

Religious Faith in the Eyes of Philosophy and Law in the Secularized Society of Sri Lanka.

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Introduction

Sri Lanka, a nation characterized by its rich tapestry of ethnicities and religions, has witnessed a complex interplay between faith, philosophy, and law. This interaction shapes the socio-political landscape of the country, especially as it navigates the challenges of secularism in a post-colonial context. This essay explores the philosophical perspectives on religious faith, the legal frameworks governing religion in Sri Lanka, and the implications of secularization on the society's religious fabric.

In the Christian perspective the teachings of the Vatican Council II emphasize that the human person has a right to religious freedom and “within due limits, nobody is forced to act against his convictions in religious matters in private or in public, alone or in association with others”¹ (Flannery 2013, 704). The Council further declares that “this right of the human person to religious freedom must be given such recognition in the constitutional order of society as will make it a civil right”² (Flannery 2013, 704). Even in the context of the Catholic Church, “the freedom of religion of anybody and its importance”³ (Francis 2013, No. 255) is certified by church documents. Therefore the protection of the right to religious freedom in our Sri Lankan context is also the common responsibility of individual citizens, social groups, civil authorities, the Church and other religious communities⁴ (Flannery 2013, 704).

Historical Context

Society of Sri Lanka is mostly religious in nature for over centuries. Buddhism has been the dominant religion in Sri Lanka for over two millennia. After Buddhism was introduced in the third century BCE in civil society, gradually it became the shield and secular source of power to the Kings and rulers who governed the Island.

Colonial Legacy

The colonial history of Sri Lanka laid the groundwork for contemporary religious and legal dynamics. Under British rule, Christianity gained prominence, while Buddhism and Hinduism were marginalized. This period saw the codification of laws that often ignored local customs and religious practices, leading to tensions that resonate today.

Post-Independence Developments

After gaining independence in 1948, Sri Lanka faced the challenge of defining its national identity amidst diverse religious practices. Buddhism was enshrined as the “foremost place” in the constitution, reflecting its significant influence. However, this prioritization raised concerns regarding the treatment of minority religions, including Hinduism, Islam, and Christianity.

Philosophical Perspectives on Religious Faith

Every religion has its own core value system and it is the invisible guiding factor of the society which promotes peace, liberty, social justice and moral values. It clearly mentions in *Nostra Aetate* in Teachings of Vatican Council II. It is by this way;

The Catholic Church rejects nothing of what is true and holy in these religions. She has a high regard for the manner of life and conduct, the precepts and doctrine which, although differing in many ways from her own teaching, nevertheless, often reflect a ray of that truth which enlightens all men.⁵ (Flannery 2013, 654)

Secularism and its Philosophical Underpinnings

Secularism, as a philosophical concept, advocates for “the separation of political economy from religious authority”⁶ (Carr, Wesley. Capps, Donald. eds. 2002, 326). In a secularized society, laws and policies are crafted based on reason, human experience, and empirical evidence rather than religious doctrines. Secularization indicates “declining participation in religious institutions and the declining influence of

religion”⁷ (Carr, Wesley. Capps, Donald. eds. 2002, 326). Moreover, it is diminishing religious belief and diminishing authority of traditional religiously sanctioned moral values. In Sri Lanka, the application of secularism is complicated by the deeply rooted religious beliefs of its populace.

Faith and Reason

The relationship between faith and reason is a central theme in philosophy. While secular perspectives often prioritize rationality, many argue that faith can coexist with reason. The philosophy of pragmatism, for instance, emphasizes the practical implications of faith in everyday life, suggesting that faith can guide ethical decisions and social responsibility.

Faith and reason can be compared to religion and philosophy or science; by nature and with rational faculties of man, science leads commonly to secular society, whereas faith leads to a religious decorum. Friedrich Schleiermacher, one of key figures in the theological study of religious experience, in his own work, *On Religion: Speeches to Its Cultured Despisers* (in 1799), stated that “the heart of religious faith lies in affections and distinctively honed religious feelings, such that religion could be described as ‘the feeling of absolute dependence’”⁸ (Carr, Wesley. Capps, Donald. eds. 2002, 309). “Religions can join one another in service to the common good and contribute to the development of each person and the building of society”⁹ (Benedict XVI 2012, No.28). In *Fides et Ratio*, Pope John Paul II clearly says that “faith and reason are like two wings on which the human spirit rises to the contemplation of truth...”¹⁰ (Paul II 1998, Blessing); therefore both branches need to be grown or go together. Men look to their different religions for an answer to the unsolved riddles of human existence¹¹ (Flannery 2013, 653). Man, from primitive ages, from cave to concrete buildings; still continue to search the truths of life. For man, “phenomenon of life is an enigma”¹² (Omatseye 2006), and there is no end in revealing himself. To help him or rather guide him throughout history, there were religious faiths which were part and parcel in life.

Philosophers like Immanuel Kant and Friedrich Nietzsche have offered diverse views on faith and reason. Kant suggested that faith can coexist with reason, emphasizing moral imperatives derived from rational thought. Conversely, Nietzsche critiqued religious faith as a form of nihilism, arguing that it suppresses individual

creativity and authenticity. In the Sri Lankan context, these philosophical ideas can be seen in the ongoing debates about the role of religion in public life. Proponents of secularism argue that faith should be a private matter, while critics often emphasize the moral and ethical contributions of religious beliefs to societal cohesion.

Existentialism and Religious Faith

Existentialist philosophers such as Jean-Paul Sartre suggested that “man creates a meaning for himself by taking charge of his own destiny”¹³ (Daily Mirror 2010, 07). This perspective resonates with Sri Lankan youth, who grapple with identity in a rapidly changing socio-economic landscape. Features like modernization, urbanization and industrialization have greatly affected on this matter. Hence, the search for meaning often leads them back to traditional religious practices, highlighting a tension between secular ideals and cultural identity.

Religious Philosophy of Sri Lanka

Religious philosophy of Sri Lanka is rich and diverse; it is reflecting the country’s multi-religious landscape, primarily influenced by Buddhism, Hinduism, Christianity, and Islam.

Buddhism as the predominant religion; Theravada Buddhism shapes much of Sri Lanka’s cultural and philosophical thought. In Buddhism, central themes include:

- Impermanence (Anicca): The belief that all things are transient, which encourages a focus on the present and detachment from material desires.
- Suffering (Dukkha): Understanding suffering as an inherent part of existence leads to a philosophical inquiry into its causes and cessation through the Noble Eightfold Path.
- Non-Self (Anatta): The idea that there is no permanent self-prompts discussions on identity and consciousness¹⁴ (Internet Source 2024).

Hindu philosophy, particularly among the Tamil population, emphasizes:

- Dharma: The moral order of the universe, guiding ethical behavior and responsibilities.
- Karma and Rebirth: The belief that actions in this life influence future lives.

- Moksha: The pursuit of liberation from the cycle of rebirth is a key philosophical goal¹⁵ (Internet Source 2024).

Christianity in Sri Lanka has been shaped by the Church's teachings. Its philosophical aspects include:

- Faith and Reason: Discussions around the relationship between faith and rational thought, especially in the context of moral and ethical dilemmas.
- Social Justice: Christian teachings often emphasize compassion and service to the marginalized, influencing social movements¹⁶ (Internet Source 2024).

Islamic philosophy in Sri Lanka often revolves around:

- Tawhid (Unity of God): The concept of God's oneness shapes ethical frameworks and communal life.
- Sharia and Ethics: Discussions on the interpretation of Islamic law and its application in contemporary society reflect a blend of tradition and modernity¹⁷ (Internet Source 2024).

Religious philosophy of Sri Lanka is characterized by a dialogue among its various traditions, shaping the moral and ethical landscape of the nation. Each religion contributes to a broader understanding of existence, ethics, and the human condition.

The Legal Framework Governing Religion

In general terms "law is a rule of conduct enacted by competent authority for the sake of the common good"¹⁸ (Paul II 2015, 473). According to Thomas Aquinas, he underscores that "law is nothing else than an ordinance of reason for the common good, made by him who has care of the community, and promulgated"¹⁹ (Summa Theologiae, Treatise on Law Q. 90, Article 4 Paragraph F) (Internet Source 2024). In Sri Lanka, the "Constitution" is considered as the Supreme Law of the Democratic Socialist Republic of Sri Lanka. There it has given the concern for the religions of the state.

Constitutional Provisions

The Constitution of Sri Lanka recognizes Buddhism's preeminent position, granting it special protection while ensuring freedom of religion for all citizens. The article 09 of the Constitution of the Democratic Socialist Republic of Sri Lanka

mentions that “The Republic of Sri Lanka shall give to Buddhism the foremost place and accordingly it shall be the duty of the State to protect and foster the Buddha *Sasana*, while assuring to all religions the rights granted by Articles 10 and 14 (1) (e)”²⁰ (The Constitution of Sri Lanka 1978 2023, 05). Further the Constitution elaborates in the article 10 that “Every person is entitled to freedom of thought, conscience and religion, including the freedom to have or to adopt a religion or belief of his choice”²¹ (The Constitution of Sri Lanka 1978 2023, 06). The Sri Lankan Constitution enshrines the principle of secularism, yet it also acknowledges Buddhism as the state religion. This duality presents challenges in legal interpretations, particularly regarding the rights of religious minorities. The constitutional framework promotes religious freedom, but the dominance of Buddhism often leads to tensions between state law and religious practices.

In Vatican Council II teachings, it says about a condition of a religious background similar to Sri Lanka. It mentions this way; “If because of the circumstances of a particular people special civil recognition is given to one religious community in the constitutional organization of a State, the right of all citizens and religious communities to religious freedom must be recognized and respected as well”²² (Flannery 2013, 707). According to the above statement, above said one religious community is nothing other than Buddhist community. The protection and promotion of the inviolable rights of man is an essential duty of every civil authority²³ (Pius XII 1941, 200). The civil authority therefore must undertake to safeguard the religious freedom of all the citizens in an effective manner by just legislation and other appropriate means²⁴ (Flannery 2013, 707). Further, “religious freedom is considered as the pinnacle of all other freedoms and is rooted in the dignity of the person”²⁵ (Benedict XVI 2012, No.26).

Personal Laws and Religious Autonomy

In matters of personal law, Sri Lanka employs a pluralistic legal system where different religious communities are governed by their respective laws regarding marriage, divorce, and inheritance.

The personal laws that govern the various sections of our community are, Kandyan Law, Thesawalamai and Muslim Law. Kandyan Law applies as a personal law to Kandyan Sinhalese. Likewise Muslim Law applies to Muslims as their personal law. Thesawalamai is, essentially, a customary law which is both territorial and personal in character. Persons subject to any of

these three personal laws are governed in other respects by the Roman Dutch Law, which is the Common Law of the country²⁶ (Internet Source 2024).

This framework allows for religious autonomy but often results in legal inconsistencies and conflicts, particularly when religious laws clash with universal human rights.

Human Rights Considerations

International human rights frameworks emphasize the importance of religious freedom. Further, the Apostolic Exhortation by Pope Paul VI clearly underscores that “among fundamental human rights, religious liberty occupies a place of primary importance”²⁷ (Paul VI 1975, No.39). However, the implementation of these principles in Sri Lanka remains fraught with challenges. Incidents of religious intolerance and violence, particularly against minority communities, highlight the need for a more healthy legal approach to protect religious freedoms.

The Impact of Secularization on Society

Sri Lanka’s traditional religious authorities face challenges in maintaining influence amidst growing secularization. Younger generations are increasingly drawn to secular ideals, questioning the relevance of religious dogma in contemporary life. “Atheistic secularism and the absence of religious practice are found among adults and among the young, among the leaders of society and among the ordinary people, at all levels of education, and in both the old Churches and the young ones”²⁸ (Paul VI 1975, No.56). This shift raises concerns about the future of religious practices and the authority of religious leaders. *Gaudium et Spes* stated that “greater numbers are falling away from the practice of religion due to scientific progress and a new kind of humanism”²⁹ (Flannery 2013, 798). At present most of the university students of Sri Lanka are religion-less persons or in their own words they are in the category of *Niragamika* or *Nira*. (නිරා). Matthew Kelly says that “so many of Catholic high school students rejecting the faith in high school or shortly after they graduate and its percentage is enormous”³⁰ (Kelly 2010, 286). Here they do not hold any religion and just they do not believe in any divine power. This has become the trend in present days.

Interfaith Dynamics

Secularization has also prompted interfaith dialogues aimed at fostering understanding and cooperation among different religious communities. These dialogues seek to bridge gaps and promote a pluralistic society where diverse beliefs coexist harmoniously. We live in a global context of religious pluralism. Mostly our neighbours are people of other faith traditions. The eminent Jewish scholar, Rabbi, Abraham Joshua Heschel, wrote, “No religion is an island”³¹ (Kasimow & Sherwine 1991). It means that each religion is interconnected with the society. In Sri Lanka, “in a multi-religious context, the Christian and non-Christian membership can come together without cultural or religious barriers to be enriched and to find the specificity of one’s religion and culture”³² (Lowe 2013, 22). However, they often encounter resistance from groups that view such initiatives as threats to their religious identity. “Nowadays a ground for understanding and dialogue is all the more vital, since the most pressing issues facing humanity- ecology, peace and the co-existence of different races and cultures”³³ (Paul II 1998, No.104). Therefore, it is essential to find a solution for unity, amidst all diversities if there is a clear and honest collaboration between Christians and the followers of other religions and all those who, while not sharing a religious belief, have at heart the renewal of humanity³⁴ (Francis 2013, No.250).

Education and Secularism

The educational system plays a crucial role in shaping societal attitudes toward religion and secularism. While some institutions promote secular education, others continue to emphasize religious teachings. This dichotomy influences the values and beliefs of future generations, ultimately shaping the country’s socio-political landscape. Here below, it mentions about the importance of religious education and its contribution to the development of the society.

Religious education, rather than instruction, was seen as more suitable for a multicultural society. Religious education encouraged pupils to explore different faiths: to gain knowledge about a variety of cultural and religious traditions; and to experience what it was like to be a member of faith group. Religious education also encouraged pupils to explore their own beliefs and faith systems and to engage in moral and spiritual development³⁵ (Carr, Wesley, Capps, Donald. eds. 2002, 308).

The debate over religious instruction in schools exemplifies the struggle between secular and religious education. While some advocate for a curriculum that includes multiple religions, others push for a one religion-centric education, reflecting broader societal divisions.

Challenges and Opportunities

Sri Lanka's journey toward a more secular society is not without its challenges. Ethnic and religious tensions, often worsened by political manipulation, pose significant obstacles. Efforts to promote secularism must be sensitive to the historical and cultural contexts that define Sri Lankan society.

The Role of Civil Society

Civil society organizations play an essential role in advocating for secularism and religious freedom. They work to promote dialogue, educate the public about human rights, and hold the government accountable for its policies. These organizations can bridge divides and foster a culture of tolerance and mutual respect. Hence, in the Sri Lankan context an inter-religious dialogue advocates a change of direction or a change of mentality (*metanoia*)³⁶ (Lowe 2013, 22). The aim of interreligious dialogue is not that all religions will be united as one. This is a historical impossibility. What is possible is that people of good will and diverse faiths can encounter one another in a spirit of dialogue, collaboration, reflection and experience³⁷ (Lavin 2013, 110). The Catholic Church also urges the believers to enter with prudence and charity into discussion and collaboration with members of other religions while witnessing to their own faith and way of life acknowledge, preserve and encourage the spiritual and moral truths found among non-Christians³⁸ (Flannery 2013, 654).

Future Prospects

In Sri Lanka, the future of religious faith is predicted to rely on the ability to strike a harmony between secular principles and the deeply rooted cultural significance of religion. Ongoing philosophical discussions about the nature of faith, reason, and human rights will enlighten this balance. Ultimately, the path toward a more secular society will require collaboration, empathy, and a commitment to uphold the dignity and rights of all citizens.

Conclusion

The relationship between religious faith, philosophy, and law in Sri Lanka is complex and evolving. As the country navigates the challenges of secularization, it must confront its historical legacies and the realities of a pluralistic society. Gospel of Christianity is meant for all people of all times without any divisions. At the same time, we see that like their Master, Jesus, the apostles too recognized legitimate civil authority. It is evident in Holy Scriptures; “Let every person be subject to the governing authorities... he who resists the authorities resists what God has appointed” (Rom. 13:1-2). It states about the acceptance of authorities when it comes to common good. Therefore by fostering dialogue and understanding, Sri Lanka can work toward a future where diverse beliefs coexist peacefully, enriching the social fabric of the nation. Emphasizing human rights and promoting a more inclusive legal framework will be essential in achieving this goal, ensuring that faith and reason can coexist in harmony.

The issue at hand is whether, even as we embrace secularism, we can completely detach ourselves from our beliefs and behave immorally in society. What is occurring in countries that are secular and without religious influence? They are deteriorating in their morality. Many are losing their way without the guidance of a well-developed conscience; in order to possess such a mindset, we may need to embrace religious faiths whatever it may be. This concept also applies to the society of Sri Lanka in which we reside.

Regardless of whether we are divided by religion, race, colour, condition in life, law, any kind of philosophy or whatever; the ultimate goal and the supreme law should be the salvation of souls as mentioned in the Canon No. 1752, in the Roman Catholic Code of Canon Law. In this way, we as Sri Lankans can work towards a future where diverse faiths peacefully co-exist and enrich the social fabric of the country.

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