

## BUDDHISM, POLITICS AND THE LIMITS OF LAW

It is widely assumed that a well-designed and well-implemented constitution can help ensure religious harmony in modern states. Yet how correct is this assumption? Drawing on ground-breaking research from Sri Lanka, this book argues persuasively for another possibility: when it comes to religion, relying on constitutional law may not be helpful, but harmful; constitutional practice may give way to pyrrhic constitutionalism. Written in a lucid and direct style, aimed at both specialists and non-specialists, *Buddhism, Politics and the Limits of Law* explains why constitutional law has deepened, rather than diminished, conflicts over religion in Sri Lanka. Examining the roles of Buddhist monks, civil society groups, political coalitions and more, the book provides the first extended study of the legal regulation of religion in Sri Lanka as well as the first book-length analysis of the intersections of Buddhism and contemporary constitutional law.

BENJAMIN SCHONTHAL is Senior Lecturer in Buddhism and Asian Religions at the University of Otago. He received his Ph.D. in the field of History of Religions at the University of Chicago. His research examines the intersection of religion, law and politics in South and Southeast Asia, with a particular focus on Buddhism.

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The Pyrrhic Constitutionalism of Sri Lanka

BENJAMIN SCHONTHAL

*University of Otago*



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## ACKNOWLEDGMENTS

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## A NOTE ON TRANSLATION AND LANGUAGE

This book draws upon sources written in English, Sinhala, Tamil and occasionally Pali. Unless otherwise specified, the non-English words contained in this book are Sinhala and transliterated according to the standard conventions outlined in Gair and Karunatillake, with the exception that I use *ae* instead of *ä*.<sup>1</sup> Tamil words are transliterated according to the standard conventions described in Paramasivam and Lindholm.<sup>2</sup> Pali transliteration follows standard practices used by the Pali Text Society. Where the reader might be confused about the source-language of the non-English term, I use the following abbreviations to clarify: *S*: for Sinhala terms, *T*: for Tamil terms and *P*: for Pali terms.

In certain cases I use the anglicized versions (without diacritical marks) of Pali, Sinhala or Tamil words in order to replicate the conventions of the texts with which I am working. For example, the reader will encounter words like *sangha*, *Eelam* and *Sasana*. I also provide the anglicized names (without diacritics) of organizations that make legal or political submissions using their own English transliterations of their names (e.g., *Bauddha Jathika Balavegaya*).

When referring to Buddhist monks I use the standard convention of placing “Ven.” before the name, meaning Venerable. In some cases, depending on how the name is referenced in the sources that I use, I also place “Thero” or “Thera” after the name. Thero and Thera are different forms of a Pali word that means elder monk. All of the monks mentioned in this book are fully ordained Buddhist monks, whether or not Thero or Thera is suffixed to their name.

As it relates to the name of the island, I use both Ceylon and Sri Lanka. Chapters 2 and 3 default to Ceylon, whereas all other chapters default to

<sup>1</sup> James W Gair and W S Karunatillake, *Literary Sinhala Inflected Forms with a Transliteration Guide* (Ithaca, NY: Cornell University, 1976).

<sup>2</sup> K Paramasivam and James Lindholm, *A Basic Tamil Reader and Grammar* (Evanston, IL: Tamil Language Study Association, 1987).

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Sri Lanka. In general I refer to the island using its official name during the period under analysis.

For the sake of standardization, no diacritics have been used in the index of the book or in the list of abbreviations.

ABBREVIATIONS

ACBC	All-Ceylon Buddhist Congress
ACHC	All-Ceylon Hindu Congress
BBS	Bodu Bala Sena (Army of Buddhist Power)
BJB	Buddha Jatika Balavegaya (Buddhist National Force)
BTS	Buddhist Theosophical Society
CBA	Commissioner of Buddhist Affairs
CMT	Commissioner of Motor Traffic
CNC	Ceylon National Congress
CP	Communist Party
DBR	Draft Basic Resolution
DWC	Democratic Workers' Congress
FP	Federal Party
INC	Indian National Congress
JHU	Jathika Hela Urumaya (National [Sinhalese] Heritage Party)
LSSP	Lanka Sama Samaja Party (Lanka Equal Society Party)
LTTE	Liberation Tigers of Tamil Eelam
MEP	Mahajana Eksath Peramuna (United People's Front)
MSV	Maybima Suraekima Vyaparaya (Movement from the Protection of the Motherland)
SLFP	Sri Lanka Freedom Party
SLNA	Sri Lanka National Archives
SUCCESS	Secretariat for Upliftment and Conservation of Cultural, Educational and Social Standards of Sri Lanka
UF	United Front
UKNA	United Kingdom National Archives
UNP	United National Party
YMBA	Young Men's Buddhist Association