

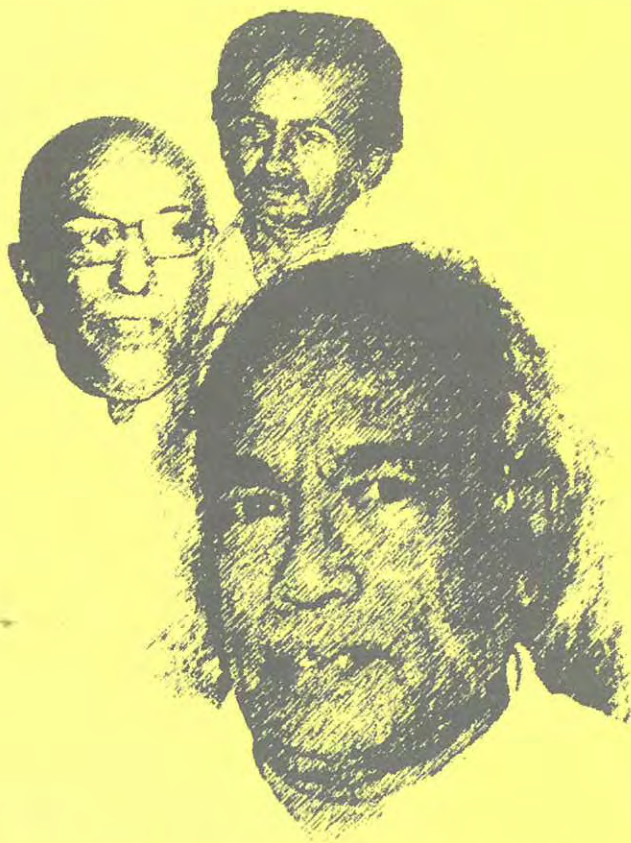
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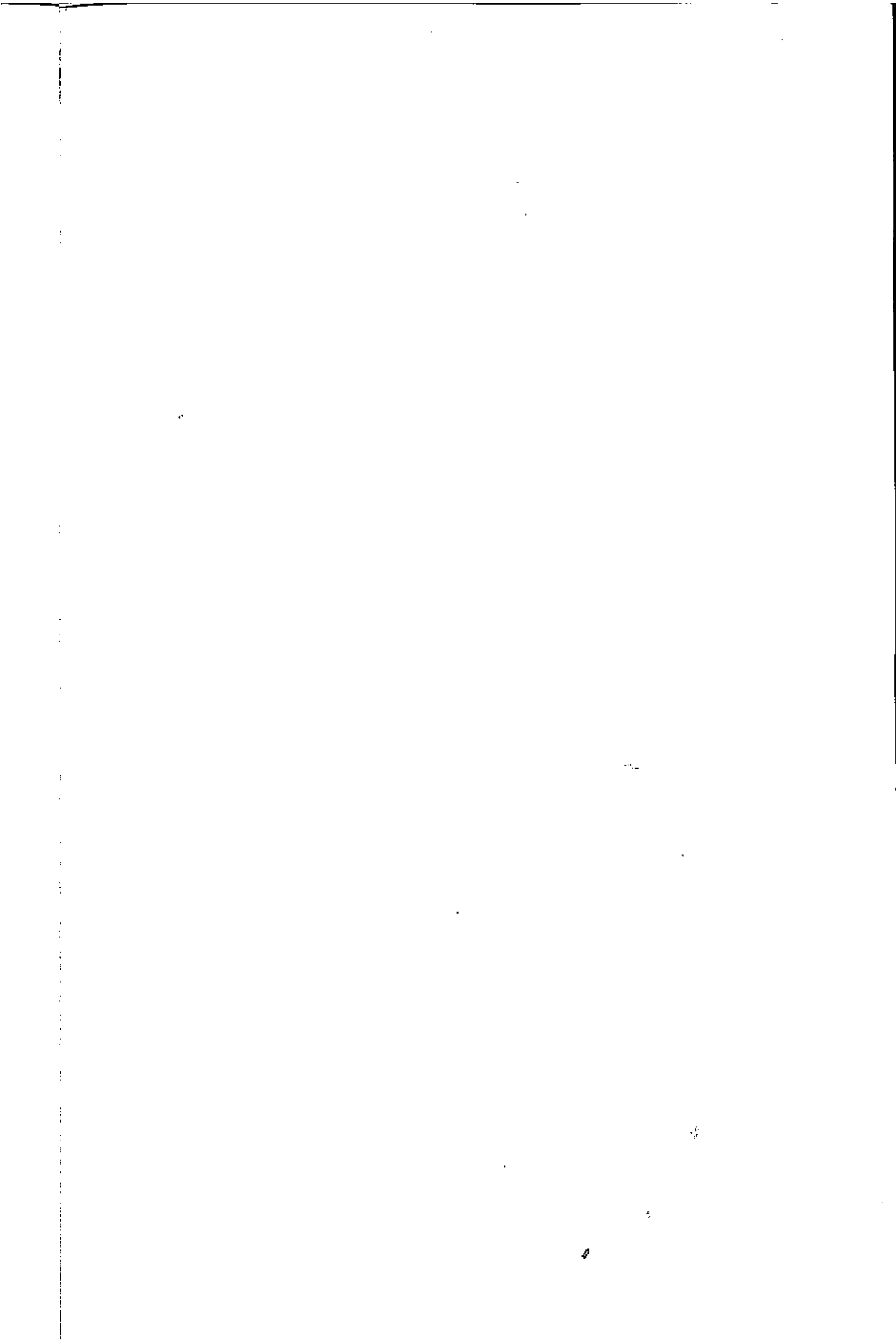
POWER vs. CONSCIENCE

The Excommunication of Fr. Tissa Balasuriya

BASIL FERNANDO



AN ASIAN HUMAN RIGHTS COMMISSION PUBLICATION





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Foreword

Excommunication is often a phenomenon associated with the Middle Ages rather than today's Information Age of the Internet. Yet as the 21st century rapidly approaches, an excommunication has occurred once again within the Catholic Church. On 2 January 1997, the Vatican's Congregation for the Doctrine of the Faith (CDF) issued a document in Rome excommunicating Fr. Tissa Balasuriya, a 72-year-old Catholic theologian in Sri Lanka who has served the Church all of his life. The official reason for initiating such a drastic action against a longtime and faithful Catholic is a theological disagreement over his book *Mary and Human Liberation* that was published nearly seven years earlier in 1990.

In *POWER vs. Conscience*, an attempt is made to provide the details behind the process that led to Fr. Balasuriya's excommunication in order to illuminate the lack of due process that has occurred within the Catholic Church in this case and to expose the theoretical basis for the denial of such due process. This book provides background information surrounding the excommunication and also responds to the veracity of a campaign that is taking place within the Catholic Church in Sri Lanka to justify Fr. Balasuriya's excommunication. This campaign and Fr. Balasuriya's excommunication are placed within the context of two currents of faith and witness that have been evident in the Sri Lankan Church for several decades since Vatican II was held in the 1960s. These two movements - described in this book as the Spirituality of Solidarity and the Spirituality of Divisiveness - offer two very different visions and manifestations of faith, almost so much so that an outside observer might believe that they are two different religions.

In addition to the primary contents of the book, the appendi-

ces contain the replies of Fr. Balasuriya to the theological charges made against him and to the process that has led to his excommunication. The appendices also offer some of the public statements and efforts that people in Sri Lanka and elsewhere have made on Fr. Balasuriya's behalf in an attempt to have his excommunication overturned.

POWER vs. Conscience, however, is not intended to be a theological book although it raises some fundamental religious issues. Rather, it seeks to raise questions about human rights within the Catholic Church in an institution where the sanctity of life and justice are among its professed reasons for existence. It is not merely a critical report on the Catholic Church though but also seeks to raise serious questions about the structures and practises of all contemporary institutions, both secular as well as religious, and the way in which decisions are made and people relate to each other in today's top-down, undemocratic institutions that can be found throughout our societies in the areas of government, military defence, business, education, etc., for *POWER vs. Conscience* notes that the excommunication of Fr. Balasuriya is really an attack on pluralism and the ability of those in power to define truth. In short, this book seeks to raise the reader's attention to two forces that have coexisted since excommunications were more common - namely, power and conscience - and to signal a warning that the former is more and more encroaching on the ability of the latter to be heard in political, socio-economic and cultural as well as religious matters.

Bruce Van Voorhis
Editor
May 1997
Hong Kong

Introduction

A Man Faces Fundamentalism

A Brief Biography

Sirimevan Tissa Balasuriya was born in 1924 in Sri Lanka in a village called Kahatagasdigiliya where his father, a pharmacist, was working at the time in a transferable service for the government. There were six children in his family, two of whom died in their youth as child mortality was high in those days. Another sister, a nun belonging to the Holy Family Order, died not long ago.

The village where Tissa was to live the first six years of his life was deep in the rural countryside, a jungle area. There were huge trees, *wewa* or irrigation tanks and cattle everywhere. In this environment lived the rural people. He particularly remembers Ran Hamy - the dispenser - and two very kind women brought up by his family, Engo Hamy and Kaiya. His formative years spent in these beautiful surroundings yet amid the harsh conditions in which the people lived would have left in the young child a deep impression of the real Sri Lanka that was then called Ceylon. Later two of his closest colleagues, Bishop Leo Nanayakkara and Fr. Michael Rodrigo, opted in the last part of their lives to live in similar surroundings among even more impoverished people in a different area of Sri Lanka. It was their thirst to be identified with the real people as differentiated from the elite that led them there from more comfortable urban surroundings. Tissa would have little difficulty in sharing their experiences.

From there, the family moved to Dankotuwa near Negombo. Going first to a Sinhala school, he later moved to Marystella

College, a prestigious Catholic school. Perhaps the origins of his piety and devotion to Mary, which was to lead to his excommunication from the Catholic Church, began there; for at the time, the boy was lonely and did not even know how to tie his shoelaces until a priest helped him. To the little boy living in the boarding school, the mother image of Mary was a great attraction.

Tissa now found himself in a new environment as Negombo was near the sea. Many fishing villages surrounded the town where the school was situated. A beautiful lagoon lie quite close to the school. The fisherfolk in these villages were all Catholics. Some of them spoke both Sinhala and Tamil as they went to Tamil areas in the North for fishing when the sea was rough near their homes.

In this community, the church was the centre of life for most people, and the church feast remains colourful to this day. Despite deep religious loyalties, much violence was also there, however - many stabbings and deaths. From these villagers though was to emerge a child who was to be the first local archbishop and the only Sri Lankan cardinal, Thomas Cooray, Tissa's senior by three decades or so. He did not come from a relatively affluent background like Tissa, which meant that the traditional piety of the people would have had a deeper impression on him. Nurtured in the Council of Trent tradition though, the cardinal found it difficult to adjust to the changes envisaged by Vatican II whereas Tissa was to find the most fulfilling years of his life thanks to Vatican II. Later in life there were to be tensions between the two who came from the same physical surroundings in their childhood. To these, we shall return later, however.

From Marystella, Tissa later joined St. Joseph's College where he met his mentor Fr. Peter Pillai, who was regarded at one time as one of the most learned men in South Asia and the

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founder of the social justice movement in the Church in Sri Lanka. Though a very informed but conservative priest who was scared of the possible spread of communism, he acknowledged the need for social reforms and started the publication *Social Justice*, which Tissa continues to publish today as a monthly magazine. Fr. Pillai was also the founder of Aquinas University College that prepared students for external university degrees. Tissa was to be the rector of this institution by the choice of the founder. In addition, Fr. Pillai initiated the creation of the Catholic Students Federation (CSF), a movement for Catholic undergraduates through which Tissa later was to become the national and Asian chaplain of the International Movement of Catholic Students or IMCS.

In 1942, Tissa went to university at the age of 18. He studied economics and political science and passed with a second upper degree with a gold medal. The years spent in the university exposed him to many movements as the country was fighting for independence from British rule, which it achieved in February 1948. He describes his university years as the most crucial years that shaped his thinking. The students were exposed to a critical approach, which he was not to abandon despite extreme pressures; for among the students, there were debates, discussions, contests and publications. It was a lively milieu. Marxists too were very active, though they were a very mild type of Marxists.

Most of his university colleagues moved to the civil service - the dream of the affluent youth of those days. However, for Tissa, that was not a tempting option. He says, "By the end of my second year at the university, I had more or less decided to be a priest. I still continued reflecting. It was an inner impulse. It was a call I could not refuse. I suppose that is what one calls a 'vocation.'" Consequently, three years after beginning his university education he joined the Oblates of Mary Immaculate (OMI) order in 1945. Why the Oblates? "Because there was an

option for poverty," he explains.

After one year as a novice, a total monastic life, he was sent to Rome for studies in philosophy and theology. He was to spend six years there learning and making friends with people from many continents, some of whom were to remain his friends throughout his life. He remembers those difficult days just after World War II in which they had to study in Latin and talk in Italian. A year later two other people joined him from Sri Lanka, Michael Rodrigo and Dalston Forbes, who was to become the rector of Sri Lanka's Major (Catholic) Seminary for a long time.

What was the thinking of his fellow students at the time?

Tissa recalls that the students from the Western countries thought that colonialism was a good thing, that the people in Asia and Africa were fighting and killing each other and that they, the Westerners, had come and saved them. "We argued against them, but we were a minority," Tissa says.

What was the overall reaction to the training?

"Six years, the best years of one's life, that one finds in some sense a cipher and negative. You have to think of undoing much of the content of your thinking, though the intellectual training is valuable."

Returning to Sri Lanka in 1953, Tissa was assigned to teaching during a period when the years of turmoil in the country were beginning. The Church at the time was rooted in right-wing politics. Because the Church had schools, it had power. However, the agitation by the State to take over the schools was under way, and finally the State assumed control of the schools, leaving the Church in a state of mind from which it has never recovered.

There were saner voices though calling for a different^{*} orientation, like those of Fr. Henk Schram, a priest from the Nether-

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lands and a chaplain of the Young Christian Workers Movement (YCWM) in Sri Lanka. In the 1960s, Henk Schram stated publicly in Sri Lanka that the Catholic hierarchy was the greatest barrier to the Catholic Church. However, such voices were not listened to. By that time, Thomas Cooray was the archbishop. In 1962, there was an attempted coup led by the armed forces of which most of the leaders were Catholic. The coup failed, but the link with the Catholic Church was often discussed. Fr. Henk believed that there was substance to the charge.

From 1964-1971, Tissa was the rector of Aquinas University College, a prestigious institution, where more affluent students who could not enter a university prepared themselves for university degrees as external students. His contribution to the development of this institution is widely acknowledged.

However, even in the 1960s, he was thinking of something more meaningful to do with his life. Vatican II and the country's youth rebellion in 1971 were pointing towards a change. Tissa's application to resign from Aquinas College and devote himself to more pastoral work was rejected by Cardinal Cooray several times, however.

In 1971 though, Tissa resigned from Aquinas College and founded the Centre for Society and Religion (CSR). The same year Bishop Leo Nanayakkara resigned from the prestigious Kandy Diocese and became the first bishop of Badulla Diocese, a poor, remote area. A few more Christian institutes were beginning during this period, and a new chapter of more open Christianity in the country had begun to take root. A search for a genuine religious experience in the midst of the people of Sri Lanka, in the midst of a multireligious and a multiethnic background, was in motion. For this movement, Bishop Leo was to devote most of his efforts and be harassed by the Vatican, Fr. Michael Rodrigo was to be gunned down in 1988 and become a martyr, many others were to be severely harassed by the Church and

Tissa was finally excommunicated.

At CSR, there have been many activities, many commitments. Many new groups and even international movements have been initiated. Tissa, for instance, played a major role in the formation of the Ecumenical Association of Third World Theologians (EATWOT), now a strong theological movement. Through the centre, he wrote several books, including the controversial *Mary and Human Liberation*. Excommunication based on this book has helped him receive national and international recognition, not only for his work but also for the efforts of his colleagues, like Bishop Leo and Fr. Michael, who wanted to end the pre-Vatican era in the Church.

Tissa's writings are an attempt, as it were, to connect his knowledge of global affairs to the life of the people of Kahatagdigiliya, the village of his formative years. The most complicated problems of the country have also emerged from similar backgrounds in the last half of the 20th century. His writing on Mary was a later reflection on his early attachment to Jesus's mother. A deeply religious man, he needed to interpret the symbols of his faith as a part of his search for meaning. Tissa is quiet, reflective and contemplative. He believes that his faith has answers to his quests. Because of this, he was shocked when the Church tried to deal with him bureaucratically by tricking him with an "*ad hoc* theological commission," a bogus act of faith drafted by the Congregation for the Doctrine of the Faith (CDF), and then to excommunicate him. His insistence on due process was an assertion that the faith he relied on cannot be so treacherous. Like many in Stalin's jails wondered how their lifelong faith could have landed them there, Tissa too cannot still believe that a misled bureaucracy could be so treacherous. The genuine search for meaning and institutional religion meet with conflict sometimes. This is the essence of what Tissa faces now.

Younger people of the Church know this well. As they move

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in search of meaning and relevance, they also move away from the institutional Church. Such people are many now in this small island-nation with a rich spiritual tradition. They will not forget Tissa. They may think though that he was a little naive in thinking that the Catholic hierarchy could be helped to understand the validity of Vatican II.

Fundamentalism and the Truth

All fundamentalism, be it Hindu, Muslim or Christian, is essentially the same. It consists of a claim for possession of absolute truth. The West, which is quick to condemn Oriental forms of fundamentalism, is very slow to condemn Christian fundamentalism; and because of this fact, it has lost credibility when it criticizes others.

Every form of fundamentalism has the following features which are incompatible with democracy: an attack on pluralism, the incapacity for real dialogue with others and the tendency for fanaticism and violence. All of these features were clearly visible in the excommunication of Fr. Tissa Balasuriya.

Antagonism against Pluralism

In an editorial in the British Catholic weekly *The Tablet* entitled "The Heart of the Matter" on 1 February 1997, the editors have rightly referred to Fr. Tissa Balasuriya as a pluralist and not a relativist. However, the underlying presumption is that Cardinal Joseph Ratzinger would not have excommunicated Fr. Balasuriya if he had made this distinction.

This presumption unfortunately amounts to an underestimation of what Cardinal Ratzinger is really engaged in. Fr. Balasuriya has been attacked exactly because he is a pluralist. He has been labeled a relativist, a person who does not believe that any single religion - in this case the Catholic faith - holds all of the answers, merely as a facade. In attacking pluralists, Ratzinger is

not alone. All fundamentalists belonging to whatever religion or ideology are opposed to pluralism. This is why fundamentalism leads to violence. Cardinal Ratzinger is attempting to lead the Catholic Church in this direction. To ignore this would mean to be silent before a serious danger to democracy. One of the foundations of democracy is pluralism.

In countries like Sri Lanka, the struggle for pluralism has not been an easy one. In fact, it is an ongoing struggle, and much blood has been shed due to the inability to develop the country into a pluralistic democracy. Pluralism is attacked on the basis of race and religion.

In the past, Catholicism in the island-nation has also been responsible for creating tensions. The efforts like those of Fr. Balasuriya are great milestones in moving towards a pluralistic democracy. These efforts come from a background which has witnessed, and is witnessing, the high price that has had to be paid to maintain narrow-mindedness.

Those who are engaged in conflict resolution activities realize the need to address the root causes of violence. It is sad to witness, however, the contribution that religion makes to violence. People like Dr. B. R. Ambedkar of India have made a great contribution to understanding the link between religion and violence when there is no deep appreciation of pluralism. South Asians should grasp that what Cardinal Ratzinger is doing is not only an injustice to Fr. Balasuriya but that he is creating serious problems for all of those who are struggling under various obstacles to have the principle of pluralism recognized in their countries.

The Incapacity for Dialogue

Any system can have an ultimate decision maker. However, a system's strength does not exist in this. Rather, how the system ensures the ultimate responsibility of its actions is what matters. So long as deductive logic is considered the primary mode of

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thinking, the ultimate decision maker's word may be the last word. To ensure responsibility, there is the need for the opportunity to respond, to reciprocate, to share and to develop. Where such a sense of ultimate responsibility is lacking, there is no way to prevent bullies hiding behind the masks of authority from having the last word. They waste other people's time; they disrupt the flow of responsible responses that contribute to the deepening of spiritual insights. By such disruptions, they encourage the lower instinct of people to rise and disturb discourse.

The aim of authority is social control. Conversely, the aim of responsiveness is to enhance and enlarge the space for the search for truth, beauty and love. The latter relies in the ultimate capacity of human beings to be good, open and loving. The former seeks to control human beings in order to prevent them from being evil.

Social control is linked to thought control. Censorship is used as the ultimate weapon. A father figure with a cane in his hand perusing through the pages of theological books to catch naughty boys - that is one image. To listen, to discuss, to review one's position with a conscience wanting to be responsible and useful, represented by smiling people listening to each other - that is the other image. One would have thought that this latter image would have come from the West; but in this instance, it has come from the East. The one with the cane in his hand is what has come from the West. An accident? Maybe. Should it bother us? It should. For then it may be possible again to sit in a pensive mood, but with smiling eyes, to discuss issues and be each other's keeper.

Cults, Violence and Fundamentalism

Just as we were preparing this book, the news of the suicide of 39 people who belonged to the Heaven's Gate cult has reached the world as a sad reminder of what religious fundamen-

talism is capable. This incident happened near San Diego, California, in an affluent and Christian neighbourhood in the United States. According to news reports, the members believed that suicide would take them to the next level of existence. Most cult members killed themselves over a period of several days by eating applesauce or pudding laced with a drug*^p+4X and washing down with vodka. Some, it is said, may have covered their heads with plastic bags to suffocate themselves as well. Eight of the 18 men had been castrated long before the suicides. The cult members believed that a spacecraft would take them to another world and that the comet Hale-Bopp was the sign they had been waiting for that "planet Earth is coming to an end." (A similar way of turning to God has been expressed by a Sri Lankan bishop as we shall see in the articles to follow.)

Similar cult fantasies have existed in other cultural backgrounds, for example, in Japan and elsewhere. What they have in common is the denial of the value of the human person and the crucial importance of human relationships.

The mainstream religions and cults are related like trees and their offshoots. When the mainstream religions, for example, turn their primary attention only toward a vertical relationship with God and ignore the importance of the horizontal relationship with their fellow beings and the universe, it is only natural for young people used to the symbolism of this space age to mirror this emphasis on the vertical relationship on the Divine and seek a quicker union with God through the use of modern spacecraft.

In the 1960s, Anglican Bishop John Robinson in his famous book *Honest to God* spoke of God "up there" and said that this is a fashion of speech which belonged to a particular time. Today though, even in such places as the Vatican, there is an attempt to give fixed meanings to theological concepts that are not rooted in their historical and cultural contexts. In fact, any reference to

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one's historical and cultural context is regarded as a betrayal of the faith. In Cardinal Ratzinger's draft of the declaration of faith that Fr. Balasuriya was asked to sign, the following words are found: "I acknowledge that Christ, in calling His men as His apostles, did not proceed from sociological and cultural motives peculiar to His time, but rather He acted in a completely free and sovereign manner." (Whether a free and sovereign manner could exclude sociological and cultural contexts, Ratzinger has not explained.) Naturally, this is very consistent with fundamentalism. Consequently, God has to be "up there." If so, could the young people who wanted to find Him as quickly as possible be blamed for doing so? If anyone is to be blamed, should not the architects of fundamentalism be blamed as the real gurus of these cults? Fundamentalism leads to conflicts and violence within the ranks of each religion and with other faiths. This excommunication itself is an example of such violence. Ruthlessness is a part of fundamentalism.

Samuel P. Huntington in his book *The Clash of Civilizations and Remaking of the World Order* has proceeded on the wrong assumption that the Christian West will be faithful to liberal democracy, for the fundamentalist tradition in Christianity is attacking democracy in the same way as other fundamentalist traditions. Thus, in looking for root causes for the basic problems of the post-Cold War era, one has to look beyond a paradigm based on civilization. Rather, these root causes have much to do with the capacity of human beings to relate to others and recreate meanings in constant reinterpretation of reality, which includes the reinterpretation of traditions.

In addition to the points raised above, the reasons given to justify the excommunication before and after the event by the Vatican - Cardinal Ratzinger in particular - and some Sri Lankan church authorities exhibit a rather strange thought pattern. Some brief examples are offered below.

The addition of the following words by Fr. Balasuriya at the end of Pope Paul VI's Credo, for instance, has been considered as the reason for the excommunication: "I, Fr. Tissa Balasuriya, OMI, make and sign this profession of faith of Pope Paul VI in the context of theological development and church practice since Vatican II and the freedom and responsibility of Christians and theological searchers under canon law." Cardinal Ratzinger has categorically stated that if these words had not been added to the document there would not have been any excommunication.

Does it stand to any standard of logic or common sense that these words "render the declaration invalid" as stated in the notification of excommunication. Is such an inference sane? How did such an inference enter an official document by which the Catholic Church has taken such an important step, a step that it has not taken for the last 44 years? Or is it the position now that anyone can give whatever explanation he or she likes as an official reason for a decision whether it is rational and sound or not? This particular reasoning alone is sufficient to indicate the extent of the degeneration of the Catholic Church's highest bureau in charge of doctrine and faith.

Moreover, the absence of due process in Fr. Balasuriya's case is justified on the basis that since the book *Mary and Human Liberation* has already been published there is no further need to listen to the author and "the judges" can thus interpret the written word on their own. If one is to expand this logic, then there is no need to have any trials in defamation cases, for example, whenever the allegedly defamatory article has been published!

Furthermore, there are many criteria for interpreting the written word. The cultural context is one paramount factor, for instance, as the same word may be understood by different people in different ways in different contexts. This is even more so when a few passages are taken from a book consisting of about 210 pages! Fr. Balasuriya has consistently claimed that he could

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explain these few passages in a manner that are consistent with the traditional teachings of the Catholic Church and that other Catholic sources which express similar views also exist.

In addition, the role of the judge is not to give his or her own interpretation but to assess the meaning of the article in terms of the various interpretations that are placed before them. To judge means to be impartial, to ponder over various nuances and to consider many facets of meaning that are contained in the passage. To deny this process is to deny a cultured approach and to instead descend to very crude methods. In this case, the person who made the accusation, who signed the condemnation and who sent the declaration of faith are one and the same person - Cardinal Ratzinger.

Yet another aspect in this case is the demand made upon the author to accept the validity of the interpretations and version of events given by the authorities on the basis of humility, though he knows that the account given by the authorities is wrong. Not to do so, however, is considered as a display of arrogance, obstinacy and a lack of respect for authority. Such demands amount to a request to be intellectually dishonest and to be corrupt under the pretext of being submissive.

A similar view has been expressed by some writers to various newspapers who have said that the excommunication is blatantly wrong; but since the dispute is between church authorities and an individual, the authorities need to be defended at any cost. Their argument is that a serious mistake has been made by the authorities and it has resulted in injustice. However, the authorities are unlikely to change their minds. Therefore, the victim himself must apologize to bring the matter to an end, or at least he must keep quiet.

This type of justice was once described by a Sri Lankan peasant from the South. He said that when a senior police officer from the locality kills a cow belonging to a peasant the peasant

ought to take chili to the officer's house at night so as to prove that the peasant has no serious objection to the officer stealing his cow. If he does not make his peace in this way, the officer may cause further trouble for him in the future.

Yet another form of reasoning that has emerged is that the Church is a club, and therefore, all of the members must obey the rules of the club. This implies that no critique of the Church's teaching can be allowed; and in any case, any order made by the leaders of the club should be accepted. This would mean that what Jesus founded on earth is just a club. A religion though is not a club, a point which needs no further explanation.

It is obvious that this excommunication is a result of division and factional infighting within the Church. The lines dividing the groups are the positions that they have taken on the teachings of Vatican II. More specifically, the issue is related to one's openness to the world, which implies a commitment to humanity and a relevance to culture and context. By implication, it includes the rejection of a purely pietistic or vertical approach to faith and advocates an involvement in all that is human.

In recent years, one faction has begun to outlaw the other and has attempted to retreat from the basic positions developed by Vatican II. Such internal conflicts are almost inevitable in the course of reforms. This is the very reason why the abuse of due process rights are a fundamental issue in relation to the excommunication of Fr. Balasuriya. In a situation of intense disagreements, one group should not have any juridical powers that may be unjustly used against others. The view that power should always be bound applies here.

In *Human Rights and Spirituality*, Prof. Bas Guy Fortman amplifies this point:

"The abuse of power is as old as human history. Therefore, power should always be bound, i.e., tied to certain norms.

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Where such norms express the fundamental freedoms and entitlements of each and every human being, we speak of 'human rights.' These are *prima facie* rights that are supposed to trump all other types of claims, both private and public. This applies to religious power too. Religion is subject to both ideologization and institutionalization. Human rights, on the contrary, put the human being above ideology and the dignity of the individual person above the organization. As a consequence, the pope's question to Gorbachev, as put in a well-known joke - 'Mr. Gorbachev, this *glasnost* of yours is, as I understand it - hopefully correctly -- an idea for outside the Church only?' - has to be answered in the negative. Religion needs human rights, including the fundamental freedom to criticize the use of power."

The unjust excommunication of Fr. Balasuriya has become a welcome opportunity to discuss many problems which often go unnoticed. In the workshop Dialogue of Religions on Human Rights organized by the Asian Human Rights Commission (AHRC) in March 1996 in Hong Kong, the participants noted that there are religious grounds used to promote violations against democracy and human rights as well as to support and promote the same. A religion can be a friend or an enemy of the common good in the way it is practised. We hope that this publication will be treated as a case study on the use and abuse of religious power, on the use and abuse of religious power to either promote or undermine the common good. We also hope that the readers will take an active part in an attempt to redress the wrongs that have been done by the abuse of such power and will particularly request that the Vatican authorities repeal the wrong, unfair and unkind excommunication of Fr. Balasuriya in order to restore justice to the life of the Catholic Church.

Chapter 1

The Background to the Excommunication

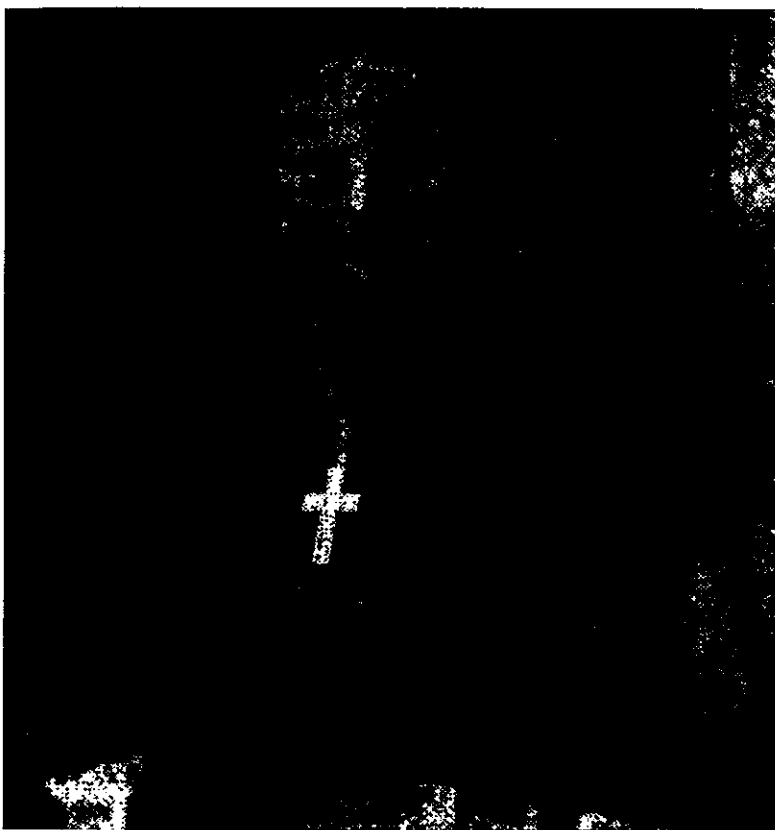
It is not possible to understand the underlying causes that have given rise to the excommunication of Fr. Tissa Balasuriya without understanding the intense theological differences that have developed among two groups of Catholic church leaders and thinkers in Sri Lanka. In this chapter, we contrast the thinking of Bishop Malcolm Ranjith with the thought of Bishop Leo Nanayakkara and Fr. Michael Rodrigo. Fr. Mike gave his life as proof of his faith and convictions. Bishop Leo at the time of his death was much loved by the people but much harassed by the Vatican. Now the attempt is to erase their contributions and to impose a theology which is completely opposed to theirs. Today the direct victim is Fr. Balasuriya, but the real target is all those who share the body of thought that has been developed in Sri Lanka by a long line of thinkers who include, in addition to Bishop Leo and Fr. Mike, the following people, among others, who are no longer alive - Fr. Henk Scram, Patrick Fernando and Dr. Lionel. Fr. Balasuriya has only continued to develop the thought process introduced by Vatican II with many others.

The following statement was made by Sri Lankan Bishop Malcolm Ranjith six months after he issued the document that has now become well-known as Document M that set in motion the excommunication process. This part of his speech received a strong reaction from people writing to the secular press. *The Messenger*, a Catholic weekly newspaper that was already under his control, did not publish the responses, however. In his

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speech published in *The Messenger* of 25 July 1993, Bishop Malcolm made the following points:

"It is sometimes sad to note among us the emergence of a too horizontal vision of priestly service today. Everyone seems to speak about human rights, social justice, human promotion, etc., and very much less about God, faith and spirituality. There are others who even deny such essential



Sri Lankan Bishop Malcolm Ranjith: Jesus "was not bothered about social oppression, injustice and the like. . . ."

basics of the faith. One might argue back saying spirituality springs from life. It is so, but life itself is fallen, and we have to redeem it. And Jesus from the very first moment He began His public ministry spoke to the people about God - His Kingdom, the need to convert one's life from sin, prayer, the futility of thinking in terms of the present world, etc. He spoke about His heavenly Father to us. He was not bothered about social oppression, injustice and the like [that were] strongly visible in His own times. He showed us how meaningless it was to think about political and economic freedom without first turning our lives to God. It is even more important than the poor. In the Gospels, we see how Jesus gives a strong answer to Judas who, when he saw the sinful woman using an expensive ointment to wash the feet of Jesus, says, 'The poor you will have always, but you will not have me.' (John 12:8) It is as if to say 'unless, and until, you turn to me, you will always have the poor (injustice, oppression, etc.) in the world.'

"We, men of God, should speak to the world about God, how much He loves it and how much He desires its salvation. The world is not expecting us to give them bread and butter, neither do they want us to tell them why they are poor, but they want us to speak to them about God, to help illuminate their sinful dark lives with faith in Him, to make them experience happiness in the awareness that God loves them and is close to them. This is our task, the task Jesus entrusted to Simon Peter: 'You shall strengthen your brothers.'" (Luke 22:32)

Who are these others he was sad about - the late Bishop Leo perhaps? For Bishop Leo, however, human rights, social justice and human promotion were central themes. To him, God, faith and spirituality were very much linked to human rights, social justice and human promotion. He was connected with the people. He was a well-integrated, mature person who had thought

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things through. Bishop Malcolm, however, in his statement above is trying to introduce a dichotomy that Bishop Leo was well aware of and had personal experience of, a dichotomy of faith in which personal salvation is put in one compartment and social witness is put in another. The two compartments of faith, however, are separate - a very unwholistic approach to faith. For Bishop Leo though, his views changed after reflecting on Vatican II, which he attended and the teachings of which he assimilated. Was the junior colleague of Bishop Leo unaware of Vatican II? If he was, at least he would have been aware of the following story that even little children learn among the stories that Jesus told:

"A man was going down from Jerusalem to Jericho, and he fell among robbers who stripped him and beat him and departed, leaving him half-dead. Now by chance a priest was going down that road; and when he saw him, he passed by on the other side. So likewise a Levite, when he came to the place and saw him, passed by on the other side: But a Samaritan, as he journeyed, came to where he was; and when he saw him, he had compassion and went to him and bound up his wounds, pouring on oil and wine. Then he set him on his own beast and brought him to an inn and took care of him. And the next day he took out two denarii and gave them to the innkeeper, saying, 'Take care of him; and whatever more you spend, I will repay you when I come back.'" (Luke 10:30-35)

Why was Bishop Malcolm attempting such a major revision of Jesus's teachings? One may recall that when Pope John Paul II came to Sri Lanka the bishop was in charge of making the arrangements for his visit. He gave the business tasks of this to a company. Among the advertisements that the company produced was a large billboard with the words "One Great Person Meets the Other." There was a picture of the smiling pope on one side and a Coca-Cola bottle on the other. It was this business culture

of the multinationals that was introduced that frightened every spiritually minded person of all religions - the new economic culture that has introduced child prostitution, arm sales and every degrading form of life.

The protests against this trend have been raised by many priests and monks though. The murder of Fr. Michael Rodrigo, in fact, was linked to those who were hurt because of his work which affected their involvement in crude rural exploitation, according to Fr. Forbes at Fr. Mike's funeral. Was it people like Fr. Mike that had made Bishop Malcolm sad?

With the new economic policies has also come the shootings and killings that have caused observers to describe Sri Lanka as a killing field. It was so in the South of the country, and it was so in the North. No people with honesty could avoid responding to these developments. It is in the midst of tormenting events such as these that human rights, social justice and human promotion become inseparably linked with God, faith and spirituality. The separation of life and faith in such a context creates a ludicrous situation. However, Malcolm Ranjith, who calls himself a man of God, is saddened by those who see this link. This is how Fr. Mike saw the link though: "The area of the political will keep religion true to its faith, inner dynamism, its self-sacrificial spirit, its spirituality. Touching the liberative spirit, it will lessen man's inhumanity to man."

The clear contrast in the thinking of the two bishops, Leo and Malcolm Ranjith, is so noticeable that one is forced to conclude that either one or the other is right. Here are some quotes from Bishop Leo that may be compared with the statement of Bishop Malcolm that was quoted above. In "Towards a Pastoral Policy for the Badulla Diocese," Bishop Leo wrote, "Man is multicomponent [or multifaceted]; true religion must make him take into account the economic, social, political, cultural aspects of man."

Furthermore, he explained:

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"During the Ecumenical Council, the Church saw clearly that she was living in a sense in some of the most brilliant pages of her history; her inner life was rich; she was magnificently full of life. Two thousand five hundred bishops were there discussing. It was full of life, but inversely, all the bishops felt, and the whole world felt through the press, that the Church was less and less incarnate. In the daily lives of men, in even the so-called practising Christians, the witness was absent and even alien to the life of modern men and the institutions of the world today. . . . This was felt keenly. Everyone who looks at Vatican II calls this or that document its crowning document, but many consider the *Pastoral Constitution of the Church in the Modern World* as its crowning document. We have there [in the *Pastoral Constitution*] a classical statement on the meaning of relevance:

'The joys and the hopes, the griefs and the anxieties, of the men of this age, especially those who are poor or in any way afflicted - these too are the joys and the hopes, the griefs and the anxieties, of the followers of the Christ. Indeed, nothing genuinely human fails to raise an echo in their hearts. Therefore, the council focuses its attention on the wishes of man, the whole human family, along with the sum of their anxieties in the midst of which this family lives.'

"The Church wants to give witness to this truth, to rescue and not to sit in judgement, to serve and not to be served. To carry out such a task, the Church has always had the duty of scrutinizing the signs of the times and of interpreting them in the light of the Gospel. Here is the classical statement on the meaning of relevance [above]. We must not attempt, therefore, to force the world into most of our minds and organizations or to our own internal preoccupations. On the contrary, we must go *out* and meet the

world."

What a contrast to Bishop Malcolm Ranjit's theology!

Bishop Leo wrote to Pope John Paul II in 1981 on the occasion of his visit to Asia:

"We should like to invite Your Holiness to visit more of our lands and to find a way of freeing yourself from protocol in order to meet the ordinary people of Asia, to talk with them and listen to what they have to say."

When Bishop Malcolm Ranjith arranged the meetings for the same pope when he visited Sri Lanka in 1995, however, no such meeting with the ordinary people was organized. It is quite understandable that from the point of view of his theological perspectives such meetings would be a waste of time as turning to God is all that is necessary, which the pope did at the Galle-Face Green in Colombo.

The distance between the theologies of these two Sri Lankan bishops is also evident in these words that Bishop Leo wrote to the nuns in October 1980:

"On a convent community level, therefore, reading material on this vision of peace must be available, on racial harmony, on the rights of man, on probing into injustices. God acts in people and society and not in the Church only."

Bishop Leo was no small dreamer. One of his great dreams was a seminary for the training of priests which would be run very differently from the seminary in Ampitiya, which has been the major seminary for the training of Catholic priests in Sri Lanka for a long time. Being a very practical man, he did establish such a seminary in his Badulla Diocese. The first rector of this seminary was Fr. Michael Rodrigo. Fr. Balasuriya was also associated in this venture, and, in fact, the seminary's initial formative stages took place at the Centre for Society and Religion

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(CSR) of which he is the director. The training of priests in this seminary included direct contact with the poorest sections of society. The pure vertical approach to spirituality was not only rejected theoretically, but an attempt was made to establish deep horizontal links. Thus, the "derooting" of one approach was accompanied by the "re-rooting" of another.

There is little doubt that the theology and spirituality of the two bishops, Bishop Leo and Bishop Malcolm, are completely different. One is not only loyal to the teachings of Vatican II that are related to openness to the world but has also passionately pursued the implementation of these teachings within the social milieu of rural Sri Lanka. The other, however, is attempting to erase these teachings. Do not the Sri Lankan bishops of today have a responsibility to explain this sudden shift of policy to scrap the tradition that Bishop Leo and other like-minded people have introduced?

Chapter 2

Sri Lanka's Spirituality of Solidarity under Attack

In 1971, Bishop Leo Nanayakkara, the bishop of Kandy, resigned from his post. Kandy is the capital of the last kings of Sri Lanka and the place where a tooth relic of Buddha is kept. It is a prestigious place, second only to the present-day capital of Colombo. Badulla, the place that the bishop opted to move, is poor, remote and hardly of any importance in relation to power, whether secular or religious. The option was not accidental, however. It was a very deliberate decision that was taken after long contemplation and deep consultations. What is more, the bishop's decision was the result of a conversion, a conversion to the spirituality of Vatican II. It was a fundamental and total conversion. The search for the most forsaken rural area of Sri Lanka was an integral part of that conversion. It was just a part of the make-up of this bishop to want to be true to himself.

What was he seeking in Badulla though?

We have the answer from his closest colleague, who was to follow him and to give his life as proof of their faith and convictions, Fr. Michael Rodrigo, who said that there must be a "dialogue of presence leading to a dialogue with life." He explained this further: "The more that Christians present in a Buddhist milieu learn of the Buddha praxis and the depth of values in Buddhism's holiness (*saradharmā*), the more they will come to a better understanding of their own faith in Jesus, in the Jesus praxis."

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Leo and Mike were strong men internally. They could stand their own ground and meet the other as the other in a strong relationship of mutual love and compassion. Fear of the other is a direct result of the loss of one's own core, leading to inner corruption. Fear leads some to want to dominate. In the process, they become bullies one way or another. The ease though with which these two men and their colleagues took to Badulla was a confirmation of their inner ease borne out of their deep insights. A woman colleague of theirs, Sr. Milburga, wrote, "It [dialogue] implies first a purification of oneself of all prejudices, selfishness and egoism and an outward-going spirit where one approaches the other in simplicity, humility and openness."

However, this is not to be mere socializing.

"Our dialogue of religions must become a dialogue of living faiths and will become so if we work for humanity," explained Bishop Leo. "This would mean working on structures of society, to make a community of men and women in each place capable of producing persons economically self-sufficient, socially well-governed, with decision making through participation, culturally and religiously whole. This is the life with which Christ is concerned."

Bishop Leo died in 1982, and Fr. Mike was assassinated while he was celebrating mass in his community house in Butatala, a remote village in Badulla in November 1987. During this period through a thoroughly live experience, these two and their colleagues introduced a way of Christian living that effectively undermined the mode of Catholicism that had existed on the island and that exists even to the present day. Though they worked only in one part of the country, many were aware of their way of living and their thoughts. The very intense dislike that conservative elements developed towards them, the endless harassment to which they were exposed by the official Church in Colombo and the Vatican itself, contributed to their story becoming better

known. To be harassed by the establishment was itself a confirmation of the authenticity of the spirituality they represented.

In 1971, another close colleague of Bishop Leo and a close collaborator of the thinking process that led to the bishop's initiative outlined above left his post as the rector of Aquinas University College, also a prestigious post, where he had to perform the duties of a priest-administrator. This man, Fr. Tissa Balasuriya, founded the Centre for Society and Religion (CSR). In addition to other work, he began his own task of articulating their ideas in a more organized, systematic theological manner. There were other centres too, and diverse creative attempts were under way to realize the dreams that Pope John XXIII might have had when he launched Vatican II in the 1960s.

The central element of the identity of a pre-Vatican Catholic was a definite inner separation from people who belong to other religions. Years of indoctrination had kept up the pagan image of others, though the language had become more polite and tolerant since Sri Lanka's independence in 1948. Prior to this, the foreign priests had waged a consistent struggle against the *kattadiys*, local faith healers, who used a mixture of Hindu-Buddhist rituals and language. Most Christians, however, lived in the coastal areas where the Buddhist population was quite small. The Church had established its own festivals, and even the Sinhala and Tamil New Year had lost its significance to the Catholics. There were Catholics though with close ties with Buddhists and others, but they were few.

In addition, there were difficulties for Christians that came from having a minority complex. The majority for good reasons regarded Christians as a privileged and favoured group. Underlying feelings of not really being loyal to the nation existed that were based more on suspicions than actual events. These perceptions were mutual, however. There were also issues related to language. Christian leaders were fluent English speakers whereas

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Buddhist monks were not only fluent Sinhalese speakers but were also considered guardians of the language.

Perhaps a more serious reason for separation was caste. Catholics, with very few exceptions, belonged to what is considered in the Sinhala caste hierarchy as low caste - mainly *karawas*, the fisherfolk. The inner feelings of inferiority arising out of caste boundaries are strong even today, though to a lesser extent than in the past. The political system that came with the party system heightened these various differences as every difference was exploited for political purposes. All of these reasons contributed to maintaining intensely different inner identities and in creating an inability to perceive common good outside of one's group.

It is this inner separation that Bishop Leo and Fr. Mike effectively overcame. They paved the way for a genuine perception of common good and genuine sharing, a dialogue with the other with a profound respect for the other's inner being. It is the reflection borne out of this existential change of relationships that began to be reflected in the writings of Leo's colleagues as a more systematic working of these ideas found its way into Fr. Balasuriya's writings and the writings of several others.

Today we witness God's blessings in mysterious ways. This time they have come as an excommunication, thanks to Bishop Malcolm Ranjith and Cardinal Joseph Ratzinger. The work of the colleagues of Bishop Leo have now received national and international recognition. They must be looking compassionately at their friends and forgivingly at their tormentors hoping that their moment of conversion will come eventually. Pope John Paul II does not seem to respect very much the dreams of John XXIII. It is no accident that the worst church punishment after Vatican II was meted out to a Sri Lankan. In this little land, John XXIII's dreams were taken with utmost seriousness. For such commitment, a price is always extracted. However, there is no doubt

that the tradition created by Leo and his colleagues will endure and continue to live in the spirits of others now and in the future.

Chapter 3

The Spirituality of Divisiveness

Like the Spirituality of Solidarity, there is also the Spirituality of Divisiveness. Many societies live through this latter spirituality in various periods of their history. These are the worst years of their histories, however. Let us illustrate this by an example.

Traditional Hindu society, for instance, is essentially a divided society, divided externally and divided spiritually. The basis of this division is caste. The basis of the caste system is Hindu doctrines themselves that are found in the sacred books of Hindus, the Sastras. What divides Hindus is not race, however, for caste is a division within the same race. Rather, it is a religious division which gives primacy to the priestly caste and no place at all to those who are called "untouchables." This division is reflected in eating, drinking, traveling and all other aspects of life.

The religious theory behind the caste system is one of purity. The "untouchables" are believed to be not only impure but are believed to be able to pollute others. This religious theory of purity as the dividing line between people is not only used by Hindus. What is unique to Hindus though is that the theory has been used to such an extreme.

The deep social division resulting from caste was summed up by Dr. B. R. Ambedkar:

"The Brahmins' primary interest is to protect 'his interest' against those of the non- Brahmins, and the non-Brahmins' primary concern is to protect their interest against those of

the Brahmins. The Hindu, therefore, is not merely an assortment of castes, but they are so many warring groups, each living for itself and for its selfish ideal.

"There is also another feature of caste which is deplorable. The ancestors of the present-day English, for instance, fought on one side or the other in the War of the Roses and the Cromwellian war, but the descendants of those who fought on one side do not bear any animosity, any grudge, against the descendants of those who fought on the other side. The feud is forgotten, but the present-day non-Brahmin cannot forgive the present-day Brahmin for the insult their ancestors gave to Shivaji. The present-day Kayasthas will not forgive the present-day Brahmin for the infamy cast upon their forefathers by the forefathers of the latter. To what is this difference due? Obviously to the caste system. The existence of caste and caste consciousness has served to keep the memory of past feuds between castes and *has prevented solidarity.*" [emphasis added]

Dr. Ambedkar further says, "The Hindu religion ceased to be a missionary religion when the caste system grew up among the Hindus. Caste is inconsistent with conversion. The inculcation of beliefs and dogmas is not the only problem that is involved in conversion. To find a place for the convert in the social life of the community is another and much more important problem that arises in connection with conversion."

The inner spiritual division caused by the Hindu doctrine of caste also made Hindus indifferent to wrong and injustice. Dr. Ambedkar explains:

"You see among them [the Hindus], to use the words of Morris, 'the great treading down the little, the strong beating down the weak, cruel men fearing not, kind men daring not and wise men caring not.' With the Hindu gods all forbearing, it is not difficult to imagine the pitiable condition

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of the wronged and oppressed among the Hindus. Indifferentism is the worst kind of disease that can infect a people. Why is the Hindu so indifferent. In my opinion, this indifferentism is the result of the caste system which has made the *sanghatan* and co-operation, even for a good cause, impossible."

He further clarified the doctrinal basis of caste:



Dr. B. R. Ambedkar of India

"Caste has a divine basis. You must therefore destroy the sacredness and divinity with which caste has become invested. In the last analysis, this means you must destroy the authority of the Shastras and the Vedas."
[emphasis added]

How though does one resolve this dilemma caused by such a religious doctrine? Dr. Ambedkar again provides an answer:

"You must take the stand that Buddha took. You must take the stand which Guru Nanak took. You must not only discard the Shastras: you must deny their authority as did Buddha and Nanak."

Prof. Tennakoon Vimalananda in the *State and Religion in Ceylon since 1815* agrees: "Fundamental to the teaching of the

Buddha was the repudiation by him of the authority of the Vedas and the Vedic sacrificial system."

Not only Hinduism but many forms of spirituality also create division and prevent solidarity. When the priests who were agitating against the sexual abuse of children and the trafficking of women and children for sex were transferred from their parishes, the Sri Lankan bishops who were involved in their transfer practised such a divisive spirituality. When in the early 1990s the chaplains were removed from the Catholic student movement Young Catholic Students (YCS) in order to divide the students and kill the movement, this was the result of such a divisive spirituality. When thousands of extrajudicial killings were occurring and Catholic leaders kept silent, they were engaged in such a divisive spirituality. When Bishop Malcolm Ranjith made the observation that "He [Jesus] was not bothered about social oppression, injustice and the like [that were] strongly visible in His own times," he was talking of such a divisive spirituality. This litany could continue *ad infinitum*, enumerating the divisive spirituality that has become the main religious orientation of some Catholic bishops in Sri Lanka. Suffice it to say that this spirituality differs totally from the spirituality represented by Bishop Leo Nanayakkara and his colleagues, such as Fr. Michael Rodrigo and Fr. Tissa Balasuriya.

A group of young priests in Sri Lanka in an open letter to Catholics in 1996 wrote of this spirituality in this way:

"Dear brothers and sisters,

"During Easter, a number of us priests got together for a special prayer. We would like to let you know a few things we have discussed and agreed upon at this prayer meeting.

"Sometimes you may think that as priests we should not have talked about the things which we are about to tell you. You may think that we are letting outside persons know

things that we should keep within our domestic walls. However, we do have some problems, [but] we have no one to tell. When injustices happen to priests from our own 'good shepherds' - the bishops - whom do we tell?

"We believe in one thing: we should tell all of this to God. What would be His reply? 'But I am with the people, and you too go to them.' So we come to you. Kindly listen to us. Do try to understand us. As repeated complaints to official church leaders have not resulted in nothing other than throwing cut wood to a river, we have no option left. Thus, we decided to tell the people.

"A few leaders in the Catholic Church are fighting today as never before to get financial benefits or official position. As a result of this, they have organized themselves to create trouble for the very brethren with whom they celebrate the Eucharist. Naturally, these ugly deeds cannot be considered to be inspired by the Holy Spirit.

"Let us mention a few decisions taken by this group without any charity or justice.

"(1) Two brothers who were to be ordained in 1990 were refused ordination without any reason. Ninety-nine percent of the parishioners belonging to one parish signed a petition requesting [that he] be ordained or to state the reasons for refusal. There has been no reply to this to date.

"(2) A very learned priest respected by the clergy, Fr. Hilarian Dissanayake, was removed from the staff of the major seminary without giving any reasons.

"(3) Fr. Jude Lal . . . [was] suspended from exercising the duties of a priest without any reason and without following any procedure. Fr. Tissa Balasuriya, in a letter to the archbishop [of Colombo], pointed out that the suspension was illegal, and there was no reply to this.

"(4) The way the official church leadership has behaved and is behaving on the issue of the book *Mary and Human Liberation* written by Fr. Tissa Balasuriya is disappointing. The allegations against the book are:

- (a) The author undermines the traditional teachings of the Church;
- (b) The author undermines faith, which is a gift of God;
- (c) The author's interpretation of 'original sin' is contrary to church teachings;
- (d) The author has shown doubts on the validity of church doctrines.

"We have read this book and find that there is no truth in these allegations. We find that it is ridiculous that the [Catholic] Church, which has never condemned the pornographic films which are freely spreading now, has come forward to condemn this valuable book. We find that now there are even attempts to excommunicate Fr. Balasuriya from the Church. Though the [Catholic] Bishops Conference [of Sri Lanka] has not referred the matter to Rome, one or two bishops have done so for their own purposes. Fr. Balasuriya has asked for the appointment of an impartial committee to go into this matter, but he has been ignored. We hope that lay people will intervene to ensure that justice is done."

Spirituality as a Means of Dividing the Poor?

One may ask, How could spirituality become an instrument to divide the poor?

In the primary communities of the poor, such as urban neighbourhoods and rural villages, religion plays an important role. Moreover, it forms a major element of their fantasies. While the rich and the educated form their fantasies from childhood in

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more secular terms (these days through the symbols of Disney), for the poor, it is religious symbols that prevail as their mental references. For most Sri Lankan Catholics, St. Anthony, St. Sebastian and Mary as Our Lady remain the basic religious symbols, much more so than Jesus. It is to the statues of these religious symbols that they pray, and it is to these that they bring their money as gifts. Through their religious symbols, the poor can be psychologically, emotionally and spiritually weakened or strengthened. Their religious symbols can increase or decrease their self-confidence and self-reliance. On the other hand, the poor can be led to pity themselves and to resign themselves to their fate through religious discourse.

Those who are not poor, however, can become sensitive to the needs of the poor through religion. "What you do to any of my weaker brethren you do to me" is a well-known admonition of Jesus. Religion though can also desensitize people, especially the affluent, regarding the requirements of the poor. Jesus, for instance, did not bother about the poor, according to Bishop Malcolm. Thus, be alive to *dukka* (a Buddhist term for sensitivity to suffering) or teaching people to despise the poor can both be done through the instrumentality of religion. To make people insensitive to others is to divide them.

Original Sin: A Doctrinal Basis for the Spirituality of Divisiveness

Like the Hindu doctrine of caste, the concept of original sin too has been used as a basis for discrimination and, therefore, to create disunity. The possible retort to this is that original sin, properly explained in correct theological terms, does not lead to discrimination. However, as Ambedkar said, "It is no use telling the people that the Sastras do not say what they are believed to say, grammatically read or logically interpreted. What matters is how the Shastras have been understood by the people." This is equally true of original sin.

The concept of original sin as explained by the Church after the fourth century was that the whole of humanity is so fallen as to be alienated from God and is incapable of reaching its eternal destiny without a divine redeemer. Every child is believed to be born into sin at birth. Sinfulness is communicated through propagation. Jesus Christ, however, redeems all of humanity through His death on the cross. The merits of the redemption by Jesus are available to humanity though only through the Catholic Church. Hence, membership in the Catholic faith is essential for salvation, and baptism is the way to obtain this membership.

The baptized person belongs to the "people of God"; others are regarded as pagans who, therefore, live in error. Consequently, they are not accepted the same by God as those who are baptized. From this belief, a distinction between Christians and others has emanated with the former considered to be superior to the latter. At this stage in history in the fourth century, Christians were predominantly of European origin. Thus, Europeans were considered superior to others, and the element of racism was engendered in comparison with others in society and with people of other cultures. Hence, the famous argument used by Christian theologians when Peru was conquered by the Spanish becomes the acceptable norm: "One's word given by a Christian to a Christian is binding, but one's word given by a Christian to a pagan is not binding." As a result, the racism of Western people and later of the colonizers was justified by this interpretation of original sin.

On the other hand, the story of the Fall in the Garden of Eden was interpreted to present women as the temptresses of society and the source of all evil things in the world. Thus, women were held to be inferior to men, an attitude that provided the grounds on which to support sexism.

In this way, Christian superiority on the basis of the way that the Creation story was interpreted and the belief in purification

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by baptism reinforced white racism and sexism. This was similar to the interpretation of Hindu stories that permitted the introduction of the caste system and untouchability. As a result, this way of interpreting original sin has remained a basis for Christianity's justification of violence and discrimination.

It is understood by people to mean that marriage to a non-Catholic is an inferior marriage, that links with non-Catholics should be kept on a purely superficial level, that care must be taken to avoid being influenced by other religions and, in short, that relationships with "others" are basically dangerous. Thus, maintaining a deep psychological division has been made an imperative flowing from faith. Although there was much talk about dialogue immediately after Vatican II, only a few people had the psychological ability to engage in dialogue with others of a different faith. Well-known lay theologian and poet Patrick Fernando once wrote that ecumenism in Sri Lanka often looks like going to a cricket match. Buddhism in particular has been ridiculed. It is no wonder that Pope John Paul II, shortly before he visited Sri Lanka in 1995, stated that Buddhism is a negative religion. His visit, therefore, did not promote greater understanding with the people. Now Cardinal Ratzinger has declared that Buddhism is "autoeroticism."

Thus, the inner alienation between non-Christians and Christians is still maintained although the use of such words as "pagan," "savage" and "the native" are not used anymore. The inner capacity to participate creatively in the life of the people is hence obstructed. The fear that openness means to be corrupted by alien forces further contributes to these negative viewpoints.

Even among Catholics themselves a division is maintained between priests and lay people, between priests and bishops. It is not just a difference of functions but of social status and living habits. Seminary training ensures that priests maintain these distinctions. Such metaphors as "shepherds and sheep" are used to

insist on these distinctions.

The idea of original sin, as it is popularly taught, seems to be based on the ancient belief of curses and of those who had the magical powers to remove them. *Sleeping Beauty*, for example, is the story of a girl who was cursed by a fairy as revenge for the failure of the little infant's father to invite the fairy to the birthday party of his daughter. The curse is weakened by the intervention of a kind-hearted fairy and is finally removed by a prince who falls in love with her. Likewise, the story of the Frog Prince found in *Grimm's Fairy Tales* is another story of curses and their removal. When the ball of a beautiful little princess falls in a pond, a frog promises to find it if she will allow him to accompany her. The frog finds the ball, and the princess, who is initially unwilling to keep her promise, respects it at the end because of her father's advice. The frog sleeps on the bed of the princess and is transformed into a prince, a station in life that he held before he was turned into a frog as the result of a curse. The book of fairy tales by the Grimm brothers is full of such stories.

The ancient Asian stories are as well. *The Ramayanaya* from India is full of curses that result in evil and blessings that result in good deeds. Modern videos bring such stories to many homes throughout the world. Disney's *The Beauty and the Beast* is another such story. A prince who becomes a beast because of an act of unkindness to an old woman who came seeking shelter is later transformed back into a prince when he proves capable of love.

The meanings of these stories are profound and relate to events of life and death. Although they are expressed in magical terms, they are meant to convey deeper meanings of transformations that take place in life.

However, the concept of original sin is interpreted literally by the Catholic Church: people are told to believe that God's curse

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on humanity can only be removed by the magical powers that are given to Catholic priests. This literal explanation is given in order to connect ritual with the Biblical story. The rituals which bring about the direct intervention of the Divine give the performer of the ritual - the priest - a special place in society. The ritual is thus no longer something symbolic but real. Grace is channeled to a person, like electricity is channeled to a particular place, and it is the priest that creates the connection.

These interpretations about original sin and the power of priests to remove it are taught to Catholics living in the coastal areas of Sri Lanka who primarily live poor and difficult lives. Sometimes more sophisticated explanations are given to the elite so as to keep them in the fold as well. The expressed policy decision of the Catholic Church of Sri Lanka to specially protect the simple faith of the flock has led to a statement from the Bishops Conference in June 1994 in their weekly publication *The Messenger* admonishing the faithful not to read *Mary and Human Liberation* and has resulted in the excommunication of Fr. Balasuriya. Any attempt to challenge or to differently interpret the story of God's curse, the magical powers of the priests to remove it and the superior status achieved by those who have had the curse removed are treated as attempts to disturb the simple faith of the faithful. The policy is that the faithful must not engage in the study of contemporary theology and that every attempt must be made to prevent them from being exposed to such discussions. The question that arises is, Why should the "simple faithful" be so protected? Is it for their benefit or to protect the interests of others who gain from their enforced ignorance?

Again, we may take an example from Brahminism. Until recently in many areas of India, Brahmins told the "untouchables" not to read books because if they did they would go blind. The underlying policy behind such a statement is a very common one in many parts of the world. The ignorance of the people is essential to implementing many forms of exploitation. Among all

forms of exploitation, the rural - the grassroots - level of exploitation is one of the worst.

As Bishop Leo explained, "I come from Badulla, the most underdeveloped part of an underdeveloped country. In the tea plantations of upper Uva [Province] where the migrant Indians work, two years ago when there was near famine conditions in Sri Lanka, people were literally dying of hunger. Malnutrition was high. The incidence of blindness and polio was high. In the villages of Uva, the . . . peasant [from Kandy] is still the most oppressed and exploited man on the island. The *mudalali* [rich traders] exploit him; the government officials exploit him; and finally the politicians exploit him. Hunger and unemployment stalk him every day of his life. I have not dramatized the situation. This is how it is."

Likewise, the life of the people of the coastal areas of Sri Lanka are also full of extreme hardship. The question really is, Is it for their betterment that the people are kept ignorant and are encouraged to remain ignorant? It becomes clear from the perspective presented above that God's curse and the priestly magic power employed by the Church to remove it are part of a scheme to punish the poorest people.

Chapter 4

The Law of Manu, Socialist Law, Sharia Law and Canon Law

(Ed note: The following is an open letter sent to Bishop Malcolm Ranjith on 17 March 1997, by the author regarding some references to Fr. Balasuriya's excommunication that appeared in a lengthy article in The Messenger, a Catholic weekly newspaper published in Sri Lanka. In the title of this chapter, Manu refers to the law of Hinduism and Sharia to the law of Islam.)

I am writing to you on some matters arising from an article in *The Messenger* entitled "The Heart of the Matter" that was written by an anonymous writer who signed the article as "The Bystander." As it is better to be talking to someone with a face than to a faceless person and as the article is written in your defence as expressed in the second paragraph of the article, I thought it better to raise some issues with you with the view to getting some clarifications. After all, "The Bystander" would have at least consulted you since he speaks of some things that only you know, like, for example, about the work of the *ad hoc* commission, and takes a great deal of effort to defend you by writing a long article.

The very first issues we wish to raise are about human rights and due process about which "The Bystander" has said quite a lot of things. May I cite the most relevant portions for easy reference.

After quoting some sections of canon law, "The Bystander" concludes, "The bishops as shepherds have a plain and simple

right and duty to do so [to take action] if they find such writings harmful to the faith and morals. No process is foreseen." (Just in passing, and in a lighter vein, may I say in this period of limousines and fax machines that directly connect one to Rome that a shepherd may not be the best description of a bishop. Besides, in this money age, shepherds are interested in sheep only for a motive related to profit. Again in passing, one may also ask if some *mahadanamutta* [a term for a fool from a satirical Sinhala story] is able to find his way somehow or other to become a bishop [after all, there are so many ways these days of doing that, for example, getting friendly with a papal nuncio or having a friend in Rome] and begins to see danger to the faith and morals wherever he wants to see them, what is the way to stop him?) In any case, this distinction of sheep and shepherds is no longer valid. According to Vatican II, everyone has a share in the Church's teaching office. No longer do we have two counterposed groups, the "teaching Church" and the "learning Church." All are learners and teachers. This is clearly stated in the new law of the Church (cc. 211, 216, 225, 229, 747, 759). Furthermore, to speak of rights and duties and to say that due process is not foreseen is rather contradictory. Due process is simply the way that the proper performance of duty is monitored. Duties imply due process.

Before coming to substantive issues, let us continue quoting, however.

"One cannot then appeal to these rights of man in order to oppose the intervention of the Magisterium. Such behaviour fails to recognize [how?] the nature of and mission of the Church which has received from the Lord the task to proclaim the truth of salvation to all men." What, one may ask, is the link between these two sentences? If one has to pluck coconuts, does it follow that one cannot protest if one is improperly punished? This is the sort of logic found in the following local saying: "*Koheda yanne? Malle pol.* (Where are you going? In my bag I have coconuts.)"

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To see the appeal to the rights of man, or human rights, as a form of opposition to the teachings of the Church or to any other topic is ludicrous too. Let us take the case of mothers and sisters whose sons or brothers were extrajudicially executed. When they ask for their rights, is this opposition? This "Bystander" is using emotive terms to make a statement sound like an argument, but there is no argument to be found in his statement.

Both statements quoted above are meant to make the argument that from a canon law point of view there is no provision for due process. For the sake of argument, let us take it as a correct interpretation of canon law (there are others who would not agree with this stance and would provide many quotes in support of their position). How could canon law then have a position on this matter that differs from the law of Manu, which, instead of the Magisterium, refers to the Brahmins? Here is how Dr. B. R. Ambedkar expressed the Brahmins under the law of Manu in his book *Annihilation of Caste with a Reply to Mahatma Gandhi*:

"To put in plain language, what the Hindus call religion is really law or at best legalized class ethics. Frankly, refuse to call this code of ordinances as religion. The first evil of such a code of ordinances, misrepresented to the people as religion, is that it tends to deprive moral life of freedom and spontaneity and to reduce it (for the conscientious at any rate) to a more or less anxious and servile conformity to externally imposed rules. *Under it, there is no loyalty to ideals; there is only conformity to commands.*" [emphasis added]

Furthermore, how does canon law on this point differ from socialist law? Under socialist law, the secretary-general and the Central Committee and all those who are considered to be necessary functionaries, so long as they hold on to their power, enjoy immunity from due process. Moreover, how is canon law different from Sharia law by which a person may even be put to death

without due process? In all three instances, their positions are borne out by legal provisions. But are these positions right? Presuming that you are in agreement with "The Bystander," could you kindly explain how the three legal systems above differ from canon law? If the legal system under the law of Manu, socialist law and Sharia law were just human contraptions created by some human beings to protect themselves from others, what reason is there to consider canon law as being any different?

Due process does not arise from any written law but is based on the concept that every human being has dignity. The law of Manu does not recognize this. It says that some people have no dignity - the "untouchables." Socialist law does not recognize the rights of class enemies. Sharia law does not consider the infidels to have any rights. Would you claim that Christianity recognizes such limitations on whose dignity is to be recognized and whose rights are to be excluded?

"The Bystander's" article is based on the presumption that one may be in a state where one has forfeited one's dignity. The claim is that since Fr. Balasuriya has published his book and has publicized his dispute with the bishops he has forfeited his rights. If this argument is correct, then no one would have any rights. If a criminal is accused of committing a crime, for instance, can it be argued he has already lost his rights? Rather, it is at the point of making an accusation that rights and due process become most vital.

Likewise, it is when you accused Fr. Balasuriya of committing errors that his rights to see the grounds on which his alleged errors were made become critical. After all, was that not what the 7 January 1993, *ad hoc* commission meeting was for? Fr. Balasuriya has publicly stated that when he began to question the *ad hoc* commission members the commission began to disagree and the meeting was finally adjourned. During the only opportunity that he was given to respond, he was able to show that per-

haps there were no errors.

Now the correspondence of the *ad hoc* commission members has been published which has revealed serious disagreements. Of course, you are aware of these conflicting views, but "The Bystander" seems not to share this awareness. Don't you think you should make these documents available to "The Bystander" and Manel Abhayaratna, the presenter of *The Other Side*, so that they can correct their errors and stop repeating factually incorrect statements every week as if absorbed in some kind of ritual. In fairness though to unfortunate people who have to depend on hearsay to write their pieces, all documents relating to the *ad hoc* commission should be made available to them. Otherwise, they will make fools of themselves in public through no fault of their own. Besides, since they are supposed to be Catholic journalists writing for an official Catholic newspaper, such a lack of accuracy is not good for the image of the Church. We have recently learned that some regular writers have stopped writing to *The Messenger* in protest against its lower standards.

"The Bystander" simplistically states that the quotes above are printed in *The Other Side*, side by side, which illuminates the errors of Fr. Balasuriya. It is quite understandable that anyone who knows only the catechism might think that errors can be shown so easily. You would know though that each theological issue goes into many volumes and there are many interpretations. That is exactly why there is the need to have discussion and understanding. Such discussion, however, was abruptly terminated at the *ad hoc* commission meeting. If you had a permanent commission with competent persons, it would have been different. Since the archbishop does not seem to be very interested in these matters, why don't you take the initiative to get a proper commission going? There are enough well-reputed theologians in Sri Lanka, don't you agree?

"The Bystander" also simplistically thinks that the Vatican be-

came involved in the issue of Fr. Balasuriya only in January 1997, long after the bishops of Sri Lanka made their press statement in June 1994 and that there was no connection between the bishops of Sri Lanka and the Vatican on this matter. Of course, you know that within three weeks after the publication of this statement in *The Messenger* the Congregation for the Doctrine of the Faith (CDF) decided to demand that Fr. Balasuriya either recant or face punishment; and later when the archbishop wanted to intercede and deal with the matter through arbitration, some people in Sri Lanka intervened with Rome to prevent that. In this age of faxes, telephones and easy visits to Rome, conducting a coordinated attack on an individual is not very difficult. It may be a worthwhile exercise to check who visited the Vatican during this time. However, in principle, it may be right to say that the CDF is the initiator; for if it was not Fr. Balasuriya, someone else would have been found in Sri Lanka or in India to be punished to teach others a lesson. A Catholic priest in Hong Kong told me that this method is described in Chinese as "hitting a chicken to teach monkeys a lesson." After all, Cardinal Ratzinger has his own style. It is all wrong for people to blame only you. Anyone watching the cases of Hans Kung and Leonardo Boff could have thought of finding favour with Rome by staging such an incident in Sri Lanka. Such clerical temptations are sometimes irresistible, particularly when one knows that punishment to someone may be followed by a reward to another in order to create a balance.

"The Bystander" goes on to say that "freedom to act on faith cannot justify dissent." It is difficult to understand what such a statement could mean. How can there be freedom without the right to dissent? This is as if saying you have freedom to remain a slave or, in the Asian context, an "untouchable." However, just taking this self-contradictory statement at face value, let us see whether it is true. There is so much dissent between Popes John Paul II and John XXIII. This is well-known. There are fun-

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damental differences. Take Cardinal Ratzinger himself. He has publicly made a dour assessment of the post-Vatican Church and wants to reverse it. Take yourself and Bishop Leo Nanayakkara, two bishops of the same country, separated only by just a few years. Your statement at Bishop Gomis's celebration is the very opposite of what Bishop Leo taught. These are just a few examples.

What is worrying about such statements is that there seems to be a very concentrated attack on pluralism, both by Cardinal Ratzinger and in Sri Lanka by "The Bystander" and other anonymous writers that write in *The Messenger* - and yourself too. This is not only just a theological debate. It relates to the theory on violence. Many people all over the world have been fighting a hard battle against fundamentalism as it is one of the most serious causes of violence. Religious and racial bases of violence are being studied constantly to combat such violence. Sri Lanka is among the nations at the top of the list in the world of countries that are faced with serious violence. It is a country in which pluralism needs to be nurtured with the greatest of care. What a few Catholic leaders are doing now goes against this basic national interest. This is a clear instance in which just a few people have put their petty clerical interests and ambitions before the basic national interests of ending violence and living in peace. While acting in a way to internally encourage violence, there is no point making external gestures of peace.

What Is a Fair Assessment of a Book?

"The Bystander" approves of the crude method adopted by the presenter of *The Other Side* of selecting a few passages from *Mary and Human Liberation* and counterposing these with a few other passages which are supposed to represent the "correct Catholic doctrine." One of the first lessons a student learns in school about appreciating a book is to view the book as a totality, which simply means to take an overall view of the publica-

tion. Here is one of the ways an 80-year-old, and not so sophisticated, Catholic woman in Sri Lanka views Fr. Balasuriya's book as told by her son:

"When I went home one day to see my mother, she asked me what all this talk of Fr. Balasuriya's book was all about. I told her the best thing is to read the book. She said, 'That is what I want to do. Can you bring me a book?'

"I bought a Sinhala translation of the book and gave it to her. After about two weeks, I visited her again as I usually do.

"Then she told me, 'I always knew that she [referring to Jesus's mother] could not be just the humble, docile and submissive person she had been made out to be. You remember when your brother was in remand [her son was an undergraduate in 1971 and was arrested for alleged connections with the JVP (Janata Vimmkthi Peramuna or People's Liberation Front) with thousands of others. He was there for nearly two years before been released without any charges being filed] and I had to go everywhere on his behalf? It was during that time that I understood that she [pointing to the statue of Mary in the house] cannot be the person we have been taught to believe she is. She must have been a woman like me. In those very bad days, I would feel that I understood her.'

"Later I learned that she had gone and confronted the parish priest, and the priest was rather apologetic, confronted by an old woman on a matter of faith. She had remembered that one time a priest during a sermon had spoken a similar theme as in the book of Fr. Balasuriya. She asked the parish priest, 'Why don't you also preach like that?'"

The person who told that story is Padmasiri Nanayakkara, a

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well-known lawyer, now in his late 40s.

It is this simple message that this mother and mature woman understood as being the heart of the matter of this book. Mary as a mother who gave birth in a manger (the contemporary equivalent is a cow shed), a refugee, a carpenter's wife and a mother who accompanied her son as he was taken to be extrajudicially executed (there are very few known instances similar to this even in these days of mass extrajudicial killings) and stood by when the execution took place (the local equivalent to this form of execution is to be sent to the gallows) has a tremendous meaning to the women of our time. This is the message of *Mary and Human Liberation*. The witch hunt against Fr. Balasuriya under doctrinal pretexts is an attempt to undermine this message. This is not surprising. This is not surprising at a time when a bishop in Sri Lanka could preach from the pulpit that "He [Jesus] was not bothered about social oppression, injustice and the like [that were] strongly visible in His own times." Selecting this or that passage from the overall context and neglecting the purpose of the book is no way to judge the work of any author.

Chapter **5**

Andrei Vyshinsky and Cardinal Ratzinger

Similarities in Style?

Andrei Vyshinsky was Joseph Stalin's prosecutor. Cardinal Ratzinger is the prefect of the Vatican's Congregation for the Doctrine of the Faith (CDF) at present and the self-appointed prosecutor against several theologians, including Leonardo Boff, Hans Kung and Tissa Balasuriya. Born in December 1883 in the volatile conditions of prerevolutionary Russia, Vyshinsky became one of the best known henchmen of Stalin and shaped the theory of socialist trials against "the enemies of the people." Ratzinger, born in Germany during fascist times, had his formative years under the culture created by the Nazis. In recent years, he has been shaping a new style of trial against Catholic theologians that he thinks of as "enemies of the faith." Both have two things in common. Each believes in the concept of absolute truth, and each is completely ruthless in imposing this concept on the rest of humanity. Both have had quite a free hand in determining the manner of their trials. Of the two, Ratzinger is even freer as Stalin always kept a watchful eye on Vyshinsky.

In Vyshinsky's trials, the outcome was predetermined. The trials of the 1930s were known worldwide as show trials. Those actually accused were not really the targets of the proceedings. The accused were mere exhibits to be advertised before the rest of Russia in order to pass a message to the people about the fundamental beliefs that Stalin wanted to impose on society. Vyshinsky's biographer Arkady Vaksberg writes that "the purpose of the trial had not been to disgrace or, indeed, annihilate some of

Similarities in Style?



Andrei Vyshinsky, Joseph Stalin's prosecutor, sent messages to the people through trials whose outcome was predetermined.

the accused but to create a precedent and pave the way for a psychological attack on the population." Such trials were serious affairs ideologically. Legally and judicially they lacked any seriousness or meaning. However, politically they had an ominous meaning to the entire population. So do Ratzinger's trials. In these trials, the target group is not only the Catholic population but humanity at large.

In comparison to the liberal democratic concept of trials, Vyshinsky's trials were a farce. They were termed mock trials. Vaksberg speaks of the system that emerged at this time as "an illusion of democracy and a sham guarantee of defendants' rights. It was run in a way to give the impression as being all-important while remaining insubstantial."

So are Ratzinger's trials; and in some respects, they are

worse. Ratzinger himself discovers the enemies and their errors. The only known judge is himself too. The names of others who are supposed to have been the "judges" are not revealed even at the request of the "accused," as in the case of Tissa Balasuriya. There is not even any pretension of being a trial as in the case of Vyshinsky's trials.

Despite such differences, a common element to both is that they have approached the elements of a fair trial with equal contempt. The charge, a sacred element in the concept of trials known in all serious legal systems, has been treated by both as a triviality that could be dispensed with as has the right of the accused to a reply. A confession is eagerly sought, and a rejection of the charges is considered to be a trick.

In the trial system that Vyshinsky evolved and which is still in use in some former socialist countries, what was really important were the preliminary investigations and not the open trial. The preliminary investigations, conducted privately, led to the conclusions and would only be affirmed later during the trials. At this stage, one important thing was attempted, and this was to get a confession. Vaksberg writes:

"All of the court's attention was concentrated not on analyzing the evidence, which simply did not exist, but on securing from the accused confirmation of their confessions of guilt that were contained in the records of the preliminary investigations. At the open trial, in front of a huge public, some defendants withdrew their previous confessions. Others changed them several times during the course of their trial, and anyone in the hall, unless he was blind or a half-wit, could clearly see what had gone on behind the scenes the night before. Reduced to despair by blackmail, threats and physical intimidation, the victims 'confessed' again and then, recovering their senses, denied the lies and next day took the oath and slandered themselves again."

Similarities in Style?

In Ratzinger's trials too, attempts to obtain confessions are a core element. The only option that Ratzinger gave to Balasuriya was to admit guilt and to face punishment, implying that punishment may be less onerous once the confession is made. (Vaksberg records instances where promises were made for lesser punishments at the Moscow trials for making confessions. When some accused exposed this, it became even an embarrassment to Stalin). When Balasuriya replied by pleading his innocence and requesting a chance to refute the charges, Ratzinger sent him a declaration of faith drafted by himself with the instructions that if Balasuriya did not sign the CDF declaration proceedings would follow to punish him. The declaration of faith drafted by Ratzinger contained the following statement: "I firmly accept and hold that the Church has no authority whatsoever to confer priestly ordination on women." If signed, this confession would then have been circulated widely and would have been used as an attack on all others who have refused to accept or have doubts about this position. Throughout Vyshinsky's trials, one sees the subtle use of confessions, not so much to attack the accused themselves, but as a way to impose a particular point of view on society and to intimidate those who are opposed to such views into silence.

Vyshinsky hid behind such rhetoric as "the nation," "socialism" and "the great leader and teacher Joseph Stalin." The accused were always portrayed as the wreckers and saboteurs of these great notions and socialist institutions. Ratzinger too hides behind such notions as "the Church," "the CDF" and "absolute truth" and names his opponents as relativists. This prosecutor, in fact, becomes the defender, and the accused is deprived of any possible defence. The confusion created this way could lead some people to use violence on anyone who holds similar views as the accused. Thus, the ultimate aim of this kind of trial is to cause polarization and division. A call is made to the larger population to rally around the greater notions by condemning the

particular person who is accused. In fact, long before Vyshinsky and Ratzinger, the high priests showed their mastery of this technique during the trial of Jesus. Another well-known instance of this type of trial was during the Chinese Cultural Revolution in which millions of people are estimated to have lost their lives. The accused, such as Lin Biao, were merely used to create a clear division in society between those who agreed with a particular point of view that was presented as the only way and those who rejected such a rigid view.

Those who view Ratzinger's trials merely as mistakes fail to understand the larger transformation that is being attempted under the guise of fighting against relativists. It is not just a matter of ignoring due process rights. For Ratzinger's purposes, due process is just not necessary. His trials are of a different style, and he is not the only one who has followed such a style.

Stalin and the Vatican: Comparisons in Characteristics

There are disturbing similarities between the basic aspects of thinking of Stalinism, the worst expression of which is Pol Potism, and the Vatican thinking which has emerged during the recent excommunication of Fr. Balasuriya in which the present-day Vatican teachings are presented as the only valid Catholic teachings. Common features shared by the methods of Stalin and the Vatican are outlined below.

1. The Distinction between the Teaching and Learning Constituents of the Organization: The Stalinist position on this point gave the party a superior position over the people, party cadres a superior position over party members, Central Committee members over cadres and the general secretary over everyone. In the case of Fr. Balasuriya, excommunication-related literature, such as the writings of anonymous writers in the Catholic weekly *The Messenger* in Sri Lanka and *The Other Side*, a

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scurrilous pamphlet distributed as an official document of the Sri Lankan bishops, gives special attention to shepherds and sheep, shepherds being the bishops and sheep being everyone else. The sheep are presented as a totally stupid lot which must have an absolutely dependent relationship on the shepherds, who may cut the lifeline whenever they wish and for whatever reason.

2. Disapproval of Intellectual Activity and the Rejection of Intellectuals: *The Messenger* articles and editorial were devoted to sneering at intellectuals. The dichotomy between a simple faith and whatever is meant by a not-so-simple faith was one of the main themes of this excommunication debate. The shepherds (bishops) had to protect the sheep (simple faithful) from the enemy (intellectuals). One could not help thinking of Pol Pot in Cambodia who wanted anyone wearing spectacles to be put to death.

3. Insistence on Accepting the Official Version without Any Questions: The thrust of most *Messenger* articles and of *The Other Side* is that, according to Cardinal Ratzinger, the addition of a note by Fr. Balasuriya to the Pope Paul VI Credo completely invalidated the document!

4. The Accusers' Right to Make Insults and Engage in Vicious Attacks on the Victim: The Vatican and Sri Lankan spokesmen have engaged in this practise in a very crude and uncharitable manner.

5. Attempt to Reduce Evidence to a Confession: The CDF declaration of faith was, in fact, a confession that the CDF wanted Fr. Balasuriya to sign. The CDF was obviously angry when they could not obtain such a confession.

6. Replacement of a Trial or Inquiry with a Public Campaign: For such campaigns, the lowest forms of propaganda techniques are used, such as insults, scurrilous writings and vicious rumours. (In fact, the elements of the campaign are no dif-

ferent from what was done to Jesus from the moment of His arrest to His crucifixion.) *The Messenger* showed their expertise in conducting many aspects of this campaign.

7. Total Denial of Any Right to the Accused: His only right is to make a confession.

8. Making a Farce of the Appeal Process: In reality, in both the systems of Stalin and the Vatican, no real procedure for appeal exists. In this case, Fr. Balasuriya was told that the pope approved of every step in the excommunication case, and therefore, no appeal was possible. Fr. Balasuriya has asked for evidence of such approval. Other writers have even raised the question as to whether the pope has even read the book and all of the other documents. It is said that the pope does not engage in such lengthy readings and that he depends on short summaries made by others or just on mere conversations. Television viewers have seen that the pope is very old and weak.

Heeding the Duke of Wei

The Duke of Wei's admonition has been called the earliest proverbial ode in Chinese poetry. In it, we find the following phrase: "Make laws against falsehood."

What should worry Catholics today is that their leaders seem to relativize the norms of truth and falsehood. Should they not ask their leaders to stick to Wei's admonition? Rejecting falsehood and seeking truth has remained the basic norm of all civilization. In the process of the search for documents produced by the authorities in the Vatican and Sri Lanka related to this excommunication, it seems that these authorities care rather little for Wei's admonition. The underlying principle that they seem to follow is that if one is motivated by the need to defend the faith then one may make statements which are utterly wrong factually and one may even fabricate documents. That principle flows from another principle that the end justifies the means.

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While relativizing the norms relating to falsehood, these authorities insist on one particular interpretation of doctrine. Any further interpretation is termed by them as relativizing faith. In this process, they relativize the norm of basic morality.

Chapter 6

The Insane Campaign That Failed

Mary and Human Liberation . . . The Other Side presented by Manel Abhayaratna is a little campaign handbook - yes, a handbook for the most vicious campaign that the Catholic Church in Sri Lanka has ever undertaken. In fairness, however, it must be noted that not all Catholic leaders may be involved in the campaign but only some.

Moreover, it is also a piece of anonymous writing. Manel Abhayaratna's name appears as the presenter but the presenter for whom? - for a group? What are the names of the people in the group? No names are offered. Whether the group is one person or many, that too no one knows.

Hardly has ever a pamphlet been written to convince people not to read a book. Now we have one: this little pamphlet! The aim is to tell people not to read *Mary and Human Liberation* written by Fr. Tissa Balasuriya. This piece of anonymous writing, however, is as an official document of the Catholic Church. This is such a contrast to what is normally thought of when one contemplates the orderly nature of the most organized institution in the world, the Roman Catholic Church.

Recently, the local branch in Sri Lanka of this monolithic institution has begun to abandon protocol, however; for although women are not allowed to be priests, one is now permitted to sign official documents, which would otherwise have been signed by the archbishop or the president or secretary of the Bishops Conference. What if a state minister or even a civil servant who was holding a responsible post were allowed to engage

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in such a practice?

These events also give rise to another question: Is this authorization a general authorization or for this particular publication only? Or is this is not an official publication at all but a bluff? Parish priests, however, are supposed to regard this as a guide for their sermons and a spiritual guide in general. Most of them have been doing just that, willingly or unwillingly.

The Other Side was also serialized in the Catholic weekly newspaper *The Messenger* and given to the secular press as an official reply. Archbishop Nicholas Marcus Fernando knew that this booklet was used in this way, and there is no reason to believe that he disapproved of it. Is it because he thought that this is the way to publish an official document; or in his view, does he consider the matter to be now out of his competence? Or has he just allowed Bishop Malcolm Ranjith to handle this matter as he was the one handling it since its origin, that is, from the time of the *ad hoc* theological commission on 7 January 1993, at which he introduced Document M.

In the publishing world, there are authors, and there are editors. Where, however, does a presenter fit in? Nowhere! It is neither foul nor fish. An author alone is the person who takes responsibility for the contents as well the presentation of a book or even an article. He or she takes responsibility for the facts stated in a book, its veracity and the accuracy of the facts. In the case of an accusation or an attack on another person, the author takes responsibility for the justification of the accusation or attack. Who, however, takes such responsibility for this pamphlet? No one, or shall we say "an anonymous group" does.

Consequently, to what type of literary tradition does this publication belong? It belongs to the group known as "scurrilous writing." What is unique is that such a piece of scurrilous writing is declared to be undertaken on behalf of the Catholic bishops of Sri Lanka. For what purpose though? To prove that the

Catholic faith should not be equated with other religions and that it is superior to other religions and philosophies. If someone says that "by your deeds you shall be judged," what would the anonymous authors of this scurrilous pamphlet, which obviously includes one or more Catholic bishops of Sri Lanka, reply? The avowed aim of the publication - to defend the truth - is defeated by the very nature of the writing. It is like sending a tin soldier to a battlefield. How did this morally demeaning piece of writing become an official document of the Catholic Church? How did it come to be used as a guide to Sunday sermons and a guide to spirituality? In the search for answers to these questions, one would find the sad decay of an institution which once taught high literary values to many young people.

Within a short time and in one dispute, two shocking documents have come to the notice of the public. One is *The Other Side*, and the other is now known as Document M, a fabricated document produced as a summary of discussion among four people known as the *ad hoc* theological commission and a document which has been rejected by two members of the commission as not representing their views. (*Please see Chapter 7.*)

It is interesting to note that the style in this pamphlet is the same as Document M. Is the anonymous author the same too? What may be more important than "who" is "why" - why falsifications? why anonymity? and why all of this subterfuge regarding a fellow priest? - a bishop or bishops hiding behind anonymity fighting an aged priest to prove that their religion is superior to others - what a notion! In Biblical imagery, this would mean a shepherd, or shepherds, wearing masks and invisible dress stopping and slaying a sheep.

The style of this pamphlet is also significant for another reason, for the style is a part of the message. The pamphlet does not attempt to inform or to convince. Rather, its aim is to provoke! Naturally the provocateurs have remained anonymous.

The Insane Campaign That Failed

The use of religion to provoke the faithful does not belong only to this example though. We also have the Babri Masjid in India in which a mosque was razed by a Hindu mob as well as other instances in Islamic countries. It is ironic, but so common, that the religions that teach the highest ideals are also those that are used to bring down people to the lowest common denominator, to bloodshed and violence. The nature of the campaign against Fr. Balasuriya has been so vicious that it is purely due to the good sense of the people that there have been no incidents; for despite this long and vicious campaign, there has been no real effect on the people. Perhaps in the last few decades people in Sri Lanka have learned a great deal about the artful ways that provocateurs of all types work, so much so that they do not easily respond to provocation anymore. In addition, perhaps most priests only externally played the role that they were asked to play and really made a joke of the whole campaign. The heat that a few at the top wanted to create was sabotaged from below. The subtlety that develops in the people to see through things is the last resort on which sanity prevails. When people begin to see hypocrisy enacted before them, they do not fight; rather, they just laugh, internally first and externally later. Many a sham crusade ends up as a joke. To many, *The Other Side* is nothing more than just that.

Though it is tedious, we may also inquire as to how this pamphlet was prepared. It is important to note that it was ready for distribution by the time the excommunication notice arrived from the Vatican. Thus, it was already written and edited long before the deed was done. In fact, copies were issued to the local press in Sri Lanka before the weekend of 4 January, hoping that the Sunday newspapers would carry this "great story." It was also hurriedly distributed to the churches so that the priests would know what to preach on Sunday. The campaign manager must have thought that the whole country, or at least the Catholic citizenry, would do nothing but read this pamphlet and proceed to

take action to show their outrage. This design, purely motivated by very "holy" intentions, did not materialize though, for the local press showed far more sympathy to the victim, Fr. Balasuriya, than to his tormentors. Likewise, the priests in most cases acted in a lukewarm manner. Indeed, many people wanted to find copies of *Mary and Human Liberation* to read for themselves. Therefore, instead of condemnation, a debate began, nationally as well as at the grassroots level of the parishes. No author could have hoped for more. Everyone perceived that there was more to this excommunication than mere theology.

The more insane that something becomes, the more there is an urge to return to sanity. Mao's Cultural Revolution, for instance, expedited the beginning of the end of his system in China, though the aim of that campaign was to strengthen the control of the bureaucracy. In a similar fashion, the terror campaign in the South of Sri Lanka in the late 1980s awakened more people to democracy than any other event. In the same way, what happened during January through March 1997 regarding the campaign against Fr. Balasuriya has broadened the minds of the people, and an intense curiosity has been created. Consequently, the initiators of this insane campaign will be judged for a long time.

The contents of *The Other Side* shows the very crude state of mind of the author or authors. Choosing a few paragraphs from a book consisting of 210 pages and counterpoising them with a few paragraphs of Catholic documents where such documents go into millions of pages is the central characteristic of this pamphlet. Any educated Buddhist in the country who is aware of the use of this method must be laughing. What a way to test doctrine? The remainder of *The Other Side* consists of slander, accusations, the attribution of motives and, above all, distorted accounts of the actual events, such as the discussion within the ad hoc theological commission.

Chapter 7

The Heart of the Matter - Document M - and the Role of Bishop Malcolm Ranjith

Concerning the excommunication of Fr. Tissa Balasuriya, the position expressed by "the group" in their publication *The Other Side* is as follows:

"1. An *ad hoc* committee was appointed to study this book [*Mary and Human Liberation*] and to express their views on it in a confidential manner. This group consisted of two bishops well-versed in theology and two theologian priests, one of whom was a renowned Oblate of Mary Immaculate [or OMI - the same order as Fr. Balasuriya].

"2. This group presented an interim report which advised that a dialogue take place with Fr. Balasuriya and pointed out some of the misgivings that the members had expressed about the book.

"3. On 7 January 1993, a dialogue between Fr. Balasuriya, some bishops and the members of the *ad hoc* committee took place at which these misgivings were expressed to him in a fraternal manner with some advice on what could be done in the future. This dialogue was confidential and was to be only a sharing of views with possible clarifications. During this dialogue, Fr. Balasuriya took a negative attitude rather than face the arguments squarely."

The Reply

The names of the people who constituted the group were Bishops Malcolm Ranjith and Vianney Fernando, Fr. Emmanuel Fernando and Fr. Dalston Forbes, OMI. The date of the meeting was 7 January 1993: A record of the proceedings is available.

Bishop Malcolm Ranjith brought to the committee a document that was distributed to the committee members and Fr. Balasuriya. This document mentioned the errors of doctrine that were supposed to be contained in the book *Mary and Human Liberation*. This document has often been referred to as Document M in the subsequent correspondence between various bishops and Fr. Balasuriya.

When Document M was circulated at the meeting, Fr. Balasuriya found that the quotes from his book were not accurate and that conclusions arrived at were not correct in many instances. When he asked a few questions, it became clear that Document M did not merely record the discussion that had taken place in the *ad hoc* commission but that it contained many conclusions on which the four commission members had not agreed. Because of the differences of views that emerged among the commission members, the meeting was adjourned. The meeting lasted less than 90 minutes. Thus, to say that this was a fraternal meeting and that Fr. Balasuriya took a negative attitude is inaccurate.

Though this was meant to be the first consultation with Fr. Balasuriya, Bishop Malcolm had already prepared the verdict in writing. The verdict imposed various forms of punishment, such as a prohibition not to distribute or publish further any additional copies of the book and a confession in which the author should admit that he had made errors in his book.

The author of Document M is Bishop Malcolm Ranjith. There is no dispute about this. The dispute is whether he faithfully recorded the contents of a meeting held in December 1992 of the

members of the *ad hoc* committee or created basically a different document.

It is very essential to consider this as Fr. Balasuriya has repeatedly stated the following position:

"This report has many statements that are misrepresentations of my position. For example, some statements are taken out of context to give a meaning that is not found in my book. In other cases, significant words are dropped from a quotation, or incorrect or doctored quotations from it are manipulated to find errors in my work, falsifications of my thinking."

Thus, a serious accusation of fabrication and manipulation that was made regarding Document M has been repeated beginning from 7 January 1993, the date it was first distributed.

In a letter to the archbishop of Colombo, Fr. Balasuriya states:

"Since its release, . . . the report has been substantially disowned by Fr. Forbes in writing to Bishop Vianney, Bishop Malcolm and me. Moreover, Fr. Emmanuel Fernando stated to me that he did not see a copy of it until I sent him a copy in March 1993 or so. Hence, it begins with an incorrect claim of being *their* views."

In his defence, Bishop Malcolm Ranjith has replied:

"The document [Document M] seems to be, according to your mind, something I am responsible for. I am saddened by this misconception. I state very categorically that it contains the views expressed by all the members of the *ad hoc* committee that met on 1 December 1992. It is sad to note how some of these members have hidden themselves behind terminology in order to disclaim what they stated and pass the blame on to the person who, at their request, ed-

ited their comments."

Thus, according to Bishop Malcolm, if there were fabrications and manipulations of the document, all of the four members were responsible for such fabrications and manipulations. While Bishop Vianney has remained silent, the other two members have taken a different position.

Writing to Fr. Balasuriya on 23 February 1993, Fr. Forbes said the following:

"On going through the position paper of Bishop Malcolm presented at the dialogue with you on 7 January 1993, I find that it is not the minutes of the small theological group that met in December but [is] his own position paper prepared for the special meeting with you. It incorporates elements that developed at the Bishops Conference [meeting] held in Badulla from 9 to 11 December 1993. So it is a composite paper. Those of us who were at the previous theological meeting cannot accept responsibility for this working or position paper.

"I don't think Bishop Malcolm will claim that this is the true statement of the position taken up by the theological group." [emphasis added]

However, Bishop Malcolm did claim that the *ad hoc* committee was responsible for Document M, and this position has been repeated constantly by Bishop Vianney and Bishop Malcolm. *The Other Side* too repeats this position. The attempt seems to be to attribute the manipulation and fabrication of the document to all four members of the *ad hoc* committee.

Therefore, it is necessary to consider what happened at the meeting of 1 December 1992, and 7 January 1993. Fr. Forbes wrote to Bishop Vianney on 5 May 1993, stating:

"The meeting we held on 1 December at Lankarama to

consider the book of Fr. Balasuriya, *Mary and Human Liberation*, was poorly organized. He [Fr. Balasuriya] can easily fault us for passing judgement on him with such little preparation and in so slipshod a manner."

Fr. Forbes again wrote to Fr. Balasuriya on 27 May 1994, stating:

"In going through my file of papers concerning the book *Mary and Human Liberation*, I found this letter to Bishop Vianney which I wrote in March '93 and of which I am sending you a photocopy. You will see that I objected to the process that began against your book from the start. After the failure of the dialogue with you on 7 January 1993, I urged Bishop Vianney and later Bishop Rayappu to resume the dialogue and to form a good theological commission to do so. This was not done. The situation was complicated by the fact that Bishop Vianney resigned and was succeeded by Bishop Rayappu who could not be contacted easily in Madhu and Manner. We had to wait each time till he came to Colombo. [Thus,] the dialogue did not get off the ground.

"I shall be taking up with Bishop Malcolm the statement of his letter of January '94 to you in which he states that the document . . . represents the consensus of all of us, the four, including me; it certainly does not include me, as is evident." [emphasis added]

On 17 July 1994, Fr. Forbes wrote the following letter to Bishop Malcolm:

"In your letter to Fr. Tissa Balasuriya of 9 January 1994, you state that the Document M, so-called, concerning his book *Mary and Human Liberation* contains the views expressed by all the members of the *ad hoc* committee that met on 1 December 1992. 'It is sad to note,' [you say,]

'how some of these members have hidden themselves behind terminology in order to disclaim what they stated and pass the blame on to the person who, at their request, edited their comments.'

"I cannot accept that Document M faithfully contains what I felt then about Fr. Tissa's book and theology. In fact, there were only four persons present at the meeting - Bishop Vianney, yourself, Fr. Emmanuel Fernando and myself - and your position paper was read out by you at some speed. I did not comment on every detail. . . .

"The document was written up by you and presented at the dialogue of 7 January 1993. I did not receive a copy before the meeting. In fact, I did not receive a copy at all except [in] a letter from Fr. Bala. How can it be said to contain my theological views which need to be carefully phrased and nuanced?

"In the course of the dialogue, it was clear that we held different positions on original sin. After the dialogue, I sent you a paper pointing out some mistakes in the section on original sin and the Redemption, p. 3 (February 1993). I received no acknowledgement for my paper.

"It is also clear that I have nothing to do with the censures at the end of Document M, p 5.

"I feel that these matters should be placed on the record, lest they give rise to misunderstandings." [emphasis added]

Even after the authorship of the contents of Document M were challenged so strongly, Bishop Malcolm Ranjith did not reply to these challenges.

Further questions arise: Why was a matter that was to result in such a serious consequence as an excommunication dealt with by an "ad hoc" committee and not by a properly constituted

theological commission? Such a properly constituted commission has not been created. Why? Is it because such an authentic commission cannot be easily manipulated? In *The Other Side*, "ad hoc" committee meetings are referred to as confidential meetings. These are rather strange procedures to have been followed in proceedings that have resulted in the only excommunication in Sri Lanka's 450 years of history.

Regarding the need to have a proper theological commission, Fr. Forbes wrote to Bishop Vianney Fernando on 5 May 1993, stating:

"You have informed me and others that the Bishops Conference intends to form a theological commission for Sri Lanka. Earlier in 1987 a network was formed of persons who could be consulted on theology, but this structure was not used. I was invited to join a commission by the letter of Bishop Gomis dated 12 September 1992, as a consultant in moral theology.

"Up to now, I have seen no signs of the formation of a theology commission."

He further wrote in the same letter:

"The future theological commission should (1) be well-structured and given a statute outlining its powers, competence and process; (2) include a fair number of theologians . . . who are willing to work seriously; [and] (3) [the] meeting should be advertised in advance. . . .

"The task of the commission should not be to condemn. . . . This is a purely negative job. The real task should be much more positive to favour the growth of a true Sri Lankan theology.

"The commission should not condemn anyone except after dialogue and due process. The writer should be given a

chance to explain himself. We must expect a certain amount of awareness and even heterodoxy in the [context of] Asian theology as thinkers here have to [deal with] problems of religion and faith in terms of their Asian philosophies, sociology, psychology and thought forms."

Thus, it is clear that Document M has been disclaimed as the product of the *ad hoc* committee. The charges that it is a fabricated and manipulated document have not been refuted. What is worse, however, is that certain structures - "*ad hoc*" committees, groups of interested persons and "the group" who wrote *The Other Side* - have become the official spokespeople for the Catholic Church. What sort of credibility or authenticity do all of these command?

Thus, the action which ended in an excommunication began in such a disorderly manner and was followed by indefensible procedures. However, Bishop Malcolm Ranjith's response to all of the protest, from the letter to Fr. Balasuriya dated 9 January 1994, is this: "But just as you have a right to write such books, I too, according to principles of justice and human dignity [that] you espouse, have the right to differ. And by my conscience, I am urged to do so. And I shall do so without fear or cowardice." Such is the reply to the accusation of starting and pursuing a witch hunt. Is it in the same spirit that he remains a member of "the group" who defends Fr. Balasuriya's excommunication?

Is the Profession of Faith of Pope Paul VI an Old Formula?

In *The Other Side*, "the group" wrote:

"He [Fr. Tissa Balasuriya] had signed an old formula of a profession of faith used during the time of Paul VI which did not contain some of the latest pronouncements of the Holy See."

The Reply

Even the notification of excommunication of the Congregation for the Doctrine of the Faith (CDF) has not taken this position. The notification refers to Pope Paul VI's profession of faith as a solemn profession of faith of Paul VI. The notification does not anywhere state that the Pope Paul VI statement is an inadequate profession of faith or a deficient profession of faith or a profession of faith that has deviated from Catholic doctrine nor does it treat it as a profession of faith that is outdated. On this matter, "the group" owes a clarification to the public.

As pointed out by Fr. Balasuriya several times, the difference between the document sent by the CDF and Pope Paul VI's profession of faith is that the CDF's profession subtracts the following from the text, i.e., that those, "who without any fault on their own part do not know the Gospel of Christ and His Church but seek God with a sincere heart and, under the influence of grace, endeavour to do His will as recognized through the prompting of their conscience, they too, in a number known only to God, can obtain eternal salvation." (Vatican II; *Lumen Gentium*, p. 16) The CDF document also adds: "I firmly hold that the Church has no authority whatsoever to confer priestly ordination on women."

Has Catholic theology since the death of Paul VI changed so drastically to make Paul VI's profession of faith amount to heresy, thus, calling for excommunication *latae sententiae* [automatic excommunication because Fr. Balasuriya wrote his book]? If Catholic theology has not undergone such drastic changes within 20 years, what is this controversy about? If Pope Paul VI were alive, would he have to accept these two new positions; and if not, would he be a heretic? If "the group," which seems to speak for the official position of the Catholic Church, has any integrity, they must explain this issue.

On the other hand, "the group" has clearly stated the reason

for Fr. Balasuriya's excommunication in the paragraph of their publication that is reprinted at the beginning of this article so that people can now discuss the core issue relating to this excommunication, for this is an attempt to revise the position relating to non-Catholics and to raise gender discrimination to a position of binding dogma. Without trying to introduce this revision directly, the attempt is made to introduce it circuitously. "The group" must be congratulated for raising the matter squarely. If such fundamental revisions are introduced as basic tenets of faith, excommunication may become a very large-scale exercise very soon.

(Ed. note: In reply to the charges contained in the report of the ad hoc theological commission, Fr. Balasuriya wrote the critique below in March 1995 and sent it to the Catholic Bishops Conference of Sri Lanka [CBCSL].)

An Analysis of the Report of the Ad Hoc Theological Commission on the Book *Mary and Human Liberation*

The report of the *ad hoc* theological commission that was formed to examine my book *Mary and Human Liberation* began with the statement that "an analysis of the above book was made on 1 December 1992, by a group of interested people headed by his Lordship Bishop Vianney Fernando. Others were Fr. Dalston Forbes, Fr. Emmanuel Fernando and His Lordship Bishop Malcolm Ranjith." It prefaces the charges against my book with the statement that "the following observations [are] made by all concerned at that meeting." Different levels of importance have been given to this group and "their" report. Sometimes, for instance, it was called the *ad hoc* theological commission of the CBCSL.

Since its release, however, the report has been substantially disowned by Fr. Forbes in writing to Bishop Vianney, Bishop

Malcolm and me. Moreover, Fr. Emmanuel Fernando stated to me that he did not see a copy of it until I sent him a copy in March 1993 or so. Hence, it begins with an incorrect claim of being *their* views.

This report has many statements that are misrepresentations of my position. For example, some statements are taken out of context to give a meaning that is not found in my book. In other cases, significant words are dropped from a quotation, or incorrect or doctored quotations from it are manipulated to find errors in my work, falsifications of my thinking. Thus, the claims below are made against my book.

Charges	My Response
1. Reduces faith to human wisdom	A falsification
2. Reduces faith to a level of acceptability by the Buddhists	A falsification
3. According to Fr. Balasuriya, all information should be empirically verifiable, and what is not so verifiable is not acceptable.	A falsification
4. The ideology of the group <i>determines</i> what is taught.	A distortion
5. The "principle of suspicion" (for hermeneutics of suspicion)	A distortion
6. Relativizes the Bible and tradition as unreliable foundations for theology(drops words)	A misrepresentation
7. Tradition too is denied of any value.	A falsification
8. Principle of critique is a distortion	A distortion
9. "After an analysis of Chapters 4 and 5 of the book, <i>all of us felt</i> that the	This is a very serious and unproved falsifi-

Charges

basic theological flaw in the book is that Fr. Balasuriya *seems* to deny the very divinity of Jesus. This is at the base of the whole book."

10. On original sin
11. Immaculate conception
12. Virginity of Mary
13. Assumption of Mary
14. Mary as co-redemptrix

My Response

cation. I do not think Fr. Forbes would agree with this or other charges. He does not say so in his report to the OMI superior general.

- A distortion
- A falsification
- A manipulation of the text
- A manipulation of the text
- A manipulation of the text

Methodology of the Accusation

The manner in which the report has not been true to my ideas include:

- (a) Dropping significant words from a quotation;
- (b) Misrepresenting my views;
- (c) Not making the necessary distinction on an issue;
- (d) Attributing motives without proof;
- (e) Making general charges without specifics;
- (f) Using poor logic; and
- (g) Falsifying the text.

Above all, the report claims untruly that the other four mem-

bers agree with this report and asks for sanctions against me when this was not clearly the view of the group as a whole. Moreover, the report judges me "incompetent to write books on profound theological issues, such as Christology and Mariology. This incompetence has been proved beyond any doubt in the book *Mary and Human Liberation* written by Fr. Balasuriya." (I hope the Bishops Conference does not hold this view.) Consequently, I was thus judged and sanctions were proposed against me by this report without a proper consultation with me. This goes against a basic principle of natural justice, not to mention canon law.

May I urge that the CBCSL inquire into this miscarriage of justice. Its *ad hoc* theological commission, I believe, has not met since 1 December 1992. I have submitted a 10-page analysis of this report and a more detailed 46-page analysis to the CBCSL on the first anniversary of the report and dialogue of 7 January 1993. Was any action taken on it? I do not think so since the CBCSL proceeded to make a public statement against my book on 5 June 1994.

This is I think the only occasion in which an Asian bishops conference has so judged a book by an Asian theological writer. The decisions in this regard may be precedents for the future of theological investigation and freedom of thought and expression in the Asian churches.

Tissa Balasuriya, OMI
27 March 1995

Chapter 8

Responding to *The Other Side*

Here we submit answers to the questions raised on the opening page of *Mary and Human Liberation . . . The Other Side*, a document used as an official response to the excommunication of Fr. Tissa Balasuriya. The contents of this book provide answers given during interviews to the questions listed below but interviews with whom - a group? one or more people? what are their names? when and where did the interviews take place? No answers are furnished. Therefore, the presenter represents an anonymous group. Anonymous writings like these with unacknowledged authorship are, in fact, scurrilous writings as well.

Let us look now at the questions posed by the unknown author or authors of *The Other Side* and what might be the more accurate answers.

Q. Why were the bishops silent all this long? Could they not have replied [to] the media campaign then?

A. Bishop Malcolm Ranjith became a bishop only on 31 August 31 1991, and he acted quite speedily. He prepared Document M on 7 January 1993, which set the whole issue in motion.

Q. Is this not a reason that tended to make a one-sided picture been regarded as the truth [*sic*]?

A. No! Until Bishop Malcolm came to the scene, the bishops thought differently. Their approach is expressed in the following words of Archbishop Nicholas Marcus Fernando: 4

"We are in a transitional stage in the history of the Church

with two generations living together but thinking differently. We are at the moment when one generation's way of [being] religious is different from the other generation's expression of devotion. It is here that charity must prevail. It is here that we must remember that love is above all other virtues." (*The Messenger*, 14 May 1997)

Q. Would you feel it would have been better to leave the book alone?

A. No, such a book cannot be left alone! In particular, anyone who believes that Jesus did not care about the poor cannot leave a book that forcefully presents the opposite view.

Q. What made you take it up at all?

A. To prove that Jesus did not care about the poor.

Q. What about the rules of *imprimatur* and *nihil obstat*?

A. Even *The Other Side* does not have an *imprimatur* and *nihil obstat*, though this is used as the official version. Here, in addition to falsehood, there is also hypocrisy.

Q. Did you not allow for proper procedure[s]?

A. *The Messenger* statements, and all other official statements, have clearly indicated that there was no procedure to follow, there was no basis for due process and shepherds can do whatever they like to sheep.

Q. How did you come to the conclusion that Fr. Balasuriya always took a reactive attitude?

A. Every living person reacts; only the dead do not react. What really bothered his tormentors was that he was proactive. He advocated not a non-reacting religion but a fully proactive religion, like Bishop Leo Nanayakkara believed, like Fr. Michael Rodrigo believed and many others believe.

Q. Is it true that he was rashly treated by the bishops?

A. Yes, some bishops who were acting in the name of others did act recklessly. If you can call the fabrication of documents, publishing falsified accounts, a vicious slander campaign and excommunication anything less than rash, you may say so. In fact, to call all of these developments rash is an understatement.

Q. Is it true that he was not given adequate opportunities to explain himself?

A. Of course, as has been previously stated many times in official documents, he did not have any right to be heard.

Q. Didn't Fr. Balasuriya welcome comments on his book, "be they favourable or otherwise?" Did he allow room for that?

A. There has been no way to test this as no attempt was ever made to give him a chance to invite the views of others. The meeting on 7 January 1993, ended as soon as he raised questions. Rather, condemnation and excommunication have taken the place of comments.

Q. Is it correct to state that the CMBS [*sic*] [CMRS or the Conference of Major Religious Superiors] was more sympathetic to him?

Yes, the religious superiors raised the issue of the book several times. They even offered their good offices to mediate in the debate, but the Bishops Conference regularly turned down these requests on the basis that the Vatican is now dealing with the issue and "the matter is now closed."

Q. Is Fr. Balasuriya a "reputed theologian" as he claims to be or as others claim him to be?

A. Very much so. Just look at the reaction to his excommunication!

Q. What answer do you have to Fr. Balasuriya who wants you to prove from his book the "four glaring errors" you mentioned in your statement of 5 June 1994?

Responding to *The Other Side*

A. He *does not believe* that Jesus did not care about the poor.

He *does not believe* that poverty and discrimination are the result of people turning away from God.

He *does not believe* that non-Catholics have no salvation.

He *does not believe* that Jesus willed that women should not be ordained as priests.

Q. What is the relationship according to you between faith and rational or empirical [*sic*] evidence in the discernment of revealed truth?

A. As it has been made clear by the official statements relating to this excommunication, intellectual activity has no relation to faith and that, moreover, one who reaches a vegetative state is a better believer.

Q. What other errors do you find in this book?

A. His interest in the Magnificat is pure perversion.

Q. Are there any other objectionable features in the book which you wish to highlight?

A. The book cover presents a very bad impression as we must not remind ourselves of the actual Mary, who knew poverty, who was a refugee and who accompanied her son as he was taken away to an extrajudicial killing.

Q. Did the CDF [Congregation for the Doctrine of the Faith] oblige Fr. Balasuriya to sign a profession of faith especially drafted for him?

A. Of course, at the threat of excommunication.

Q. What about the public campaign against your statement?

A. Well, it shows the mere fact that if *The Messenger*, an official Catholic weekly newspaper, does not publish a statement it does not mean that people cannot get publicity.

Q. What about the recourse to the State Mediation Board by Fr. Balasuriya?

A. He applied to the State Mediation Board to demonstrate that the Church has not provided him with any forum through which he can present his complaints. Having made this point, he withdrew the application on his own initiative. When Fr. Balasuriya withdrew the application, the archbishop thanked him and promised to try to mediate the issue, "a more Christian solution," the archbishop said. Then someone spoke to the Vatican, and the archbishop was forced to say that the matter has been taken out of his hands.

Q. What were the main sources of doctrinal information used in evaluating Fr. Balasuriya's views?

A. As stated before, the speech of Bishop Malcolm introduces a new theology that does not express any concern for the poor, a theology which may have originated in the CIA.

Q. Why especially the catechism of the Catholic Church?

A. To teach people that Jesus did not care about the poor.

Q. What is the final decision that has now been taken?

A. Nothing is final. As Buddha said, everything is *annithaya* (temporary). The CDF gifted to the Sri Lankan Church a crisis through Fr. Balasuriya's excommunication. Now they have to face the consequences. You cannot bury the work of Bishop Leo, Fr. Mike, Fr. Balasuriya and others. People must be responsible for their words and their actions.

Chapter 9

Did the Pope Read *Mary and Human Liberation?*

(Ed. note: The following is a comment on the lead article of *Inside the Vatican* in its February 1997 issue on the excommunication of Fr. Balasuriya. *Inside the Vatican* is a monthly published in Rome.)

I refer to the lead story of the February 1997 issue of *Inside the Vatican*, which is about the excommunication of Fr. Tissa Balasuriya, a Sri Lankan Catholic theologian. Unfortunately, your story is full of factual misinformation. May I cite some of the most glaring mistakes. This "factual" misinformation, if corrected, would lead to conclusions that are just the opposite to those that your lead story has attempted to make.

I offer below the distortion of the facts. I have only selected a few samples of the article's distortions on several significant points.

1. "The bishop of Sri Lanka and the superiors of the Oblates of Mary [his order] tried for several years without success to address the problem of Fr. Balasuriya's theology. Failing, the bishops eventually asked Rome to intervene with the pope's authority." (p. 15)

You cite as the source of your information Fr. Julian Fernandez. He is further cited as follows: "Still, when the local bishops insisted that action be taken, Rome was forced to intervene." (p. 16)

The bishops of Sri Lanka have officially, publicly and repeat-

edly denied that they made any request to the Vatican to intervene regarding the matter relating to Fr. Balasuriya. Bishop Vianney Fernando, speaking on behalf of the Catholic Bishops Conference of Sri Lanka (CBCSL) on a national broadcast, clearly stated that they have never referred this matter to the Vatican and that the Vatican may have acquired copies of Fr. Balasuriya's book *Mary and Human Liberation* on which the excommunication was based as it was also sold outside of Sri Lanka. The same position has also been stated by Sri Lankan church leaders through the Catholic media, that is, through the two weeklies which are published in English and Sinhala. The bishops of Sri Lanka have been categorical in their denial that they referred the matter to the Vatican or that they sought any intervention from the Vatican.

Is Fr. Fernandez then refuting this position that the bishops of Sri Lanka have taken so publicly? If so, he should do so openly. Your readers are likely to take his statement as factually correct when it is not. Perhaps Fr. Fernandez is aware of some secret negotiations between one or more bishops with some Vatican authorities, and he is thus trying to present this as a request from the Sri Lankan bishops. In Sri Lanka's secular press, there has been mention of one or more bishops who may have tried to use Fr. Balasuriya's case to gain a promotion in the Church.

In short, the entire thesis in your publication's lead story is based on a premise which is factually untrue. This falsehood helps to create an appearance of rationality to an excommunication which many have condemned as manifestly unjust.

2. "Early 1996; Balasuriya sues the Sri Lankan Bishops Conference for defamation." (p. 15).

This same factually wrong statement is found in editor Robert Moynihan's lead article itself: "He [Fr. Balasuriya] had been prepared to go to Sri Lanka's civil authorities to force the bishops to accept that his theology was not heretical."

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Defamation cases can only be filed in the district courts of Sri Lanka. When did Fr. Balasuriya file such a case or any legal case at all?

In Sri Lanka, there are arenas provided for any parties who have had no opportunity to have an amicable discussion to come together to discuss such matters. These are completely non-legal, informal, voluntary mechanisms for settling disputes. Lawyers are not even allowed to attend these meetings. After receiving no response from the bishops to his repeated requests for a hearing, Fr. Balasuriya requested that the bishops engage in a dialogue in this forum. It is an absolute lie to state that he wanted "Sri Lanka's civil authorities to force the bishops to accept that his theology was not heretical." In fact, under this settlement procedure, no power can be exercised by any civil authority. No one can be forced to do anything under this procedure.

It must be remembered that in the Catholic Church in Sri Lanka there is no established theological commission, and no forum is available for any priest to make a complaint. The question that Fr. Balasuriya has repeatedly asked is where in the Church can a person make a complaint and get a reasonable hearing. A theological commission is not appointed because of fear that qualified theologians may not be willing to condemn people without proper studies and proper procedures. In fact, reputed theologians, such as Fr. Dalston Forbes, have called upon the Sri Lankan bishops to establish a proper theological commission to investigate Fr. Balasuriya's case. This request has fallen on deaf ears, however.

Thus, this allegation that a civil suit for defamation was requested and that Fr. Balasuriya attempted to get the civil authorities "to force the bishops to accept that his theology was not heretical" is a lie.

3. Your lead article gives several speculative reasons as to why Fr. Balasuriya may not have signed the declaration of faith pre-

pared for him by the Congregation for the Doctrine of the Faith (CDF), but you do not mention the reasons that he himself gave for signing Pope Paul VI's declaration of faith instead of the CDF declaration.

Thus, let me inform you that Fr. Balasuriya has taken this position because he found that the CDF declaration deviates from the integrity of the teaching of the Church on the issue of the salvation of non-Catholics and he refused to accept that Jesus willed that women should not be ordained as priests as mentioned in the CDF declaration. It is only basic decency and good journalism to provide your readers with what is expressly stated as the reasons for refusal of an act before entering into a series of uncharitable speculations.

4. Moynihan states that the book *Mary and Human Liberation* casts doubts on the divinity of Christ.

Fr. Balasuriya has denied this and has signed Paul VI's credo which clearly affirms the divinity of Christ. Fr. Balasuriya has also shown how the Italian translation of his text on this very point is fundamentally erroneous. The retranslation from Italian into English given by the CDF itself is even fundamentally different from the original English text written by the Sri Lankan author! You will be interested to know that in one university in Sri Lanka the communications department has a special project now on the miscommunications involved in the documents relating to this excommunication. Your lead article too will be referred to this group.

5. Moynihan writes that it is "even more interesting that he [Fr. Balasuriya] seems to equate the Church with the media as groups to be in communion with."

This is a complete distortion of what Fr. Balasuriya has written in his article "In-Communioned" in which he expressed his surprise at the tremendous amount of solidarity that he has re-

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ceived from thousands of nuns, priests, lay people and even non-Catholics on the occasion of his excommunication. Massive protests against the institutional hypocrisies involved in this case have showed a movement of the Spirit. Fr. Balasuriya's excommunication has ignited an outpouring of the massive dissatisfaction with the way in which decisions are being made in the Vatican. He was not the cause of this explosion, but his excommunication has been the occasion that has brought to the surface the deep undercurrent of spiritual protest against Rome's deviation from the teachings of Vatican II. The careful choice of the reference to the BBC seems to have been meant by Moynihan to give a sinister twist to what Fr. Balasuriya has said in this short but beautiful essay, to convey the impression that Fr. Balasuriya is only intent on seeking publicity. On this occasion though, the excommunication has had the opposite effect from what was intended: it has not intimidated anyone! Rather, the beliefs of many people about ambitious church bureaucrats have been confirmed.

There was one man who was really surprised though as he had a deep faith in the institutions of the Church. That was Fr. Balasuriya himself, who was at one time responsible for drafting some of the official documents of the local church and of the Asian bishops. When he repeatedly asked for a hearing, an inquiry and a trial, he was trying to reassure himself that his lifelong belief in the Church was not a false one. It took some time for him to come to terms with the fact that what the institutional Church wanted was a false confession, a corrupt submission, a saving of face, and not a commitment to the discipleship of Jesus.

This excommunication will be an eye-opener to the people of light as well as to the people of darkness. Those in the darkness seem to be learning that so long as you keep to external submission you can do and get whatever you like. Those in the light, however, know that there is something called an anonymous

Christian and that true religion survives over corruption. Your lead article speculates on the impact of this excommunication on Asia. To many, it is nothing more than Western bungling. What the excommunication has created are questions, not about the theology, but about the morality of church bureaucrats. It is unwise for any religion to present itself as being led by leaders who can so easily rely on falsehood. That the pope read, understood and approved of all of the steps relating to Fr. Balasuriya's excommunication is a position that no rational person can accept, for the poor man is too old and too busy. To presume that Asians are such fools that they will accept any falsehood will do more damage to the institutional Church than whatever any theologian - orthodox or unorthodox - may say.

In your lead article, I do not see the hand of a compassionate Catholic trying his best to spread his faith. I instead see the manipulation of truth to suit institutional purposes.

Chapter **10**

Baptizing Discrimination

The Church and the Poorest of the Fisherfolk

A vast portion of Sri Lanka's Catholics are among the poorest of the poor in the country. In fact, in most instances, a Catholic male in any of the coastal villages lives a harsh life and suffers from alcoholism of a type that one reads about in early 20th century Russians novels. Naturally, women and children live lives in deep misery as well. Fr. Tissa Balasuriya recalls Fr. Peter Pillai, one of his mentors, raising the following question: Why is it that everywhere in the country Catholics are among the poorest?

During four-and-a-half centuries of Catholicism in Sri Lanka, what has the Catholic Church done for the majority of its own faithful to lift them from this miserable bottom, this wretched way of life in which these Catholics have been living from generation to generation? Almost nothing! What is worse, the Church too has shared and promoted the prejudices - the mental and social attitudes - towards these human beings who are forced to live almost a subhuman existence. Baptism and a Catholic burial are all that the Church basically offers them.

That the poor should remain poor and that among the poor a child must repeat the employment of their father are basic tenets. From this, it follows that women must follow the same path of the men in their life. The Church has baptized this local culture of suppression, and now these unfortunate people are made to

believe that their misfortunes are willed by God. Thus, the children of God are trapped in a circle of evil, deep poverty, alcoholism, violence, sexual abuse and mental depression by the will of their own heavenly Father, or so they are made to believe. In fact, what the Church has baptized is the deep South Asian belief in caste, the worst expression of which is untouchability as found in India. The conspiracy to keep the poor in the same deplorable state is part of the religious tradition of South Asia, which Catholicism too has assimilated into its theology.

During the public debate on the excommunication of Fr. Tissa Balasuriya, the argument of the church establishment is that it is concerned with saving the faith of the simple people. By simple people, or simple faith of the faithful, did it mean the faith of the poorest of the poor who constitute the vast majority of the Catholics who live in the conditions described above?

Is it possible though that the church establishment is more concerned with the simple faith of a minority of Catholics who have always received most of the Church's services, from education to spiritual comfort? Again, it is no surprise if the South Asian Brahmins' religious tradition of preserving and protecting its own "elites" has, in fact, been baptized and assimilated into Catholicism.

Thus, this excommunication leaves one important question for which every honest person must try to find their own answer, which is, Is this excommunication a matter of faith that is based on pure theological issues of religious doctrine, or is it the result of an inner corrupt religious establishment unwilling to admit its own spiritual limitations and dark nature?

This book cannot claim to have answered this question. In fact, no book can. If the book has raised the right questions so others may pursue their quest to find the right answers, it will have achieved its purpose; and as a result, this manifestly unjust excommunication may have served at least a useful purpose.

Epilogue

Themes for Healing

Reconciliation is a favourite theme of our times. In the workshop Dialogue of Religions on Human Rights organized by the Asian Human Rights Commission (AHRC) in March 1996 in Hong Kong, we find the following thoughts a summary on this theme. It is an appropriate epilogue to this book.

Justice and Mercy

There is no genuine reconciliation without justice. There is no genuine justice without mercy. Justice involves the restoring of the balance destroyed by acts of injustice. It is only through the participation of the victim through real actions of justice that the imbalance can be cured. The full restoration of the lost balance does not, and cannot, take people to the same conditions which existed before the balance was broken. Only in a completely new situation can the balance be re-established. This new situation cannot be achieved without an intense sense of mercy on the part of the victim. It is only an absolute sense of justice, accompanied by an absolute sense of mercy, that can create the new situation that will produce the energy to sustain itself. Ruthless revenge destroys the inner capacity of the victim. It generates negative energies. The result is the further degeneration of the situation of imbalance. The degeneration into ruthless revenge can only be prevented by the intense sense of mercy that is alive in the people and in society at all times. Such a sense of mercy needs to be nurtured and cultivated by conscious actions. It is not possible to nurture and cultivate such a sense of mercy without sustaining an intense sense of justice among the people and in society at all times. Mercy without justice is submission and weakness. It is

not mercy at all.

Today people talk of conflict resolution. Some of the conflicts that need to be resolved have a history of 2,000 years or more. The negative energies generated and recreated by acts of injustice and replicated throughout the centuries remain the source of these conflicts. To resolve these conflicts, much more needs to be done besides creating new political formulas. Ways must be found to create and sustain justice and mercy within the social milieu at all times. It is necessary to bring the concepts of justice and mercy into the discussion on conflict resolution. Without such concepts, conflict resolution will become unreal and illusory. Such an absence creates a tautology at the theoretical level and unfocused activism at the practical level. Such confusion at the theoretical level and disjointedness at the active level lead to such mental states as bitterness, frustration, cynicism, negativism and passivity which further contribute to the degeneration of the situation and the replication of situations of injustice. For a real breakthrough to occur, actions based on justice and mercy are necessary.

Justice requires the acknowledgement of injustice. This acknowledgement needs to come from the perpetrators of the injustices and their institutional representatives. It needs to be genuine. Mere apologies are not real expressions of acknowledgement of wrong. Genuine acknowledgement, for instance, would be marked by the creation of an enabling environment in which victims could reciprocate by way of genuine acts of mercy. It is at this point when a new relationship can really begin.

On the other hand, the genuine sense of mercy that the victims create out of their own inner strength and their own humanity creates an enabling environment within which guilty perpetrators and their institutional representatives would find it difficult to escape from acknowledging their responsibilities for disturbing the

social balance by their acts of injustice. When this two-way process is seriously recognized by society, there comes into being real grounds for hope for recovery. Within a framework which recognizes the principles of justice and mercy, the irreconcilable can be reconciled, and the unhealable can be healed.

Reconciliation: True or Fake

If reconciliation is to be understood as appeasement, then it is fake. It is deceitful too. Many "reconciliations" promoted by international agencies and local elites fall into this category.

True reconciliation can arise only on the basis of the truth being revealed. Inability to admit and reveal the truth leads to an inability to repent. How this happened to the German people after the Second World War is discussed in the book *Inability to Cry* by Alexander and Margaret Mitscherlich.

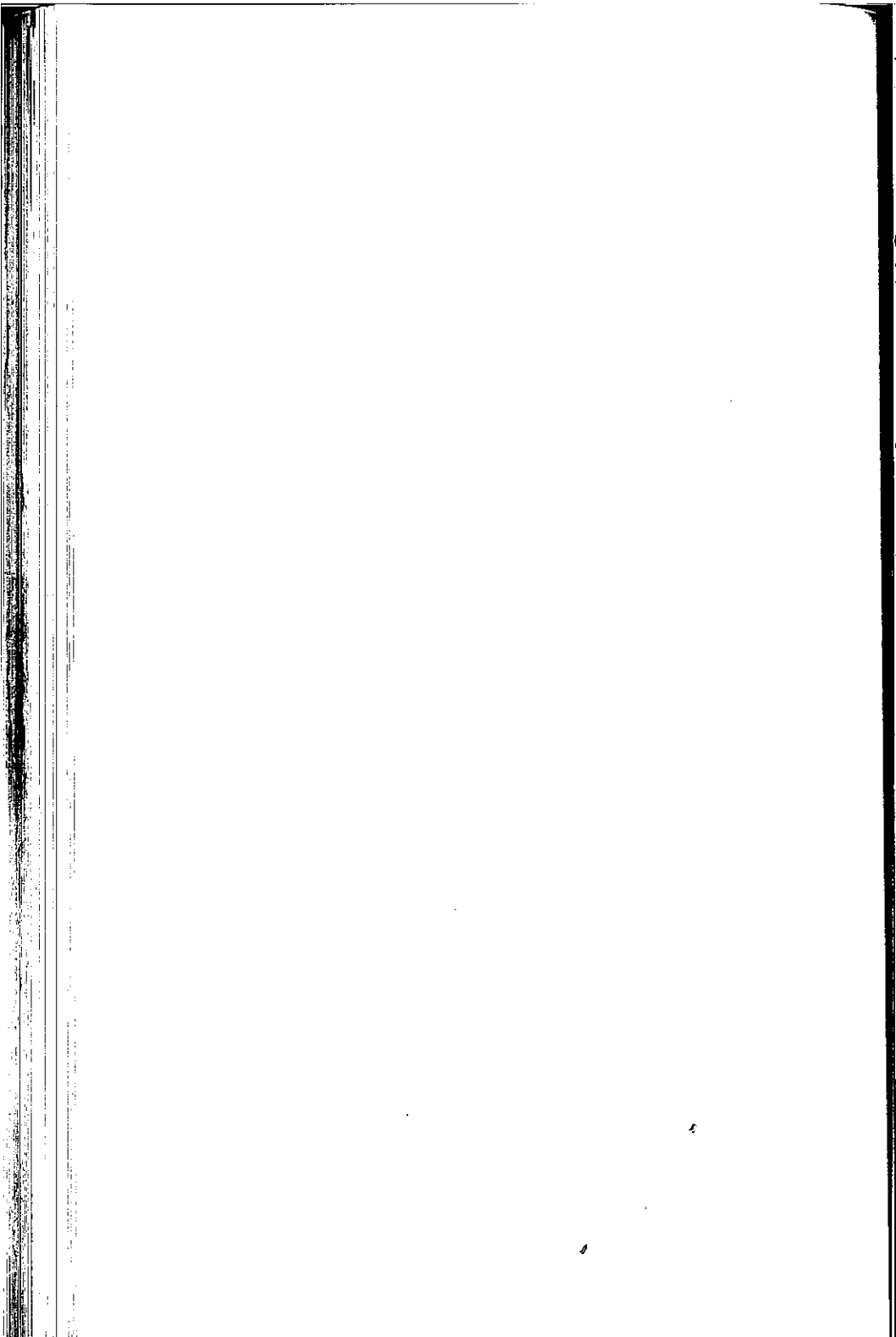
A genuine attempt to establish truth took place in Argentina after the Falklands War. This experience needs to be studied closely and to be assimilated by the Asian human rights movements. At the moment in south Korea, there is also an attempt to reveal the truth relating to the Kwangju massacre. Serious attempts have also been made to reveal the truth relating to the mass violence caused by the Japanese army during the Second World War. The movement to find justice regarding the "comfort women" is one such attempt. When such revelations of the truth do not take place, systems of repression created during a dictatorship continue to exist even after the dictatorships are displaced. This is the experience of the Philippines after Marcos, Pakistan after Zia-ul Haq, Sri Lanka after the Jayawardene and Premadasa regimes and in many other countries.

Reconciliation is thus a process of social purification based on the revealing of truth relating to all issues belonging to secrecy and hypocrisy. Reparation is an integral part of reconciliation. However, reparation without revealing truth does not lead to

genuine reconciliation.

The revelation of truth is essential for healing the wounds caused to society by repressive practices. It is also necessary for the victims if they are to genuinely believe in the process of reconciliation. It provides the background for genuine forgiveness. The psychosis created by the unwillingness to reveal the truth, or by the falsification of the reconciliation process, leads to serious social consequences. All those who are concerned with reconciliation must take active roles in finding ways to reveal the truth in society.

Appendices



Appendix **1**

An Excommunication without a Trial

A Basic Chronology

(1) **June 1990:** Fr. Tissa Balasuriya's book *Mary and Human Liberation* is published; 600 copies are printed.

(2) **7 January 1993:** The *ad hoc* theological commission meets.

A decision on the book was made before this meeting, for a document was produced that was prepared prior to the meeting which was supposed to contain the errors and the deviations from the faith that were allegedly contained in the book *Mary and Human Liberation*.

Fr. Balasuriya questioned the contents of this document regarding its interpretations of doctrines and its misrepresentations of his positions through distortions to the text as well as falsifications. Some members of the *ad hoc* commission began to disagree among themselves. The meeting lasted only about 90 minutes. It did not arrive at any conclusions. The meeting was adjourned, and the commission did not meet again until 20 April 1994.

Fr. Balasuriya wrote a series of letters requesting a trial. He also wrote to the archbishop analyzing in detail the document that was produced at this *ad hoc* commission meeting demonstrating that there were distortions, falsifications and misrepresentations of his positions in this document.

(3) **5 June 1994:** A statement about the book by the Sri Lankan Bishops Conference is published in the country's two Catholic

weeklies, *The Messenger* and *Ghanaartha Pradeepaya*.

The reply of Fr. Balasuriya to this statement was not published in these two weeklies, however.

(4) 22 July 1994: The Congregation for the Doctrine of the Faith (CDF) at the Vatican in Rome makes a decision at an ordinary meeting to demand that Fr. Balasuriya issue a retraction of his views - to recant and repent - and if he does not retract what he has published disciplinary action will be taken.

(5) 14 March 1995: Fr. Balasuriya sends a 55-page document to the CDF and asks for a trial.

(6) 20 November 1995: The CDF sends a profession of faith specially drafted for Fr. Balasuriya's signature and threatens to take action under canon law if he refuses to sign. (This profession of faith was said to have been approved by His Holiness on 12 May 1995.)

(7) 14 May 1996: Fr. Balasuriya signs the profession of faith of Pope Paul VI.

(8) 7 December 1996: The papal nuncio in Colombo reads a notice of excommunication to Fr. Balasuriya in the presence of the provincial of the Oblates of Sri Lanka.

(9) 2 January 1997: The CDF signs the excommunication notification. On 5 January, this is published in *Observato Romano* and is published in the Catholic weeklies in Sri Lanka on 12 January.

(10) 13 January 1997: Fr. Balasuriya appeals to the Signatura Apostolica (the Vatican Supreme Court) against the excommunication.

(11) 21 January 1997: The Oblates of Sri Lanka appeal against the excommunication order.

(12) 20 February 1997: Fr. Balasuriya's appeal is denied by the Signatura Apostolica, which replies that it is incompetent to hear

An Excommunication without a Trial

the case because the CDF's decision has been approved by the pope.

At each of these stages, Fr. Balasuriya has asked for a trial, but his requests have been consistently denied.

Appendix 2

The Media Is the Messenger

by Fr. Tissa Balasuriya, OMI
13 January 1997

The public "Notification" [official document] of the Vatican Congregation for the Doctrine of the Faith (CDF) concerning my book *Mary and Human Liberation* and my excommunication from the Catholic Church has been read by me in our newspapers today after I have been hearing of it from the mass media during the past week. I am offering a few preliminary notes primarily on its historical introduction and the conclusions of the CDF "investigation," leaving for later a detailed discussion of the evaluation of their views on the text of my book.

A. In Summary

1. I firmly state that I have never denied, rejected or deviated from any doctrine of the Catholic faith. It follows that I have not committed any form of heresy. Therefore, there is no basis in fact or in law to make a declaration that I have incurred excommunication *latae sententiae, ipso facto*. Furthermore, at no time had the CDF established that there is such a basis in fact or in law. Therefore, I appeal to the church authorities to annul this declaration of excommunication. I appeal to everyone to make the same request.

2. In order to expressly demonstrate my full and unconditional adherence of Catholic faith and to leave no room for any falsification on this basis, I signed on 14 May 1996, on my own

choice before official witnesses the solemn profession of faith of Pope Paul VI.

3. The only differences between Paul VI's solemn profession of faith and the one drafted by the CDF specifically and exclusively for me is that (i) the CDF statement *subtracted* the clause on salvation outside of the Catholic Church, viz., that those "who without any fault on their own part do not know the Gospel of Christ and His Church but seek God with a sincere heart and, under the influence of grace, endeavour to do His will as recognized through the promptings of their conscience, they too, in a number known only to God, can obtain eternal salvation," (Vatican II: *Lumen Gentium* 16) and (ii) the CDF *added* gender discrimination to its profession by asking me to state that "I firmly hold that the Church has no authority whatsoever to confer priestly ordination on women."

The notification of excommunication issued against me by the CDF fails to mention this matter as a requirement of the Catholic faith. Therefore, even from the CDF's point of view, no heresy arises from the omission of this additional clause by me (or Paul VI).

4. The clause subtracted by the CDF and the clause added by the CDF to the universally accepted profession of Pope Paul VI are far more serious than the clause which I wrote as a note under the profession of faith in signing it. The CDF subtraction is discriminative on the basis of creed and substantially vitiates the accepted doctrine of the Church, especially after Vatican II, and the clause added seems at least debatable. Hence, my inability in conscience to sign unconditionally this specially crafted *ad personam* profession of faith under relentless coercion.

5. The core of the CDF's rejection of my declaration of acceptance of Paul VI's statement as stated in the CDF notification is that I have added the following clause : "I, Fr. Tissa Balasuriya, OMI, make and sign this profession of faith of Pope Paul VI in

the context of theological development and church practice since Vatican II and the freedom and responsibility of Christians and theological searchers under canon law."

One fails to see the justification of the CDF position that "the addition of such a clause rendered the declaration defective since it diminished the universal and permanent value of the definitions of the Magisterium" (i.e., of the teaching authority of the Church).

6. In any case, I was not informed of this interpretation until the night of 7 December 1996, when my excommunication had already been signed with effect from the following day. This clause is not a *condition* but only a *note on the context*. It in no way diminishes the universal and permanent value of the doctrines mentioned in Pope Paul VI's profession of faith. On the contrary, the addition of this clause strengthens my declaration of faith, transforming it from mere passive assent to an active commitment in context. As the CDF is doubtless aware, Pope Paul VI himself states that his profession of faith "repeats the substance of the Creed of Nicaea with some developments called for by the spiritual condition of our times."

7. If, and insofar as, the addition of this clause is the reason for my automatic excommunication, that is a position that is indefensible under church law and cannot stand to any reason.

8. Therefore, it is not possible to understand and justify the theological, canonical and moral basis on which the notification of my excommunication is grounded.

9. During the past four years, I have repeatedly requested from the church authorities in Sri Lanka and the CDF to demonstrate doctrinal errors, if any, that I have committed and to allow me to face my accusers, whoever they be, and to provide me with an opportunity to explain and clarify doubts that any person may have about the integrity of my faith. I have never been officially

informed (as I have the right to such information) of persons who have initially made an accusation against me.

10. The CDF does not dispute the fact that there has been no trial at any level whatsoever on this matter. In fact, there was only one official face-to-face theological discussion on it with me during these four years, and that was on 7 January 1993, in Colombo. Even that discussion was abruptly terminated by the presiding archbishop when I began to present my point of view.

11. I have also constantly and consistently repeated in writing during these four years to all the authorities concerned that I am prepared to publicly correct any theological error that is proved to me at the level of sound and accepted contemporary theological scholarship. However, no such error has ever been established. Furthermore, the authorities concerned did not even engage in discussion on such issues after one round of talks (on 7 January 1993) or one exchange of correspondence with the CDF.

12. In these circumstances, I find myself in the unique and unenviable situation of being subjected to ecclesiastical penalties by gazette notification of excommunication without proving any offence, and that including malice, and without following the due process established by church law.

13. Due to all these factors mentioned above, I regret to state that this administrative decree of excommunication is an arbitrary one. It follows that, as an arbitrary order, this amounts to an instance of the abuse of power by the authority concerned. Thus, there is just and sufficient cause for the Church to set aside this administrative decree.

14. I am advised that in the law of my land, Sri Lanka, an order of this nature would be treated as void *ab initio* and have no legality whatsoever. I have no reason to think that church law is less just and deviates from the universally accepted norms of ad-

ministrative law and natural justice.

15. This brings me to the issue of democracy and human rights in the Church. The Church's doctrine now fully embraces these two fundamental features of modern society. Therefore, the Church needs to also recognize that anyone who ventures to speak to people about justice must be just in their eyes as affirmed by the 1971 Synod of Bishops on the theme "Justice in the World."

16. Thus, the penalties imposed by this gazette notification of excommunication violate the very principles flowing from Catholic teaching and spirituality which are at the very heart of this present issue.

17. It is on this basis that I appeal *to the conscience* of all persons involved and representing the Church in this lamentable travesty of justice to withdraw and annul this notification and remove the penalties imposed arbitrarily on me. I make this appeal in the name of the very doctrines of the Catholic faith which provide a firm basis for it to be heard as well as in the name of common human decency and of the God of love borne witness to by Jesus Christ.

B. My Life Quest and Pilgrimage In-Communion

1. In all humility, may I say that I have tried to *live* my faith in addition to proclaiming it. Through the lived experience of these tragic decades, coming into and being in communion with people became an imperative of my search to live the faith. This deep communion of life formed the basis of my reflection contained in my book *Mary and Human Liberation*. I have written and shared my thoughts with responsibility, and I have never claimed infallibility. As any other responsible person, I have been open to correction if any faults are pointed out in an authentic manner. In the preface of this book, I have written that "I shall be grateful for any comments on this book, be they favourable or other-

wise."

2. This legal (or rather illegal?) impediment imposed by way of a gazette notification of my canonical excommunication cannot and should not extinguish or diminish this communion of living in the midst of the women, men and children facing the massive contradictions of our times, threatening the very existence of humankind and of Nature. For us Christians, it is a pressing imperative of the teaching of the human-divine Jesus that we live in such communion, and that, under the common maternal solicitude of Mary Immaculate, His loving and courageous mother.

3. The reality is that since my juridical excommunication I am experiencing a Spirit-filled communion with innumerable people from six continents. This is a spontaneous, explosive eruption of solidarity in the Spirit, transcending all frontiers of faith, gender, race, nation and age. It is an indication that the 21st century will be one in which the spirit of our common humanity will be a stronger bonding communion than these separating walls which do not reach to heaven. I am grateful to the world's mass media which, while being the first recipient and communicator to me of my excommunication order, is also becoming the providential medium of my global in-communion and communication under the befriending Spirit of a Transcendent and Liberating Power which no formula can contain, no law can control, no authority can confine and no power can command.

4. While juridically excommunicated and spiritually and mystically in-communioned, may I conclude with a prayer for our Church and for all of us by adapting the words of the Asian Bengali poet Rabindranath Tagore:

"Where the mind is without fear
And the head is held high,
Where knowledge is free,
Where the world has not been broken up
Into fragments by narrow domestic walls,

Where words come out from the depth of truth,
Where tireless strivings
Stretches its arms towards perfection,
Where the clear stream of reason has not lost its way
Into the dreary desert sand of dead habit,
Where the mind is led forward by thee
Into ever widening thought and action
Into that heaven of freedom,
My Father,
And our Mother Mary Immaculate, Queen of Oblates,
Let our Church awake."

Appendix **3**

In-Communioned

by Fr. Tissa Balasuriya, OMI

Excommunication is a juridical act with juridical consequences. In so far as the excommunication is valid, it means that I may not receive the sacraments or function legitimately as a minister of the sacraments. It is a prohibition of sacramental acts. As the catechism teaches that a sacrament is an outward sign of inward grace, prohibition of the sacraments does not necessarily exclude operation of the inner grace, the presence of God in and to someone. Excommunication can reduce the outward ecclesiastical relations among Catholics, but it cannot prevent the inner communion of spirit. I cannot hold any office in the Catholic Church or receive any income, benefit or pension from the Church. I remain a Catholic, a priest and a religious Oblate of Mary Immaculate (OMI), unless there is a further process concerning these. Since this excommunication, I am experiencing a communion of spirit with Catholics and others from all areas of the world, however. This is something I had not felt, sensed and known so clearly throughout my life.

Reactions and Consequences

This excommunication has led to many groups in the Church not only expressing their solidarity of spirit with me but also asking for a fair trial in the Church, and some have even requested a revocation of the excommunication on the grounds of a lack of due process and humaneness, given my age and long service in the Church. Many Catholic religious, including the

Oblates of Mary Immaculate to whom I belong, from all the continents have reacted in this manner. In England and Wales, 150 religious leaders, representing 10,000 sisters, brothers and priests, have asked the Holy See to revoke the excommunication. The conferences of Major Religious Superiors of Korea, Pakistan and Holland have petitioned for justice in this case as well. Several members of the general administrations of religious congregations from Rome have made similar requests.

All of these people are interested in the contents of the book, especially in that different views are tenable on basic issues, such as on the interpretation of original sin, the meaning of redemption and the role of Jesus in human salvation. Interest from the point of view of other religions focuses on these issues as well as on the profession of faith proposed for me by the Congregation for the Doctrine of the Faith (CDF). In it, the question of salvation outside of the Catholic Church is not affirmed positively, a view that contradicts the conclusions of Vatican II and the profession of faith of Paul VI. If the Catholic Church were to insist on the special CDF profession of faith to be binding on all, it would be a setback for interreligious relations, and a lessening of interreligious communion, if we may use this word in this connection. Inter-Christian ecumenicity is also weakened by the position of the CDF profession of faith which states that women can never be ordained as priests. The other churches of the Protestant tradition have begun to ordain women as priests and even as bishops. There has been a demand that the moves towards church unity be soft peddalled by the Anglican Church until there are guarantees of natural rights in the Catholic Church.

All of these groups as well as human rights organizations are distressed about the disregard for due process in the way in which the authorities have dealt with this issue. A good result of this anxiety could lead to a greater activation of the processes of conflict resolution and the adjudication of cases within the Church.

Natural law too is invoked in relation to these issues, such as the duty to hear the other side (*audi alteram partem*). Interestingly, canon law is also being given greater attention as it too has provisions for these rights and safeguards. The regard for these defences can improve the quality of the communion within the Church. The respect for the rights of all the members of the Church would mean a better internal dialogue within this 900-million-member institution.

One of the results of the excommunication is that we have come to know many people and groups; and to some extent, they have come to know each other. There is a phenomenon within the Church similar to that of the emergent consciousness of civil society within States. The ecclesial community is seeing itself as a broader reality than the hierarchy of the Church. It is a vast spiritual bonding of people who are juridically governed by the bishops in each locality. They have not had much interrelation with each other, except through the hierarchy and through bodies like the religious congregations, lay movements, justice, peace and development agencies and the journals and reviews. This issue has helped to heighten their interconnectedness at different levels. This is due to a spontaneous reaction of unhappiness and dissent and of expectations for justice being expressed in several countries.

This is still an incipient and very inarticulate sense of togetherness at the base of the Church, however, but yet the leadership of the Church has to give some attention to it. As lay people are now more important in the Western churches, they are more free to take positions on these issues. With such experiences, this reality is likely to grow in the future. An alternative expression of the church community is thus taking shape *vis-à-vis* the monolithic, worldwide complex structure of the 900 million Catholics centrally governed from Rome.

Theology of In-Communion

During times when the reform of the Church seemed necessary, there has been a stress on the conciliar movement. It was primarily an attempt to balance papal authority with that of the ecumenical councils. During periods of internal conflict, as when there were three contenders to the papal chair after 1409, conciliar teaching became a viable option for settling such disputes. While the emphasis was on the authority of the councils of bishops, there was an explicit or implicit consideration of the universal presence of the Spirit in the Church. In more recent times, during the 19th century, there was a centralization of authority in the Church. This was particularly promoted by the Vatican I definition of papal infallibility in 1871 and the development of communications.

All the same, the church at the base has been very often the source of change in the institutional Church. The new liturgical practices, movements for popular democracy, lay apostolate and critical Biblical and theological studies have influenced the thinking and practices within the Church.

Vatican II (1962-1965) endeavoured to have a countervailing power through the teaching on episcopal collegiality, the pope and the bishops being considered a college that shares the powers of the Church. National conferences of bishops were established to give local bishops more authority. The creation of diocesan pastoral councils and parish councils with lay representatives was stressed. The principle of collegiality was to be spread to all levels of the Church. Thus, the Sri Lanka National Pastoral Convention of 1995 had as its theme "For a Church of Renewal and Sharing" with the rhetoric of popular participation.

In the intervening years since Vatican II, the Roman Curia that runs the day-to-day administration of the universal Church worked to re-establish its authority by nominating bishops amenable to their directives. The Curia tends to be more powerful

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when a pope is ageing, as in the last years of Paul VI, and perhaps with the present pope's illness.

In recent decades, such factors as the development of rapid global communications, large-scale secularization and the very significant decrease and ageing of the clergy in Western society have brought about a consciousness among Catholics of the role of the believers at the base of the Church. The laity are assuming many of the activities at the parish level and in justice, peace and development services. Bishops, such as retired Archbishop John Quinn of the United States, have demanded the reform of the Roman Curia and a more direct relationship between the pope and local bishops and bishops conferences. In addition, peoples' referendums have been held in countries like Germany and Austria on debated church issues. The development of the charismatic movement within the Catholic Church too has helped bring about a stronger conviction among the faithful that the Spirit of Christ is present and operative among ordinary rank-and-file believers too. The sense of community is stressed more than mere submission to a declining clerical authority.

Moreover, the Western Church is increasingly realizing that the balance of numbers and vitality in the Church is moving away from the North and the West towards the South and the East. This is leading to a shift in the racial composition of the Church. The rising consciousness among women of their equal dignity and rights is also impacting the thinking and relationships within the Church. This is particularly so since the one million Catholic women religious are perhaps the best organized and relatively well-educated group of women in today's world.

It is into such a worldwide context within the Church that this excommunication issue has occurred. It has aroused intense discussion within the Church and in the secular media. It has helped to focus the accent on some issues, such as interreligious relations, gender justice within the Church and particularly that of

due process and fair play in church administration.

Issues such as the nature of original sin and how it affects babies who die without baptism are discussed not only in the learned journals but also in the newspapers and in the homes and cafes of Sri Lanka. Families and even religious communities are debating these subjects without necessarily agreeing. Even more intricate questions, such as the value and validity of different presuppositions about religions, are also interesting our pluralist society. Some are worried that this process will lead to a scandal among the weak while others want freedom of search and debate. Discussion ranges as well to the two professions of faith - the profession of faith of Pope Paul VI and the one written especially for me. Can Cardinal Ratzinger compose a new profession of faith for each person or theologian to be signed under pain of excommunication - a "democratic" step with each one having one's own tailor-made profession of faith?

An interesting consequence of this excommunication is that views formally prohibited in more controlled environments have now entered most seminaries of the world. Recently, for instance, universities in the Philippines, India, Belgium and Austria were discussing the issues raised in *Mary and Human Liberation*.

Another result of the excommunication is likely to be that there will be an increasing demand for the activation of church structures and processes for conflict resolution. The specific concerns and contribution of the Asian churches are also more likely to be recognized. It is noteworthy that Cardinal Ratzinger has attempted to shift the ground of the causes for the excommunication away from the issues of the inculturation of Christianity in Asia and of women's ordination to Marxist influences and original sin and related dogmas. Both Asian theology and women's ordination are likely to become central themes in Catholic theological debates in the coming period.

In-Communioned

Catholics in many places affirm their acceptance of the officially deemed excommunicated person as being in mystical and spiritual communion with them. A few want to excommunicate themselves in a sort of sympathy gesture. One Buddhist has even publicly opted to go to hell along with the "excommunicated heretic." An English woman has informed the cardinal that she will not receive communion until I am admitted to communion. An assistant superior general of a religious congregation residing in Rome has written to the cardinal that such an arbitrary act of excommuication is more of a scandal concerning the Church than anything which a theologian could write.

Moreover, the public debate is going on in the world's mass media. That the CDF announced the excommunication by a public notification in the press is an indication of the future role of the mass media in intrachurch issues, a process with potentialities of immense consequences for the Church. Perhaps the reform of the Church in the future will come more from the base who are interrelated through the fax machine, e-mail, the Internet and other modern means of rapid communication. These may be the instruments of a new Pentecost, the first Pentecost being represented by "tongues of fire" coming down on the apostles gathered in the upper chamber after the crucifixion of Jesus, with Mary among them. Perhaps today Mary is also among the ordinary people while the Spirit is breathing the creative winds of change over the amorphous mass of Catholics throughout the world.

Consequently, one feels more in-communioned with the one-sixth or so of humanity who are Catholics, whatever may be the outcome of the excommunication process. In the evening of life, though saddened by automatic excommunication and the condemnation of a book, yet feeling the powerful spirit of in-communioning, being sent into virtual exile by one's brother priest, one can say with Shakespeare in "As You Like It":

"Sweet are the uses of adversity,
Which, like the toad, ugly and venomous,
Wears yet a precious jewel in his head,
And this our life, exempt from public haunt,
Finds tongues in trees, books in the running brooks,
Sermons in stones and good in everything."

Or as St. Paul said: "To those who love God, all things work together towards the good. And Jesus remarked even the stones would bear witness." (Luke 19:40)

Appendix **4**

A Response to Cardinal Joseph Ratzinger

1 February 1997

Dear Cardinal Ratzinger,

May I make the following observations with reference to the "Notification" [the official document describing the case of Fr. Balasuriya and announcing his excommunication] of the Congregation for the Doctrine of the Faith [CDF] published by you through the world's mass media on 5 January 1997, and your press conference of 24 January that was reported as well in the mass media.

1. It pains me deeply to see that you are reported to have said on 24 January 1997, the following:

(a) "The heresy, condemnation and excommunication were inflicted after the priest refused to sign a statement renouncing all his various positions, particularly his rejection of the dogma of original sin." (Reuters, 24 January 1997)

(b) "Father Balasuriya has been excommunicated . . . for his doctrine of original sin, according to which original sin has been invented by the clergy in order to be able to exercise power over the souls of the faithful." (ANSA, *Citta del Vaticano*, 24 January 1997)

(c) "Fr. Balasuriya's theses have nothing to do with the theme of inculturation of the Christian faith among the Asian peoples; rather, they are deduced from European theses which can be

taken back to the Marxist interpretation according to which religion and priests construct for themselves a position of power over the souls of the faithful." (ANSA)

2. On the Divinity of Christ and Original Sin

(a) You say that I have rejected the truths of the first level of the Catholic faith, such as the divinity of Christ and the doctrine of original sin.

I do not accept the charge in the CDF "Notification" of automatic excommunication that I have "deviated from the truth of the Catholic faith." The CDF has not proved this. Furthermore, I formally professed the Catholic faith integrally when I signed on 14 May 1996, before witnesses the solemn profession of faith [PoF] of Pope Paul VI. It was immediately delivered to the CDF through the Oblate superior general in Rome. You quote this same document of Paul VI in your PoF that was specially drafted for me and in your "Notification" of my excommunication.

(b) What is there defective in the doctrine of Pope Paul VI on the Catholic truths of the first level, such as the divinity of Christ and on original sin?

(c) If there is anything defective invalidating my signature of the profession of faith of Paul VI, why did the CDF not inform me soon after 15 May 1996, and not merely in the "Notification" of my excommunication on 7 December 1996?

(d) My position is that in the unsigned 11 pages that the CDF sent me (in Italian) the CDF distorted my view of original sin and the divinity of Christ as written in my book. The CDF did not deal at all with my detailed analysis in response to their charges.

(e) Do not many other writers, especially from Europe, hold views on original sin similar to mine? What then of canonical equity?

3. 'Nothing to Do with Inculturation' in Asia

Many of the issues in the CDF "Observations" have to do with the relation between Christian theology and other religions. Here are a few references from the 27 July 1994, CDF "Observations," or charges against me:

"1. Methodological deficiencies: . . . All Church teaching can be modified in order to construct a theology that is capable of serving interreligious dialogue and women's liberation.

"2.1 View of revelation, criterion of love for evaluating Christian theology;

"2.2 'Relativism equalizing religions,' 'sacred books of other religions,' comparison of religions;

"3.1 Christological problems . . . 3.2 From the point of view of the Christian faith, it is quite surprising to see Jesus aligned with Buddha, Mohammed and seers of other religions as if the question of Christ's identity were not already radically clarified by the Gospels and the great ecumenical councils. According to the author, in Asia, it would be necessary to revise all the elements of Christian faith which impinge on the sentiments of Asian countries and Oriental religions, particularly the concept of salvation.

"4. The Doctrine of Original Sin . . . and discrimination against other religions, . . . [the] understanding of redemption, . . . [an] erroneous way of mission '*ad gentes*' . . ."

The action of the CDF against me and its special PoF have done much damage to the image of the Church here [in Sri Lanka] among those not of the Catholic faith - an image we have tried to reconstruct by acknowledging and redressing, in so far as it lies in us, the massive blunders Christians have committed against others in the past as the Holy Father invites us to do in

his "*Tertio Millennio Adveniente*," No. 35.

Are you not now changing the grounds of your critique of my book?

4. Not Concerning Women's Ordination

In addition to other references, the final words of the CDF "Observations" are:

"6.2 . . . Finally, the author, in an effort to enhance the figure of Mary, presents her as the first priest of the New Testament in so far as she participated in a particular way at the sacrifice of the cross. On the basis of this Marian reality, it cannot be understood why the Church does not permit the ordination of women."

If women's ordination was not a critical issue, why did the CDF introduce the clause concerning it in the profession of faith drafted for me? Women's ordination is one of the main points of difference between the PoF of Paul VI and the CDF-drafted PoF which I did not sign. Women's ordination is not in the PoF of Paul VI.

5. Marxist Interpretation

(a) This is the first time that the issue of Marxist influence has been raised concerning my work during the past 50 months and more of this affair, either here in Sri Lanka or in Rome. How do you come to this conclusion now?

(b) Your CDF "Observations" of June 1994 begin thus:

"Good intention can certainly be found in this work of Fr. Tissa Balasuriya: the desire to favour the dialogue between Christianity and Oriental religions; the desire to contribute to the moral and social advancement of his people; the desire to link Mariology to Christology; the desire to view the figure of the Blessed Virgin that illuminates her values of mature and responsible womanhood; the desire to empha-

size the centrality of the doctrine of love; the desire to criticize aberrations in certain expressions of Marian piety."

(c) The Catholic Bishops Conference of Sri Lanka [CBCSL] in their public statement of 5 June 1994, on my book states:

"In it [this book], the author has made an attempt to give a fresh interpretation to Jesus and Mary. It is obvious that he has cherished the hope of making these sublime figures more acceptable to our milieu - a milieu that is multireligious in character and scarred by social injustices."

(d) Was Jesus's Gospel of social justice "deduced from European theses which can be taken back to the Marxist interpretation according to which religion and priests construct for themselves a position of power over the souls of the faithful"? Was the Asian Jesus influenced by Karl Marx when he condemned the falsified religiosity of the high priests, the hypocritical Pharisees and other religious exploiters of the day? Was it Marxist influence that made Jesus chase the money-changers from the temple of Jerusalem? Was the Magnificat of Mary with its radical message of social, political and cultural transformation influenced by the 19th century European Karl Marx?

(e) Are not many of humanity's radical social and religious leaders from Asia, long before Marx, even before Christ as in the case of Buddha? They indulged in a ruthless critique of religious doctrines, religious practices and religious leaders. Did not European thinkers and mystics too have a radical critique of religion before Marx? Permit me to say that I have from my youth been influenced by Mahatma Gandhi and the social liberation dimension of religion and spirituality. I have personally known and been with some of the great Indian spiritual and radical social leaders, like Jaya Prakash Narayan and Vinobha Bhave, and the Ashramic tradition of Sri Aurobindo and Rabindranath Tagore. Are we in Asia today incapable of thinking through things on our own? Please do not thus add insult to injury?

(f) How is the rethinking of the classical teaching of original sin connected with Marx?

6. Unclearly in Interpretation and Profession of Faith

(a) "The cardinal said 'of *Mary and Human Liberation*' that it was a 'very difficult task' to interpret a book exactly down to the final word and the final phraseology; the author could always say that one had not respected the context. But in order to avoid interminable discussion which would not be useful to anyone, the CDF opted for a 'more positive way forward by inviting him to sign a profession of faith.'" (*The Tablet*, 1 February 1997)

(b) By this observation, you clearly admit that the CDF has not established error in my book. After I pointed out the grave deficiencies in the CDF "Observations," the CDF opted for a unilateral way out of dialogue or investigation of my work as well as their charges and my responses to them.

(c) How can you speak of "interminable discussion" when there was no discussion at all between us. The first CDF decision of 22 June 1994, was without consulting me, and subsequently, in the first CDF communication to me of 27 July 1994, the CDF condemned my book and me and wanted me to withdraw my views (as understood or distorted by the CDF) or be subject to ecclesiastical penalties.

(d) The document of 27 July 1994, was the only communication that the CDF sent me on the content of my thinking. Thereafter, in May 1995, the CDF curtly dismissed my 55-page, single-spaced, seven-month study and detailed response to its "Observations" with only one word: "unsatisfactory." After that, the issue between us was only about my signing the *ad hoc* PoF or being punished under Canon 1364, i.e., excommunicated. Is this not far from what you say now that "we are very sensitive to the situation of this great Asian continent. We are very attentive not to quench the flame of the appropriation and creation of an Asian

identity for the Catholic faith." (*The Tablet*, 1 February 1997)

(e) If the CDF found that my book was difficult to interpret, why did it expressly prevent the Sri Lankan Bishops Conference from dealing with it, even when the archbishop of Colombo was open to a solution by mediation within our country? They know the context better.

7. A Strange Type of Evidence

After claiming that my note before my signature of the profession of faith of Paul VI "renders my signature invalid," the cardinal now proceeds to argue the following:

"By non-acceptance of the profession of faith, Fr. Balasuriya created the evidence that he did not share the faith of the Church. But the Cardinal added, 'He can always deny that evidence by signing the profession of faith.'"

This "evidence" which the CDF thinks is against me is based on the presumption that my not signing their special PoF is proof of my rejection of the Catholic "truths of the first level." This is preposterous. Rather, the fact of the matter is outlined below.

(a) The cardinal admits that some views in the book are, at most, unclear and need greater clarification before I could be held responsible for rejecting the Catholic doctrines of the first level. This view was expressed in a letter by the CDF on 2 May 1996, also. The fact that the CDF decided to overlook or ignore the earlier charges against me indicates that those charges are not valid.

(b) If, as I now see, the mere signing of that profession of faith would remove the blemish attributed to me, it is either that what I have stated in the book does not offend the truths at the first level or the blemishes I am alleged to have committed are of such a minimal gravity that they could be corrected with a signature to a profession of faith. The CDF seems to have decided on

a new barometer of my faith (their PoF) with the same ease with which they made the earlier charges and decided to ignore them when they were responded to.

(c) Could not my 72 years as a Catholic, more than 51 years in the Oblate congregation and nearly 45 years as a Catholic priest be considered clear, cogent and convincing evidence of my professing the Catholic faith and of my commitment to the Church? Even in the midst of the manyfold and diverse trials of these four years, I am persevering against immense odds to maintain my communion with and in the Church.

(d) Therefore, I am now utterly at a loss to discover that I am said to have done (by omission) something which is so grave as to incur automatic excommunication and, even more, how I could now ritually correct myself and regain the faith by such a signature to what I see as against my conscience.

(e) May I repeat what I have said earlier that I could not in conscience sign this specific profession of faith:

(i) It is punitive and presumes my error, guilt and malice, which are required for excommunication;

(ii) It is not a PoF that the Church proposes regularly to all Catholics or theologians;

(iii) The CDF and the cardinal, though requested several times by me, did not authenticate the proposed PoF by signing it as doctrine binding on all Catholics; and

(iv) It is not in keeping with Catholic truth as proposed by Vatican II concerning the salvation of those who are not Catholics.

8. Permit me to sum up the situation as I see it as one in which I am subject to unfair charges, with witnesses unknown to me, to judgement without trial and punishment without proof. This is against both canon law and natural justice.

9. As you have been informed, I have appealed to the Supreme Court of the Vatican, the Signatura Apostolica, on 13 January 1997, for judicial redress against the CDF declaration of my automatic excommunication in so far as it may have had any validity. Such appeal, according to Canons 1353 and 1638, automatically suspends the excommunication. Since you are aware of this, can you please inform the world through the mass media of this changed situation and announce that my position in the Catholic Church is the same as prior to your "Notification" of 5 January 1997?

10. Since you say that there are unclarities concerning the views in my book and the CDF finds it very difficult to sort them out, may I request you to appoint a reconstituted international theological commission with recognized Asian theologians to also evaluate them. As I have stated from the beginning of this issue, if there are proven theological errors in my book in terms of accepted contemporary theological scholarship, I will correct them publicly.

Dear Cardinal Ratzinger, we have never met, seen or even heard each other (except perhaps as students in Rome). We are both of an advanced age when the intimations of mortality are daily felt and sensed by us. Though you are in the centre of the Church and exercise power and I am in the periphery and subjected to your authority, let us settle this issue justly and with the required dialogue so that it may be for the good of the Church which both of us have served during this half century and more.

Yours fraternally in Jesus Christ and Mary Immaculate,

Tissa Balasuriya, OMI

Appendix **5**

On the Prohibition of Books

The banning of books has been in existence as part of the canonical machinery of the Church from the time of the Council of Trent: Pope Paul V created the Congregation of the Index in 1571; Alexander VII issued a revised version of the index in 1664; Benedict XIV gave new guidelines in 1753; and Leo XIII laid down norms in 1897, which were then incorporated into the 1917 Code of Canon Law. These elaborate efforts to protect the Catholic faithful from harm by keeping certain writings from them was at best only partially effective. It was ignored by many even though severe penalties were attached to violations of the rules as seen in Canon 2318 of the 1917 code.

By the time of the Second Vatican Council (1962-1965), the prohibition on books had become an embarrassing anachronism, and it was well on its way out. As a result of the "*aggiornamento*" or updating in the Church which took place with the Second Vatican Council, the entire discipline was swept away with a single stroke of the pen of Pope Paul VI in 1966. The rules and the index were quietly buried. The Holy Office was renamed the Congregation for the Doctrine of the Faith or CDF. Appropriately, each person is now to make a judgement of conscience about reading matter, which means that it is entirely a moral discernment rather than a law of the Church.

The Changed Context of the Postconciliar Church

When the new Code of Canon Law was promulgated in 1983 by Pope John Paul II, the canons on the prohibition of books

found in the previous code (cc. 1395-1405) had disappeared along with penalties attached to their violations. The new context of the Church in the postconciliar era is evidently different from that which existed in the first half of the 20th century. Four aspects of this altered state deserve brief mention here.

1. The Church has a new relationship to the world. The Church no longer perceives itself as a defensive enclave with barriers raised against secular incursions. The Church has been summoned to a dialogue with its surrounding culture, to read the signs of the times, to enter into the common struggle for human dignity and the advance of human culture.

2. There is an increased appreciation for personal rights. The Church now affirms the radical equality of all its members (Canon 208), the integrity of each one's conscience (G.S. 16), the positive value of personal freedom (G.S. 17) and the right of each individual to self-expression (Canon 212). These and other basic rights of church members find a place of primary importance in the new Code of Canon Law (cc. 208-223). They are acknowledged to be foundational to our juridic structure.

3. Everyone has a share in the Church's teaching office. No longer do we have two counterposed groups, the "teaching Church" and the "learning Church." All are learners and teachers, and each one participates in the proclamation of the Gospel and the ministry of God's word. This is clearly stated in the new law of the Church (cc. 211, 216, 225, 229, 747, 759).

4. The freedom of theological inquiry and expression is recognized and affirmed (cc. 218). The council obliged theologians to hear, distinguish and interpret the many voices of our age and to judge them in the light of the divine Word (G.S. 44). The theologians are now being asked . . . to seek out more efficient ways . . . of presenting their teaching to modern men and women (G.S. 62). Theological inquiry should seek a profound understanding of revealed truth without neglecting close contact with

its own times (G.S. 62 *Ad Centes* 22). This demand for dialogue with our contemporary culture, especially in an era of earnest ecumenical pursuit and legitimate theological pluralism, imposes on the theological endeavour a truly necessary freedom.

On March 19, 1975, the CDF issued a decree, *Ecclesiae Pastorum*, containing a radically new approach to pastoral vigilance over books. The promulgations of this new discipline for a post-conciliar Church were duly noted at the time. They were sweeping changes indeed. The substance of these attenuated rules was totally absorbed into Book III, "The Teaching Office," of the 1983 Code of Canon Law (cc. 822-832).

The central provisions of the law are that a much narrower range of publications for which prior censorship is required now exists, such as for the following:

- Books of the Sacred Scriptures (cc. 825);
- Liturgical books and books of private prayers (cc. 826);
- Catechisms and catechetical writings (cc. 827 S1);
- Textbooks on Scripture, theology, canon law, church history and religious or moral disciplines which are used as the basis for instruction in grade schools or colleges (cc. 827 S2); and
- Books about religion or morals which are displayed, sold or distributed in churches or chapels (cc. 827 S4).

The five categories above are carefully circumscribed and represent a very limited scope for publication.

Recommendations

Several facets of this reformed and mitigated discipline in respect of books are noteworthy. One such significant departure is a recommendation, as over against a requirement, that books of a theological nature which are not written as textbooks do not have to be given to the local bishop for prior review.

Canon 827 S3 states:

"It is recommended that books which deal with the matters mentioned in S2, i.e., the Scriptures, theology, canon law, church history, etc., be submitted to the judgement of the local ordinary even if they are not employed as textbooks for teaching; the same is true for writings in which something is found to be of special concern to religion or good moral behaviour. It is not required for such books, submitted voluntarily, to be approved by the bishop. Indeed, such a notion might be viewed as an endorsement obtained in order to enhance sales! Rather, the implication is that many works could be improved by such scrutiny and suggestions of a knowledgeable person."

It must also be noted, however, that all the provisions of the canons or the regulations in respect of books must be interpreted strictly, that is, they are to be construed narrowly because, whether it is prohibition or censorship, it is clearly a restriction of the free exercise of a right. Canon 18 insists that such laws are subject to strict interpretation. Freedom of expression is a basic human right, and the freedom of inquiry and expression for those in the theological disciplines is a protected canonical right (Canon 218). The requirement of an official scrutiny before a work can be published is surely an inhibition of the free exercise of such rights.

In this case, strict interpretation means, for example, that when theology textbooks require approval the term "textbook" should be narrowly understood as a book intended, designed and written to guide and accompany classroom instruction in an ordered and systematic way. It would not extend to other kinds of theological writings even if they were employed as supplementary or required reading in academic courses.

The range of books which now require official scrutiny prior to, or even subsequent to, publication is narrow indeed. It is lim-

ited to "church books," that is, publications such as Bibles, missals, ritual catechisms, school textbooks on religion and pamphlets for distribution in the Church. All other forms of religious or theological writing do not need any approval.

The standards for this ecclesiastical approval are basically two: (a) for the Scriptures and liturgical publications, the concern is for textual accuracy, that they faithfully correspond to the approved editions or translations; (b) catechisms, textbooks and pamphlet materials are to represent the teaching of the Church as set forth by the Magisterium.

Appendix 6

Oblates of Sri Lanka Appeal to Vatican 'Repeal Excommunication'

(Ed. note: This article was published in *Social Justice*, Vol. 31 No. 1, published by the Centre for Society and Religion [CSR], January 1997, Colombo, Sri Lanka.)

The provincial superior of the Oblates of Sri Lanka, together with his council and the Oblate Theology Circle, met on Thursday 16 January 1997, to assess the sad situation that has arisen by the excommunication inflicted on our brother Oblate, Fr. Tissa Balasuriya, OMI.

Fr. Tissa is a distinguished member of our province. He worked as rector of Aquinas College, and he is the founder-director of the Centre for Society and Religion (CSR) which has done so much for national development, interreligious dialogue, ecumenism and justice and peace in our country. His ministry has been in line with the vision of Vatican II and the missionary priorities of the Oblate congregation worldwide. His ministry has been approved and supported by his Oblate superiors.

The initial cause of his condemnation was the so-called theological errors of his book *Mary and Human Liberation*. It is important to note that Fr. Balasuriya's intention in writing his book was "not to dilute Marian devotion but to make it more meaningful and truly fulfilling for all." (preface, p. 5) The process to evaluate these so-called errors began in December 1992 by the Bishops Conference and has gone on since then through various steps.

A public statement listing these alleged errors was published in the Catholic *Messenger* and *Gnanartha Pradeepa* on 5 June 1994. Unfortunately, Fr. Balasuriya's reply did not find a place in the same media. The matter was then referred to the Congregation for the Doctrine of the Faith (CDF) in Rome, which sent him observations concerning these alleged errors in July 1994. His detailed response to these observations was dismissed by the CDF with a curt phrase - "unsatisfactory."

The CDF wished him to sign a profession of faith which touched many of the themes outlined in his book to assure them of his orthodoxy. Fr. Balasuriya did not sign this profession of faith since it contained certain ambiguities, especially with regard to the people of other religions and the ordination of women to the priestly ministry.

In place of this profession of faith, Fr. Balasuriya signed the much richer profession of faith of Pope Paul VI, *Credo of the People of God*, written after Vatican II, with the addition of the following note: "I, Fr. Tissa Balasuriya, OMI, make and sign this profession of faith of Pope Paul VI in the context of theological development and church practice since Vatican II and the freedom and responsibility of Christians and theological searchers under canon law." In the "Notification" of Fr. Balasuriya's excommunication [official church document outlining the case against him], the CDF held that this addition rendered the profession of faith of Pope Paul VI defective. We feel that this note does not touch the substantial value of the profession of faith and expresses common methodological presuppositions of modern theologians.

The CDF insisted that Fr. Balasuriya should sign their version of the profession of faith formulated especially for him with no conditions or qualifications. He refused to do so because it would do violence to his conscience. To shorten this long story, this led to his final excommunication.

'Repeal Excommunication'

There has been some misunderstanding in this country as to the meaning of excommunication. It is a rare sanction and in terms of canon law means only the following:

"Anexcommunicated person is forbidden:

1. To have any ministerial part in the celebration of the Sacrifice of the Eucharist or in other ceremonies of public worship;
2. To celebrate the sacraments or sacramentals and to receive the sacraments;
3. To exercise any ecclesiastical offices, ministries, functions or acts of governance." (Canon 1331, No. 1).

Nothing more is to be arbitrarily added to these stipulations.

The inflicted excommunication does not mean that Fr. Balasuriya is derobed or defrocked. He continues to be an Oblate of Mary Immaculate, a priest and religious and a Catholic Christian.

It is a matter of deep sadness to note that the whole process against Fr. Balasuriya has been heavily flawed from the beginning by the failure to dialogue with him. *At no stage (either in Sri Lanka or in Rome) was he given an opportunity to dialogue about his book or his alleged errors nor was there any inquiry at which he could answer the accusations against him.* Whatever took place was by correspondence. There was never any dialogue between Fr. Balasuriya and a board of competent theologians. All attempts to establish a conciliation board in Sri Lanka to solve the question were fruitless.

He is now accused in the "Notification" of not explicitly recognizing the divinity of Christ, denying Marian dogmas and the teaching power of the popes and bishops. However, in the profession of faith to which Fr. Balasuriya swore, all of these points are explicitly mentioned with the exception of the one concern-

ing the ordination of women of which no explicit mention is made in the "Notification." *He cannot, therefore, be accused of having posited some action which calls for the sanction of excommunication. We, therefore, entertain serious doubts about his incurring the penalty of automatic excommunication.*

In any case, the excommunication seems to us a penalty out of tune with the spirit of the Gospel which should animate us in this day and age after Vatican II. It acquires added incongruity when applied to a senior priest and religious who has contributed so much to the Church and society for the past 51 years and who passionately desires to remain within the Church.

We, therefore, insistently urge that the CDF should repeal the penalty of excommunication. Other means should be devised to deal with these alleged theological errors of this book and to place them before the international theological community and the Church.

Very Rev. Fr. John Camillus Fernando, OMI
Provincial Superior
Sri Lanka

Rev. Fr. Anslem Silva, OMI
President
Oblate Theology Circle
Sri Lanka

21 January 1997

Appendix **7**

A Mass Letter of Appeal to All the Bishops of Asia

A group of people based in Hong Kong have initiated this mass appeal letter to be sent to all of the bishops of Asia. Copies of the letter with the full list of signatories will be sent to each of the bishops separately. A preparatory meeting for the Synod of Asian Bishops is to be held in August to be followed by the Synod proper to be held in Rome. These are occasions at which the Asian bishops can consider and take suitable action on this appeal.

Kindly endorse this letter by signing it, and send it to the address given below as soon as possible. Kindly also circulate this letter for further endorsements.

Signatories

Giuseppe Cipollari
Tarcious Fernando
Tan Chi-kiong
Basil Fernando
Lakshmi Daniel
Jack Clancey
Bart Shaha
Santa Fernando
James Joseph Keezhangatte
Bruce Van Voorhis
S. Samydorai
Sanjeewa Liyanage

The address where signed copies should be sent:

Asian Human Rights Commission
Unit E, 3/F Kadak Building
171 Sai Yee Street
Mongkok
Kowloon
Hong Kong

**To All Asian Bishops
c/o the Federation of Asian Bishops Conferences**

Dear Bishops,

We are very deeply concerned and hurt about the manner in which Fr. Tissa Balasuriya of Sri Lanka has been treated, particularly regarding his excommunication.

As facts are well-known, we do not wish to reiterate them here. We draw your kind attention, however, to the facts below.

(a) There has been no respect for the rights of the priest-author of *Mary and Human Liberation* at any stage. The fact that there has been no inquiry or trial of this issue has not been disputed.

(b) The author has consistently claimed that the few passages that have been considered to be controversial can be explained within the traditional teachings of the Catholic Church and that he is not the only one who has expressed these views.

(c) Some passages have been distorted by adding to or deleting from the original text and have been quoted out of context to give a meaning that is different to what they would have meant if the passages were read in their proper context.

(d) The main allegation that he has denied original sin is untrue. His position on original sin asserts a particular interpretation that is held by many other Catholic theologians as well.

(e) The author was not only denied a trial or inquiry, but he has also been denied an appeal.

In these circumstances, there has been a serious outcry against the grave injustice that has been done to Fr. Balasuriya. Among those who have protested are bishops, priests, nuns, other religious, lay people, Christians of other denominations and people belonging to other religions. Fr. Balasuriya has given 51 years of his life to the Church and has worked very hard in Asia to

help develop a theological movement. Among his other services are those rendered to the Federation of Asian Bishops Conferences (FABC) itself from its inception.

We think that it is only proper and right for you to espouse the cause of Fr. Tissa Balasuriya. We kindly request that you make the following response:

- (a) Take suitable action to have the excommunication declared by the Congregation for the Doctrine of the Faith (CDF) withdrawn;
- (b) Call for an inquiry by a theological commission into the alleged heresy of Fr. Balasuriya;
- (c) Do whatever is in your power to rectify the wrong that has been done by this act of grave injustice to a fellow human being and a priest through the abuse of power of canon law and, thereby, regain the loss of credibility that church authorities have suffered because of this act.

Appendix **8**

**A Complaint against
Mary and Human Liberation . . .
*The Other Side***

29 Frederica Road
Colombo 6
Sri Lanka

A Complaint Made to
The Catholic Bishops Conference through

Bishop Vianney Fernando
President
Bishops Conference of Sri Lanka
Colombo

and

Archbishop Nicholas Marcus Fernando
Archbishops House
Colombo 8

Dear Bishops Vianney Fernando and
Nicholas Marcus Fernando,

We hereby make this formal complaint to you regarding the booklet *Mary and Human Liberation . . . The Other Side*, which we will refer to hereafter as *The Other Side*. Our complaint is based on the grounds below.

(1) The contents of this document includes falsehoods, fabrications, distortions and other statements which are defamatory to

Fr. Tissa Balasuriya, OMI.

(2) Its intent, while directed to spoil the reputation of Fr. Balasuriya far beyond the claim that the theology found in Fr. Balasuriya's book is incompatible with Catholic theology, is designed to project what is purported to be the position of the Catholic Church as represented by its bishops without committing the bishops to either individual or collective responsibility and accountability for the accuracy of what it is stated.

Without prejudice to our right to pursue this complaint further with regard to item 1 in whatever way we consider appropriate, we will confine our complaint in this instance to item 2.

The Other Side:

The Mode of Authorship, Publishing and Printing

There is conclusive evidence that this document was purported to be an official communique of the Catholic Church because of the points below.

(I) This document was serialized in *The Messenger*, which is the official newspaper of the Catholic Church in Sri Lanka.

(II) This document was sent to parish priests to be used as the basis for presenting the Church's point of view in its sustained campaign against Fr. Balasuriya.

(III) This document was sent as an official reply by at least two bishops to people who expressed concern about the reckless decision to excommunicate Fr. Balasuriya.

(IV) This document was serialized in part in *The Sunday Times*. In absence of any official disclaimer by the bishops that they were not instrumental in having this document serialized, it can be legitimately concluded that they are officially responsible for the serialization.

Violation of Rules and Conventions Relating to Publications

Though the general public has been made to believe that *The Other Side* is an official document published or caused to be published by the bishops acting as the representatives of the Roman Catholic Church of Sri Lanka, the methods used for this purpose provide an opportunity for the bishops to deny responsibility for its publication both individually and collectively. The features of the document outlined below support our position.

(I) There is much ado and fuss in *The Other Side* about Canon 827, which states that "books or other written material dealing with religion or morals may not be displayed, sold or given away in churches or oratories unless they are published with the permission of the competent ecclesiastical authority." If this is the case, is it not reciprocally binding on the bishops, who claim to be ecclesiastically competent, to authenticate what they write or cause to be written as official communiqués of the Church? This is the third instance of an unauthenticated document being used in dealing with Fr. Balasuriya, the others being the "Report of the *Ad Hoc* Theological Committee," which is both unsigned and undated and devoid of declared authorship, and the profession of faith, which too was not authenticated by its authors.

(II) In order to illustrate for your benefit the norms of good practice as they relate to church publications, we would like to refer you to the document "The Common Good and the Catholic Church Social Teaching," which is unequivocally declared to be "A Statement Made by the Catholic Bishops Conference of England and Wales." The publisher's name (The Bishops Conference), the producer's name and the printer's name are also unambiguously stated.

(III) *The Other Side*, however, is evidently authorless. The presenter, Mrs. Manel Abhayaratna, merely presents - scapegoat-wise - the position of an anonymous author(s). The presenter

takes the position that she is making a presentation on behalf of a group which wishes to remain anonymous. This manipulation can therefore be justifiably deemed to be an attempt on the part of the bishops to express their views without taking responsibility for them.

(IV) The Catholic public, nay even the general public, has a right to know what the exact role of Mrs. Abhayaratna is in the Catholic Church insofar as it relates to the publication of this document. Is she a member of the Bishops Conference or a spokeswoman for the Bishops Conference of which she is not a member? She cannot play this role as the editor of *The Messenger* because that office only empowers her to take editorial responsibility for what she herself writes in her individual capacity and what she selects for publication from other writers for publication in *The Messenger*. All official communiquis made by the Bishops Conference, whether they be solemn letters or routine communications, should be duly authenticated by the conference.

(V) It is normal practise to formally declare the name of the publisher and the printer in the case of any publication. This practise is followed in the case of *The Messenger*. Responsibility for its publication is declared as "printed and published by Fr. Bertram Dabrera for the proprietor of the Colombo Catholic Press, No. 7 Gnanarthapradeepaya Mawatha, Colombo 8, Editor Manel Abhayaratna." In the case of *The Other Side*, the name of the publisher is not indicated. The name of the printer too is not clearly indicated. It merely states "offset by the Colombo Catholic Press."

(VI) At least one concerned person has received a written reply from a bishop to a query raised by him regarding Fr. Balasuriya to the effect that *The Other Side* is a response by way of a just desert for the articles written in the secular newspapers. The people who did write to the secular newspapers criticizing the action taken by the Church against Fr. Balasuriya did so with

A Complaint . . .

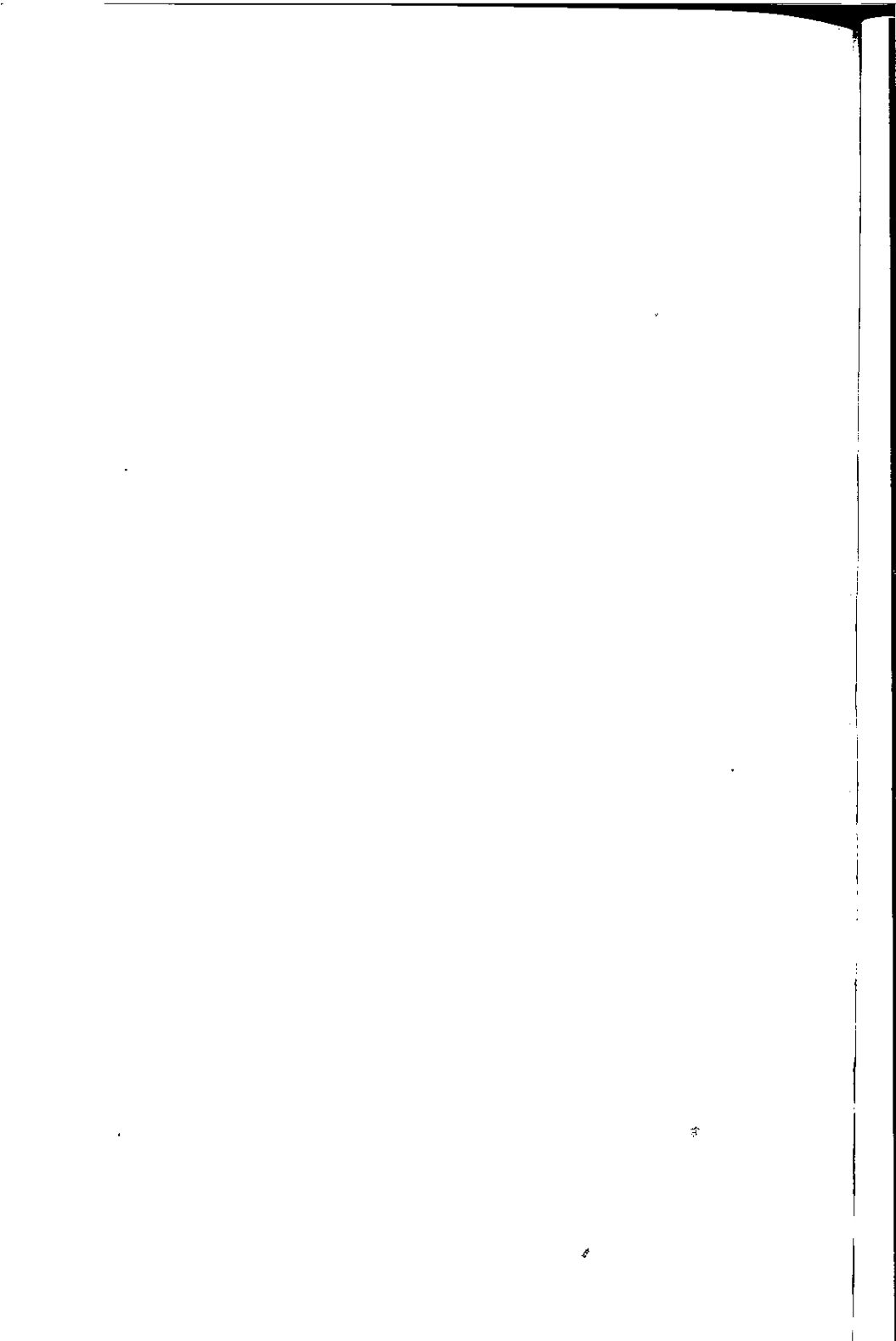
courage and conviction, taking full personal responsibility for their views. They did not hide behind pen names or devious *Other Side* strategies. Since the function of *The Messenger* is to conceal the structural sins of the Church at any cost, the secular press has performed the necessary and responsible function of being an outlet for expressing enlightened dissent.

The following should now be clear: the determination on the part of the Sri Lankan bishops to exaggerate and dramatize the alleged adverse impact of *Mary and Human Liberation*, their refusal to follow due process in recklessly pursuing this determination, their stubborn resolve to be blind to the particularity of the Church in Sri Lanka to which they owe their high office and their stubbornness in relentlessly pursuing the path of personal invective against Fr. Balasuriya even after the objective of his excommunication had been achieved. This has caused irreparable damage to the Catholic Church. It is not too late even at this stage for the Church to make amends for these grave errors by conducting an inquiry into the methods that were used in compiling *The Other Side*. We strongly urge the bishops to appoint a competent body of independent people to investigate and inquire into the complaint we hereby make.

Yours sincerely,

Complainants

Fr. Oswald Firth
Britto Motha
C. A. M. Kurukulasuriya
Isara Gunawardene
Eymard De S. Wijeratne
Bernedeem Silva
Newton Fernando
Basil Fernando
Amy Devasagayam

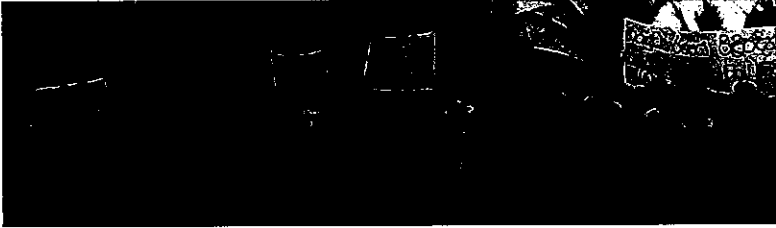


*The Spirituality
of
Solidarity*



in Pictures

In the multifaith context of Sri Lanka, followers of the country's many religions - Buddhism, Hinduism, Islam and Christianity - have historically often come together to address the social ills of the nation. They have been separated by faith but united in their response to injustice. On these next few pages, we offer several visual examples of this pluralism in action, of this Spirituality of Solidarity.

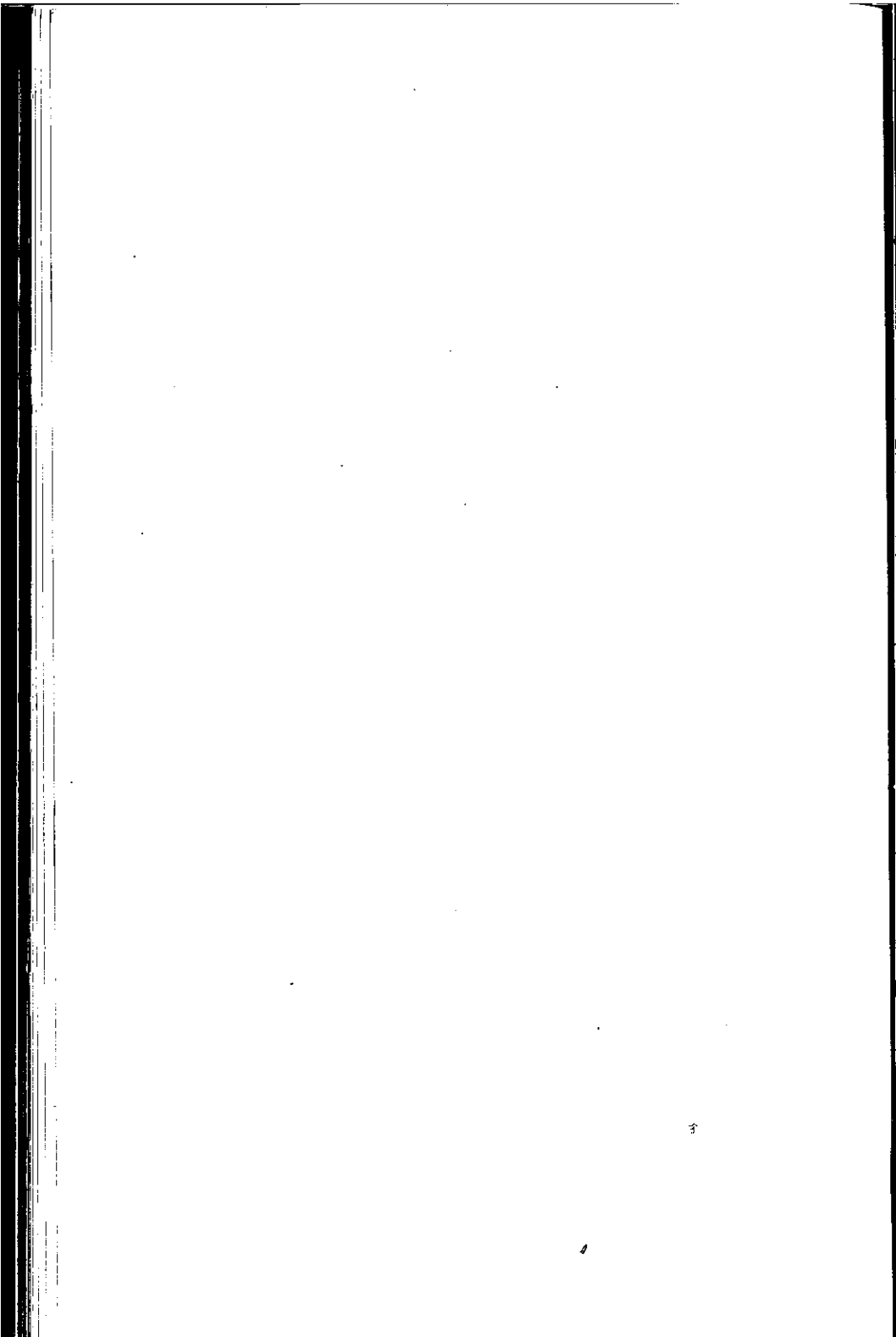


The Spirituality of Solidarity in Pictures



On the opposite page, Buddhist monks call for respect for human dignity with Catholic priests, nuns and lay people. Above, believers of different faiths stage a sit-in while at right a demonstration for human rights is held.





POWER VS. CONSCIENCE studies the introduction and development of Vatican II teachings in Sri Lanka and the division of the Catholic Church that has occurred as a result. It deals with the work of Bishop Leo Nanayakkara, Fr. Michael Rodrigo and Fr. Tissa Balasuriya and compares their thinking with the teachings now promoted by a few bishops in the country, particularly Bishop Malcolm Ranjith, who categorically states that "He [Jesus] was not bothered about social oppression, injustice and the like [that were] strongly visible in His own times." The change of orientation is traced to the internal conflicts that are now taking place in the Vatican itself.

The style and methods of suppression followed in the excommunication of Fr. Tissa Balasuriya and in other cases, such as the case of Leonardo Boff and Hans Kung, are compared with other typical models of suppression, particularly the Stalinist model. The chapter entitled "Andrei Vyshinsky and Cardinal Ratzinger: Similarities in Style?" is a comparison of the methods followed by Stalin's famous prosecutor and the methods used to suppress theologians by the present chief of the Vatican's Congregation for the Doctrine and the Faith (CDF).

The book further studies religious power from the point of view of human rights and democracy. The growth of fundamentalism is seen as a threat to democracy and as a contributing factor to the growth of cults that have increasingly led to suicidal tragedies in recent years. It studies as well the creative power of religions to promote the common good and build solidarity. It speaks of the negative impact that the excommunication of Fr. Balasuriya will have in Sri Lanka on the Catholic Church. The author draws on many insights from the writings of Dr. B. R. Ambedkar of India who wrote extensively on the abuse of religious power in a Hindu society. The author compares the popular interpretation of the doctrine of original sin with that of caste in the Vedas and Hindu doctrines. The book points out that, like the use of all power, religious power too needs to be bound if the abuse of such power, as in this excommunication, is to be prevented.



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