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[Home](#) > Sri Lanka- Not a Theocracy?

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## Sri Lanka- Not a Theocracy?

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By Prof.V. Suryanarayan

Speaking in the Lok Sabha on November 9, 2019 on the Citizenship Bill, which provides for citizenship to non-Muslims from Pakistan, Bangladesh and Afghanistan who have come to India, Home Minister Amit Shah responded to the question posed by the opposition as to why other neighbouring countries were not included in the list. He said that Nepal and Sri Lanka “are not theocracies”, unlike the three countries mentioned in the Bill. Let me take Sri Lanka for example. Not being a theocracy does not make Sri Lanka a secular state.

Chapter II, Section 6 of the 1972 Republican Constitution proclaims: “The Republic of Sri Lanka shall give Buddhism the foremost place and accordingly it shall be the duty of the State to protect and foster Buddhism, while assuring to all religions the rights granted by Section 18 (1) (d). The provisions of the 1978 Constitution were an exact replica of the 1972 constitutional provisions.

What are the implications of these constitutional provisions for Hindus, Muslims and Christians in Sri Lanka? Hinduism, Islam and Christianity are excluded from special recognition?. As Prof. K M De Silva has pointed out: “Sri Lanka has ceased to be a secular state, pure and simple, even if it has not become a theocratic state which Buddhist pressure groups would have liked it to be”. From an Indian point of view I am in full agreement with Dr Sarvepalli Gopal’s comments made in Amirtalingam memorial lecture in Colombo few years ago: “To provide for one religion having the “foremost place”, while assuring to all freedom of conscience and other fundamental rights is to compromise on secularism and to render the country ... neither a theocratic nor a secular state”.

It may not be out of place to quote from the Select Committee Report which was appointed to study the Draft Constitutional proposals introduced by the Chandrika Government. The draft Constitution could not be passed in the Parliament because of competitive Sinhala politics. The provisions relating to religion in the Select Committee Report were as follows:

Chapter II 7 (1): The Republic of Sri Lanka shall give to Buddhism the foremost place and accordingly it shall be the duty of the State to protect the Buddhist Sasana, while giving adequate protection to all religions and guaranteeing to every person the rights and freedoms granted by paragraphs (1) and (3) of Article 15.

2) The State shall, where necessary consult the Supreme Council, recognized by the Minister of the Cabinet of Ministers in charge of the subject of Buddhist Sasana, in measures taken for the protection and fostering of the Buddhist Sasana.

The minorities are not happy with these provisions, because they will be entrenched clauses and it will require two thirds majority and a referendum for amendment. This provision is an illustration of the Government's incapacity to withstand the pressures of the Sinhala Buddhist chauvinist elements. What does the term imply? Will it cover among other things tourism, educational syllabus and prohibition?

Equally relevant from an Indian point of view is to understand how the Sinhala Buddhist chauvinist elements have reacted to the devolution proposals introduced by the 13<sup>th</sup> Amendment to the Constitution. In its Interim Report, the Sinhala Commission, which is representative of the most rabid elements, rejected devolution proposals. The Commission demanded the retention of the unitary set up. The Report stated that if the "devolution proposals are implemented, the future of Buddhism in this country will be very bleak". What is more, the Sinhala majority "will be weakened and divided by splitting the majority Sinhala areas into seven regions".

Let me conclude the essay with a quotation from Jawaharlal Nehru's book, *Discovery of India*. It is very relevant to contemporary Sri Lanka because it highlights the difference between theory and practice: "There can be no doubt that the founders of great religions had been among the greatest and noblest men that the world has produced. But their disciples and the people who have come after them have often been far from great or good. Often in history, we find that religion, which was meant to raise us and make us greater and nobler, has made people behave like beasts. Instead of bringing enlightenment to them, it has often tried to keep them in the dark, instead of broadening their minds, it has frequently made them narrow-minded and intolerant of others".

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[Political](#) [5]

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