0	1	0	0
Women	6	4	0	2	1	0	1	8	0
Minors	0	0	0	0	0	0	0	0	0
Activists	0	1	4	0	2	0	0	0	0
Government/State Actors	0	0	0	0	0	0	0	0	2
Political Actors	1	2	2	3	1	1	1	6	0
Others	6	2	3	0	12	1	0	0	1

*Courtesy Generation Hashtag*

### COVID-19 pandemic

Since the first cases of COVID-19 emerged in Sri Lanka Muslims have been the targets of hate and discrimination:

#### Blaming Muslims for exacerbating the spread

- They have repetitively been blamed for bringing the virus to Sri Lanka and spreading the pandemic.
  - o Early cases of the virus were blamed on Tablighi Jama'at followers who returned from a regional meeting that took place in April, 2020, in India.<sup>11</sup>
  - o Some of the first few cases of COVID 19 were found to be among Muslims and the group were accused of spreading the virus across the country.<sup>12</sup>
  - o In the first wave migrant workers who were repatriated to Sri Lanka from Muslim countries caused a spike in the number of cases which also led to anti-Muslim hate.
  - o The second wave in Sri Lanka originated from workers in a garment factory that is owned by a Muslim family, which has also resulted in anti-Muslim hate attacks.

<sup>11</sup> For information on spikes in hate speech against Muslims see statistics Generation Hashtag statistics below. On this specific point: Dhankar, L. "Coronavirus: Four from Sri Lanka who attended Tablighi Jamat gathering test positive in Haryana's Nuh." Hindustan Times, 6 April, 2020.

<sup>12</sup> Srinivasan, M. "[Muslim organisations in Sri Lanka concerned over hate mongering.](#)" The Hindu, 13 April, 2020; Saroor, S, "[Scapegoating the Muslims: from Aluthgama to Post-Easter Sunday to COVID 19.](#)" Economynext. Com, 14 May, 2020. Gaguly, M. "[Sri Lanka officials stoke Covid 19 communal hate.](#)" Human Rights Watch, 19 May, 2020.

## Discrimination

- The government imposes a forced cremation policy, claiming it is for public health reasons but provides no evidence to support this. This policy remains in spite of continuing international advice, including from the WHO that there are no public health implications in permitting burials. The forcible cremation policy is a violation of Article 2, 18 and 27 of ICCPR. Whilst some limitations of these articles are permitted under situations of public emergency, the government has failed to provide evidence of 'necessity.'<sup>13</sup>
- There are also a few cases of Muslims who have been forcibly cremated without having been tested for the virus and after getting a COVID 19 negative result.
- The number of Muslims who have died from the virus is disproportionately higher than their representation in the population. There has been no reasonable explanation provided by the government or health authorities as to why this is the case. It could be a result of a number of factors including: access to health care, discriminatory treatment in hospitals or access to testing.<sup>14</sup>

## Intra-Muslim hate

- Majority of Muslims belong to the Shafi madhabs (schools of jurisprudence) and are Sunnis. A minority are Shia (who follow Zeidi or Ismaili madhabs) and others minority Sunnis belong to other madhabs such as the Hanafi and Maliki. Some level of hostility and anger has historically existed and continues to remain between these groups. This manifests in the form of criticisms of leadership, customs and religious positions of alternative group/s and at times can result in exclusivity and division, including by preventing marriage of individuals between the groups. Theologians who are ardent followers of the Shafi sect have been the most resistant to reform of the Muslim family law, claiming that allowing for progressive jurisprudence from other scholars (even those within the Sunni sect) is 'unIslamic' and against the Shari'ah.
- Since the 1990s there has been an increase in the development Salafism and Wahhabism in Sri Lanka. This has met with hate from older religious movements such as Sufi groups, Tablighi Jama'at and Jama'at-I Islami. The intra-Muslim hate was acute in the 1990s manifesting in hate speech (mosque sermons, public events, mainstream and social media) and hate attacks (breaking down of Sufi Shrines; damaging Salafi mosques).<sup>15</sup>
- Some hostility and milder forms of hatred is evident among the different Muslim ethnic groups. The Ceylon Moors have dominated politics and religious leadership they at times pejoratively refer to the Indian Moors as 'outsiders,' 'lower-class,' and Malays as 'outsiders,' 'Westernised' 'less-Islamic.' The religious reforms that took place in the 1990s driven by the rise in Salafism and Wahhabism contributed to a blurring of divides on ethnic grounds and an increase on religious grounds.

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<sup>13</sup> See the Joint Civil Society Statement on Forced Cremation available at:

<https://www.cpalanka.org/statement-on-forced-cremations/>

<sup>14</sup> *ibid*

<sup>15</sup> Farah Mihar. [Religious change in a minority context: transforming Islam in Sri Lanka](#), Third World Quarterly (2019)

## Gendered aspects

### On dress code

- Muslim women have faced the largest impact of anti-Muslim, Islamophobic and intra-Muslim hate. This is primarily as they are identifiable through a distinct dress code.
- Muslim women have been targeted in hate attacks in public spaces, on public transport and when seeking treatment at hospitals. There was a clear rise in these attacks following the Easter Sunday bombings. Muslim women have been discriminated against at educational and medical establishments and denied state service.<sup>16</sup>
- One of the immediate measures taken in the aftermath of the Easter Sunday attacks was to ban the face veil, niqab, which was initially miscommunicated as a ban on the hijab. This led to numerous incidents of discrimination and attacks of Muslim women wearing hijab.<sup>17</sup>

### On reform of Muslim family law

- Muslim women have both been targets of attack and utilized in anti-Muslim hate campaigns. Their 'oppression' has been a dominant theme in Islamophobic and anti-Muslim hate both of which have set out to try to 'liberate' Muslim women. One of the consequences of this has been the support of Sinhala Buddhist extremists to some of the demands of Muslim women-led campaigns to reform the Muslim family law.
- This in turn has resulted in a backlash and resistance by some Muslim men and male religious representatives against Muslim women's groups, both in Colombo and at the community level, as well as against Muslim women activists actively supporting legal reform of the Muslim family law.

## Islamophobia, anti-Muslim hate and FoRB

Noting that Article 18 of ICCPR is not aimed at protecting a religion or religious identity and based on General Comment 22 of CCPR the following are examples of how discrimination, anti-Muslim hatred and Islamophobia violate the manifestation of FoRB:

- The government policy on forcible cremation denies Muslims the right to bury their dead which is a 'ceremonial act giving direct expression to belief.' It is also a form of 'observing and practicing religion.'
- The government's prohibition of wearing the face veil is considered by some Muslims as an 'observance and practice of religion' through 'dress code'.
- Through the emergency regulations that came into place immediately after the Easter Sunday attacks some Islamic religious establishments and educational institutions (madrasas) were forced to close down; particularly in the Eastern province and in the capital Colombo. Whilst these emergency regulations have been removed, as a consequence of continuing surveillance and Islamophobic campaigns, many Islamic educational events, groups and classes have stopped in fear of being targeted for attack. Some property owners have also issued orders for such activities to cease, fearing links to terrorism or surveillance by the government. This is a violation of 'manifestation of FoRB in teaching.'

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<sup>16</sup> See: Call for action mapping anti-Muslim attacks in Sri Lanka, 2019 (previously submitted by author to the SR).

<sup>17</sup> *ibid*



- Similarly, the increased surveillance and fear of Islamophobic attacks has affected the public display of religious symbols, such as Quranic inscriptions on buildings, educational establishments and businesses and the building and expanding of mosques. Since the Easter Sunday attacks Muslims have put themselves under pressure to curtail and downgrade observance of religious festivals.
- The All Ceylon Jamiathul Ulemma, the country's main body of theologians, in 2013 bowed to pressure by Buddhist extremist groups to abandon their role in issuing halal certification.<sup>18</sup>
- Intra-Muslim hate has resulted in attacks on mosques (Salafi and Sufi); destruction and damage to Shrines (Sufi); obstruction to performing rituals at Shrines and mosques (Sufi); obstructions to observance of the birth anniversary of Muhammad (Sufi).<sup>19</sup>

## Current Responses

There are multiple levels of responses to anti-Muslim hate and Islamophobia that is currently taking place in Sri Lanka. The following section outlines some of the main national level responses:

- 1) Muslim human rights activists have challenged the anti-Muslim hate and violence utilizing a multitude of strategies including, but not limited to: legal cases to the Supreme Court of Sri Lanka; submissions to international bodies, mechanisms and experts on a frequent and continuing basis; working through wider national, regional and international human rights organisations to raise the issues.
- 2) Muslim women's groups including, Muslim Personal Law Reform Group (MPLRAG) and other community-based groups are actively involved in a process of reforming the Muslim Marriage and Divorce Act, especially discriminatory provisions pertaining to child marriage, polygamy and representation of Muslim women in Quazi courts. They have vocally challenged resisting voices and backlash from outside and within the community through mainstream and social media campaigns. They continue to engage with parliamentarians and the Ministry of Justice to bring about changes to the law and the Quazi court system. MPLRAG's approach has been to use progressive lived realities of Muslim women, Islamic jurisprudence, the Sri Lankan Constitution and the international human rights frameworks like CEDAW to push for reform<sup>20</sup>
- 3) The Muslim Council of Sri Lanka, an umbrella organization of Muslim NGOs, has actively maintained a policy of engaging with the government and with Buddhist extremist groups. As part of this strategy they are less involved in activities by 1) above. They have been involved in bringing together Muslim political representatives to take common positions on anti-Muslim hate attacks and have privately had a number of meetings with Buddhist violent extremist groups, including the BBS, to clarify and moderate some of their positioning on Islam.<sup>21</sup>
- 4) The now largely discredited All Ceylon Jamiathul Ulemma (ACJU) in the past took leadership in challenging Islamophobia through meetings with Buddhist monks and through publications. The ACJU published a series of books in local languages contesting some of the

<sup>18</sup> Halal certification is now issued by the Halal Accreditation Council; see Sri Lanka: Halal certificate to be issued by HAC from today, 9 January, 2014, available at: <https://halalfocus.net/sri-lanka-halal-certification-to-continue/>

<sup>19</sup> Mihlar Farah, [Religious change in a minority context: transforming Islam in Sri Lanka](#), Third World Quarterly (2019)

<sup>20</sup> See MPLRAG website: <https://mplreforms.com/>

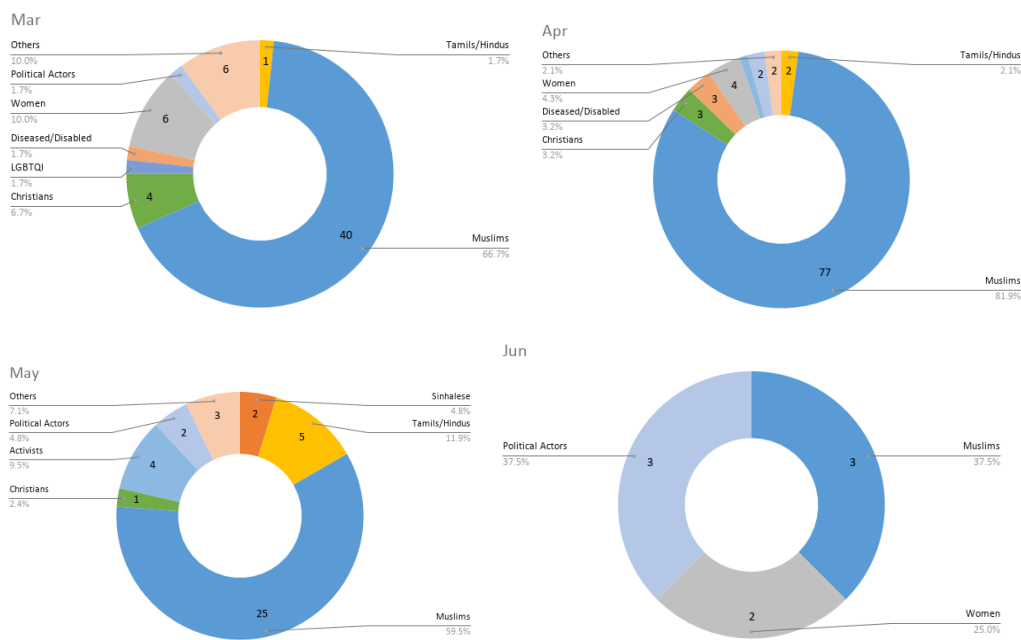


Islamophobic content. Prior to the Easter Sunday attacks they were instrumental in using their mosque networks to prevent reprisal attacks against Buddhist groups and to push forward messaging on non-violence and reconciliation in Islam. More recently, the ACJU has lost credibility over the role of its leadership but its networks across the country have some influence on inter-religious reconciliation.<sup>22</sup> The ACJU has been one of the main critics of Muslim feminist groups and their positioning on challenging Islamophobia is a clear example of the conceptual challenges of the term as they do not extend the same support to feminists and dissenters.

- 5) Across Sri Lanka through village level peace and reconciliation committees (formed during and after the war) Muslim community and religious leaders continue to engage with non-Muslim community and religious leader to contest and challenge anti-Muslim hate and Islamophobia. These activities range from monthly peace meetings, participating in other religious festivals/rituals/observance and inviting religious representatives such as monks and priests to mosques and Islamic events.<sup>23</sup>

## Annex 1

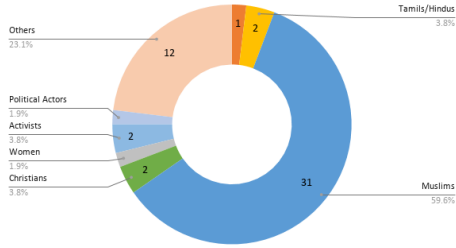
### Monthly breakdown by target group of hate speech content in social media as analysed by Hashtag Generation.



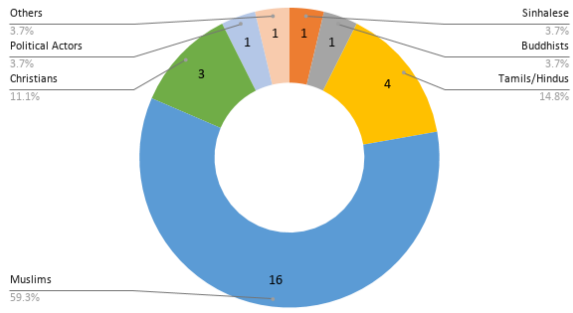
<sup>22</sup> Details and references to be added

<sup>23</sup> see Marisa de Silva, Nilshan Fonseka and Farah Mihlar, *The forgotten victims of war: a border villages study*, NTT: Colombo, 2019.

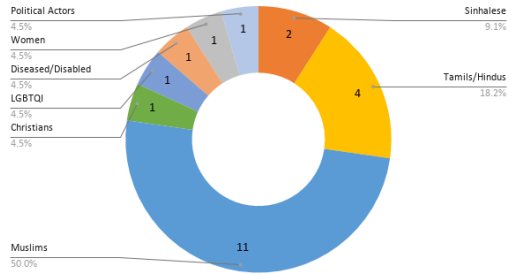
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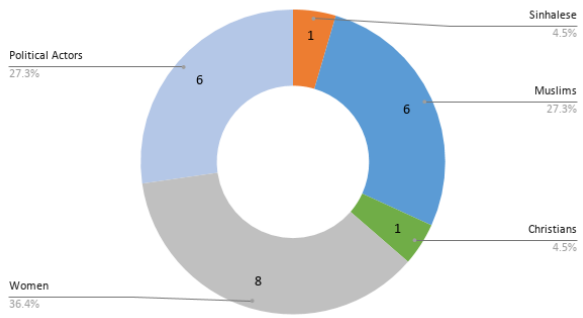
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