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## Acknowledgements

Foremost, I would like to express my sincerest gratitude to my advisor Dr. William Morrow for his continuous support and immense knowledge. Despite his reluctance, I could not have asked for better guidance in my studies.

I would also like to thank the rest of the faculty in the department, for their encouragement and critique of my work.

I thank my fellow classmates, the people I now call friends. We were few, and I could not have

on the established mythic history found in the Ocj xa sa. Its unresolved contradictions between assertions of theocratic and transnational constitutionalism are the result of the discourse established by the involvement of myth in Sri Lankan nation-building.

A concluding chapter will summarize the arguments of the paper and suggest areas for further research.

#### **Chapter 1: Religion and Nationalism: Definitions and Approaches**

This chapter focuses on the connection between religion and nationalism, and will argue that the two are inextricably linked. I will begin with a presentation of four proposed approaches to the study of religion and nationalism, and provide brief critiques of each approach. As Brubaker points out, the contestability of both the has frequently made scholarship contradictory and unclear.<sup>2</sup> As such, this chapter will discuss the

analysis. The consideration of the

contestability of nationalism will focus primarily on Benedict Anderson and Lowell Barrington.

Brubaker indicates that his four approaches are not alternative theories and that he is not arguing for the merits of one over

variety of questions that can be asked about the relationship between the large and \$\$^3\$ However,

how each is defined). Rogers Brubaker proposed a framework that attempts to bypass this issue by focusing on how to study the relationship through four distinct ways. The first is to treat religion and nationalism as an analogous phenomenon. Through this, nationalism is synonymous with religion and religion is a way of identifying groups (not as a distinctive way to specify the content of political claims). B

to use Bourdieu's phrase, religion too provides a way of identifying and naming fundamental social groups, a powerful framework for imagining community, and a set of schemas, templates, and

Brubaker points out, however, that this distinctive about religion in relation to nationalism.<sup>6</sup>

The third approach proposed by Brubaker is to view religion as imbricated or intertwined with nationalism in a way that it is part of the phenomenon, not an external explanation of it. It may provide the criteria for national boundaries as a marker of identification, or more commonly, supply myths, metaphors, and symbols for the iconic representation of the nation. 9 Nevertheless, there are conceptual and methodological difficulties in specifying the precise nature of the connection between religion and nationalism, including assessing the pervasiveness/salience of

#### appropriation.<sup>10</sup>

The fourth and final way of analyzing the relationship between religion and nationalism that Brubaker considers is religious nationalism as a distinctive form of nationalism. This is based on distinctly religious claims of nationalism that include the ordering and regulating of public life in a manner conforming with religious principles (as opposed to the independent use of mythic imagery, for example). 11 One of the primary issues with this approach is that, to effectively make this argument, a specifically statist definition<sup>12</sup> of nationalism must be employed. The dangers lie in the over-extension of the concept through loss of its discriminating power between distinctly nationalist programs, and all politics that work in and through nation states. Brubaker points out

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<sup>10</sup> 

<sup>-18.</sup> 

<sup>&</sup>lt;sup>12</sup> Where the state has totalizing control over economic and social policy.

This analysis will focus on the third approach of studying religion and nationalism, as it

has a certain degree of open-endedness that suits the purposes of this paper. I will defend this

choice with reference to problematic aspects of the discussion of religion and nationalism.

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There is considerable debate about defining terms in religious studies, foremost, the

-depth analysis of

these debates. 14 In this paper, my approach follows the work of Stephen Dawson. Dawson

Theoretical definitions, in contrast, prescribe how terms *ought* 

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the definition. <sup>16</sup> He rejects lexical and many theoretical approaches to defining religion because

they are essentialist in nature. He recommends using other forms of theorizing which view religion

as a form of discourse which is imbricated in other forms of social and political discourse.

<sup>14</sup> See for examples of extensive treatment of these discussions, William E. Arna the Study of Religion, eds. Willi Braun and Russell T. McCutcheon, (New York, NY: Continuum, 2000), 21-34;

Guide to

Guide to the Study of Religion, eds. Willi Braun and Russell T. McCutcheon,

(New York, NY: Continuum, 2000), 3-

The Routlege Companion

to the Study of Religion

9

Although Rogers Brubaker pointed out that his four approaches for the study of religion and nationalism were not mutually exclusive, my analysis primarily falls in his third categorization:

hat helps explain it, but as so deeply imbricated

or intertwined with nationalism as to be part of the phenomenon, rather than an external

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religion as a form of discourse. The importance of discourse will also emerge in the discussion of mythology in Chapter 2.

It is also

rists of nationalism have

faced when attempting to formulate a cohesive definition of the phenomenon. 18 traditionally conceived, contains a number of paradoxes between reality and nationalist assertions about reality. Firstly, there is an objective and measureable modernity of nations in contrast to the subjective antiquity that is conceived by nationalists. Secondly, the formal universality of sociocultural nationality is at odds with the *sui generis* particularities of substantial manifestations of nationality. Lastly, there is a marked political power held by nationalisms that is in seeming disagreement with the frequent incoherence of nationalist contentions. Out of these juxtapositions, Anderson provided the definition of a nation as an

members, regardless of tangible reality.<sup>19</sup>

identity in reference to out-group other), and cognitive models (referential worldviews of political and material conditions and interests that are shaped by a particular identity). <sup>28</sup>

In summary, these considerations about religion and nationalism support my choice to use

rather than religion; thus, furthering the secularization of political discourse.<sup>32</sup> As previously

century marks not only

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Several scholars have also argued that nationalism has replaced religion in the function of group solidarity.<sup>34</sup>

The adequacy of the secularization thesis has been seriously contested since the 1980s, and there are now few scholars that persistently adhere to it in its original formulation. There has since been a revisionist trend of amendment, adaptation, and in some cases, total abandonment. For example, while Peter Berger was one of the most adamant proponents of secularization thesis in the 1960s, in works like *The Sacred Canopy* 

means that a whole body of literature by historians and social scientists loosely labeled

35 While the entirety of the secularization thesis is
not still propagated by many scholars, remnants of the intellectual discourse are evident in some

Religion is not considered to be a sufficient cause of or reason for national consciousness. Whenever it has assumed the role of being the main mark of differentiation between what otherwise appear to be kindred people, it seems in fact to be a substitute for another

<sup>&</sup>lt;sup>32</sup> Ernest Gellner, *Nations and Nationalism*, (Ithaca, Cornell University press, 1983) and Ernest Gellner, *Encounters with Nationalism*, (Oxford, Blackwell, 1994).

<sup>&</sup>lt;sup>33</sup> Anderson, *Imagined Communities*, 1991.

<sup>&</sup>lt;sup>34</sup> See for example, Liah Greenfeld, *Nationalism: Five Roads to Modernity*, (Cambridge, Harvard University Press,

process by which some social formations become nationalist, while others do not.<sup>46</sup> The examination of truth in myth is important in viewing the establishment of a discursive framework, and it is a cornerstone in the differentiation of myth from other forms of narrative. This invites discussion about the relationship of myth to truth and sacrality. My discussion of these issues will

does not reside in any particular discourse per se.<sup>50</sup> He shows that persuasion and evocation of sentiments are, however, separable, as an act of discourse may induce feelings of likeness, attachment, and solidarity, or sentiments of distance, separation, and otherness, regardless of the content.<sup>51</sup> However, not all myths are equally compelling discourses and Lincoln points out that, discourse success ultimately depends on the elicitation of sentiments which may form the basis of social formations.

role of

myth in nation-building.

s to the dynamic process by which

conformations of systems and patterns of signs and practice, and their communicative institutions, are created and are relational in the development of society.<sup>55</sup> Lincoln indicates that myth acts as

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property of myth functions. Ben-Israel states that,

ethnic myth is a dramatic tale that links the present with a communal past, and one that is widely believed, it helps draw the members into a distinctive community, conferring on them a special 62

At this point, this chapter is able to provide a provisional definition of myth for the purposes of this study

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The treatment of myth as discourse raises issues of truth and sacrality. The perception of is connected to the nature of myth; but the conception of sacrality, somewhat problematically, narrowly defines myth as pertaining solely to the sacred. Christopher Flood conceives political myth to be at the intersection of sacred myth and ideology.

characteristics of myth that allow for differentiation from legend and fable,<sup>70</sup> but Lincoln is not arguing the separation based on the static characteristics of myth.

ial charter, with emphasis on obedience to rules, customs, and institutions.

<sup>75</sup> This is problematic, as it does not explain the process by which myth becomes truth or how some myths are more successful than others.

The myths told and repeated are not solely concerned with theoretical or metaphysical implications. They ground the established order in a mythological, supernatural reality in order to provide stability for social structure against disintegration through change. The credibility of truth claims is an integral component of the social function of myth; thereby present-day social phenomenon can be traced to antiquity and consequently legitimized through this process. Practically, authoritative status is easier to obtain for a myth than a legend or a fable because, as Lincoln says, the level of credibility occurs out of the status of history. When Alasdair MacIntyre ck, he

incorrectly asserts that the life and death of a myth is tied to a phenomenon other than the

### & KDSWHU 7 KAS and DSKahale'S DNational Identity

The reconstruction of ancient Sri Lankan<sup>83</sup> history through the monk-authored Ocj xc sa source of the mythical past to narrativize nationalist ideology of social formation.<sup>84</sup> As such, it operates as an illustration of the provisional definition of myth provided in the previous chapter. The Ocj xc sa seeks to both persuade and evoke sentiments that are conducive to a certain type of social formation that includes some elements (i.e., Sinhalese) and excludes others (i.e., Tamils). It does this through presentation of a particular version of myth as history and the elimination of the contradiction between nationalistic violence and Buddhist values. This chapter will first contextualize the study of the Ocj xc sa. It

# The 0 D K a Âsta as History

The significance of the Ocj xc sa for Sri Lankan national identity is difficult to overstate.

Until the mid-Ocj xc sa was largely the preserve of monks and elite

of Roha a. The Ocj xc sa portrays the war between the two kings along ethnic divisions and

violence or as eccentric, exploitive gestures

113

in his earlier dispelling of the  $yakkhas^{114}$  (the original inhabitants of Sri Lanka) to make the island  $^{115}$  Greenwald refers to this as the overcoming of chaos and the establishment of order, thereby definitively asserting the equation of Buddhism and humanity.  $^{116}$  yakkhas, and later, Du

of the Tamil rulers. Thus, Du

-Buddhist element, despite E

reputation as a just ruler.<sup>117</sup> The concept of legitimate authority, as defined by Buddhist-Sinhalese identity, was thus the most important element of Sri Lankan political theory.<sup>118</sup>

In explaining violence in Sri Lanka, some scholars have problematically utilized self-

major work

Sinhalese. 119 and the furious

114

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118

<sup>113</sup> 

 $<sup>^{115} \</sup> Ocj \ xc \ sa \ I: 43.$ 

<sup>...</sup> 

120

assumption about each category. 121

<sup>122</sup> Mahinda Deegalle

examined the theological implications of Buddhist violence as considerations specific to the

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Buddhist society or against non-Buddhists is a deviation from Buddhist doctrine. This is because

violence can never be used as a path or goal prescribed by the Bu

canon. 123

The presumed contradiction between violence and Buddhism, as decisively posed by

Buddhism Betrayed?

another. In reference to the monastic involvement in recent Sri Lankan violence, Tambiah asks if

nonviolence and required by disciplinary rules to abstain from killing and to be nowhere near the

marchi 124 Deegalle and Tambiah both examine the role of the

Ocj xcouc in the justification of Sinhalese violence and presumed ethnic superiority (read:

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Lanka: History and the Roots of Conflict (London: Routlege, 1990) is an anthology of works that attempt to

<sup>&</sup>lt;sup>120</sup> Bruce Kapferer, *Legends of People, Myths of State: Violence, Intolerance, and Political Culture in Sri Lanka and Australia,* (Washington: Smithsonian Institution Press, 1988), 32. There is a particularly good critique of

Economy and Society v.19, no. 4 (1992): 492-510.

<sup>121</sup> For other examples, see Ananda Wickremaratne, *The Roots of Nationalism: Sri Lanka*, (Colombo: Karunaratne and Sons, 1995); and, Jonathon Spencer,

Change and Crisis, ed. James Manor, (New York:

ess, 1984). Additionally, Jonathon Spencer, ed. *Sri* 

Buddhism. Given the existing literature, I will not attempt to examin

considered to be a religion of strict orthodoxy, 125 it is important to note that there is no direct

validation of violence (physical or verbal) in the canon. <sup>126</sup> Some scholars have focused on

linguistic analysis, and have concluded that Sinhala provides many ambiguities and convolutions

in the description of violence. For example, it may be described and translated as  $dcn \ vm \ tc/c$ 

(force), cfcpv ttama (assault), särakama (severity), or ugratvaya (severeness). However, the

notable prescriptive practice of non-violence in Buddhist doctrine would indicate that the

propagation of violence is a deviation from Buddhism. How then, is this reconciled with violent

Sinhalese nationalism that is inextricably linked to Buddhist religiosity and tradition?

According to the Ocj xc sa,

When the king Du i had provided for his people and had had a relic put onto his

spear he marched, with chariots, troops and be

river to bring glory to the doctrine. Give us, that we may treat them with honour, bhikkhus

who shall go on with us, since the sight of the bhikkhus

i shows

127

favour by his expression of esteem for

sangha. The

Buddhism is considered to be the strictest of the sects, it would be more accurate to term Buddhism as a religion of orthopraxy, focused on right action, rather than belief-centred orthodoxy.

The Ecumenical Review, v.55, n.22: 123.

While Deegalle stumbles close to problematically presuming an orthodoxy that may be empirically ascertained against the ideals of canonical Buddhism, I do not presume an existent Buddhist canon. I instead intend the use of

attempted to be coBTnisant in avoiding the construction or representation of a monolithic Buddhism.

<sup>127</sup> Ocj xc sa XXV: 1-4

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accompaniment of monks provided protection in battle. Walpola Rahula deems Dutthagamani to

as the originator of religio-nationalism which has persisted through the whole history of 128 Yet, from the first lines of the rendition of his victory, his actions appear to be antithetical to Buddhist nonviolence.

-esque remorse<sup>129</sup> for deaths in battle is shown in his statement, Du

<sup>130</sup> The response by the monks to remedy his guilt is considered to be the most controversial in the Ocj xc sa.

From this deed arises no hindrance in thy way to heaven. Only one and a half human beings have been slain here by thee, O lord of men. The one had come unto the (three) refuges, the other had taken on himself the five precepts. Unbelievers and men of evil life were the rest, not more to be esteemed than beasts. But as for thee, thou wilt bring glory to the doctrine of the Buddha in manifold ways; therefore cast away care from thy heart, O ruler of men!" Thus exhorted by them the great king took comfort. 131

This passage provides a justification of the deaths of non-Buddhists. It dehumanizes peoples of other faiths to the extent that they are compared with beasts. It purports that certain circumstances allow for just killings, particularly in the case of dangers to the continued existence of Buddhism

in Sri Lanka. 132

If King Du i is the Sinhalese champion who united the Sri Lankan kingdom under Buddhism against the threat of Tamil (i.e., foreign) invaders, then the mythic past is seen to justify the present political climate. This is evident in the preferential treatment of Buddhist Sinhalese in the construction of the 1978 Constitution. The influence of the religious myth found in the sa in Sri Lankan constitutionalism will be examined in the next chapter to substantiate the argument that Sinhalese nationalist energies translated into concrete policies.

## **Chapter 4: Sri Lankan Constitutionalism**

This chapter examines Sri Lankan constitutionalism as a product of the myth-making included in nation-building. The concept of nation-building, of course, raises questions about the relationship between religion and nationalism that were explored in the first chapter of this essay. There I concluded that religion could be imbricated with nationalism without necessarily holding that religion and nationalism were analogous terms, that religion had to be seen as the cause of nationalism, or that religious nationalism constituted a distinct form of nationalism. Unresolved contradictions in Sri Lankan constitution illustrate the usefulness of this concept.

An examination of the 1978 Constitution of the Democratic Socialist Republic of Sri Lanka<sup>148</sup> shows that its privileging of Buddhism, based on an established mythic history, exists in

amending formulae which can be triggered by, and require the participation of, the government bodies whose powers they limit. But these formulae invariably require something more than a simple decision on the part of the present government to invoke a change.<sup>153</sup>

Some scholars believe that constitutional norms do not exist unless they are in some way enshrined in a written document.<sup>154</sup> The idea of constitutionalism requires limits on government power and authority established by constitutional law. But, according to most constitutional scholars, there is more to a constitution than constitutional law.<sup>155</sup> Many people will find this

conformity with a system of universal norms<sup>157</sup> grounded in an elaboration of mores of a

community of nations. 158

Backer is somewhat unique in asserting that there are multiple forms of constitutionalism that are

legitimate. 159 In contradiction to asserted principles of transnational constitutionalism, Backer

states that,

originating as a system of taxonomy and legitimation that is grounded in a set of normative

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Theocratic Constitutionalism

There is a possibility of normative differences in the religious organization of States that

are legitimately constitutionalist on their own. But, the point for most scholars is to subordinate

differences within the matrix of superior normative values of transnational constitutionalism. This

translates in a manner that religion may only be politicized in a way that is inferior to secular

values. Backer points out that,

of the inquiry demanded within a constitutionalism framework. Implementations of a certain form

does not necessarily follow from the acceptance of a divinely-mandated system of behavioral

<sup>161</sup> Some critics consider theocratic constitutionalism to be threatening and illegitimate, a

challenge to the established universalizing normative constitutional order, or even a global threat

<sup>157</sup> These norms were thought to have been conceived in the Allied Powers drafting of constitutions post-World War

II. For a more extensive discussion (and problematization) of this see for examples, Larry Over Constitutions: International and Religious Transnational Constitutionalism in the 21st

Mississippi

College Law Review v.27, n.1 (2007): 11-

Modern China v.20, n.2 (2014): 133-167.

Chinese Party-

42

to inward-looking, traditional State-based constitutionalism. However, transnational or universalizing theocratic constitutionalism has emerged in its own right as another discursive framework for thinking about the legitimacy of the political constitutions of States.<sup>162</sup>

While Ran Hirschl acknowledges theocratic constitutionalism as its own kind, he concludes that the challenges are inherently more difficult to overcome than ethnic or linguistic divisions in

applicability of traditional power-

proposed as a way of mitigating tensions in troubled multi-

<sup>163</sup> Problems with

her divisions along

ascriptive or imagined lines, the secular/religious divide cuts across nations otherwise unified by

<sup>164</sup> Secondly, the uneven

level of the religion and secular divide and differences in religious sensibilities (even among members of the same religion) lends to the inability of religion to serve as a unifying network consistent with constitutionalist notions. <sup>165</sup> Due to these problems, Hirschl ultimately concludes that the principles of theocratic governance and those of modern constitutionalism seem to be at odds. His theory of constitutional theocracy adheres to the form of constitutional organization, but privileges one religion within the state apparatus, designating it as the supreme source of law. It is

presided over by a formal system of interpretation in which the institutional apparatus of the

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Review v.49, n.4 (2008): 1186.

164

<sup>-</sup> William & Mary Law

<sup>&</sup>lt;sup>165</sup> Oddly enough, Hirschl uses Sri Lanka as a positive example of the territorial divide between Tamils and Sinhalese that is unlike many other states; but notes that it may not be effective for reducing tensions. Hirschl,

secularism.<sup>170</sup> None of the objectives of the Constitution refer to the religious State character, and adversely claim the opposite. Sri Lanka is set out as a secular State with the positive obligations of the establ

the people and is inalienable. Sovereignty includes the powers of government, fundamental rights

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ity of opportunity to

citizens, so that no citizen shall suffer any disability on the ground of race, religion, language,  $^{172}$  So, what does it mean within this seemingly secular

context that Buddhism is afforded a special place?

While no one is compelled to be a Buddhist, the Constitution requires citizen habitation in a Buddhist state, which must protect and foster the *Buddha Sasana*.<sup>173</sup> While the implications of this depend entirely on the way in which the Constitution is interpreted, this assertion is undoubtedly premised on the notion of a uniquely Buddhist character of Sri Lanka. In determination of the hierarchy of constitutional reading, it is important to note that the preeminence of Buddhism is afforded the

Republic of Sri Lanka shall give to Buddhism the foremost place and accordingly it shall be the duty of the state to protect and foster the Buddhist *Sasana*, while assuring to all religions the rights

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rnment ... But the universal values which provide the framework within which governmental power may be asserted, and the framework for evaluating the relation of individual to state is provided by religion. As in transnational secular constitutionalism, the key lies in an embrace of the ideas that certain substantive principles of state construction certain values are

<sup>&</sup>lt;sup>171</sup> The Constitution of the Democratic Socialist Republic of Sri Lanka (1978, as amended up to 9 September 2010), Published by the Parliament of Sri Lanka. <a href="http://www.parliament.lk/files/pdf/constitution.pdf">http://www.parliament.lk/files/pdf/constitution.pdf</a> Chapter 1, Article 3. <sup>172</sup> Constitution of Sri Lanka, 6-27-6.

<sup>&</sup>lt;sup>173</sup> The Sasana

mandates the protection of the teachings of the Buddha that form the religion and religious tradition.

<sup>&</sup>lt;sup>174</sup> Constitution of Sri Lanka, 2-9.

theocratic constitutionalism which justifies the marginalization of the minority Tamil, non-Buddhist population. As such, the Sri Lankan Constitution is evidence of concrete policies based on myth-historical premises.

## **Conclusions**

Given the importance of social formations and the imagination of nation-based communities, the uncritical use of religion and nationalism is misleading and unhelpful in the analysis of ideological discourse. It is important to approach the relationship between religion and nationalism without bringing in an understanding of either which are over-determined by Western models. Rogers Brubaker has provided a solid framework to examine the relationship between religion and nationalism. I have utilized his third category, which indicates that religion is imbricated with nationalism in a way that it is part of the phenomenon, not an external explanation of it. This has allowed for analysis without necessarily holding religion and nationalism as analogous terms, that religion had to be seen as the cause of nationalism, or that religious nationalism constituted a distinct form of nationalism. As such, religion may provide the criteria for national boundaries, or more commonly, supply the mythic foundation for the iconic representation of the nation. In the construction of the nation through ideological apparatuses, it is imperative to recognize the influence of mythic narrativization. Understanding the relationship between religion and nationalism in this way allowed for dialogue with influential views on nationalism, including Benedict Anderson, Lowell Barrington, and Anthony D. Smith.

The centrality of myth in nation-building necessitates the development of a provisional definition.

most useful in the discussion of the discursive power of myth, including the importance of truth in credibility and authority. In his conception, there is no self-

mythmaking is significant, he deconstructs the category of myth so much in his unwavering rejection of the concept, that it becomes impossible to identify what a myth is in order to examine

violence and Buddhist values, and helps justify the sense of entitlement Sinhalese nationalists asserts over the Tamil population.

The energies of Sinhalese nationalism translated into concrete policies in nation-building. The 1978 Sri Lankan Constitution shows a privileging of Buddhism, based on the established mythic history found in the Ocj~xc~sa. There are unresolved contradictions between assertions of theocratic and transnational constitutionalism that are the result of the involvement of myth in Sri Lankan nation-building.

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