13

Nation, State, Sovereignty, and Kingship: The Pre-Modern Antecedents of the Presidential State

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The Emic v. Etic Approach to Constitutionalism

The introduction of the executive presidency in 1977-8 brought about a fundamental constitutional shift by transforming the Sri Lankan republic from a parliamentary state into a presidential state. Drawing upon the unfamiliar and unusual French model, this shift was radical to the extent that for the entire duration of Sri Lanka's modern state tradition commencing as a British colony, and then as a post-colony, the parliamentary form of government was assumed to be its natural constitutional state. Beyond the familiarity of the British model and the path dependency of Sri Lanka's constitutional evolution since the Donoughmore reforms, scholarly constitutional discourse in the 1970s was also informed by a number of conceptual assumptions associated with modern, positive, social science.

These assumptions about broader and deeper concepts beyond the mere institutional form of executive power informed both the early critics – like N.M. Perera and Colvin R. de Silva – as well as the early exegetists – like A.J. Wilson and Chandra R. de Silva – of the 1978 Constitution.[1] These included shared assumptions about the nature of the state, the nation, sovereignty, constitutionalism, and democracy. Indeed if there was something even more striking than the constitutional change of 1977-8 itself, it was the broad modernist and positivist consensus underlying the framework for constitutional analysis, comparison, critique, and the articulation of alternatives. In understanding, explaining, comparing, and evaluating the constitution, they took modernist categories of social science like the nation-state for granted, as they did the positive, black-letter law of the text of the constitution as the primary basis of their work,

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[1] See the chapter by Jayampathy Wickramaratne in this book; A.J. Wilson (1980) *The Gaullist System in Asia: The Constitution of Sri Lanka (1978)* (London: Macmillan); C.R. de Silva, '*The Constitution of the Second Republic of Sri Lanka (1978) and Its Significance*' (1979) *Journal of Commonwealth and Comparative Politics* 17(2): pp.192-209.

and indeed modern constitutional models like Westminster and Gaullism as their comparative referents.

The consequence of this analytical and normative consensus was that the debate on the 1978 Constitution, by focusing heavily on modern and positive legal and political categories, ignored the visible contemporaneous evidence of the ethno-cultural and ethno-historical conceptual resources through which the constitutional change and the new presidential institution were being legitimated within the polity at large, and in particular the Sinhala-Buddhist section of the polity. In other words, what was occurring was not so much the incursion of Gaullism or Caesarism as the reincarnation of the pre-colonial Sinhala-Buddhist monarch in the constitutional present. The scholarly commentators (even where some of them were politicians) were therefore engaging in a debate that was insulated from the constitutional conversation that was taking placing between the politicians and the voters by reference to intensely local, cultural myths, memories, and symbols. These were terms of a political discourse that were completely separate from the terms of modernism and positivism. In other words, two entirely different constitutional discussions were going on: the emic conversation within mass politics and the etic debate within high politics.

In some ways, this was to be expected given that those early commentators were lawyers, political scientists, and historians trained in the British tradition of modernist and positivist social science, almost all of them at the University of London. It took a while for the anthropologists to enter the debate on Sri Lankan presidentialism, and when they did so, their ethnographic techniques revealed the deeper cultural and historical dimensions of the nature and the sources of legitimacy of the institution, how the religious and the secular spheres interact in the practices of power that surrounds it, and of course the personal predilections of the occupants of the

office, in a way that the earlier modernist and positivist analyses had completely failed to address.[2]

Thus while positivist analyses of the legal provisions of the 1978 Constitution told us of the authoritarian potential inherent in them, that methodology could not tell us why authoritarian presidents would enjoy not merely electoral popularity but also a large measure of cultural legitimacy, and indeed what the limits of that tolerance might be, when viewed against the cultural benchmarks against which presidents and their behaviour were being judged by the electorate. In other words, the positive law and the normative values underpinning it have never been able to fully account for the way power and especially executive power is exercised in Sri Lanka. This often leads either to plain bafflement or to misleading conclusions about the political system, because positivism and modernism cannot explain the relationship between the 'legal' constitution and the 'political' constitution, what the content of the latter is, and even how it prevails over the former.

These observations are borne out by an examination of every presidency from the inception, but are illustrated most vividly in the Rajapaksa presidency. Deliberately drawing a historiographical parallel between the defeat of the Tamil Tigers with that of the Dutugemunu legend of the *Mahavamsa*, the Rajapaksa regime extracted the Sinhala-Buddhist monarchical potential of the executive presidency to the maximum possible extent. His frequent and flagrant violation of the legal constitution seemed to have no political effect, until he exceeded the amorphous limits set by the very cultural sources of power and

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[2] See chapters by Ananda Abeysekera, Michael Roberts, and Roshan de Silva Wijeyeratne in this book; S. Kemper, '*J.R. Jayewardene: Righteousness and* Realpolitik' in J. Spencer (Ed.) (1990) *Sri Lanka: History and Roots of Conflict* (London: Routledge): Ch.9; S. Kemper (1991) *The Presence of the Past: Chronicles, Politics and Culture in Sinhala Life* (Ithaca, NY: Cornell UP); M. Roberts (1994) *Exploring Confrontation: Sri Lanka: Politics, Culture and History* (Chur: Harwood Academic Publishers).

legitimacy that permitted him initially to expand the scope of presidential power far beyond the legal constitution.

In understanding the nature of Sri Lankan presidentialism, therefore, constitutional lawyers and political scientists ignore the insights provided by historians and anthropologists about the critical connections between the modern presidency and the ancient monarchy. These connections concern not merely the nature and form of executive authority, but also those between an authoritarian head of state on the one hand, and on the other, conceptions of power and sovereignty, collective identity and nationhood, and the role of religious sanction for political authority. These insights also shed light on the relationship between presidentialism and other centralising features of the Sri Lankan state tradition, notably the principle of the unitary state, but also the orthodox monistic conceptions of sovereignty and nationhood.[3]

Without understanding the institution in this holistic and sociologically contextualised way, attempts to reform it could also be derailed by the same analytical and normative fallacies that misled the early exegetists of the presidential constitution. Put simply, the overarching point is that constitutional lawyers will not be able to understand Sri Lankan presidentialism unless they understand the Sinhala-Buddhist monarchy. The following discussion therefore is not so much an attempt to break new ground as an attempt to integrate existing insights of historical anthropology into the discourse of

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[3] I explore these issues in greater detail in A. Welikala, '*The Sri Lankan Conception of the Unitary State: Theory, Practice and History*' in A. Amarasingham & D. Bass (Eds.) (forthcoming 2015) *Sri Lanka: The Struggle for Peace in the Aftermath of War* (London: Hurst & Co.) and A. Welikala, ''*Southphalia or Southfailure? The Anatomy of National Pluralism in South Asia*' in S. Tierney (Ed.) (forthcoming 2015) *Nationalism and Globalisation* (Oxford: Hart Publishing).

constitutional law and theory around the Sri Lankan executive presidency.

The Theoretical Concepts of the Pre-British State in Sri Lanka

The pre-modern state began with the establishment of the first Sinhala polity in the third century B.C. by Devanampiya Tissa (250-210 B.C.) at Anuradhapura, and ended in 1815 when the Kandyan Kingdom was ceded to the British Crown by treaty. With the cession of Kandy the entire island became a Crown Colony, marking also the territorial unification of the island in the modern period. The primary concern of this chapter is not the political history of the pre-British Sinhala state, but the "religio-politico-moral conceptions of kingship" based on Buddhist canonical principles, and the way in which these norms were given effect in the ancient to early modern period according to "certain cosmological cum topographical models of the polity that were employed as blueprints for political form."[4] As such I avoid involvement in disputes as to historical 'facts,' and instead concern myself with the theoretical explanations of questions such as state form and collective identity that historians and anthropologists have offered on the basis of differing interpretations of events and evidence. This account must begin then with the canonical sources from which Buddhist ideas of sovereignty and monarchical statehood are derived, and which are in the Theravada Buddhist historiographical traditions exemplified in the righteous kingship of the Emperor Asoka of Maurya (274-232 B.C.). Mahanama, the author of the *Mahavamsa* in sixth century Sri Lanka, expressly drew from the Asokan paradigm, and the vast historiography of Sinhala-Buddhist kingship both textual and oral is permeated with its motifs.

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[4] S.J. Tambiah (1976) *World Conqueror and World Renouncer: A Study of Buddhism and Polity in Thailand against a Historical Background* (Cambridge: CUP): p.102.

This discussion of Buddhist doctrine and the Asokan nonpareil serves as the theoretical prelude for the following section, in which I consider of how these norms and models were actualised in the pre-British state in Sri Lanka. This focuses on the last few decades of the Kandyan kingdom (i.e., the late eighteenth and early years of the nineteenth centuries), for it is in relation to this period that the evidence of state practice is most clear, and as a result, historians have been able to make the most confident assertions about the normative and structural aspects of that state.

The Paradigm of Righteous Buddhist Kingship: The Concepts of *Mahasammata, Dhammiko Dhammaraja* and the Asokan Persona

Several of the Buddha's canonical discourses provide us with insights into the Theravada Buddhist conceptions of worldly order and the principles of righteous kingship.[5] As Roshan de Silva Wijeyeratne reminds us, these texts "evoke the classic Buddhist doctrinal themes of suffering and impermanence at the root of all existence, and this should be borne in mind when considering [their] political or jurisprudential import." [6] The canonical adumbration of the ideal-type Buddhist kingship is

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[5] Of the canonical sources, particularly relevant are the *Agganna Sutta* (The Discourse on What is Primary), the *Cakkavatti Sihanada Sutta* (The Lion's Roar on the Wheel-Turning King), the *Mahavadana Sutta* (The Great Discourse on the Lineage), and the *Anguttara Nikaya* (The Book of Gradual Sayings), and to a lesser extent, the *Mahaparinibbana Sutta* (The Great Discourse on the Total Unbinding).

[6] R. De S. Wijeyeratne, '*Buddhism, the Asokan Persona and the Galactic Polity: Re-Thinking Sri Lanka's Constitutional Present*' (2007) **Social Analysis** 51(1): pp.156-78 at p.160; see also S. Collins, '*The Lion's Roar on the Wheel-Turning King: A Response to Andrew Huxley's 'The Buddha and Social Contract'*' (1996) **Journal of Indian Philosophy** 24(4): pp.421-46 at p.427; S. Collins & A. Huxley, '*The Post-Canonical Adventures of Mahasammata*' (1996) **Journal of Indian Philosophy** 24(6): pp.623-48.

inextricable from the broader context of Buddhist cosmology. This sets out an elaborate and expansive vision of time and space, (non-divine) creation, recreation and order. All forms of existence – "god, man, animal, asura demon, and wandering ghosts" – participate in this cosmos, which as Stanley Tambiah emphasises, is fundamentally stratified and hierarchical, "presenting a gradient from black torment suffered by those in hell to pure bliss and tranquillity enjoyed by the gods [that] is a continuous scheme of ascent from gross materiality to ethereal spirituality."[7]

The *Agganna Sutta* sets out the Buddhist vision of the origins of the world, society, and kingship, the relevance of which to the present discussion is that it articulates the Buddhist theory of the founding of society and polity in the concept of the *Mahasammata* (The Great Elect), and the soteriological role of the Buddhist monkhood within this worldly scheme. The creation myth in the *Agganna Sutta* begins with the original state of existence as 'ethereal mind'. The world forms according to mankind's increasing attachment to material well-being and private property, which then leads to a state of disorder due to avarice and greed, and dissociation between man and nature.[8] The *Mahasammata* arrives at this moment of disintegration of worldly society in order to give it an "embodied social life"[9] as well as normative and structural order. He is the "…manifestation of the collective consciousness of human being [*sic*] and of its active will for the constitution of society."[10] According to Tambiah, the *Mahasammata* myth embodies,

> "an elective and contractual theory of kingship, whereby a king is chosen by the people and he is remunerated by the payment of a rice tax. This elective and contractual theory is

[7] Tambiah (1976): p.9.
[8] Tambiah (1976): p.14-15.
[9] Collins (1996): p.430.
[10] B. Kapferer (1997) *The Feast of the Sorcerer: Practices of Consciousness and Power* (Chicago: Chicago UP): p.70.

counterbalanced by the fact that the one chosen is the best among men – most handsome in physical form and most perfect in conduct…Thus the king is 'chosen' in two senses of the word; he is both elective and elect."[11]

The *Agganna Sutta* goes on to elaborate the socio-political order that is established following the election of the king, which is hierarchically composed of four basic strata (*Vanna / Varna*).[12] At the top are the nobles (*Khattiya / Kshatriya*), then the two categories of brahmans (*Jhayaka* and *Ajjhayaka*). The third stratum consists of the tradesmen (*Vessa / Vaishya*), and at the bottom the "lowest grade of folk" (*Sudda / Shudra*). The final dimension of this "Buddhist myth of genesis" concerns the role of the *bhikku* (the Buddhist monk).[13] The *bhikku*, who could be drawn from any of the four *vannas*, is the follower of the *dhamma* (*dharma*) who withdraws from the materialism of worldly society in search of liberation from the *karmic* cycle of rebirth and seeks ascent to the state of transcendence or *nibbana* (*nirvana*).

In this scheme of worldly order, then, it is the institution of kingship that provides order and regulation under

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[11] Tambiah (1976): p.13. Tambiah's careful framing of the concept, counterbalancing the metaphor of contract with the prescriptive attributes of the person of the *Mahasammata*, should be underscored. The interpretation of the *Mahasammata* myth as a Buddhist theory of 'social contract' is a matter of some scholarly dispute. Suffice it to call attention here to the potential contradiction that is raised within Buddhist 'political philosophy' between any reading seeking to give a social-contractual gloss to the *Mahasammata* myth, and the fundamentally non-contractual, top-down hierarchical, virtually non-reciprocal, and cosmologically ordained model of sovereign authority that is embodied in the Asokan Persona (discussed below). See Roberts (1994): pp.70-71; J.S. Strong (1983) ***The Legend of King Asoka*** (Princeton: Princeton UP); A. Huxley, '*The Buddha and the Social Contract*' (1996) ***Journal of Indian Philosophy*** 24(4): pp.406-420; Collins (1996); Collins & Huxley (1996).
[12] See S. Collins, '*The Discourse on What is Primary (Agganna Sutta): An Annotated Translation*' (1993) ***Journal of Indian Philosophy*** 21(4): pp.301-393.
[13] Tambiah (1976): p.14.

which society develops structured according to the four *vannas*, rendering the Buddhist conception of the state fundamentally monarchical.[14] As Tambiah observes, "society and its gradations develop under the umbrella of kingship, which provides the shade of law and order."[15] The metaphor of the umbrella (or parasol / canopy) is important and is frequently invoked in later Buddhist texts such as the *Mahavamsa*. It is a metaphor for not only the nature of kingly authority, but also the notions of encompassment and hierarchy that inform the structure of the Buddhist polity and state.[16] But the monarchy does not enjoy a position of exclusive superiority in this scheme, for while the *bhikku* and the king are the "two central personages" in the temporal polity, "the former is superior, 'the chief of them all.'"[17] Tambiah describes the

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[14] B.G. Gokhale, '*Early Buddhist Kingship*' (1966) **Journal of Asian Studies** 26(1): pp.15-22; B.G. Gokhale, '*The Early Buddhist View of the State*' (1969) **Journal of Asian Studies** 89(4): pp.731-738; see also B.G. Gokhale, 'Dhammiko Dhammaraja*: A Study in Buddhist Constitutional Concepts*' (1953) **Indica**: Silver Jubilee Commemoration Volume (Bombay: Indian Historical Research Institute); U.N. Ghoshal (1959) **A History of Indian Political Ideas** (Bombay: OUP); B.G. Gokhale (1966) **Asoka Maurya** (New York: Twayne Publishers).

[15] Tambiah (1976): p.14.

[16] Two examples from two different historical periods, one illustrating this metaphor through an act of military force, and the other through the propagation of Buddhism, serves to show its importance in Sinhala historiography. The Sagama rock inscription of 1380, in describing how the guardian deity of the island enabled the war victory of King Bhuveneka Bahu V against Aryacakravarti of Jaffnapatnam, invokes this metaphor in the following terms: "thus with divine favour made Lamka [*sic*] [subject to the authority of] one umbrella and caused everything to prosper": J.C. Holt (1991) **Buddha in the Crown: Avalokiteswara in the Buddhist Traditions of Sri Lanka** (New York: OUP): p.103. Kirti Sri Rajasinha, a Kandyan king, was known for his munificent patronage of Buddhism, including visits and benefactions to the sixteen sites on the island the Buddha is believed to have visited. As Roberts observes: "In highlighting the sacred topography of the island in these striking acts, this king was informed by the ideas embedded in the *vamsa* traditions, in particular the *Dhammadipa* and *Sihaladipa* concepts. He was thus affirming the unity of Lanka under his parasol": M. Roberts (2004) **Sinhala Consciousness in the Kandyan Period: 1590s to 1815** (Colombo: Vijitha Yapa): p.67.

[17] Tambiah (1976): p.15.

507

relationship between king and monk as set out in the *Agganna Sutta* in the following way:

> "The king is the mediator between social disorder and social order; the *bhikkhu* is the mediator…between a state of fetters and a free state of deliverance. The king is the fountainhead of society; the *bhikkhu* is of that society and transcends it."[18]

Through this "unqualified supremacy of the moral law over governmental affairs," the Buddhist conception of political order presents a "theory of politics that is ethically comprehensive." [19] Against Max Weber's argument that ancient Buddhism was "a specifically unpolitical and anti-political status religion,"[20] therefore, it must be stressed that from the beginning Buddhist doctrine was concerned with collective social, political and moral regulation, and that its totalising articulation of the cosmos clearly went beyond a soteriological concern with the liberation of the individual from the *karmic* cycle to incorporate all of worldly existence within its cosmological framework.[21]

In the *Cakkavatti Sihanada Sutta* and the *Anguttara Nikaya*, the principles of righteous kingship (*rajadhamma*) are developed according to this "universalistic assertion" that the *dhamma* – as cosmic law and as truth embodied in the Buddha's teachings – is the "absolutely encompassing norm and that the code of kingship embodying righteousness (dharma) has its source in this dharma and is ideally a concrete manifestation of it in the conduct of worldly affairs."[22] Thus it is a "hierarchical symbiotic

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[18] Ibid.
[19] Ibid: pp.32, 33.
[20] M. Weber (1967) *The Religion of India: The Sociology of Hinduism and Buddhism* (Trans. H.H. Gerth & D. Martindale) (Glencoe, Ill.: The Free Press): pp.206-7; see also Tambiah (1976): pp.47, 123-124; Seneviratne (1999): Ch.1.
[21] Tambiah (1976): p.35.
[22] Ibid: p.40.

relationship in which the *dhamma* of the Buddha encompasses the king and informs the practices of kingship" and the socio-political realm is "given form through the conduct of the righteous ruler, with *dhamma* suffusing the entire social order."[23] This is the ideal of *dhammiko dhammaraja*, the Righteous Ruler.[24]

In the actualisation in the material world of this model of order, "the early Buddhist disciples had to utilise existing symbols, among them those associated with the *cackravarti*, a pre-Buddhist figure."[25] This worked in two ways: clothing the Buddha in the motifs associated with the *cakkavatti*,[26] and adorning the institution of the *cakkavatti* itself with "rich metaphors of power and omnicompetence" infused with the *dhamma*. [27] The Buddha, having achieved *nirvana*, was unavailable to intercede either as lawgiver or provider of spiritual succour in worldly life, and thus it was that "a *cakravarti* and a phalanx of gods" became incorporated into Buddhist practice in his place.[28] In the Buddha's absence, the Buddhist scheme "raised up the magnificent *cakkavatti* world ruler as the sovereign regulator and ground of society [*sic*]."[29]

The model *cakkavatti* in the Theravada Buddhist traditions of South and Southeast Asia, and certainly in Sinhala-

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[23] De Silva Wijeyeratne (2007): p.160.

[24] Gokhale (1966): pp.90-91.

[25] Roberts (1994): p.59. *Cakravarti* (Sanskrit) or *Cakkavatti* (Pali) translates as the Universal Emperor: ibid, p.58.

[26] F. Reynolds, '*The Two Wheels of the Dhamma*' in G. Obeyesekere, F. Reynolds & B.L. Smith (Eds.) (1972) **The Two Wheels of the Dhamma: Essays on the Theravada Tradition in India and Ceylon** (Chambersburg, Pa.: American Academy of Religion): pp.12-17; S.J. Tambiah, '*The Buddhist Conception of Kingship and its Historical Manifestations: A Reply to Spiro*' (1978) **Journal of Asian Studies** 48: pp.803-4.

[27] Roberts (1994): p.60

[28] Ibid: p.59.

[29] Tambiah (1976): p.52; Gokhale (1966): pp.16-18; Inden (1990): p.229 et seq.; Roberts (1994) p.60; De Silva Wijeyeratne (2007): pp.160-161.

Buddhist historiography, is embodied in the person, reign and empire of the Maurya king, Asoka (274-232 B.C.).[30] Frank Reynolds has observed how the subsequent history of Buddhism, and it might be added, of the Buddhist kingly state form, "can only be understood by taking into account the ethos created by the simultaneous veneration of the two careers" of the Buddha and Asoka.[31] The "fabulous, myth-laden history"[32] that was constructed around Asoka by subsequent generations in the Theravada Buddhist polities extends from empirical narratives of his territorial conquests, monumental architecture, charitable acts and Buddhist missionary zeal, to specific normative derivations that prescribe how an ideal Buddhist state should function. The practices, symbols, rituals, and the normative and corporeal organisation of Asoka's empire, together forming the basis of the dominant *cakkavatti* model that was followed by subsequent Theravada polities, have been extensively theorised in the literature as the 'Asokan Persona' (and cognate expressions), and I rely here on the analytical constructs of Tambiah and Michael Roberts in particular.[33] To the extent that the constituent elements of the holistic, totalising and universalist nature of the Asokan paradigm of kingship can be separated, what concerns us specifically is one dimension of this ideal-type: *viz.*, the territorial and socio-political norms that cohered the Asokan polity together.

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[30] Tambiah (1976): Ch.5; see also R. Thapar (1961) *Asoka and the Decline of the Mauryas* (London: OUP); S. Dutt (1962) *Buddhist Monks and Monasteries of India: Their History and Their Contribution to Indian Culture* (London: Allen & Unwin).

[31] Reynolds (1972): pp.28-30.

[32] Roberts (1994): p.60.

[33] Tambiah (1976): Ch.5; Roberts (1994): Ch.3. For a sceptical view of Roberts' 1994 conceptualisation of the Asokan Persona, see A. Guneratne, '*Review Article*' (1998) *American Ethnologist* 25(3): pp.527-528. Guneratne argues that Roberts' "concept of the Asokan persona might be compared to describing contemporary French nationalism in terms of the ideology of Vercingetorix." Whatever the weaknesses of Roberts' argument, the criticism that he "effectively implies that an essentialised 'Sinhala culture' has changed little over the centuries" is not among them.

Based on Kautilya's *Arthashastra* and Asoka's rock inscriptions (the Pillar Edicts), in an early view, Romila Thapar argued that, "The Mauryan centralised monarchy became a paternal despotism under Asoka."[34] Tambiah emphatically rejects the idea that Asoka's "vast non-federal centralised empire" could be understood in terms of a tightly centralised unitary state.[35] His argument is that such a view is a "misreading [of Asoka's] rhetoric" as represented in the Pillar Edicts, which "at best suggest a ritual hegemony rather than actual political control as understood by modern political scientists."[36] Tambiah's contraposition is critically important:

> "Perhaps a plausible characterisation of the Asokan polity (held together by the ideology of the dharma) would be that at its apex was a king of kings subsuming in superior ritual and even fiscal relation a vast collection of local principalities…Such a political edifice was not so much a bureaucratised centralised imperial monarchy as a kind of galaxy-type structure with lesser political replicas revolving around the central entity and in perpetual motion of fission or incorporation. Indeed, it is clear that this is what the…*cakkavatti* model represented: that a king as a wheel rolling world ruler by definition required lesser kings under him which in turn encompassed still lesser rulers, that the raja of rajas was more a presiding apical ordinator than a totalitarian authority between whom and the people nothing intervened except his own agencies and agents of control."[37]

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[34] Thapar (1961): p.95. The evidence for this view is summarised in Tambiah (1976): p.70.

[35] Tambiah (1976): p.70.

[36] Ibid. The notion of 'ritual hegemony' should be underscored, for it foreshadows a major constitutional concept of the pre-colonial state which will be discussed in detail below.

[37] Ibid. See also p.258.

511

The subsequent scholarly consensus thus seems to be that the Asokan Empire (and subsequent Buddhist polities modelled after it), while centripetalising in intent, functioned in practice as a decentralised system of delegated authority along galactic lines.[38] Roberts follows Tambiah (and Thapar) in contending that "…the ideational tilt towards omnicompetence and encompassing righteousness was occasioned by the sprawling nature of the Asokan empire and its inherently fissiparous tendency." [39] He agrees too that the 'conceptual glue' of centralisation was Buddhism: "Outgoing Asokan Buddhism was not only a pacification policy, it was an ideological cement and a validation of the monarchical state."[40]

But there is a key difference between the positions of Tambiah and Roberts in relation to the form of state that Tambiah conceptualised as the 'galactic polity,' which surfaces in relation to their different understandings of centralisation within the framework of the Asokan Persona. At the theoretical level, Roberts' conceptualisation of the Asokan Persona contains a degree of emphasis on the "centripetalising force of ritual" that is less prominent in Tambiah's theory, wherein Roberts' idea of 'polytheistic centripetality' in relation to the performative role of ritualistic practice provides a necessary explanatory thesis as to how, in the context of their pulsating and fissiparous qualities, such polities were held together.[41]

Roberts draws on Buddhist doctrine as well as ethnographies of ritual practices in critically extending A.M. Hocart's theory about the 'condensation' of human settlements around a 'centre of ritual,' in which Hocart

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[38] De Silva Wijeyeratne (2007): p.169; Inden (1990): p.229.
[39] Roberts (1994): p.62; Tambiah (1976): pp.60-63. See also Thapar (1961): pp.114-45; Inden (1990): Ch.6; Holt (1991): Ch.7.
[40] Roberts (1994): p.62; De Silva Wijeyeratne endorses the notion of Buddhism as 'social glue': De Silva Wijeyeratne (2007): p.161; see also Ghoshal (1959): p.69; Reynolds (1972): p.28.
[41] Roberts (1994): p.62.

saw the origin of urban centres and state organisation in traditional societies.[42] Hocart highlighted those rituals which reflected, in Roberts' words, "an ethical bias or spirit of moral imperialism" and observed that, "In these ethical rites the particular is completely swallowed up in the general, and in consequence they are the most centralised. The god is everything."[43] This monotheism explains the tendency to centralisation: "The god is everything, and so these cults are monotheistic or pantheistic; there is no room for subordinate deities. The king is consequently the repository of all power."[44] Roberts rightly disagrees with Hocart's monotheistic taxonomy for there was no concept of a single god in the Indic pantheon. But utilising Hocart's insight into the centralising function of worship and ritual, Roberts draws on the concept of *varam* (the Buddha's warrant of delegated authority to different gods in different ways) to develop the idea of 'polytheistic centripetalism', which he defines as, "the worship of several gods, each with its specific attributes and domains [i.e., as determined by the specific *varam* granted by the Buddha], who are subsumed within a scheme which subjects them to a single head [i.e., the Buddha]."[45] Roberts draws on a number of ethnographical studies in illustrating his argument that,

> "The fissiparous potentialities of subdivided specialisms and delegated authority within such a [polytheistic] structure are counteracted by the holistic framework within which it is understood, by the attributes of the Buddha, and by the principles and mechanisms which provide the pantheon with a unity of structure."[46]

We need not here rehearse his ethnographic evidence, except to reiterate the significance of the concept of *varam*

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[42] A.M. Hocart (1970) *Kings and Councillors* (Ed. & Intr. R. Needham / orig. pub. 1936) (Chicago: Chicago UP): p.251.
[43] Ibid: p.82.
[44] Ibid.
[45] Roberts (1994): p.62; see also Inden (1990): pp.228, 240.
[46] Ibid: pp.62-63.

within the Buddhist pantheon and therefore of the Buddhist conception of political order.[47] In this pantheon, the Buddha occupies an apical, presiding position, and then in a descending hierarchy of rank are a number of deities, with the demons at the base.[48] The character, domain, rank and powers of these deities and demons are ordained by the Buddha's *varam*, which is a warrant of delegated authority.[49] All power emanates from the Buddha, and as such the terms of the *varam* could also be changed unilaterally, entrenching the logic of hierarchy. In Gananath Obeyesekere's words, "authority thus

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[47] Roberts relies *inter alia* on the following works: G. Obeyesekere, '*The Great Tradition and the Little in the Perspectives of Sinhalese Buddhism*' (1963) ***Journal of Asian Studies*** 22(2): pp.139-153; B. Kapferer (1988) ***Legends of People, Myths of State: Violence, Intolerance and Political Culture in Sri Lanka and Australia*** (Washington DC: Smithsonian Institution Press); Reynolds (1972); Inden (1990); and Holt (1991). See Roberts (1994): pp.63, 64.

[48] The very nature of the principle of encompassment in the Buddhist cosmic order renders it inclusive, in which "the encompassing principles defined by the Buddha and the demonic are engaged in dynamic tension": Kapferer (1988): p.11; see also p.165. In the context of cosmology determining the norms of political order, the notion that the "encompassing principle of the Buddha ensures that the gods always triumph, as the demonic is *ultimately encompassed but never excluded*" (De Silva Wijeyeratne (2007): p.163, emphasis added) has clear implications for the structure of centre-periphery relations in galactic polities. As Kapferer argues, "nation and state have a particular significance in Sinhalese Buddhist hierarchical conception. The nation is encompassed by the state symbolised in the kingship. These in turn are encompassed by the Buddhist religion or the Triple Gem (Buddha, dharma, sangha). *In this unity of the whole is the integrity of the parts*. Thus the nation or the people who compose a hierarchically interrelated social order discover their unity in the power of the state, which is enabled in its unifying power by its subordination to the Buddha": ibid, p.12, emphasis added. The suggestion of a model of 'unity in diversity' in the highlighted sentence should not mislead us into underestimating the force of the encompassing and hierarchising dynamics in this worldview. These norms are part of the ontology of the state reflected in modern Sinhala-Buddhist nationalism. See U. Gammanpila, '*The Constitutional Form of the First Republic: The Sinhala-Buddhist Perspective*' in A. Welikala (Ed.) (2012) ***The Sri Lankan Republic at 40: Reflections on Constitutional History, Theory and Practice*** (Colombo: CPA): Ch.23. See also Tambiah (1992): p.176.

[49] For a definition of *varam*, see also Roberts (2004): pp.xx.

branches outward from the apex of the pantheon and converges once again at the top."[50] Through what James Duncan calls the "magical power of parallelism" then, this cosmic model of encompassing and hierarchical authority was mirrored in the material world by the *cakkavatti*, as exemplified in the Asokan Persona.[51] In addition to the encompassing force of Buddhism *qua* common religion, therefore, the territorial coherence of these polities was secured through a conception of sovereignty embodied, by virtue of cosmic ordination, in the majestic figure of the *cakkavatti*, whose location at the apex of the fundamentally hierarchical social and political order was performatively reinforced, in in both everyday and more formal ritualistic practices, continuously.

As will become apparent in the discussion on the Kandyan kingdom later, this difference between Tambiah and Roberts assumes a distinctly sharper complexion in their respective applications of the galactic model to the political and historical actualities of the pre-colonial state in Sri Lanka. But before that, it is necessary to set out the idea of the galactic polity, the dominant theoretical model which seeks to explain the politico-constitutional form of the Theravada Buddhist state, as informed by the religio-political normativity just discussed.

The Galactic Polity and the *Mandala*: Between 'Hierarchical Encompassment' and 'Fissiparous Potentiality'

Stanley Tambiah's seminal theoretical construct, the galactic polity, is the means by which we understand how the grand cosmologically ordained conception of righteous kingship in Buddhist doctrine was implemented and realised in the Theravada Buddhist polities. [52]

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[50] Obeyesekere (1963): p.145.
[51] Duncan (1990): p.49.
[52] Tambiah (1976): Ch.7.

Tambiah's construct is inspired by a pre-existing concept of the Indo-Tibetan tradition, the *mandala*, which is composed of two elements: "a core (*manda*) and a container or enclosing element (-*la*)."[53] As Giuseppe Tucci has described it, in its simplest form as a quinary geometrical grouping, the *mandala* is "divided into five sections, while on four sides of a central image, or symbol, are disposed, at each of the cardinal points, four other images or symbols."[54] It was an ubiquitous aesthetic form in Hindu-Buddhist Asian cultures, informing textile designs to architectural arrangements, and infused with cosmological principles, as a topographical model of political form for the organisation of states. In this last respect, providing the rubric for the arrangement of "a centre and its satellites," the *mandala* pattern is used,

> "in multiple contexts to describe for example: the structure of the pantheon of gods; the deployment spatially of a capital region and its provinces; the arrangement socially of a ruler, princes, nobles, and their respective retinues; and the devolution of graduated power on a scale of decreasing autonomies."[55]

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[53] Ibid: p.102.

[54] G. Tucci (1971) **The Theory and Practice of the Mandala** (London: Rider & Co.): p.49, cited in Tambiah (1976): p.102.

[55] S.J. Tambiah (1985) *Culture, Thought, and Social Action: An Anthropological Perspective* (Cambridge, Mass.: Harvard UP): p.258. A general point might be raised here about the use by anthropologists and historians of such terms as 'autonomy' and 'devolution,' which are clearly employed in more broader and generic senses than the narrower and relatively exact way in which lawyers more inclined towards textual positivism would understand or use them. A good example is the last sentence in Tambiah's quote above. In using the term 'devolution,' implying a transfer of power away from a centre towards the periphery, the idea that Tambiah is trying to convey is a scale of 'increasing' rather than 'decreasing' autonomies. Other examples in related literature include the way in which Tambiah and de Silva Wijeyeratne (himself a lawyer) have attempted to link their pluralistic and devolutionary conceptions of the galactic polity, to federalism in contemporary Sri Lankan constitutional debates concerning the accommodation of ethnic pluralism. See S.J. Tambiah, '*Urban Riots and Cricket in South Asia: A Postscript to 'Levelling*

As we have seen, in the Buddhist scheme the institution of the *cakkavatti*, as the propagator of the *dhamma* and sovereign regulator, functions as the link between the cosmic heavens and "this world of humans."[56] Extending this further, Tambiah argues that the Buddhist polity was modelled "on the basis of parallelism between the suprahuman macrocosmos and the human microcosmos."[57] In this way, "The kingdom was a miniature representation of the cosmos, with the palace at the centre being iconic of Mount Meru, the pillar of the universe, and the king, his princes, and ruling chiefs representing the hierarchy" of the pantheon of gods.[58] This mirroring of the cosmos by *mandala*-type states occasioned a particular topographical form for such states, in which power radiated in "a scheme of activation from the centre to the periphery in successive waves."[59]

Crowds" (2005) ***Modern Asian Studies*** 39(4): pp.897-927 at p.927; de Silva Wijeyeratne (2007): p.173. In the way constitutional theorists and practitioners would understand federalism – as "ideological position, philosophical statement [or] empirical fact" (*vide* M. Burgess, '*Federalism and Federation: A Reappraisal*' in M. Burgess & A-G. Gagnon (1993) ***Comparative Federalism and Federation: Competing Traditions and Future Directions*** (London: Harvester Wheatsheaf): Ch.1 at pp.7-8) – such a link as Tambiah and de Silva Wijeyeratne seek to draw would require a substantial leap of conceptual faith. For different reasons, Roberts too has criticised the manner of usage of some of these terms by his fellow historians / anthropologists: Roberts (2004): pp.64, 74 (see below). That said, as Alan Strathern's response to Roberts demonstrates (see below), except in clear cases where loose usages result in misleading or erroneous perceptions – such as in the example above in which an intuition of similarity between the galactic polity and federalism as devolutionary models of polity /constitutional form have led to superficially made arguments that the pre-modern existence of one should inevitably lead to the adoption of the other in the present – there is no reason to disparage the broad use of terminology *per se*, simply because it offends legal positivist sensibilities.
[56] Tambiah (1976): p.108.
[57] Ibid: p.109.
[58] Ibid.
[59] Ibid: p.111.

Such a cosmo-topographical approach to state form has certain implications for conceptions of territory and jurisdiction; implications which assume even greater significance by the apparent distance between them and modernist understandings of such concepts within the paradigm of a unitary nation-state. The fulcrum of the geometric design underlying *mandala*-states is the capital, the location of the *cakkavatti* court, which Tambiah describes as "centre-oriented space (as opposed to bounded space)." [60] This implies that the exemplary importance in prestige accorded to the centre was not, as in the modern logic of the unitary state, synonymous in practical terms with territorial or jurisdictional control over the peripheries: "This concept of territory as a variable sphere of influence that diminishes as royal power radiates from a centre is integral to the characterisation of the traditional polity as a *mandala* composed of concentric circles."[61]

Typically, there were three such concentric circles, representing centre-periphery relations, although there could be more in larger polities. As already noted, at the centre was the *cakkavatti* (ruling the capital region directly); then the polities of lesser princes or governors, and in the outer circle were "more or less independent 'tributary' polities." [62] The capital itself was physically ordered according to the *mandala* arrangement, with the royal palace at the centre; and so was each polity in each undulating concentric circle, so that despite differences in size, power and prestige, the lesser unit was a "reproduction and imitation" of the larger.[63] Relations

[60] Ibid: p.112; Duncan (1990).
[61] Ibid.
[62] Ibid. De Silva Wijeyeratne refers to this as 'semi-periphery' and 'periphery': De Silva Wijeyeratne (2007): p.170. In a Marxist sociological analysis of the 'Kandyan social formation,' Newton Gunasinghe seems to have the same distinction in mind when he speaks of 'core-land' and 'peripheral area': N. Gunasinghe (1990) *Changing Socio-economic Relations in the Kandyan Countryside* (Colombo: SSA): pp.33-35; see also Roberts (2004): p.40, n.3.
[63] Tambiah (1976): p.113; Duncan (1990); De Silva Wijeyeratne (2007): pp.166-172.

between the units within a *mandala*-type state, and indeed between neighbouring polities organised in a similar way, were constantly changing according to vagaries of political and economic power and battlefield fortunes.[64] Tambiah portrays a vivid image of this type of polity:

> "Thus we have before us a galactic picture of a central planet surrounded by differentiated satellites, which are more or less 'autonomous' entities held in orbit and within the sphere of influence of the centre. Now if we introduce at the margin other similar competing central principalities and their satellites, we shall be able to appreciate the logic of a system that is a hierarchy of central points continually subject to the dynamics of pulsation and changing spheres of influence."[65]

These frequently "expanding and shrinking" [66] organisational arrangements (it seems too much of a positivist imposition to describe it in terms of a static 'institutional architecture') and the 'pulsating' process of intra-state and inter-state political relations they framed, mirrors the Buddhist cosmological ethos of constant and perpetual movement between order, fragmentation and reordering. In Ronald Inden's more recent work, this picture is affirmed when he observes that these polities comprised of "continually reconstructed and reconstructing agents with both dispersed and unitary moments."[67] In mundane terms, within the possibilities and constraints of everyday politics, different rulers within these systems made different uses of their 'potentialities': "The galactic polity was no effective cybernetic system; it lacked finely fashioned regulative and feedback mechanisms that produced homeostasis and balance."[68]

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[64] Tambiah (1976): pp.121-131.
[65] Ibid: p.113.
[66] Ibid: p.112.
[67] Inden (1990): p.138 and Ch.6, also p.267.
[68] Tambiah (1976): p.123.

The question then arises as to how these systems – representing "a galactic constellation rather than a bureaucratic hierarchy [administering a strictly bounded territory]"[69] – of multiple 'centre-oriented spaces' with an increasing scale of autonomy corresponding to physical and spatial distance from the centre, managed to hold the whole together. While it seems to follow from a modernist understanding of territorial jurisdiction that the absence, *inter alia*, of a Weberian bureaucratic structure facilitated increasing spatial autonomy at the peripheries, it should be recalled that these polities were fundamentally centre-oriented and hierarchical in their conceptions of both symbolic prestige and *realpolitik* authority, as underscored in the discussion on the Asokan Persona above. De Silva Wijeyeratne reminds us of not only the centrality of hierarchical encompassment to this state form, but also how in the Sri Lankan context, they have transuded into the modern politics of pluralism:

> "This cosmology constitutes an ontological horizon that gives meaning to a multiplicity of Sinhalese Buddhist practices, including the discursive realms of modern Sinhalese Buddhist nationalism, as well as a defence of a highly centralised state structure that leaves little room for regional autonomy."[70]

The several means that comprised the centripetal dynamic offsetting the devolutionary and fissiparous nature of these polities included the Buddhist-Asokan paradigm of kingship, with its totalising cosmological framework ordaining the natural order of being.[71] The

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[69] Ibid: p.114.
[70] De Silva Wijeyeratne (2007): p.163.
[71] In addition to the enmeshed symbiosis, rather than separation of, religion and politics discussed before, there was also no attenuation of monarchical authority through a separation of powers or through a 'feudal' distribution of functions involving a framework of reciprocal rights and privileges that constrained the omnipotence of the king. In this regard, Roberts argues that the application of feudalist categories

key idea here was that "the centre represents the totality and embodies the unity of the whole" and in this context, a major feature of the galactic polity was "the nesting pattern whereby lower-order centres and entities are progressively contained and encompassed by the higher-order centres or entities."[72] Roberts would concur:

> "Empires or polities informed by such a cosmology, therefore, involved machineries of administration or overlordship which were not merely pulsating in the spatial sense clarified by Tambiah's picture of galactic polities, but involved a scale of forms with overlapping hierarchies and jurisdictions."[73]

These norms were actualised in an elaborate framework of rituals and symbols, and encompassed the polity with the sovereign aura of the kingly centre while reinforcing the hierarchical scheme of representation within the cosmic and social order of not only human beings, but also gods up above and demons down below. In pre-British Sri Lanka, "The myriad forms of obsequiousness that marked the Sinhalese Buddhist social order were…replete in the spatial organisation of the Sinhalese Buddhist polities." [74] Conceptions of sovereignty, collective identity and political order are therefore difficult to understand without an appreciation of the pivotal role of ritual in the social life of these polities. As noted at some length above, this is where Roberts' 'polytheistic centripetality' of the Asokan Persona, and Obeyesekere's observation about convergence in the Sinhala-Buddhist pantheon prove particularly relevant.[75] We can obtain a sense of what this all meant in actual terms by considering how these norms and models were reflected in the politico-constitutional arrangements and

to the Sinhala-Buddhist kingdoms is fundamentally misplaced. We will return to these issues in greater detail in the following section.
[72] Tambiah (1976): p.114.
[73] Roberts (1994): p.64.
[74] De Silva Wijeyeratne (2007): p.168.
[75] See also Roberts (2004): pp.60-63, esp. p.62.

ritualised administrative practices of the Kandyan Kingdom.

The State and Polity in the Kandyan Kingdom

The origins of the Kingdom of Kandy lie in the complex politics of late fifteenth century Sri Lanka involving the Sinhalese kingdoms of Kotte and Sitavaka and the Portuguese.[76] Having emerged as a satellite of Kotte, it allied with Kotte and the Portuguese during the ascendency of Sitavaka in the middle of that century, with the result that it was for a time annexed by Sitavaka and ceased to exist between 1581 and 1591. Following the sudden decline of Sitavaka in the 1590s, and the failure of the Portuguese to establish a client regime in Kandy, the Kingdom of Kandy emerged under Vimaladharmasuriya I (c.1591-1604) as "the only Sinhala state and heirs to the idea of *Sinhalē*" on the island.[77] Located on the Kandy plateau of the central highlands, in the city known as Senkadagala or Mahanuvara in Sinhalese, it remained an independent state throughout the latter Portuguese (1591-1658), the whole of the Dutch (1658-1796), and the early British (1796-1815) periods in which these European powers controlled the maritime provinces of Ceylon. In consequence of a palace coup by Kandyan nobles against the last King of Kandy, Sri Wickrama Rajasinha (1798-1815), in which the First Adigar,[78] Ehelepola, played the

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[76] While throughout this chapter, I use the English word 'Kandy,' it should be noted that in the historical period under discussion and indeed thereafter, both the city and the kingdom were/are known in Sinhalese by a multiplicity of other names. Kandy is an Anglicisation of the Portuguese 'Candea', itself deriving from the Sinhalese *Kanda Uda Rata* (literally, 'the country on the hill' or 'Up Country'), denoting one of the Sinhalese terms for the Sinhala kingdom located in the central highlands of the island. *Pāta Rata* (literally, 'Low Country') denotes the coastal areas outside the *Kanda Uda Rata*. For a comprehensive taxonomy of Sinhalese designations of the island *qua* Sinhala kingdom, see Roberts (2004): pp.58-59.

[77] Roberts (2004): p.40.

[78] The office of adigar (*adhikarama* in Sinhala) was the designation of the two senior ministers in the Kandyan state. The two senior nobles

prominent role, the British succeeded where others had failed in finally deposing the Kandyan monarchy in March 1815.[79] The territory of the last Sinhala kingdom was ceded to the British Crown by the treaty known as the Kandyan Convention of 1815 between Sir Robert Brownrigg and the senior Kandyan *disavas*.[80]

The principles of the *mandala*-state introduced earlier are reflected with striking propinquity in the politico-spatial organisation of the Kandyan kingdom in the late eighteenth century.[81] It will be recalled that the basic form of the *mandala*-state was the arrangement of a centre with its peripheries. In the Kandyan kingdom, the "apical power centre constituted by the Tooth Relic-King-Sangha"[82] was located in the capital, with its surrounding nine divisions (*kanda uda pas rata*) branching out into the valleys around the Kandy plateau.[83] This, according to

served as first and second adigars in the King's Council of Ministers (*amathya mandalaya*): L.S. Dewaraja (1972) *The Kandyan Kingdom of Ceylon, 1707-1760* (Colombo: Lake House): Ch.VIII; K.M. de Silva (2005) *A History of Sri Lanka* (Colombo: Vijitha Yapa): p.198, n.2.

[79] See also Roberts (2004): pp.48-54.

[80] See generally, K.M. de Silva (2005): Ch.18; C.R. de Silva (1987) *Sri Lanka: A History* (New Delhi: Vikas): Ch.12.

[81] Duncan (1990): pp.154-180.

[82] Roberts (2004): p.40. The spiritual significance of the Temple of the Tooth, containing the Buddha's tooth relic, cannot be overstated in the Sinhalese Buddhist world. Its central role in the Kandyan state is reflected in the ritual practices associated with kingship such as the coronation rites and the *perahera*. John Holt has noted the "conflation of the roles of bodhisattvas [i.e., the Buddha-to-be in his present incarnation], kings and gods vis-à-vis the *dhamma* in Theravada tradition" in such a way as to make "the interests of the gods and royalty…become thoroughly entwined": Holt (1991): pp.61, 111. More generally in relation to the importance of the temple in Buddhist life, Holt has demonstrated how the temple is "a genuinely *situating* experience" for the Buddhist devotee, and how the murals and paintings of temple image houses are a "visual liturgy": Holt (1991): p.20. See also H.D. Evers (1972) *Monks, Priests and Peasants* (Leiden: E.J. Brill): pp.65-68.

[83] As Lorna Dewaraja has established, in the administrative system of the Kandyan system there were two kinds of territorial divisions: *ratas* and *disavanies*. By the eighteenth century, the area known as *kanda uda pas rata* comprised of nine *ratas* (originally five as the name

Roberts, was the "'agrarian heartland' and political core of the Kandyan state," and the "spatial location of the hegemonic centre." [84] Reiterating the undulating concentric circles of the galactic polity, Roberts observes how the periphery in the Kandyan scheme could be differentiated according to an inner and outer periphery.[85] In a remark that assumes significance in the discussion to follow, Roberts notes that, "To the degree that the state of *Sinhalē* embraced the whole island in the conceptions of Sinhalese of that era, the *pāta rata*, or Low Country, can also be placed within the 'outer periphery'."[86] As we know, during the Kandyan period, these areas were substantially under the control of the European powers. Thus, notwithstanding the absence of strict territorial or jurisdictional control understood in modern positivist terms, ideationally the notion of *Sinhalē* as *cakkavatti* kingship encompassed the whole island in the view of the Sinhalese in Roberts' argument.

Lorna Dewaraja's extensive empirical work has described how the administrative structure of the Kandyan kingdom was organised and functioned.[87] According to

denotes) on the plateau and in close proximity to the royal city. With the exception of two, Valapane and Udapalata, which lay in the mountains, all the other *disavanies* lay in the territories and valleys sloping down from the Kandy plateau to the littoral fringes of the island. They were, namely, the Hatara Korale, Hat Korale, Uva, Matale, Sabaragamuva, Tun Korale, Nuvarakalaviya, Vellassa, Bintenna and Tamankaduva. Of these, the first four, lying in the mountainous areas adjacent to the capital territory and constituting the inner periphery, were designated as *maha* or greater disavanies. The rest were styled *sulu* or lesser disavanies. Dewaraja points to evidence that in the mid-eighteenth century, there were a further number of *sulu disavas* in Puttalama, Munnessarama, Panama, Tambalagamuva, Madakalapuva (Batticaloa), and Kottiyarama (Trincomalee). It is significant that the last three of these are in what is the present-day (post-British) Eastern Province, which is part of the territory claimed by Tamil nationalists as a traditional homeland. Dewaraja (1972): p.168.

[84] Roberts (2004): p.40.
[85] See also Gunasinghe (1990): pp.33-35; De Silva Wijeyeratne (2007): p.170.
[86] Roberts (2004): p.40.
[87] Dewaraja (1972): Chs. VIII and IX.

her, this system was animated by the two basic features of the theoretically absolute monarchy, upon which the entire political and social order was founded, and a "bureaucratic nobility" appointed by the monarch. Entrance to and gradations within this administrative aristocracy was rigidly determined by the "unwritten yet inexorable laws of caste."[88] Indeed, the political economy of the Kandyan society that this structure administered was wholly based on a caste system. A caste-based tenurial system regulated economic production and exchange, and the institution of *rajakariya* provided a form of corvée labour for the state and the aristocracy.[89]

There are several aspects of this administrative structure that should be underlined for our purposes. Firstly, within the central government as well as between it and the provincial authorities, powers and duties appear to have been allocated functionally, but ambiguously and imprecisely: "In effect this meant that in several of the regions of the heartland, if not everywhere, there was crosshatching of administrative and judicial claims/powers." [90] Secondly, this imprecision in institutional boundaries both facilitated and was the consequence of the absence of a separation of powers, both in relation to the types of power, and the functionaries and institutions exercising power. Epitomised in the king, and at both central and provincial levels thus, the same official would exercise executive, legislative and judicial powers. Flowing from this, thirdly, is the nature of the absolutism that characterised political and social power in the Kandyan kingdom, which also relates to a broader historical debate about the propriety of classifying Kandy (and predecessor Sinhala states) as a feudal society. Since this debate engages questions of hierarchical order and the kinds of ritual practices that actualised this order in political and social life, it would be

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[88] Ibid: p.150.
[89] Roberts (2004): pp.40-41.
[90] Ibid: p.41.

useful to briefly recapitulate the main views in this debate by way of concluding these preliminary remarks.

The concept of feudalism has been used extensively in describing the pre-colonial state from ancient Anuradhapura to the early modern Kandyan kingdom in contemporary historical scholarship. This is a result, as Roberts notes, of a tendency to emphasise the "political fragmentation" of the pre-British polities. From a positivist retrospective position, modern historians have tended to regard the pre-British state as characterised by substantial decentralisation, due to such factors as weak central authority, communications and transport infrastructure. Added to this was the dominant economic model of production based on "an obligation of service as a condition of holding land."[91] Resonating with the historiography of European feudalism, these two factors are the principal grounds of the feudalist interpretation of the pre-British polity, although as K.M. de Silva has pointed out, the vital difference between these two contexts was that in Sri Lanka, the nature of the relationship between 'lord and vassal' was conditioned fundamentally by the caste system.[92]

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[91] K.M. de Silva (2005): p.51; see also Ch.8.

[92] Ibid: p.51. It might be noted that the concept of feudalism has been extended to the Tamil chieftaincies in the Vanni as well. See S. Pathmanathan, '*Feudal Polity in Medieval Ceylon: An Examination of the Chieftaincies of the Vanni*' (1972) **Ceylon Journal of Historical and Social Studies** 2: pp.118-130; S. Arasaratnam, '*The Vanniar of North Ceylon: A Study of Feudal Powers and Central Authority*' **Ceylon Journal of Historical and Social Studies** 9: pp.101-112. Note also the discussion of the theme of feudalism in the political economy of the 'Kandyan social formation' from a Marxist perspective in Gunasinghe (1990). Gunasinghe's insight into the coercive role of the state in economic production leads him to a valid argument about the "absolute monarchy" as the key component in the "articulation of the structure" of the Kandyan state: Gunasinghe (1990): p.33. However, as Roberts contends, Gunasinghe's analysis "suffers from the conventional Marxist failings of overdetermined system functionalism and the rigid application of rational, either/or distinctions unsuited to pre-capitalist settings" and "devalues the force of cosmological thinking by viewing the symbolic order as a superstructural

In terms of the limitations on monarchical power that a feudally organised polity are presumed to impose, in the Sri Lankan case particular attention has been paid to the force of customary law (*sirit*) and the secular power that was added to the Sangha through its extensive monastic landholdings (*viharagam* lands), in addition to the 'baronial' power of the landholding aristocracy on which, conceptualised as "bureaucratic nobility," Dewaraja has placed emphasis as a restraining influence on the king.[93] It is interesting to note, however, that Dewaraja, as the authoritative positivist historian of the Kandyan state, entirely avoids the use of the term feudalism, although she provides no reasons for her reticence. Roberts, on the other hand, presents a sustained argument against. Whereas in Western feudalism the relationship between landlord and tenant was defined by a scheme of reciprocal rights, that relationship as mediated by the rite of *dakum* in pre-colonial Sri Lanka "was characterised by striking measures of hierarchy, weak reciprocity and an unilateral flow of gifts from the inferior to the superior."[94] In Roberts' view, without "accepting the Western imperialist picture of 'Oriental Despots,' one can emphasise the absolutist authority wielded by most monarchs" of the Sinhalese kingdoms, limited only by the moral suasions of the *dasarajadhamma* (the Ten Royal Virtues).[95]

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epiphenomenon determined by the order of politics/economics": Roberts (2004): p.43.

[93] L.S. Dewaraja, S. Pathmanathan & D.A. Kotelawele, '*Religion and State in the Kandyan Kingdom: The 17th and 18th Centuries*' in K.M. de Silva (Ed.) (1995) **University of Peradeniya History of Sri Lanka**, Vol.II (Colombo: Sridevi): p.321. See also Roberts (2004): p.42-43.

[94] Roberts (2004): p.44, see also pp.60-64.

[95] Roberts (2004): p.42; see also M. Roberts, '*Caste Feudalism in Sri Lanka? A Critique through the Asokan Persona and European Contrasts*' (1984) **Contributions to Indian Sociology** 18: pp.189-220 at pp.194-196, 207-214. But for the odium attached to the caricature of 'Oriental Despots' due to Victorian racial prejudice, one may reasonably wonder however what the difference in this distinction is.

Reflecting the Buddhist cosmological understandings of sovereignty embodied in the *cakkavatti* model of kingship, and institutionalised pervasively in the political, social and economic life of the community through the caste system, "extreme hierarchical practices" were "enshrined throughout society."[96] Critically, Roberts reminds us that in dealing with the Kandyan kingdom, we are addressing a social order that entertained no separation of politics and religion, in the context of a dominant religio-political philosophy that was fundamentally hierarchical as an explanatory and normative thesis. The emphasis on hierarchy "was the most marked at the apex. The Sinhala monarch possessed the awe-inspiring capacities of a *devo* or god. The monarch was also a central figure in a Buddhist project."[97] Roberts extensively illustrates this argument by reference to the consecration rites of coronation that rendered the Sinhala monarch, not only the *cakkavatti* king of *Sinhalē* (the idea of the *Dipacakravarti*, or Lord of the Island), but also a god (*devo*) and a *bosat* (a Buddha-to-be).[98] The rite of *abhiseka* (coronation) was a

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[96] Roberts (2004): p.42. Another important way in which the cosmic hierarchy and the *mandala* pattern was visually and metaphorically actualised in the Sinhala kingdoms (as in other Theravada polities) was through the principles of architecture and town planning. As de Silva Wijeyeratne notes, "their physical layout also drew on cosmological metaphors and pantheons, as the cosmos was symbolically refracted in the material domain of the polity": De Silva Wijeyeratne (2007): p.168; see also R. Heine-Geldern, '*Conceptions of State and Kingship in Southeast Asia*' (1942) **Far Eastern Quarterly** 2(1): pp.15-30. James Duncan's work is the authoritative work on these aspects of the Kandyan polity, in which he has shown how "Mount Meru [i.e., the cosmic mountain which is the central pillar or axis of the Indic pantheon] became a paradigm for the spatial organisation of state, capital, and temple": Duncan (1990): p.48; see also pp.48-55.

[97] Roberts (2004): p.44.

[98] See Roberts (2004): pp.44-52. Roberts' rebuttal of the post-Orientalist contention that ethnic difference was politically not salient in the pre-British polity, which among other empirical arguments is based on the evidence of the Tamil-speaking Nayakkar dynasty of Kandyan kings are especially important: see pp.44 et seq. Essentially, Roberts' argument is founded on the transformative import of the coronation rite that renders the king both Sinhala and Buddhist, although in circumstances of political disaffection, the king's ethnic

"constitution and renewal of sacral power."[99] These ideas and rituals not only clothed the king with the Buddhist righteousness associated with the Asokan paradigm, but also reproduced the ideology of the *vamsa* literature centred on the *Mahavamsa*. This ideological historiography "presents a picture of the Sinhalese as a people chosen to preserve Buddhism in its pure form within the chosen location of *Sihaladipa* [the Island of the Sinhalese]."[100] But recalling Tambiah's observations on the concept of the *dhammiko dhammaraja* discussed earlier in this chapter, the *Mahavamsa*, as H.L. Seneviratne argues,

> "elaborates this position further to enthrone the Buddha, Dhamma…and the…Sangha as the true sovereign of Sri Lanka, the king being merely an instrument. On many occasions this principle is given expression by the king abdicating in favour of the legitimate overlord and re-ascending the throne after publicly affirming the supremacy of Buddhism."[101]

It is in these rites and practices and their performative meaning to the population of *Sinhalē* that we begin to see how the latter idea functioned as an ideology of socio-political order. As Seneviratne has also noted, the transformative power of kingship rituals was such that, in addition to the sacralisation involved in *devo* and *bosat* status, they could also alter the king's personal identity *virtute officii*: "when a king is a Buddhist he automatically *becomes* Sinhalese."[102]

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and religious authenticity may be questioned as happened during Ehelepola's palace plot against the last King of Kandy, leading to the latter's deposition and the fall of the kingdom to the British, as well as in a previous event known as the Moladande Rebellion.

[99] Ibid: p.47.

[100] Ibid: p.45.

[101] H.L. Seneviratne, '*Identity and the Conflation of the Past and Present*' in H.L. Seneviratne (Ed.) (1997) **Identity, Consciousness and the Past** (New Delhi: OUP): p.8.

[102] Ibid: p.10. Emphasis in original.

Collective Consciousness: The Kingdom of Kandy as *Sinhalē*

With the understanding of the nature of the Kandyan monarchy that the preceding account has given us, I want to explore further how the prevailing conception of collective self-hood sustained the monarchical state. In modern terms, the corresponding relationship is that between the president and the nation. A recent account of pre-British collective consciousness is offered by Michael Roberts in developing the idea of *Sinhalē* in relation especially, but not exclusively, to the Kandyan period. This section explores Roberts' theory of *Sinhalē* further, focussing in particular on its implications for conceptions of territory and collective consciousness in the Kandyan era.[103] As the preceding discussion amply demonstrates, the two closely interrelated 'constitutional' norms that figure prominently in the politico-historical discourse of Theravada Buddhist polities are those of 'hierarchy' and 'encompassment.'[104] If the theory and practice of political order embodied in the Asokan Persona articulates the norm of hierarchy (while also 'encompassing' society within the Buddhist fold), in the pre-British Sinhala kingdoms, and certainly by its final phase in the Kandyan period, it is the idea of *Sinhalē* that represents the norm of encompassment (while also 'hierarchising' society through, *inter alia*, the rite of *dakum* (tribute) and the caste system).[105]

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[103] Both K.M. de Silva and Alan Strathern have described the Sinhala consciousness of the Kandyan era as a 'proto-nationalism': see Roberts (2004): p.16 and A. Strathern, '*Review of Sinhala Consciousness in the Kandyan Period 1590s to 1815 by Michael Roberts*' (2005) **Modern Asian Studies** 39(4): pp.1007-1020.

[104] Indeed, their closely interrelated nature is also reflected in the way in which the two terms are often used as adjective and noun in relation to one another in the literature: *viz.*, 'hierarchical encompassment' or 'encompassing hierarchy.'

[105] See esp. Kapferer (1988): pp.7,12. While I do not deal with Kapferer's important contributions directly in this chapter, De Silva Wijeyeratne (2007) draws heavily on the development of hierarchy

In relation to the Kandyan period, Roberts' primary contention is that the territorial reach of *Sinhalē* denoted the whole island, rather than merely the areas under the direct control of the King of Kandy; which he further argues is a conception of the territorial scope of Sinhala kingship that was well-established in Sinhala-Buddhist historiography long before the Kandyan era. Thus even the coastal areas under the control of Europeans and the native people living in those areas were regarded as coming within the "umbrella of *Sinhalē*," with the Kandyan areas constituting "the heart of this concept."[106] Led in part by the territorial and departmental distinction between 'Kandyan Provinces' and 'Maritime Provinces' on which the British administration of the island was based in the period between the cession of Kandy in 1815 and the entrenchment of the unitary logic by the Colebrooke-Cameron reforms of 1833, and in part by modernist conceptions of territorial and jurisdictional control, contemporary historians have tended to regard the authority of the King of Kandy as politically fragmented.

This had led to dismissals of the king's authority outside areas of his direct control as merely nominal and politically meaningless, the sovereignty over the claimed territory of the kingdom as legally fictive, and in addition to the effective power of the Europeans in the littoral, having the consequence of opening up the space for considerable autonomy at the peripheries, especially in the Tamil-speaking Vanni chieftaincies of the North.[107]

and encompassment in Kapferer's theory of Sinhala-Buddhist nationalism.

[106] Roberts (2004): p.54.

[107] A. Liyanagamage (1968) *The Decline of Polonnaruva and the Rise of Dambadeniya* (c.1180-1270 A.D.) (Colombo: Ceylon Government Press); S. Arasaratnam, '*Dutch Sovereignty in Ceylon: A Historical Survey of its Problem*' *Ceylon Journal of Historical and Social Studies* 1: pp.105-121; Arasaratnam (1966); and T.B.H. Abeysinghe, '*Princes and Merchants: Relations between the Kings of Kandy and the Dutch East India Company in Sri Lanka, 1688-1740*' *Journal of the Sri Lanka National Archives* 2: pp.35-58: cited and

Roberts' response to this is that such conclusions are based on "twentieth century notions of sovereignty and statehood as well as materialist forms of determinism."[108] He concedes that *Sinhalē* may have in some contexts been used to distinguish the territory directly under the control of the Kandyan king from those under the control of the Dutch and the British. However,

> "among the dominant elements in the Kingdom of Kandy, its conventional usage was to refer to the whole island and the domain of their king, a monarch who was regarded as *cakravarti* of the whole island. This practice derived from a meaningful and powerful heritage that presented the island as a chosen and land and its Sinhala people as a chosen people [for the preservation of pristine Theravada Buddhism]…The term *Sihala* is employed in the…*Dipavamsa*…and the *Mahavamsa*…as part of this mythology."[109]

Thus, contrary to the suggestion in the post-Orientalist position that this – in comparison to the modern state – unbounded conception of territory in the pre-colonial kingdoms meant that territorial control was politically inconsequential to state form,[110] we have a picture in which in fact territory was central to the notion of collective selfhood. It was just that territory was understood in very different terms to the modern sense, and according to a "political cosmology that was radically

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discussed in Roberts (2004): pp.57,59. See also, at p.54, Robert's rebuttal of both the factual basis and interpretative reasoning of Leslie Gunawardana's claim that, "While the use of the term *Trisimhala* to connote a wider region in the island persisted, the term Sinhalē, in its territorial sense, appears to have been used primarily to denote the Kandyan kingdom": R.A.L.H. Gunawardana, '*The People of Lion: The Sinhala Identity and Ideology in History and Historiography*' in J. Spencer (Ed.) (1990) **Sri Lanka: History and Roots of Conflict** (London: Routledge): Ch.3 at p.68.

[108] Roberts (2004): p.59
[109] Ibid: p.56.
[110] See e.g., E. Nissan & R.L. Stirrat, '*The Generation of Communal Identities*' in Spencer (1990): Ch.2.

different to ours."[111] As Roberts asks, "What if the ruling elements of that day and the people under them conceived of obeisance as subordination to superior others? What if 'rule' was the receiving of homage through prostrations and gifts?"[112] It is in answer to these questions that Roberts develops the concept of 'tributary overlordship' in explaining the "political ideology" that underpinned the coherence of the Kandyan state, and the subscription of the people to which is evidenced through the pervasive rite of *dakum* among other practices.[113]

Gananath Obeyesekere's ethnographical work on the 'ideology of status' in Sinhala society is critical to understanding how *dakum* practices "are part of a wider set of norms that govern a whole class of similar types of social relations" including the political relationship between rulers and the ruled.[114] As Obeyesekere has observed,

> "The Sinhala New Year is an occasion for the tenant to pay *dakum* to his lord, the son to his father, the junior kinsmen to the senior, the low in status to the high. In the realm of kingship, *dakum* is the occasion where the rulers of the provinces pay court to the king. The larger population also may pay homage to the king at the annual processional events like the parade of the tooth relic [*dalada perahera*], where the rulers of

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[111] Roberts (2004): p.60.

[112] Ibid.

[113] Ibid. Roberts' 'tributary overlordship' is very similar to what C.R. de Silva in more rudimentary terms described as 'ritual sovereignty': C.R. de Silva, 'Sri Lanka in the Early 16th Century: Political Conditions' in K.M. de Silva (1995): pp.11-36. It is also akin to Nicholas Dirks' 'ritual kingship': N. Dirks (1987) **The Hollow Crown: An Ethnohistory of an Indian Kingdom** (New York: CUP). See also de Silva Wijeyeratne's reference to 'virtual sovereignty': De Silva Wijeyeratne (2007): p.166.

[114] G. Obeyesekere (1967) **Land Tenure in Village Ceylon** (Cambridge: CUP): pp.215-223.

the divine as well as secular appear (*dakum*) before the public."[115]

As this summation indicates, *dakum* was a pervasive rite, in a society that made no distinction between the public and the private, or the religious and the political, and in which a cosmologically ordained order of hierarchy enjoyed the total religio-political subscription of the population as the natural order of things. The resonance of the rite of *dakum* with the concept of *varam* discussed earlier should be noted.[116] The hierarchy of delegated authority coupled with weak reciprocity in the Buddhist pantheon is replicated in the practices of the material world. Drawing on a wide range of existing historical and anthropological scholarship, as well as interpretations of primary materials, Roberts presents detailed evidence on how the rite of *dakum* was exercised in Kandyan society.[117] What emerges is 'tributary overlordship' as the concept of shared, communal loyalty that explains in part the meaningfulness of the Kandyan state to and amongst the (at least) Sinhalese Buddhist natives of the island: a distinctive form of collective consciousness, hierarchically focused on the Sinhala and Buddhist king, which was performatively expressed through an elaborate set of customs relating to tribute-paying homage flowing from inferior to superior, and with little or no reciprocal obligations in the opposite direction. In this way, taken together with other factors contributing to the formation of collective sentiment among the Sinhalese including Buddhism, the idea of *Sinhalē*, in a generic rather than the specifically Andersonian sense, constituted a tangible

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[115] G. Obeyesekere (1987) **The Cult of the Goddess Pattini** (New Delhi: Motilal Banarsidas): p.55.

[116] See also Roberts (2004): p.70.

[117] Roberts (2004): p.60-64. As Alan Strathern has noted, one of the most original features of Roberts' 2004 monograph is the use of the *hatan kavi* or war poems representing an oral mode of communication that was not only socially widespread but also sentimentally evocative, in order to demonstrate the prevalent political self-understandings of 'we-ness' and kingship in pre-British Sinhala society: see Strathern (2005): p.1007.

'imagined community.'[118] The "gaze and emblem" of the community's "felt freedom"[119] was the entire panoply of ideas, norms, myths, rites and practices that constituted "the imagery of kingship" which was integral to "the hierarchical ideology through which the social order was articulated."[120]

Roberts presents a sustained critique of the post-Orientalist reliance on Gellner and Anderson, and the modernist or functionalist account of nationalism. The key modernist assumptions with regard to the pre-modern

[118] In an observation that adds comparativist credence to Roberts' conceptualisation by drawing attention to like notions of collective identity in other Theravada Buddhist polities, Strathern notes that "the principles of [Roberts'] 'tributary overlordship' are largely taken for granted in Southeast Asian scholarship": Strathern (2005): p.1019.
[119] "The gaze and emblem of the nation's 'felt freedom' is the sovereign state" was the way in which Benedict Anderson enunciated the relationship between the nation and the state in the modernist Westphalian model. As he also observed in relation to the late eighteenth century circumstances which gave rise to modern nationalism in Europe, the "concept was born in an age in which Enlightenment and Revolution were destroying the legitimacy of the divinely-ordained, hierarchical dynastic realm": B. Anderson (1983) *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso): pp.7, 13-16. The contemporaneous Kandyan state, which did not face the political challenges of the sort presented by the European Enlightenment and revolutions, was in these terms a clearly pre-national polity in which cosmologically ordained hierarchy held sway. In the formation of modern Sri Lankan nationalisms, therefore, the post-Orientalists are right in stressing the role of colonialism, which is the political event through which the European conception and language of nationalism entered the Sri Lankan lexicon. However, they are wrong to regard nationalism as invented and purely the result of British colonialism. The evidence presented by Roberts shows that a discernible collective consciousness did exist prior to the nineteenth century. The more relevant enquiry therefore is how such pre-British conceptions of collective self and statehood percolated into, and informed and shaped especially the Sinhala-Buddhist and Tamil nationalist movements in the late colonial and postcolonial eras, once the categories and language of European nationalism had begun structuring political rhetoric, culture and discourse among the island's native peoples.
[120] J. Brow (1996) *Demons and Development: The Struggle for Community in a Sri Lankan Village* (Tucson: Univ. of Arizona Press): p.39.

or traditional societies are that: the state of communications and mobility were so weak as to enable collective solidarity only in the most localised environments; that hierarchy and heterogeneity meant that notions of equality and homogeneity essential to the sense of nation were absent; and that extensive boundary crossing denoted the political irrelevance of bounded territory central to national consciousness. *Per contra*, Roberts' evidence shows, in Alan Strathern's words, "oneness in hierarchy" and "a sense of patriotism expressed through xenophobic antipathies and a conviction of sovereign right to territory."[121] As Strathern also points out, *Sinhalē* as articulated through tributary overlordship resonates with the concept of 'politicised ethnicity' that Victor Lieberman has developed in relation to Southeast Asian polities, as "a sense of political community not only proved compatible with, but in fact depended on the maintenance of a deeply hierarchical social ethic."[122]

In the next step of establishing how tributary overlordship functioned, Roberts draws upon the *mandala*-type organisation of the Kandyan state, and especially its capital as synecdoche. In this respect, while Roberts' arguments on the significance of the exemplary centre are strongly substantiated, we need to consider his views more critically in the light of Strathern's critique of aspects of his reasoning, and Roshan de Silva Wijeyeratne's attempt to present a more pluralist and decentralising interpretation of the politico-administrative practices of Kandyan state.

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[121] Strathern (2005): p.1013. It should also be noted that Strathern's comment is made in the context of his close attention to Robert's "chief corpus of primary evidence…the *hatan kavi*, or war poems" (p.1007) of the Kandyan period and before. As Strathern affirms, the war poems provide "a vivid picture" and "unambiguous evidence" as to how "oneness in hierarchy" as an imagined community looked like: p.1013.

[122] V. Lieberman (2003) ***Strange Parallels: Southeast Asia in Global Context, c.800-1830*** (New York: CUP): p.43. See also Strathern (2005): pp.1018-1019.

State Form: The Kingdom of Kandy as a *Mandala*-State

Tambiah has himself applied his conceptualisation of the galactic polity to the political facts of the Kandyan kingdom.[123] In this, he notes how pulsating *mandala*-type states were "centre-oriented formations with shifting and blurred (rather than bounded exclusive spaces)" characterised by "checks and balances", "contesting factional formations of patrons and clients", and "devolutionary processes of power parcelization [*sic*]."[124] The political dynamics of the Kandyan kingdom demonstrated these features, in which "administrative involution was profuse," "[t]here was a diminishing replication of the central domain in the satellite units," and "[t]he king's authority waned as the provinces stretched farther away from the capital."[125] All these features "allowed for and produced social and political processes that were flexible, accommodative, and inclusionary as well as competitive, factional, and fragmenting."[126] The absence of a notion of bounded space allowed the provision of "niches for immigrant groups, or stranger groups of different 'ethnic' origins and different 'religions.'" [127] In sum then, Tambiah's visualisation of the Kandyan kingdom as galactic polity

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[123] Tambiah (1992): pp.173-175. It is perhaps relevant to note by way of background that in this book, Tambiah associates himself (at p.131 and fn.6) with the post-Orientalist perspective of the authors in Spencer (1990). In this and his preceding 1986 book on Sri Lanka, Tambiah adopts the stance of an "'engaged political tract' rather than 'distanced academic treatise'": Tambiah (1986), p.ix. In this regard, note the vexed political context of Sri Lanka in the 1980s and early 1990s, especially following the anti-Tamil pogrom of July 1983, in which many liberal minded academics felt impelled to combat the onset of extreme chauvinism on both sides of the ethnic divide by adopting critical positions on nationalism.
[124] Tambiah (1992): p.173.
[125] Ibid: p.174.
[126] Ibid.
[127] Ibid.

highlights the flexible, pluralist and inclusive qualities of that state form, but with a major caveat. This inclusiveness was of the encompassing and therefore assimilationist, or to use his term, 'incorporationist,' type: "it was this galactic blueprint that positively enabled the Sinhalisation and Buddhicisation of south Indian peoples and gods to continue uncoerced."[128] Extending Louis Dumont's thesis in *Homo Hierarchicus*, Tambiah has seen such "subordinating incorporation"[129] as a "standard South Asian mode of differentially incorporating into an existing society sectarian or alien minorities: inferiorize [sic] them and then place them in a subordinate position in the hierarchy."[130]

Roberts disagrees with Tambiah's emphasis on extreme decentralisation, pluralism and fragmentation, because to him the evidence of the rituals and practices associated with the "power and glory of the *cakravarti* ruler at the head of the *mandala*-like state known as *Sinhalē*" occasioned a far more centralised and integrated model of state, albeit one understood not by the application of modern frameworks of territorial jurisdiction, but according to the logic of tributary overlordship: "the design of the state as well as the Buddhist pantheon was hierarchical. In consequence, the immigrant gods and peoples were either assimilated or domesticated in the long run; or received satellite positions that placed them on the periphery of social power."[131]

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[128] Ibid: p.175, See also Tambiah (2005): p.297.

[129] Strathern (2005): p.1014.

[130] Tambiah (1992): p.145. L. Dumont (1980) ***Homo Hierarchicus: The Caste System and its Implications*** (Trans. M. Sainsbury, L. Dumont & B. Gulati) (Chicago: Chicago UP).

[131] Roberts (2004): p.64. Once again, Roberts' adduces a substantial body of evidence in establishing the centrality and epitome-like quality of the centre, which "stood as a sign, a synecdoche, for the whole polity": p.65. This material covers the topographical principles of architectural design and such vital ritual institutions as the *Esala perahera*, the *karti mangalya,* among numerous other matters. See, ibid, pp.64-68.

A key question that arises here is as to the relationship between the King of Kandy-as-*Sinhalē* and the Tamil-speaking entities in the Vanni region of the North, in the context of the Kandyan kingdom as a *mandala*-state.[132] One of the contextual factors that have to be borne in mind in examining the emergence of the Vanni chieftaincies and their relationship with one or other suzerain is the turbulent political situation in the island in the long period spanning the late fourteenth sixteenth to the mid seventeenth centuries. [133] This period is a kaleidoscopic canvass of waxing and waning power between several fluctuating power-centres and politico-military actors including the three Sinhala kingdoms of Kotte, Sitavaka and Kandy, the Tamil kingdom at Jaffna, the Portuguese, and at the empennage of the epoch, the Dutch as well. Thus as K.M. de Silva has observed,

> "In their own territories the Vanni chieftains functioned very much like feudal lords…and they owed their allegiance to one or other of two kingdoms, depending on the political situation which, during much of late fourteenth and early fifteenth centuries, could often mean an accommodation with the Tamil kingdom or the principal Sinhalese kingdom."[134]

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[132] While we are concerned only with the Tamil chieftaincies of the northern Vanni, it should be noted that this is an area of historiography that is extremely complex and even obscure. The Vanni was a vast area the extent of which depends on the historical period under consideration. Likewise, the origins and ethnic identity of the people who inhabited the Vanni would also differ depending on which of its areas and which period one is considering. All of these issues are made even more complicated by the scarcity of information. See the overview of these issues in Roberts (2004): 70-78.

[133] See generally, K.M. de Silva (2005): Chs.7-18; C.R. de Silva (1988): Chs.8-12. See also A. Strathern, '*Sri Lanka in the Long Early Modern Period: Its Place in a Comparative Theory of Second Millennium Eurasian History*' (2009) **Modern Asian Studies** 43(4): pp.815-869.

[134] K.M. de Silva (2005): p.134.

In the reference to the Vanni chieftains as autonomous feudatories, de Silva's observations comport with the general scholarly consensus on the nature of these entities and their relationship with a higher monarch:[135] "The general tendency among historians has been to assume that these outlying chieftaincies strove for autonomy and were fissiparous units." [136] However, given Roberts' critical views on the use and relevance of the concept of feudalism (discussed above), here too his argument is that these characterisations are informed by "twentieth century notions of administrative authority." [137] In advancing the idea of tributary overlordship as the more appropriate way of explaining the centre-periphery relationship, he argues that the key to understanding this is "the character of allegiance and the meanings attached to the practice of 'the tribute' and/or 'the gift' in that era."[138] While conceding that the subordination of the Vanni chieftains to the King of *Sinhalē* was not "fixed in stone"[139] in the context of the "paradoxes…pulsations and oscillations"[140] that characterised the operation of galactic polities, Roberts' argument is that,

> "the King of Kandy-as-*Sinhalē* inherited a pattern of rulership over distant territories in which powerful local chieftains, or little kings, acknowledged his *cakravarti* status as *Trisinhalesvara* [i.e., like *Dipacakravarti*, one of the titles of the Sinhala monarch signifying his overlordship over the whole island] by either occasional or regular acts of homage. These acts were usually rites of *dakum* involving gift-giving…or abject words of

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[135] Ibid: Ch.8; Roberts (2004): p.74.
[136] Roberts (2004): p.76.
[137] Ibid: p.74.
[138] Ibid.
[139] Ibid: p.75. Indeed, before Kandy established itself as the sole Sinhalese kingdom, "the kingly chieftains of the northernmost sections of the Vanni acknowledged the overlordship of the Kingdom of *Yalppanam* [Jaffna] once the latter had established itself by the fourteenth century": ibid, p.77.
[140] Tambiah (1985): pp.280-281.

excuse for the failure to do so. Such practices were saturated with political meaning."[141]

With all this in mind, we may now introduce Strathern's critique of Roberts' reasoning in regard to tributary overlordship and its implications for the concomitant rejection of the use of terms such as feudalism and autonomy in relation to early modern Sri Lanka. Greater force is perhaps added to Strathern's critique by virtue of being situated within a broader affirmation of the thrust of Roberts' main argument and the latter's concern with the "indigenous or emic viewpoint."[142] Like Roberts, Strathern regards it as important "that we understand that from the perspective of the Kandyan court the whole of Sri Lanka came under its canopy, and that we do not reduce the playing out of this ideology to mere coercion: no doubt it could cultivate genuine loyalties among peripheral chieftains."[143] However,

> "[Roberts'] emphatic championing of ideology over pragmatics can come to seem a rather artificial intervention. It is surely equally valid for historians to pursue an etic perspective as regards what all this entailed in terms of economic and political control, and surely possible to do this without being blinkered by 'twentieth century notions of administrative authority'."[144]

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[141] Roberts (2004): p.76. One example from his plethora of evidence is how various headmen of the Vanni regions pledged loyalty and contributed resources to the first great rebellion against the British in 1817-18, which sought to restore the Kandyan monarchy. "These expressions of allegiance to the old order from such outlying localities is suggestive because British rule could not have had a severe material impact on such places in the course of two years [i.e., since 1815 and the fall of the last king]. In other words, they suggest that the chieftains and headmen of the Vanni, the epitome of fissiparous principalities in the imagination of modern scholars, remained attached to the idea of Sinhala kingship": ibid, p.76.
[142] Strathern (2005): p.1012.
[143] Ibid.
[144] Ibid.

Roberts' aversion to the etic approach therefore paradoxically heightens the "contrast between symbolic and pragmatic power" and "runs the risk of eliding the dynamism" of Tambiah's galactic model.[145] Strathern provides two illustrations that are very germane to our concerns. In the first, we see Roberts dismissing Dewaraja's reference to the Kandyan rulers "having broken away from the authority of the Kotte king"[146] as "informed by a misleading materialist logic."[147] But as Strathern points out, in the sixteenth century "there is no question but that the kings at Kotte imagined themselves heir to a *cakravarti* tradition of lordship over the island, but that did not stop Kandy attempting to break away and claim such titles for itself."[148] In other words, tributary overlordship in the pulsating dynamics of the galactic polity was no definitive guarantee against peripheral challenges to the centre's cosmic sovereignty. While Roberts accepts this, and even provides examples of acts of insubordination by peripheral functionaries, the underlying thrust of his argument is that such events did not disturb the overarching coherence of the encompassing authority of the King of *Sinhalē*. Strathern's point suggests that a less *parti pris* attitude to centre-periphery relations is justified.

Strathern's second point concerns Roberts' objection to the use of the term feudalism. While agreeing with the latter's contention on the absence of reciprocal rights in the tributary relationship between liege and vassal in the Sinhalese kingdoms, Strathern nonetheless finds it difficult to regard K.M. de Silva's use of feudalism (see above) as "offensive," because de Silva "uses it to refer simply to high levels of political decentralisation and the assumption that producers were subject to an obligation of service as a condition of holding land."[149] The use of feudalism in this broad sense, in which the King of Kandy

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[145] Ibid: p.1013.
[146] Dewaraja (1972): p.15.
[147] Roberts (2004): p.40, n.1.
[148] Strathern (2005): p.1013.
[149] Ibid.

unfailingly treated the Europeans as his vassals (and who were granted an entitlement to certain rights and privileges in the maritime areas specifically in that capacity), could even "explain why Sinhalese, Portuguese and Dutch could all find a rough-and-ready common diplomatic language in the rites of homage or tribute presentation (*dakum*)."[150]

Consequently, we could conclude that it is not inappropriate to envision political space in the periphery in terms of autonomy, and the political space of the whole as fragmented. The tendency of galactic polities, noted by Tambiah and others, for the institutional form of political power at the periphery to be designed by emulation and replication of the centre, supports this conclusion.[151] As Roberts has himself noted, some of the Sinhala terms by which the Vanni chieftains were known included *Vanni Rajavaru*, *Vanni Nirindu* and *Vanni Ranno*: "This is significant: the term may have carried connotations that are weightier than our concept of 'chieftain' because all these terms translated as 'king.'"[152] Moreover, it was likely that, given the high importance within galactic polities of *realpolitik* factors such as relative military or economic power, and geographic factors such as distance from the centre and the nature of the terrain, different peripheral entities enjoyed different relationships with the centre in relation to autonomy.[153] Thus we can envisage the

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[150] Ibid.

[151] Kemper (1991): p.65

[152] Roberts (2004): p.74.

[153] For instance, Roberts' (and virtually all others') description of the Vanni based on sources from the seventeenth to nineteenth centuries is surely pertinent in a consideration of the relationship between regional rulers in this territory and the Kandyan court in the wet zone agrarian heartland of the central hills and valleys. Characteristic features of the Vanni included thick "dry zone jungle and scrub; a sparse population that tended to eke out a subsistence; malarial conditions and plentiful wild animals, including numerous elephants [and man-eating leopards]. Within this expanse, only pockets, usually on the coast or nearby, could be said to escape this description": ibid, pp.70-71. See also H.L. Seneviratne, '*Religion and Legitimacy of Power in the Kandyan Kingdom*' in B.L. Smith (Ed.) (1978) ***Religion and***

pattern of centre-periphery relations as not only protean and temporally contingent, but also asymmetric. What is more, all of this was possible within a framework in which the notion of *Sinhalē* remained ideationally meaningful in the political and social imagination of the people.[154]

Conclusion

This overview of the insights of historical anthropology in relation to the dominant pre-colonial state form enriches our understanding of the cultural and historical myths, memories, and symbols that constitute the residual resources with which Sri Lankans and in particular Sinhala-Buddhists approach contemporary politics and constitutional questions. Many years ago, at the beginning of Sri Lanka post-colonial existence, Evelyn Ludowyk made a prescient remark when he observed,

> "Take the Sinhalese, its major group. Beneath the patina of several centuries of civilization, of considerable sophistication of thought and sensibility there lurks something of an older world, not properly assimilated with what replaced it or with the new, and even now disturbing by its presence. This may be little more than the effect on the observer of the complexity of the culture of a mixed group of people with long and various traditions. But this is no ordinary complexity; it deepens as the major events of a long history are unfolded. At all times

Legitimation of Power in Sri Lanka (Chambersburg: Penn.: Anima Books): pp.177-187; H.L. Seneviratne (1978) *Rituals of the Kandyan State* (Cambridge: CUP): p.114; De Silva Wijeyeratne (2007): p.170.
[154] While we may be confident, on the strength of Roberts' theory of collective consciousness, that the idea of *Sinhalē* certainly held meaning among the Sinhalese inhabitants of the island (perhaps even non-Buddhist Sinhalese in the European controlled areas), in spite of the fact of paying tribute to the Sinhala king, we need to place a question mark over whether this idea held the same meaning for, and generated the same sense of loyalty among, (non-Buddhist) Tamil-speakers in the Vanni and beyond.

there seem to have been continually present in the culture seemingly incongruous and irreconcilable elements."[155]

Speaking specifically of the *Mahavamsa*, he continued, "The records of 1500 years ago are not the dead hand of the past, they are the voice of the living present."[156] These emic factors are central to contemporary constitutional politics. Applying solely modernist and positivist categories of constitutional self-understanding often if not always leads to misleading conclusions. Seen this way, it would seem that Sri Lankan constitutional law has a long way to go in theorising the continuum between the traditional and the modern in the relationships between, on the one hand, culture and history, and on the other, politics and law. I have not attempted to draw direct connections in the discussion above, but it should be readily apparent how startlingly obvious are the connections between modern constitutional institutions and principles like the presidential executive, the unitary state, the foremost place for Buddhism, and the primacy of the Sinhalese language, and the traditional characteristics of the pre-modern Sinhala-Buddhist state such as Buddhist kingship, the idea of *Sinhalē*, hierarchical encompassment, and tributary overlordship. Again as Ludowyk noted,

> "[The Mahavamsa's] thirty-seven chapters arranged its own highly subjective record of the past so decisively that later history was influenced by it. The clearest outlines of its own reconstruction of its events were: the identification of religion with the state; the dependence of the stability of the country on this; the development of a strong sense of Sinhalese nationalism out of the opposition to Tamils."[157]

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[155] E.F.C. Ludowyk (1962) **The Story of Ceylon** (London: Faber & Faber): p.24.
[156] Ibid: p.49.
[157] Ibid: p.67.

We must not be enslaved to the limitations imposed by an essentialist reading of these insights, but it is nonetheless true that if constitutional law – in both its descriptive and normative dimensions – is to respond to the functional dynamics of the polity (or at least the decisively dominant ethno-nation within the polity) in any meaningful way, then constitutional lawyers must learn to actively incorporate these insights into their core tasks of analysis and prescription. The undoubted benefits of constitutional comparativism and (especially liberal) normativism cannot be gained unless there is analytical realism about the role of culture and history in the practice of constitutional politics. In reforming the Sri Lankan executive presidency, liberal constitutionalists in particular have to pay more attention than they have in the past to these matters, and fashion arguments towards liberal aims by taking into account the limitations and opportunities that are present within this milieu.