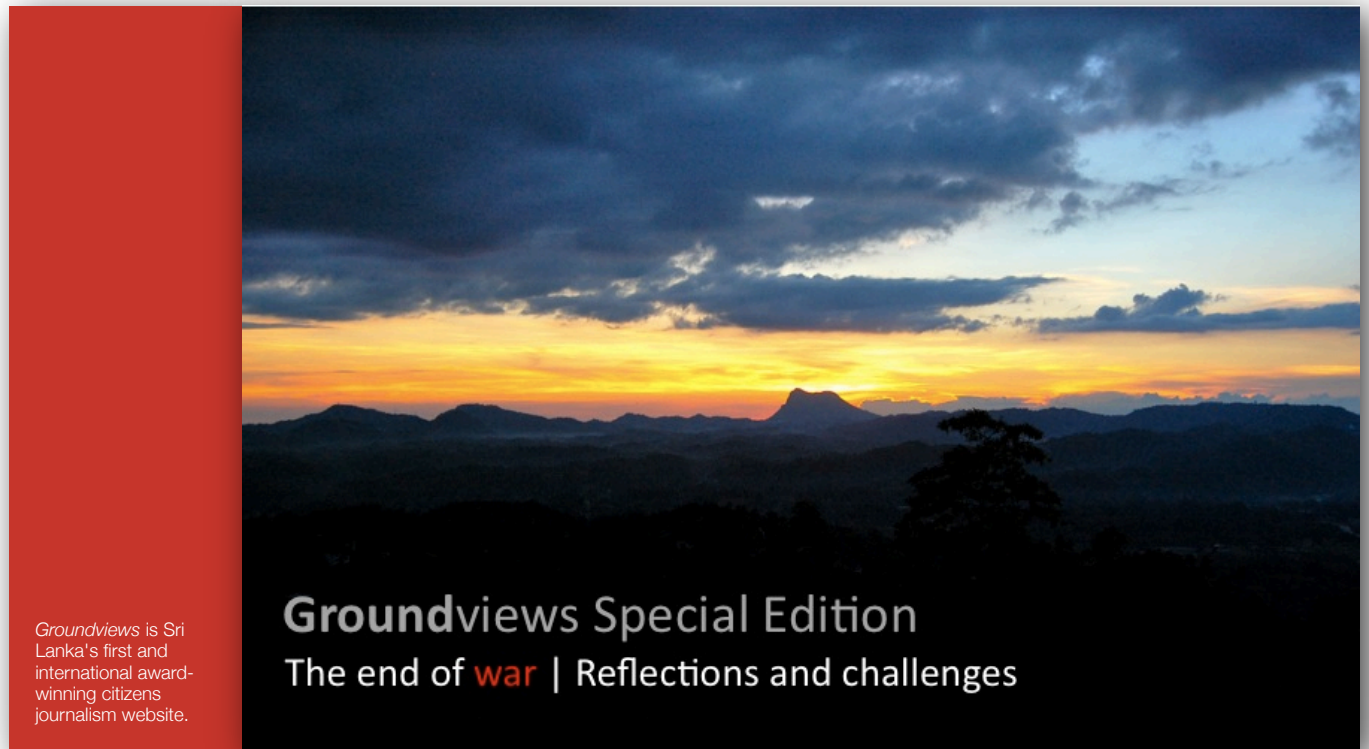


GROUNDVIEWS

The end of war in Sri Lanka: A year hence



One year after the war ended in Sri Lanka, *Groundviews* invited several well-known contributors to contest and complement the understanding that peace is more than just the absence of war, or the defeat of the LTTE. The response was staggering. This is a collection of content exclusively published on the site over the course of one week in May 2010 - close to eighty thousand words from over forty different authors.

There is, quite simply, no comparable collection of critical writing on the end of war one year ago that was published in any other media - print, electronic or web - in Sri Lanka.

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Foreword

From 19 - 27 May 2010, *Groundviews* ran a special edition on the end of war in Sri Lanka. Over this week alone, the site received over forty thousand readers and exclusively featured over eighty thousand words of original content, one video premiere, over a dozen photos, generating over one hundred and fifty thousand words of commentary. Tens of thousands more have read and commented on this content since, making the special edition a *sui generis* archive of intelligent debate, incisive critique and vital perspectives that mainstream media in Sri Lanka, even post-war, is too fearful to feature.

For example, one memorable and particularly hard-hitting comment inspired by the content in this special edition came from Tathagata Bose, an Indian medical doctor who based on direct experience with the treatment of large civilian casualties at Menik Farm just after the end of war averred:

"I am an Indian pediatrician who served with the Indian Medical Team at Menik Farm IDP center. The point I am trying to raise is this – we were managing scores of infants with bullet / shell blast injuries (some festering, mostly healed). It gives an idea of the extent of collateral damage suffered by the civilians caught in the last days of the conflict. If an infant could not be protected, imagine the plight of older children and adults. The so-called "Sri Lankan Solution" being touted as the panacea for dealing with terrorism worldwide needs a thorough relook."

A significant challenge when publishing web content in print form is to capture the vibrant nature of online debate and discussion. Because of the sheer volume of reader generated commentary, this volume only contains the original contributions by the authors. Links are provided to each article on *Groundviews*, and readers are very

strongly encouraged to follow through to the online version and engage with commentary that is often as well thought out and expressed as the original contribution.

The articles are published in the order they appeared on the site. However, the final three essays were not part of the special edition online, and are included because the authors anchor their key arguments to issues, processes, people and events flagged in the special edition.

Groundviews was set up to bear witness, contest the *status quo* and document inconvenient truths. The comment by Dr. Bose alone is a cogent example of the site's unique role, recognition and continued relevance post-war.

The content here is a compelling record of hope that risks disappointment, defiance that trumps despair and a resilient, indefatigable search for identity, truth, accountability and closure - vital narratives that need to be heard, and which can't be censored, curtailed and contained.

Veritas vos liberabit.



Editorial

Sanjana Hattotuwa and Nigel V. Nugawela

<http://www.groundviews.org/editors>

One year after the war ended, when Groundviews invited contributors to contest and complement our understanding that peace is not just the absence of war, or the defeat of the LTTE, we did not expect the response we received. Over the next week, we will publish close to 80,000 words and content from over forty different authors, in prose, verse, photography and video. A leitmotif through all contributions is that a government supremely adept at winning a war is outrageously inept at winning peace. The authors, including former senior diplomats and civil servants, internationally renowned, award-winning poets, gifted photographers, academics, economists, bloggers, novelists, human rights activists, diasporic commentators and others celebrate war's decisive end, but flag much that risks a hard won victory, including the continued alienation of Tamil aspirations, the predominance of dynastic rule over democratic governance and the lack of progress in addressing underlying grievances that gave life and succour to the idea of Eelam and the physical manifestation of the LTTE.

Bearing witness is never fully objective, never completely impartial. We have few narratives that, with the same vigour as the criticism of government, interrogate the manic violence of the LTTE throughout its sordid history and, in particular, towards the end of war. The documentation of this significant violence, in recent reports from the International Crisis Group and Amnesty International, amongst other local and international human rights groups, is a terrible record of a liberation movement gone very wrong, and ultimately, that orchestrated its own, tragic demise. However, our bias, evident since the inception of this site, is that elected governments – our representatives, our servants – must and can be held to higher standards of accountability.

It is the government that now has to win back the hearts and minds of those once under the jackboot of the LTTE. It is here, as many of the contributions record, that on a number of fronts – from the political to the symbolic – it has failed post-war and disturbingly, shows little signs of improving.

One would think that the end of war would have created ideal conditions for restorative justice, reconciliation and democracy. These remain ideas without traction, and calls for the accountability of actions by Sri Lankan security forces still risk the frothing ire of key figures in government who stand far removed from democracy's core values. This grave risk to the domain of independent ideas and free debate exists even though we are ostensibly at peace, and a mainstream media under the shadow of Prageeth Eknaliyagoda's enforced silence is, even post-war, still not one able to fully critique the *status quo*.

There are contributions here that question the opposition to war, given its final outcome in wiping out the main obstacle to peace. Others concur, and suggest that the delay in securing a just peace (a peace more than the absence of war, also called a positive peace) does not in any way delegitimize the war against the LTTE, which was necessary and inevitable. Many contributors flag the absence, or more accurately, the misdirection of political will in securing a just political solution to underlying grievances. As Dayapala Thiranagama in his contribution avers,

“Even though, the ‘Tigers’ utopia of a separate state was buried with them at Vellamullaivikkal, even though their guns fell silent on 18 May 2009 the likelihood of their dream resurfacing cannot be ruled out unless there is a political solution within a united Sri Lanka that can restore the Tamil community’s dignity and respect.”

Many struggle to re-imagine our country after war, noting that three decades of violence has stunted not just the ability and willingness of government to democratically govern, but also of many Sri Lankans to recognise, and stand up for fundamental rights that are integral to democracy. Poetry and photographs, from award winning contributors, succinctly and emotively frame the hopes and fears of communities coming out of war. Another contributor interrogates the public perceptions of a soldier, suggesting that though it is easy for us to condemn, it may not always be easy to unquestioningly comply. From perspectives of Jaffna Tamils to university students, from the realpolitik and constitutional to the existential and inspirational, from a gendered critique of war and its end to a detailed report on the situation in the Vanni today, these essays provide compelling snapshots of Sri Lanka a year after war ended.

This special edition is close to our heart, and since the launch of Groundviews in 2006, represents the highest and most diverse concentration of media and content published over the course of a week. It is a compelling record of critical voices and features content mainstream media in Sri Lanka will tellingly, to date, not dare publish or broadcast.

We cordially invite and strongly encourage your responses complementing and contesting vigorously the content that follows. We do not believe we know all the answers to achieve and sustain a just peace. However, we strongly believe that it is only through vibrant and civil debate, without fear of violent physical or verbal reprisals, that we can engender a just peace and a timbre of democracy we so richly deserve after war's end.



To access this editorial online and read the comments it generated, please visit <http://www.groundviews.org/2010/05/19/editorial-one-year-after-the-end-of-war/>

Alternatively, using a QR reader such as Kaywa Reader <http://reader.kaywa.com>, just use the code above to access the site directly on your mobile device.



The war and my times

By Dr. Dayan Jayatilleka

GROUNDVIEWS June 2010

Fidel quotes a Cuban saying that a man is marked more by his times than his family. My times were shaped by armed conflict: wars, insurrections and counter-insurgency; successive wars in the North and East of the island, two insurrections in the South, against a backdrop of Vietnam, the Middle East, Angola, and Central America. History was driven by the dialectic of states vs. armed movements. To simplify, my times were dominated by the long hot war in Sri Lanka and the long Cold war in the world; their endings and aftermaths.

Too many friends, comrades and acquaintances died to bear enumeration. Life was dominated, distorted and to some extent determined by the conflicts and their cumulative gravitational pull. The greater the number of deaths of those one felt something for, the more difficult to walk away from it all. One then applies what one has to bring it to an end: the analytical intellect to discern, the power of expression to expose and exhort and the will to play one's part in the collective effort to overcome and prevail. From this I draw some grim satisfaction.

At its outset in the late '70s, and as a rather dogmatic Leninist in my early 20s, I supported the Tamil armed struggle for what it called national liberation. Temperamentally attuned to Mao who said that the soul of Marxism can be summed up in the words 'it is right to rebel', I supported any armed struggle against oppression and the state. I had to learn the hard way, that there were important caveats: it depends on who is doing the rebelling, against whom and for what. I twice participated in quite modest efforts (in the '70s and '80s) to launch armed revolutionary action against the state, because I belonged to one of those generations that believed in Fidel's injunction that 'the duty of every revolutionary is to make the revolution' and Che's observation that to be a revolutionary was to aspire to the

highest form of human being. Later I was to understand the hard way, how the form and content of violence is determined by ethos and that the rational, modernist heroism (or heroic rationality) I identified with could not be replicated in the Sri Lankan culture. Dr Newton Gunasinghe used to remark that our culture never contained a code of violence. I extend that insight to hypothesise that some subterranean socio-cultural trait causes violence to swiftly assume the character of barbarism, which is held in comparative check within the state by its insertion into and accountability as a unit of the world system, but rampages unconstrained in anti-state, anti-systemic movements.

By the latter half of the 1980s, I was advocating the military defeat of the LTTE. This is not quite as dramatic a turnaround as it may appear: a great many that supported the Cambodian liberation struggle against the US, turned against it and endorsed the Vietnamese invasion of Cambodia when the nature of the Pol Pot led Khmer Rouge became discernible—indeed the anti Khmer Rouge struggle was led by former Khmer Rouge. The classic example is that of the global revolutionary Left in the first half of the 20th century. During WW I it held that the contending sides were predatory imperialist nationalists who should be equally opposed and resisted, while a mere decade later it divided between the small antiwar left that held the old views, and the Communist-led majority who supported the broadest united front against fascism, because German nationalism had since undergone metastasis into Nazi fascism. The parallel I draw is with the Tigers' Tamil nationalism.

Every generation has its challenge, posed by history. Some have it tougher than others. Ours did. Europe in the 1930s and '40s faced fascism; our forefathers faced colonialism. We faced an intertwining of the two and finally came through. We won. We took the suicide bombs and the casualties of a

thousand dead in a night, the refineries aflame and our most visionary leaders blasted to pulp on the city streets; we selected our leaders democratically and supported and propelled them to galvanise the full capacities of the state and society in one massive sustained final heave to overrun and overcome, to defeat and destroy the enemy. The beast is slain; the war is over, the national territorial space unified, the prejudiced among the world's powerful deterred. This will be recorded in the chronicles. Those of us living here and now have passed the test of extreme times. Some of us didn't; they confused the fight against racism with the fight against fascism, and, in the name of peace, were appeasers and defeatists, or wavered, or stood equidistant between basically democratic state and demonstrably totalitarian enemy. They were as wrong as the rightly respected internationalist pacifists of World War I were rightly reviled in World War II, the 'Great Anti-Fascist Patriotic War'.

The end of the conflict was bloody, but what did one expect? With their obduracy and exaggerated sense of influence in the world, the Tigers did not surrender or let their people go. With the widely advertised prospect of their external support and chances for external regrouping they had to be uprooted. With their accumulated crimes and atrocities, the sword of justice and retribution had to complete its downward swing and heavy fall. Those who sought to obstruct it were guilty of seeking unwittingly to prolong the conflict.

External pressure to terminate the conflict short of victory, leaving the enemy leadership intact, in fact drove a determined state and nation to end the conflict decisively by terminating the enemy. The state had to balance between outrunning interference and intervention on the part of those who sought to use Sri Lanka as a test case for elastic versions of the 'protection doctrine' and the need to reduce intensity of operations due to electoral compulsions next door. The specific timing and intensity of the final surge was of course due to external determinants, given that a window could have begun to close if an election in the neighbourhood had gone differently. It was a risk that could not be taken.

Does the possibility or even likelihood that horrors took place in the prosecution of the war, render that war less than just in character? Not unless the firebombing of Dresden and the atomic devastation of Hiroshima and Nagasaki render the Allied campaign for the elimination of the fascist Axis powers, an unjust war.

(Of course, the just character of the war does not make these attacks less morally abhorrent).

Does the dismal aftermath of the war give the lie to anything I have said here? Not unless the onset of the Cold War, in the aftermath of WWII, renders the strategy of broad alliance against Nazi fascism and total war against it, to have been wrong.

Are these analogies false because what we had here was a civil war and we should eschew all celebration, adopting instead an air of collective mourning because all who died were our citizens? Not of one is aware that in December 1865, the Union armies staged a massive parade with the Capitol as a backdrop, in commemoration of the first anniversary of victory in the US Civil War against the Secessionist confederacy; a celebration which would not perhaps have warmed the hearts of the populace in the Southern states through which the Union armies march to the sea took place.

Could the war have ended differently? Yes, but the difference could have been for better or worse. An external intervention to prevent final victory would have led to carnage as the Indian intervention of 1987 brought in its wake, not only the laudable Indo Lanka accord with its enlightened Preamble, but also boosted a simmering Southern insurgency into a civil war which left tens of thousands dead.

Could the war have been fought better, but with the same result? Arguably yes, but the commanders who could have done so were no longer alive or in service (Kobbekaduwe, Gerry de Silva, and Gamini Hettiarachchi) and when they were, the political leadership of their time was not committed to the full and final military eradication of the Tigers.

Could all or some of this have been avoided or ended better? Yes, but to understand how, why and when we would have to make a detour through a potted history of the conflict and the mistakes of successive Sri Lankan and Indian administrations, the LTTE, the non-LTTE Tamil groups, the JVP and the non-JVP Southern Left.

Given that the Tamil electorate voted decisively against secession in 1970 and decisively for it in 1977, the conclusion is inevitable that Prime Minister Sirimavo Bandaranaike should bear considerable responsibility for the birth of the Tamil Eelam struggle. Had the Sirimavo Bandaranaike administration, which included

the Left parties, not adopted a Constitution which changed the civic contract between the communities embedded in the Soulbury constitution, having ignored a moderate 6 point letter sent in May 1972 by the Tamil parliamentary leader, had it not pursued discriminatory policies of levelling downwards in university entrance, let go unpunished the police firing at the IATR conference of 1974, and jail Tamil youth for years for hoisting black flags, there would have been no Tamil insurgency.

Had JR Jayewardene used his unprecedented 5/6ths majority in parliament and his executive powers as president to fulfil his election pledge, summon an all party roundtable conference and resolve the Tamil grievances he had identified in his winning manifesto of 1977, and had his party barons not turned the 1981 DDC elections in Jaffna into a violent farce, the urban guerrilla war would not have gathered ground and momentum. Had Cabinet Minister Cyril Matthew been prohibited from widely disseminating racist literature through official channels and make inflammatory speeches thereby contributing to the outbreak of anti-Tamil riots of July 1983, had these riots not taken place or had JR cracked down on it sooner and harder (which he was arguably unable to do, owing to the mono-ethnic nature of the army), the Tigers would not have emerged dominant among the Tamils, a great many of whom were looking for a military instrument of revenge for the humiliation they had unjustly suffered.

Had JR Jayewardene not wrecked his country's nonaligned foreign policy and friendship with India, the Sri Lankan army would not have been prevented by India from prosecuting the offensive on Jaffna (Operation Liberation) in 1987, and the war would have been won.

Had JRJ not shut off the safety valves by holding a referendum instead of the scheduled parliamentary elections, and had he not unjustly banned the JVP on trumped up charges of participating in the July 1983 anti-Tamil attacks, he would not have had a second southern insurrection at the time of the indo-Lanka accord, thwarting or retarding the implementation of devolution. In that event, with devolution implemented to the agreed extent and on schedule, the IPKF could have gone flat out, and won the war.

Had Premadasa followed up his twin achievements in overcoming JRJ's legacy — defeating the JVP

insurrection (which was already taking targets in the city while shutting it down repeatedly) and restoring sovereignty by sending off 70,000 Indian troops from Sri Lankan soil — with a third achievement, bringing his forceful personality and management skills to bear as Commander-in-Chief in full support of his appointees Generals Kobbekaduwe and Wimalaratne in a determined quest to win, instead of attempting to be 'non interfering', 'above the fray' and 'letting the professionals handle it' while hoping for the Tigers to negotiate or implode, he and we would be living today in a more developed, modern, egalitarian, pluralist Sri Lanka as full partner of the Asian economic miracle. Had DB Wijetunga agreed to the military's plan articulated by 'Lucky' Algama, of a Jaffna offensive, instead of inquiring whether it will cause casualties, the war could have been shortened.

Had Chandrika Bandaranaike Kumaratunga viewed her electoral victory accurately as not solely a massive mandate for peace but also the result of the LTTE's serial decapitation of the UNP; had she prudently picked the 13th amendment (which as India Foreign secretary Nirupama Rao just recently reiterated, should be regarded the 'fulcrum' of provincial autonomy) or the Mangala Moonesinghe proposals (which Madam Bandaranaike had signed off on) as the start-line, and not overshot the mark and wasted time and political capital on a federalising 'union of regions' package; had she presented the more moderate August 2000 draft in 1995; had she settled upon Devananda and Siddharthan as her Tamil political partners instead of pursuing the mirage of a negotiated peace with the Tigers right through to 2005; had she as commander-in-chief, ordered the Tigers to be encircled and destroyed in the liberation of Jaffna (Operation Riviresa) instead of letting them escape with the civilians into the Wanni; had she used her courageous cousin Anuruddha Ratwatte in the role President Rajapakse deployed his brother Gotabhaya; had she not patronised and encouraged the Sudu Nelum antiwar movement which conducted pacifist propaganda in the Sinhala areas while the war was raging — thereby hampering morale and military recruitment; had she given full command and free rein to the best professionals such as Sandhurst-trained General Gerry de Silva instead of the mediocre General Daluwatte; had she not squandered the opportunity of rousing global sympathy for Sri Lanka's war and against the Tigers immediately after their suicide attack which blinded her in one eye and instead switched on the Norwegian peace track; had she not

picked Norway, with its obvious Tamil Diaspora instead of Japan (which neither a Tamil lobby nor granted the state any military aid); had she not wasted the opportunity for a full on counter-offensive with the rapid induction of airpower, presented by her own sterling defence of Jaffna in 2000 after the fall of Elephant Pass; had she not delayed in authorising the LRRP deep penetration raids on the Tiger command structure until after the Katunayake attack; had she not turned her back on the possibilities opened up by the US 'global war on terror' by making key speeches in London and Delhi proclaiming that 'terrorism cannot be defeated by military means' (which Mahinda Rajapakse has given the lie to); had she not sabotaged the Karuna rebellion by permitting the LTTE to pass through the Sri Lankan naval cordon and land in the rear of the Karuna rebel forces; had she not marginalised Lakshman Kadirgamar and negotiated a post tsunami joint mechanism with the tsunami-weakened LTTE which gave them equal representation with the legitimate state in its top tier and a 5:3 advantage in its vital middle tier, with a headquarters located in the Tiger controlled Wannai – then she could have won the war, implemented a reasonable autonomy arrangement and constructed a progressive pluralist society.

Had Ranil Wickremesinghe not abjectly signed an asymmetrical CFA which did not reflect the actual balance of power between the Sri Lankan state and an LTTE which had begun to be weakened by the first LRRP hits on its command structure ('Lt Col' Shanker being killed in Sept 2001); had he not agreed to disarm the anti-Tiger Tamil groups without mentioning the issue of decommissioning under international auspices of Tiger weapons; had he not been a model of supine appeasement and responded resolutely to Tiger abductions and killings of Police and army personnel even in the city and suburbs of Colombo; had he not undermined the morale of his military by the Athurugiriya DMI 'safe house' raid and the ensuing interrogations, the dispute with the Jaffna army chief over the HSZs, the intervention in which a Tiger ship was allowed to go unscathed from a Sri Lankan navy ambush; had he not allowed free passage for sophisticated electronic communications equipment for the Tigers, not to mention the broadcast of Prabhakaran's warmongering '11' speeches through the Rupavahini; had he used his 'American connection' to present Sri Lanka as a frontline in the global war on terror instead of providing an excuse for the Tigers in Washington to the effect that military means should be

used against 'international terrorists' and not the Tigers (who were manifestly no longer 'national' when they blew up Rajiv Gandhi); had he used his supposed international connections to strengthen the Sri Lankan military or secured a public Western commitment so that either could have served as a deterrent to the Tigers – then perhaps the inflation of Tiger territory, power and ego would not have taken place to the extent that they planned and for and publicly proclaimed the imminence of 'The Final War' (HRW Dec 2005).

Had the government of India (GOI) not got itself caught in the cleft stick of tactically supporting an armed secessionist movement while strategically supporting a united Sri Lanka (as Thomas Abraham jr pointed out); had GOI taken the sage counsel of PN Haksar (Madam Gandhi's former Principal Secretary) and opted for serious worldwide diplomatic pressure instead of military pressure on GOSL; had Gamini Dissanaike and Vardarajaperumal's 1988 Delhi proposal for triangular joint military action against the Tigers involving the IPKF, the Sri Lankan armed forces and the EPRLF been accepted by GOI; had GOI signed a defence pact with either Chandrika Kumaratunga or Ranil Wickremesinghe or simply provided sufficiently robust military assistance to Mahinda Rajapakse while delivering it by tranches linked with political reform, the Tigers could have been deterred or defeated, with a political settlement in place for the Tamils.

Had the Tigers avoided political and military cannibalism and formed a united front with all the Tamil groups, using the TULF as its politico-diplomatic front instead of murdering all other Tamil leaders; had it avoided civilian casualties and treated captive soldiers humanely as did the liberation fighters in China, Cuba, Angola, Mozambique, Guinea-Bissau, Angola and Nicaragua; had it not murdered actual or suspected dissidents within its own ranks (Mahattaya); had it not killed every leader who reached out to negotiate with it or for it ranging from Rajiv Gandhi through Amirthalingam and Yogeswaran to Premadasa; had it not waged war on the Indian peacekeepers when the Sri Lankan armed forces had been confined to barracks and it had been given seven of twelve seats plus the chairmanship of an interim council for a merged Northeast in Sept 1987; had it not, in its arrogance and false consciousness (encouraged by some segments of Tamil society), turned its back on the examples ranging from the

Nepali Maoists to the Sinn Fein/IRA of knowing when to negotiate and sincerely enter the mainstream; had it not, quite simply underestimated the Sinhala leadership, the Sri Lankan armed forces, the Karuna loss and above all, the Sinhala people, it would not have wound up exterminated on the banks of the Nandikadal, beyond the pale, unwept and unsung the world over because of its Nazi-like barbarism.

Had the JVP, following its unfair proscription, avoided the temptation (or natural inclination) to play the ultranationalist card and instead showed empathy for the pain of the Tamils after July '83 and reached out to the non-Tiger Tamil groups of the 'Eelam Left', namely the EPRLF and PLOT, on the basis that they were all being oppressed by the same government/state; had it simultaneously reached out to the other anti-UNP/anti-state elements in the south, starting with Vijaya Kumaratunga, it could have widened its own strategic space and unleashed a wholly different political dynamic. If it had known to abandon its armed struggle with the election of Premadasa who reached out to it, it could have been an important part of a progressive, patriotic coalition, propelling pro-people change. The new blocs and dynamics would have pre-empted Prabhakaran's war or won it swiftly.

Had the non-Tiger Tamil groups, especially those of the Eelam Left, gathered under a single umbrella, they would have been able to counter the LTTE's dominance, and also bring together instead of dividing as they did, the non-racist Sinhala Left (from Vijaya and the SLMP to 'Vikalpa', the SJV and NJVP) which was in effect divided along the lines of affiliation with PLOT and EPRLF. When the anti-racist Left finally united on Dec 26th 1987 (in the 'Desamber Visihayavenida Vyaparaya', the Dec 26th Movement), it was too late, with student leader Daya Pathirana murdered a year before and Vijaya Kumaratunga having two months to live before extermination by the JVP. North-South Left unity took place episodically at Vijaya's funeral. Had Vijaya survived he would have been a powerful propellant of progressive change during the Premadasa presidency either from within or outside the government. Instead there was a Left-on-Left civil war within the overall Southern civil war, with former foes the State and the pro-devolution Left fighting shoulder to shoulder, first under JRJ and Gamini Dissanaike and then under Premadasa and Ranjan Wijeratne. The anti-racist Left played a significant role in strategy, policy and tactics, in the military defeat of the JVP's second, and this time Pol Potist, insurrection which ended with Wijeweera

reportedly being fed while alive to the flames at the Kanatte crematorium—a fate which he and the JVP could have avoided had it not used lethal violence against civilians and its Left rivals.

Had it not been for the excess and lopsidedness of Chandrika's 'package' and PTOMS, and Ranil's CFA, Sinhala fundamentalism would not have enjoyed the surge it did. Sinhala ultra-nationalism, which had been marginalised under 'Premadasa-ism' to the point that its key ideologue was sacked by the then VC of Colombo without a social ripple, had reached such a peak a decade later that it was conceded 40 seats by Chandrika's negotiator Mangala Samaraweera, over the protest of Mahinda Rajapakse, then PM.

Sinhala ultra-nationalism was the default option of the Sinhala people in the face of the existential threat posed by Tiger aggression and the vacuum created by the failure or partial and inadequate success of more pluralist, progressive, cosmopolitan or liberal-leaning leaderships in the core tasks of protecting the citizenry by defeating fascism, reunifying the country, reasserting the state's monopoly of violence and defending national sovereignty.

The Tigers began to hit the Sri Lankan military and police within weeks of the election of Mahinda Rajapakse. Far from adopting a bellicose stance, Rajapakse had to buy time for the military to re-train and rearm, since the army chief had asked for three months. Rajapakse made a speech in which he asked the Tigers not to mistake his Buddhist forbearance for weakness. The LTTE and its supporters were so inebriated by their misplaced sense of superiority, they scoffed at what they thought was Sinhala bluff and braggadocio. It was still later, after the Tiger suicide bomb attacks on the army commander and the Secretary of Defence, and the eyeballing over the Mavil Aru sluice gate, that the Sri Lankan armed forces moved, but his time did so with the clear strategic goal of defeating the Tigers militarily. It was accompanied by the only ideology that had not discredited itself by that time, and was in fact ascendant: Sinhala nationalism and ultra-nationalism.

Thus the war was inevitable, defensive, waged by a legitimate authority (a recognised state, with an elected government) against an illegal and illegitimate enemy which had repeatedly returned to war despite the availability of space for negotiations and reforms, of alternatives to war. In short, it was a just war in its

essential character (Augustine), though perhaps not entirely in its methods (Aquinas) of occasional 'Battle of Algiers' urban counterterrorism.

Does the absence or delay of a just peace retrospectively delegitimize a just war, and does a just war preclude the prospective struggle for a just peace? I think not. Many who fought together against the Nazis in that most just of just wars, then fought politically for a just peace, sometimes against their former allies: the Left fighting for national liberation, progressive domestic change and against imperialism, the Right against Communism and Soviet expansion. It is of course, rather difficult for those who did not participate in one or other role in fighting a just war, to fight credibly for a just peace. This is why the coalition for a just peace must be broadened by liberating the main democratic opposition of a leadership which stood opposed, or at best, sat on the fence, during a historic and just war of the people-nation.



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One Year On After the Guns Fell Silent at Vellamullivaikkal: Is There Foresight to Settle the Political Score?

By Dayapala Thiranagama

GROUNDVIEWS June 2010

In advising political leaders the Italian historian and political advisor Machiavelli (1469-1527) offered the following words which have a relevance to the current predicament of the Sinhala political leadership after the war victory.

“But when states are acquired in a province differing in language, in customs, and in institutions, then difficulties arise; and to hold them one must be very fortunate and very assiduous...He should also take precautions to check an invasion of the province by a foreigner as powerful as himself. Invariably, the invader will be brought in by those who are disaffected because of excessive ambition or because of fear” [1] The North and East could be said to broadly resemble the province that Machiavelli refers to here. When regions are dissimilar in language, customs and institutions any politically astute ruler needs to understand that unless these rights to differing language, customs and institutions are recognized and respected, the political price for the state will be huge. Machiavelli wrote this cautionary advice to the Italian rulers about 500 years ago but his words also provide valuable insights to the current Sri Lankan political leadership too. His words demonstrate that one needs to be careful about the regional alignments of political forces in order to protect the sovereignty of the state. One year after the comprehensive military defeat of the Tigers, are we conscious of the huge task of reconciliation and resolution of Tamil grievances? Are we ready to learn from Machiavelli's warning?

This short article attempts to make some observations on the difficulties of political resolution of the ethnic conflict but will try to argue for the recognition of multi-ethnic and pluralist nature of our people and to

preserve their dignity and rights within a Sri Lankan national democratic culture.

Primordial aspirations

Following the victory against the LTTE it appears that the hopes of a political solution have been somewhat dashed as the Sri Lankan government has yet to give any gestures towards such a move. The Sinhala political leadership appears to be playing a waiting game. A hawkish element within the Sinhalese leadership in government has been fostered by an ideology which does not recognize the humanity of other ethnic groups other than Sinhala people. Historically this has been the one of most negative and significant ideological factors which drove the Tamils and their political culture towards a separatist discourse. In both communities' primordial national aspirations have been major obstacles in resolving the ethnic issue as they have taken very entrenched political positions. Primordialist national aspirations are described in the way in which the current national identities are articulated by using historical material and applied them to the past in order to gain political advantage. For an example inscriptions are used to prove a particular nation has the right to make political claims on the basis of such historical material. The academic research has argued very strongly to show the way in which our history is analyzed and its political implication. *“The history of Sri Lanka has generally been written in primordialist terms, with nationalist assumptions anachronistically applied to the past ... ancient chronicles and inscriptions which proclaim that Sri Lanka must be ruled by Buddhists to prove their point”* [2] This is the situation in relation to the Tamil political leadership too.

The Tamil Tigers were responsible for driving the Tamil community to the brink of disaster from the inception of their organization. In the end when that brought their leadership to disaster and death they left behind their primordial national aspirations. Their utopia of a separate state on traditional homelands has still been the main ideological and political base for their political ambitions. These ideological and political aspirations were not buried with the Tamil Tiger leadership. This separatist ideology was readily adopted by the TNA and later the Illankai Thamil Arsu Kathchi (ITAK) and it was made manifest when they campaigned in the parliamentary elections on the federalist platform. They also claimed that before the advent of European powers the Tamils had a separate kingdom in the north highlighting again their primordial aspirations. No military defeat can vanquish ideology, though it may suffer a temporary setback. Following the defeat of war the LTTE's proxy the TNA continued the political struggle with the same ideology and argued on the basis of those same aspirations.

Political will

The lack of political will on the part of the victor is yet another major obstacle for a just and lasting political solution. When a war is lost the struggle changes to the political arena where both sides test their political strength. Prior to, and since the elections the political struggle has continued. As Gramsci observes *"then the defeated army is disarmed and dispersed, but the struggle continues on the train of politics and of military 'preparation'."* [3] When the political struggle continues on the terrain of politics then the hope of finding a solution appears to be less and less distant but in reality this perception can be deceptive, as the loser cannot negotiate on equal terms, nor gain concessions from the winner. Both the Presidential and Parliamentary elections marked the highpoints of the political struggles. However, during this period the Sinhalese leadership failed to reassure the Tamil community or provide them with political gestures of reconciliation. To date, there has been no clear messages and no definite assurances to a community who underwent one of the most tragic experiences in the history of armed conflicts.

Aftermath of the war

When the clear winner emerged, the government hardened their political stance towards an eventual solution. The Tamil political parties TNA/ITAK have signaled that they would accept a solution within a

united Sri Lanka. Yet it is clear that they still cling to their primordial political aspirations, reminding the people of the existence of a Tamil state before the colonial rule began and going back to federalism as a political solution. Even though they have somewhat softened their position that was not enough to allay the deep mistrust that had been building prior to and during the war. The reconciliation would have had a chance if the both parties reconsidered their respective political projects and reformulated their political positions. Then, the struggle in the 'terrain of politics' could have won a profound understanding leading to a political resolution of the conflict. This opportunity still stands. Following their work and research in state building D.Rothchild and P G Roeder made the following observations 'Yet the success of power sharing depends on the continuing commitment of the leaders of the ethnic groups to moderate their own demands and their ability to contain hard-line elements within their own communities. Such moderation and control are likely to be short supply after civil war' [4] The Sinhalese political leadership during and after the war did not show their ability to contain the Sinhalese hawks and moderate their political positions in relation to Tamil democratic rights. The same happened with the Tamil Tigers in relation to their political project of Tamil separatism. This state of affairs continued after the war and still continues to hamper any hope of reconciliation, though the onus on political leadership now rests with the Government and the Sinhalese leadership.

Sri Lanka's fragile democracy needs strengthening to take up the essential task of democratizing our society. At present political dissent and tolerance has come under severe strain. The electorally weakened opposition or the UNP has neither strategy nor political will to tackle the issues of political democracy or good governance. When democratic structures are fragile it is not possible to fully ensure the democratic rights of a people who have experienced discrimination under a majoritarian rule. Therefore the Tamil democratic rights are realizable only with a wider democratic opening within the Sinhalese community. This benefits everyone, because a solution that protects Tamil democratic rights also protects the rights of the Sinhalese community.

Absence of resolution

We inherited a deeply divided nation that in the absence of a political resolution, we will in turn pass on to the next generation. Such a predicament will

generate hopelessness that can be exploited by a new kind of militant outfit. Eric Hobsbawm in discussing the reasons for the rise of militant nationalism in Germany before the war makes the following analysis. ‘all the same, even if we do not see resurgence of militant nationalism as a mere reflect of despair, it was plainly something that filled the void left by failure, impotence, and apparent inability of other ideologies, political projects and programmes to realize the men’s hopes [5] The Sinhala political leadership should learn from these experiences and make sure that there is a political project that will give the Tamil people hope not despair and political strength rather than impotence. In order to achieve this, devolution of power is the most capable and suitable political project. Being Sinhalese and belonging to the majority community many of us will never understand the nationalist sentiments of an average Tamil youth who is overcome by hopelessness in the face of political and social marginalization. Benedict Anderson in his celebrated book “Imagined Communities” explains the nationalism’s attractiveness and vulnerability of people to the call to die for the nationalist project. “Finally, it is imagined as a community, because, regardless of actual inequality and exploitation that may prevail in each, nation is always conceived as deep, horizontal comradeship. **Ultimately it is this fraternity that makes it possible, over the past two centuries for so many millions of people, not so much to kill, as willingly to die for such limited imaginings** [6]. In order to understand the reasons why so many youths came forward to die during the war in the North and East Anderson’s explanation is useful. It is also useful in understanding the power of nationalist feelings and how it will drag us into another military project in the absence of a just political solution. Even though, the ‘Tigers’ utopia of a separate state was buried with them at Vellamullaivikkal, even though their guns fell silent on 18 May 2009 the likelihood of their dream resurfacing cannot be ruled out unless there is a political solution within a united Sri Lanka that can restore the Tamil community’s dignity and respect.

After a generation of the most destructive 30 year war in this country, there is a historic opportunity to lay bare the basic foundation for ethnically inclusive and pluralist political structures that would withstand the pressures of multicultural and multinational nature of our country. If this does not happen the Sinhalese leadership will go down in Sri Lankan history as a leadership who won the war but lost the peace.

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- [6] Benedict Anderson Imagined Communities: Reflections on the Origins and the Spread of Nationalism (London 1893), p.7 Emphasis added.



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19th may, 2010

By Sivamohan Sumathy

GROUNDVIEWS June 2010

19th may. you have nothing
to say? i can only
falteringly
mouth, nothing of
nothing begets nothing, a king says, and
launches a war
against garrulous daughters and sulking ones;
and i think of an
other daughter, too too loud or too soft,
of other wars and other deaths, slipped
between
a pillow and its case, a letter, a bomb, a
whisper, slipped
between the familiar and the family, the
nation and its engender.

on 19th may, 1991, sivaramani,
took her own positive life, her cry strangled
with that strenuous cord, blazing a trail of
blood
of the nation and its many stories;
300, 000 slipped between
a miserable soul-dead wretch, who
would not take his life and the dark
of a storm shelling sky, a black and blue sea,
dotted with doom, a king
without daughters striking those
'[trojans =delete] crushed between sea and
sky',
a tale slipped between waiting and waking,
an impossible 30-years;
18 years later.

*sivaramani the poet committed suicide in
1991, after burning to cinders much of her
poetry, a few days before dhanu detonated
herself to annihilate rajiv gandhi. though
translated much and celebrated as an activist
and a woman poet, the significance of her
incisive and multi faceted critique of the
nation is rarely spoken of.



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Film premiere: The Truth That Wasn't There

By Guy Gunaratne, Heidi Lindvall and Phil Panchenko

GROUNDVIEWS June 2010

I am always wary of write-ups by filmmakers of their films. Labours of love often elicit painful diatribes. The messy, malleable margins of Sri Lanka has long been an issue that many would-be filmmakers have wrestled with yet fail to come to grips. Any attempt to filter its society and polity into a coherent hour and a half is destined to polarise and ultimately filmmakers find themselves lost within the country's many contradictions, either seduced and tamed by its gorgeous mystery or reticent to its brutality. Films on Sri Lanka tend to be as taxing as its subject matter.

This film was not a labour of love. This film was hard. Damn hard, to put together and to persevere with. The reasons why it has come this far has a great deal to do with the burden placed upon us by what we did, where we went and what we captured. Many of the people we met along the way instilled in us a responsibility. After staring at us with disbelief upon hearing of our 'great coup', of how we as students somehow managed to gain access to areas no 'real' journalist could, how we visited the infamous IDP camps, walked among the ruins of Kilinochchi, and drove through the rubble of Mullaitivu and Chalai and all this barely a month after the last bullet was fired or the last soldier fell – upon hearing our story many within the country responded not with laurels or platitudes but with sober direction. Go. Do something with this. You must. You have the tapes. You have the images. Tell your story. No-one else will. And please...do it quickly.

This new post-war Sri Lanka ensured that we had no time to pat backs or pop corks or settle into an awaiting job in the industry here in London – there was an impatience and an eagerness to establish a new base of understanding and discourse. A sense of mission that in the next few days those such as Groundviews will no doubt help to form

with the likes of this special edition. So when we came back from Sri Lanka and passed that strange phase of settling back into the usual routine of friends, family and facebook we decided to see this through and contribute to the debate. We wanted to take part in the discourse and perhaps spark a few ourselves.

This is our story. Wholly subjective, entirely contradictory. Each of us without exception changed, like all of you, since last May. Our story has moved us in ways we couldn't grasp at the time, and that is what this film tries its best to encapsulate is that journey. Through our experience we hope to tell a wider one. One that captures a moment of a country at a crossroads. I always described coming to Sri Lanka that June when celebrations had faded into scattered placards and novelty flags as having arrived a day after a Tsunami had hit. Where people were staggering around trying to realign paradigms and shift focus. But for us as outsiders looking in we were shocked at how people who, after the war was won, had little concern about how they got there. Heidi especially for whom notions of human rights, civil liberties and accountability were fixed, fundamental and unquestioned. Not so we found among the people in Colombo and the rest – security trumped them all. The ability to send children to school without worry, that was what they would barter for freedom of expression. It was an unsettling trade-off for us to get our heads around but an end of bombs, destruction and killing was an end to perpetual fear. So who were we young foreign upstarts to question how they got there? Good point.

All through our journey from Colombo to Chalai we were looking for something it seemed that no-one had any interest in finding. We termed it 'the blank page' and we were determined to fill it whether anyone

cared or not. The reporting on the war had shifted focus to journalism itself. The headlines read how British journalists were deported while the war itself went unreported on the ground. There also seemed to be an apparent lack of compassion when talking numbers good and bad. The human costs of the war were being disputed alongside arguments about how many dead bodies it takes to constitute a genocide.

When arriving in Sri Lanka we were guilty of it too. Having been afforded an opportunity of a lifetime we were all terrified of dropping the ball on this. Be detached they say, be professional. It is a story to be gotten, nothing more nothing less. This is the training they give you when you want to be a war correspondent back home. Go for the human angle – get some tears. Tears sell papers. Tears and barbed wire. This is what is deemed valuable footage back home. So we looked and searched, intruded and zoomed in closer when our consciences tugged otherwise. This is what is asked of you as a journalist. But it is when you are there among the debris breathing the acrid scent you realise the absurdity of such a notion as detachment. It is when you have a lens trained on a man who out of simple politeness and civility steps aside for you to go ahead and intrude upon his meagre possessions, his family and his little life – it is then that you get it. It is only then that you understand. This is war. Aside from the killing and the waste, there is a loss of dignity and humanity that as green, wet-behind-the-ears, under-qualified students would see where veteran professionals would not. It was the stark naked truth of discarded humanity. This above all the ruins and the rubble we walked through was what we are left with a year on. Those faces, those eyes trying their level best to maintain solemnity among such squalor. When we returned to London all three of us cited that moment as the moment where it all changed for us and it is through our collective story that we hope to provide it as a context. It is this moment that is produced for you in the clip below.

Phil: An indelible image

When getting back to London I found myself sifting through the photos I took in those three weeks. 4,000 individual pictures in all. I wanted to capture an image that might in some way help build a clearer picture of

those final months of the war. We became the first independent visitors to those areas and for us it was important to try and salvage some truth albeit from the aftermath. But going through those pictures all I am left with is an overwhelming sense of loss. For me this film represents the realisation that what was really worth capturing was lost forever among those ruins. The images that really counted went undocumented and how ever many photos taken after the fact can never come close to uncovering the truth.

Heidi: International dialogue

During filming there was an overriding sense of jingoism. Beyond the ever easy smiles there were always those who used the opportunity to vent their frustrations out on me as a ‘representative’ of the colonial international community. My Finnish descent would always be questioned – so just how close are Norway and Finland? I struggled with the accusations leveled at my home region, the idea that western countries and INGO’s as a whole had only malicious and selfish motives behind their involvement and had little concern with keeping the peace. It is that generalized notion that perhaps with this film I can help dispel. A year on, my experiences in Sri Lanka led to an MA in Human Rights. I for one, won’t stop believing that some of us from the outside looking in aren’t out to make Sri Lanka weaker and that some of us would like to contribute meaningfully and help heal the rift internationally.

Guy: The Diaspora question

Personally speaking I am eager for this documentary to help shift focus here at home in London and elsewhere among the Diaspora communities. On May 19th 2009 the streets of London were ablaze with red and yellow. A humanitarian plea at Parliament Square had morphed into a mass of hurt, screaming people flying the flags of the vanquished LTTE. The disarticulation of the Tamil and Sinhalese diaspora communities is an often cited issue on these pages. For me, as a second generation Sinhalese, I found it puzzling when witnessing kids younger than me donning specially made Eelam hoodies and LTTE coloured bracelets on the streets of Wembley, Tooting and Central London. Even more disconcerting was the manner at which protests on the Sinhalese side were reduced to little

more than a numbers game between the two parties. Every week it seemed I was asked to join the Sinhala protests. I kept asking what the cause was and the bewildered response almost always came back that it was because the Tamils did it a week before. Come back when you got a better reason, I had said. For refusing to take part others like myself were deemed un-Sri Lankan at a time when unabashed patriotism was the order of the day. Moderate voices back then were lost amidst the din. If nothing else, I hope this film will help steer a fresher kind of contestation, one where we in the 'cold countries' will, for the lack of a better term, grow up a bit. Learn lessons and seek a fuller participation however we choose to do so, through words, action, images or film.

Together.



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I REMEMBER – 19 May 2010

By Alan Keenan

Alan Keenan is a senior analyst with the International Crisis Group. He has lived and done research in Sri Lanka off and on over the past ten years.

GROUNDVIEWS June 2010

As we come together to commemorate the anniversary of the end of Sri Lanka's long and bloody civil war, these are some of the things I remember:

I remember hearing reports in late January 2009 of UN workers and their families being shelled by government forces in the Vanni while hiding in bunkers and under UN trucks. I remember not quite believing these stories.

I remember the hospitals and medical centres shelled, and the patients and medical staff killed and wounded in what the Sri Lankan government was calling "no fire zones". I remember later on meeting some of those who survived and hearing their terrifying stories.

I remember the extraordinary bravery and generosity of all the doctors, medical workers, and staff members of the International Committee of the Red Cross who served under terrifying conditions. I remember that some of them gave their lives saving others.

I remember seeing Gotabaya Rajapaksa on TV in February 2009 telling an interviewer that *"there shouldn't be a hospital or anything [in Puthukudiyiruppu] because we withdrew that. We got all the patients to Vavuniya, out of there. So nothing should exist beyond the no fire zone. ...No hospital should operate in the area, nothing should operate. That is why we clearly gave these no fire zones."*

I remember seeing Palitha Kohona on TV claim *"There was only one hospital that anybody had ever marked on a map in that whole area and we have got pictures to show that hospital was never targeted. ... If a hospital had to be shelled ... I know the way we took out LTTE officers, their*

camps, with such clinical precision – if we wanted to do that to a hospital we could have done that also. Why do a half-hearted job if you wanted to really finish it off?"

I remember Gotabaya Rajapaksa telling the BBC on 23 April 2009, *"we are going very slowly towards the south of the no-fire zone to rescue the remaining civilians. Our troops are not using heavy fire power, they are using only guns and personal weapons."*

I remember Mahinda Samarasinghe announcing on 18 May 2009 that *"All Tamil civilians have been rescued without shedding a drop of blood"*.

I remember Rajiva Wijesinha claiming in the middle of March that there were only 70-100,000 people still trapped in the fighting and criticising UN agencies for using inflated numbers in their appeals for aid.

I remember reading the reports and seeing the pictures of the more than two hundred thousand battered, scared, starved, and thirsty people, most of them children, women, or elderly, streaming into the military's hastily built camps in April and May. There they would remain for months, unable to leave.

I remember the government chopping down thousands of trees and bulldozing hundreds of acres of land in Vavuniya to construct camps that were still too small to hold all the survivors humanely.

I remember all those the LTTE shot and killed as they tried to flee the fighting in 2009.

I remember all those killed and injured after being forced to dig bunkers and defend Tigers positions.

I remember all the children forced by the LTTE to fight to their death in the final battles.

I remember meeting young people recruited by the LTTE and now in government “rehabilitation” centres in Jaffna in 2002. I remember their hopes that some day they might find a normal and safe life.

I remember the scores of suicide bombers, convinced by their leaders to transform their own loss and rage and bodies into weapons to continue the cycle of pain and vengeance.

I remember watching artists – Tamil, Sinhala, Muslim, foreign – paint beautiful flowers and doves on the streets of Colombo in remembrance of those killed in political violence and to call for the preservation of the sanctity of life.

I remember the nearly one hundred Sri Lankans of all ethnicities killed and the more than thirteen hundred injured in the LTTE’s bombing of the Central bank i.n 1998

I remember all the Sinhalese farmers and their families killed, terrorised and forced from their lands by Tiger attacks in the eastern province.

I remember the Tamil and Muslim farmers forced from their lands in the north and east by the violence and threats from Sri Lankan security forces and homeguards and by the LTTE.

I remember the murder of Joseph Pararajasingham in St. Michaels church in Batticaloa on Christmas Eve 2005 – and all the Tamil MPs killed over the years.

I remember the murders of A.Armitalingam, Neelan Thiruchelvam, Rajini Thiranyagama, Kandiah ‘Robert’ Subathiran and all the free-thinking Tamils killed by LTTE for betraying the Tamil nation. I remember all the Tamil militants killed by other Tamil militants in the name of liberation.

I remember all the Sri Lankan journalists beaten, killed, disappeared or forced into exile for their betrayal of the Sinhala nation and their commitment to the truth.

I remember Kethesh Loganathan, for his generosity and support to me, and for his courage to speak his mind to all the warring parties.

I remember the 80,000 or more Muslims expelled from northern province by the LTTE in October 1990. I remember their continuing struggles to return home and begin their lives again in the land where they were born.

I remember the seventeen workers for *Action contre la faim* killed in Mutur in August 2006.

I remember the five students gunned down in Trincomalee in January 2006.

I remember the ten workers massacred in Potuvil in September 2006.

I remember the government’s promises to investigate and the silence from the Commission of Inquiry and from the President’s office.

I remember families of the ACF workers pleading with me to help them leave Sri Lanka and find some peace from government harassment.

I remember the physical attacks on Sufi Muslims in Kattankudy who refused to accept the ideological rigidity of their Wahabi brothers.

I remember seeing the charred beds, chairs, bicycles and destroyed dormitories on a beautiful hill in the village of Bindunuwewa. I remember meeting Tamil families at the funeral of their sons whose bodies were so badly mutilated that they remained unidentified, unburied and without death certificates for years.

I remember speaking to Sinhalese in Bindunuwewa whose families had been torn apart by the trauma, shame and financial cost of their loved ones being accused of murder.

I remember the pictures of SJV Chelvanayagam and other Tamil politicians beaten and bloodied after a peaceful protest in Colombo in 1956.

I remember the photographs of the Jaffna Public Library after it was burned by thugs sent by a Sri Lankan cabinet minister in 1981.

I remember visiting the restored Jaffna Public Library in 2002, beautiful in its gleaming white paint but still scarred by the absence of books and manuscripts that will never return.

I remember the thousands of Tamils killed in the pogrom of July 1983 and the hundreds of thousands forced to live in refugee camps and abandon their country of birth.

I remember the many brave and generous Sinhalese and Muslims who helped save Tamils from July's crazed mobs.

I remember the tens of thousands of Sinhala youth murdered and disappeared by the government and the JVP in 1971 and in the late 1980s.

I remember the words from the *Dhammapada*: "*Hatred is never appeased by hatred in this world. By non-hatred alone is hatred appeased. This is an eternal law.*"

I remember hearing the news that the UN was withdrawing its international staff from their headquarters in Kilinochchi in September 2008. I remember seeing the photos of desperate civilians appealing for them to stay and protect them.

I remember the promise by the UN Security Council "*to respond to situations of armed conflict where civilians are being targeted or humanitarian assistance to civilians is being deliberately obstructed*". I remember the failure of the Security Council to act in Sri Lanka.

I remember the visit to Sri Lanka in late April by British Foreign Secretary David Miliband and French Foreign Minister Bernard Kouchner and their call for a ceasefire and for the Tigers to lay down their weapons and allow the civilians to leave.

I remember the words of President Obama on 13 May 2009 calling on the Tigers to surrender and the Sri Lankan government to stop its indiscriminate shelling of civilian areas and to allow the UN access to the tens of thousands still trapped. "*The United States*", Obama says, "*stands ready to work with the international community to support the people of Sri Lanka in this time of suffering. I don't believe that we can delay. Now is the time for all of us to work together to avert further humanitarian suffering.*"

I remember the government's announcement of the killing of Vellupilai Prabhakaran just days later.

I remember all those detained and brutalized at Guantanamo Bay and Bhagaram Airbase in the name of the war on terror. I remember all those kidnapped and "extraordinarily rendered" by the US government with the assistance of the British and other European governments, in defiance of international law and human decency. I remember the madness that took over my own country after September 11th, 2001. I remember all those killed in the wars in Iraq and Afghanistan.

I remember the words of Mahinda Rajapaksa and Ban Ki-Moon on 24 May 2009, whereby "*Sri Lanka reiterated its strongest commitment to the promotion and protection of human rights in keeping with international human rights standards and Sri Lanka's international obligations.*" I remember that "*The Secretary General underlined the importance of an accountability process for addressing violations of international humanitarian and human rights law*" and that the Government promised to "*take measures to address those grievances.*"

I remember Gotabaya Rajapaksa telling a BBC



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correspondent earlier this year: *“Whether it is the United Nations or any other country, we are not – I am not – allowing any investigations in this country. There is no reason. Nothing wrong happened in this country. Take it from me. There will be no investigations for anything in this country.”*



I've submitted some photos from a documentation of Swiss/Austrian Red Cross post-tsunami housing projects over 2006 and 2007. I coordinated the work of a writer and a photographer who were gathering data for a book, 'Bringing Home Hope'. We travelled to six villages in the North and East photographing residents and spaces in and around the project areas. As I was not restricted to the images necessary for the book, I had the opportunity to take a broader look at the area in terms of not only the tsunami, but also the war.

Deshan Tennekoon



The end of war: Framed reflections

By Deshan Tennekoon



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Madness

By Vivimarie VanderPoorten

GROUNDVIEWS June 2010

Colombo, Nov 2: A mentally challenged man, who jumped into the Indian ocean to escape arrest, drowned after being badly beaten up by Sri Lankan police in the water in front of a large crowd, police said. (news item)

wonder was horror-edged
and pity was guilt-edged
flotsam on our conscience
as we watched the boy
thrown into a senseless
sea swirling with violence
and as shocking anger
beat him to death
and forced him to drown
we who had watched worse
and said nothing
gazed in silence
and
a mobile phone video-recorded
footage of folly
that moment
of hideous history
prevailed
to bear witness
to a country whose
war was just over
to a people
now at peace.

the waters whirl and
the foam is still froth-white
the sun glistens still
on the golden sand
but the boy we call mad
is retreating into the ocean
still trying to hold off the blows
with batons and sticks
the last vestiges of his
strength devoured
by hatred and waves

and our humanity
strangles itself
on the shore.



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We Regret To Inform You That Your Condolences Cannot Be Accepted At This Time

By V.V. Ganeshanathan

We regret to inform you that your condolences cannot be accepted at this time. At present, both our pain and our hope defy that word, which has been offered and denied us, which we need and do not need, and which in any case we cannot accept, because they (your condolences) will not reach from what has happened to what will come.

We find the word condolences stunning in its insufficiency for past and future.

We evacuated our homes in the light; we vanished from our homes in the dark; we walked away from our families, toward the weapons, and wished that we could turn around. Our bodies entered the earth in places we cannot now identify, and so we are everywhere, blown to dust. By both dying in and surviving this place, we will live here long after your condolences become a ghost in your throat.

We joined others' battles, willingly and unwillingly; we walked forward on paths not our own when the paths we would have chosen were closed to us. We were incidental; we were vital; we were enemies; we were friends; we were disputed; we were uncounted. In a small country, we felt far away from you. In a small world, we felt far away from you. We were your people and not your people.

We could not wait for you to remember us.

We perished and survived and were less and also more for it. Some of us had little money and little food; we had children. We lost our children willingly and unwillingly. They were torn from our hands; we fought to keep them with us; we pushed them away from us to

save them; we held them close in the hope that we might take their bullets and thereby die before them.

Some of us did, but some of us lived, and so the memory of this will outlast even the children we fought to save.

In the rush to escape this bloodletting, which has been its own kind of war, our ears fell to the ground, and so we cannot now hear your condolences. To survive, we had to shut our eyes, with which we would have seen what was in yours. We closed our mouths against hunger and anger; we knew and did not know our families, friends, fellows, and leaders, who hunted us, ran with us, and died with us.

We faced ourselves from all sides. Some of us lived. We are still here. We regret to inform you that your condolences cannot be accepted at this time.



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Was I wrong to oppose the war?

By The Under Dog

GROUNDVIEWS June 2010

I used to think non-violence would win in the end. Even with a murderous megalomaniac for an opponent (I mean Prabhakaran, not Mahinda), I believed the offer of an open hand would prevail over the closed fist. Three bloody Eelam wars, each fought with more combatants and fiercer weaponry than the last, was proof to me that this fight could not be won on the battlefield. So when Eelam War Four began with the promise of a final victory, this time using a bold new strategy (more combatants and fiercer weaponry), I assumed it would end as it did the last three times—without an end. I was wrong. When the remnants of the LTTE were cornered, I assumed they would go underground, the hit and run insurgency of the early eighties would begin anew, and Colombo would shudder as Tigers and Tigresses blew themselves up in the middle of our streets, buses, and marketplaces. I was wrong again. It's been a year since the war ended. No bombs. No hit and run. What's going on here? Did war win conclusively? I think it did. And what's more, I think non-violence lost. Not just on the battlefield, but in that place where higher ideals once endured, impenetrable to the cruel logic of the world—our hearts.

I opposed the war. Not on the street with a placard, but in my heart. I believed it was wrong to kill no matter how it was justified. Six thousand soldiers died in Eelam War Four, as did tens of thousands of LTTE members. The President says the civilian death toll was zero. Perhaps he was referring to the many zeroes that follow the real number. Truth be told, we really don't know. Many. I used to feel bad about it. Whenever I caught myself smiling as I drove down formerly barricaded roads without any fear of dying in a bomb, I would remind myself about the heavy price paid in sons and daughters on both sides and the failure to resolve our differences peacefully. A year

after the war, with hordes of tourists pouring into the country and hotels mushrooming in former war zones, I'm smiling all the time, drunk on victory, but I've forgotten that when I smile, I reveal bloody teeth.

Has the war really ended? Or will it be like the Great War, the war to end all wars, later renamed World War One because it created the conditions for World War Two a decade later. Now that we've won, are we going to forget why we fought in the first place? The vast majority of the country thinks the war over for good, the dispute settled, and any attempt to rekindle it should be sorted out in the most effective way available to us: overwhelming military force. Since independence, large-scale military force has been used three times internally (we have yet to fight an external invader, which theoretically is the reason for a military): the 1971 JVP insurgency, the 1989 JVP insurgency, and the Eelam Wars. One would think that the sheer brutality of these three should make us shy away from the military option and look to non-violent means of addressing our disagreements. But in reality, it has solidified the military option as the only effective method to deal with dissent. Even a peacenik liberal like myself has to admit that if Rohana Wijeweera had been killed in 1971, in all probability there would not have been a 1989 insurgency; and if Prabhakaran had been killed in the Vadamarachchi Operation, there would not have been an Eelam War Two, Three, and Four. With this bloodshot hindsight, ask yourself what you would do the next time a charismatic, idealistic youth with a healthy following turns violent to make himself heard: would you arrest him and talk to him about his grievances, or kill him the first chance you get? Based on our recent history, talking seems to only postpone the inevitable, so we should kill him. A more intellectual proponent of military force (Dayan

Jayatilleka?) might suggest that we kill him first, and then talk to his followers. Either way, the lessons learnt seem to be that the best way to avoid the wanton destruction of military force is to use it early before things get messy later.

We are today a nation that wants a powerful military to stamp out the dissenters and different thinkers among us, that wants a government with a Gestapo-like ability to make dissenters disappear, and tolerates a stifling control of our information. We believe that the alternative, ironically, is war. Even more ironic, any politician that offers liberal values and less oppressive governance is viewed as a sell-out to international imperialism, and a traitor to the nation. As proof for this argument, they can always point to Ranil Wickremasinghe's liberal, media-friendly, appeasement-heavy regime that allowed the LTTE to rearm, regroup, and launch one more war.

Was I wrong to oppose the war? Let's rephrase the question: if I could press a button and bring all those who died in Eelam War IV back to life (assuming a round figure of about fifty thousand dead) in exchange for a still living Prabhakaran, and a still menacing LTTE, armed to the teeth, and lurking behind every corner in their suicide vests, would I do it? I'm not sure. I wish I could immediately say yes, bring those people back to life; I'll take my chances with attempted negotiations for another decade or two with the LTTE. But I can't. I lived it for thirty years, and I'm sick of it. I'm not saying I would order those fifty thousand to be killed to eliminate the LTTE either. I could never do it. I am a coward and a hypocrite, who gladly enjoys the fruits of another's murderous crime, but without the stomach to commit murder myself.

Mahatma Gandhi's and Martin Luther King Jr.'s commitment to non-violence brought real solutions to the problems they faced in their time. But I'm beginning to believe that their success was the exception and not the norm. I still think that non-violence is noble and right, but like a Christian who goes to church though he no longer believes in miracles, I have lost my faith.



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Soldier: Hero, villain or both?

By Marisa de Silva

GROUNDVIEWS June 2010

Each time I see a soldier, my mind shifts into 'mode chaos'.

When I was a kid, things were black and white. They were my heroes; the guys who were taking the bullet for me, so I could get about with my life as I know it. They were the brave guys who would safeguard our beloved motherland from all that was evil. I would always return their smiles if I ever caught their eye. I'd even quite willingly stop for a chat sometimes, if they initiated conversation. It was the very least I could do to show my gratitude to the guys who had 'given up their today, for our tomorrow' right? Everything was so simple then.

As I grew up though, it was not so much that I stopped being grateful to them, but I became aware of many more dimensions to these 'brave men in cami's' than I had known or been exposed to as a kid. Herein lies the chaos. Poor village boy, selfless patriot, unsuspecting pawn, brutal villain... is it really possible for one person to be so many different things to so many different people? In my experience alone, I've experienced or witnessed a soldier playing all these very roles, so I guess it is possible.

Nowadays, when I walk past a checkpoint or pass a military person on the road, I try as hard as possible to focus on anything else around me – a lamp post, the pavement, the sky, anything, just as long I don't have to confront the turmoil in my head. Should I be nice, because I wouldn't be walking these streets right now if not for the sacrifices he's made? Should I detest his very existence and the uniform he wears proudly, for giving him the 'license' to brutally rape and pillage, or torture citizens in an attempt to abstract information?

We all recently read about the despicable case where six soldiers were produced before

court on the charges of raping a nine year old girl. I just couldn't get myself to imagine what could possibly possess anyone, let alone the Military to do something so inhuman. When exactly and how does absolute power trump a shared humanity? How can that same young, bright eyed boy who probably topped his batch at cadetting, turn into this inhumane monster that molests children? Yes, of course all soldiers don't do this. But, for those that do, what causes them to become so demented, so depraved that raping a little girl becomes inconsequential?

Torture has long been one of the most commonly used and 'supposedly' most effective tools at their disposal to extract information from the "enemy". Removing fingernails, shoving barbed wire up private parts, thrashing unmercifully until unconscious have come to be considered all in a day's work. What I find difficult to grapple with is how much hatred and absolute animosity must harbour, in order to design and partake in such cruelty? Is it that a soldier can remove the 'human' status from these people thus, making his job easier? Or has he simply detached himself from feeling any emotion whatsoever.

I am vaguely aware that there's possibly no such thing as 'free will' in the army. I'm also not too sure to what extent the average soldier is able to question the instructions passed down to him, or if the ability to question a command only increases with rank, if at all? As in all stories though, there's always a 'flip-side.' This extract from the UTHR(J) Report released in October 2008 put me right back into 'no man's land.'

...Another soldier who had just been trucked to Murunkan south of the northern front asked a Tamil civilian where he was. When the civilian explained to him, the soldier slapped his forehead and exclaimed, "We were told we are being sent to Badulla!"...The

officer poured out his heart and told them, “When we see people here with their families, we are reminded of our own homes and families. We hoped that this problem would be solved peacefully, but that was not to be. We will soon be sent to the front. We are anxious and afraid. Please pray for us.”...The young soldiers who spoke to Tamil civilians were very young and barely adults.

Traumatized, maimed, embittered, disillusioned as a result of bloody 30-year war, soldiers have and continue to be served quite a raw deal themselves. Come rain or shine, they’ve had to go days without food or shelter, pick up their best friend’s rifle after having just witnessed him being blown up into smithereens, never knowing when their time would be up.

Many are the soldiers who have once served dutifully, who, due to injury or trauma, been left to fend for themselves. The case of a young Captain we came across on a hospital delivery last year was just one such story. He was nothing but skin on bone; emaciated beyond comprehension, and barely able to speak. His brother told us how nobody from his troop had even dropped by to check on his welfare or offer any support. He had simply been left to die a slow, painful death. Soldiers are still made to live in squalid little huts (some, mere holes in the wall), a few planks for a bed and bare minimum toilet facilities.

So, is this merely the result of a vicious cycle where oppressor exploits the oppressed; the strong vs. the weak? The State oppresses the forces, thus, the forces oppress the vulnerable? Each party abusing their power just because they can.

So, is he a hero or villain? I’m still none the wiser.



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FROM VICTORY TO NORMALISATION IN SRI LANKA

By Austin Fernando

GROUNDVIEWS June 2010

No war is fought sans atrocity. It destroys everything. Even when a war is fought with the best adherence to internationally accepted laws of warfare; it still breeds hatred, enmity and many a horrific sentiment that violates human decency.

This may be why Union General of the American Civil War, William T. Sherman, said “I am tired and sick of war. Its glory is all moonshine. It is only those who have neither fired a shot nor heard the shrieks and groans of the wounded who cry aloud for blood, for vengeance, for desolation. War is hell.”

Glory of victory sometimes overtakes humanity and humility. Hence normalization immediately after war is tedious.

Aftermath of war

Was it only the LTTE that was defeated militarily? Wasn't it also the political, economic, social decision making fascist monopoly held at gunpoint? Hence, forgetting triumphal, cannot one look at the opportunities open for Sri Lanka? This could be one way to profit from war outcomes, though some losses like ‘life’ are irrecoverable; irreplaceable.

Different priorities have been suggested by commentators, especially to denote where to start after war. Government prioritizes development; affected and civil society to return to original habitats; politicians to enunciate political reforms. Some consider power sharing as the holiest issue to be addressed. Some go to extremes demanding the same solutions in statecraft, as orchestrated by the separatists. Another plans for Transnational Eelam Governments. To the latter clock has not turned its arms! This irks Sri Lanka, which results in a power

sharing solution becoming as illusive as the Holy Grail!

Though not happened immediately after war victory, in spirit, UPFA's double election victories are a reinforced, brave ‘push force.’ Nevertheless, victories could act as a cowardly, dispirited ‘pull-back force,’ based on the nature of demands and attitudes. When some sophisticated believe that “most of the grievances which were supposed to have been in existence among Tamils some decades ago are no longer in existence” and “that the problems faced by the Tamils and Muslims in the North and East are same as the problems faced by the people in other parts of the country,” UPFA will prefer to play safe on a “political solution.”

It is equally sad to note some governmental authorities maladroitly stating that since a clear two-thirds majority was not received the government is not mandated for constitutional reforms. If so, what is UPFA's mandate for selective constitutional amendments for ‘political self-perpetuation’? This is political plagiarism.

The most effective post-victory security consequence arises due to erasure of terrorism, public rejection of war and thirst for peace and democracy. Effective normalization hopes arise also due to interest of the internationals that support normalization, reconciliation, rehabilitation and reconstruction, public thirst for change and development, especially in the North and East.

Constitutional changes

The constitutional changes have several facets. One focus is to implement the 13th Amendment and enhancement of power sharing thereafter, within a framework of a

united democracy; introducing a Second Chamber and new electoral systems. The need to participate in government as equal partners, erasing discriminatory divides, determining their own business (i.e. Principle of Subsidiarity) is the principle behind.

The identified weaknesses in the Provincial Council (PC) system, reduction of unnecessary central hold on PCs nullifying genuine power sharing have to be corrected. Perhaps, the recent workshop in Delhi, initiated by the Indian Ministry of External Affairs might assist Sri Lanka in formulating 'improvements' on power sharing.

Nevertheless, there is the controversial issue of sharing Police and Land Powers. The government bargaining to retain Police Powers had been historically manipulative, from the days of President R Premadasa, who lawfully hindered it. The selfish fear of political opponents handling Provincial Police might have been the main cause for such hindering though this intention was camouflaged. It could have been the reason for Chief Minister (CM) Kumaratunga to demand Police Powers as CM of Western Province, and hypocritically denying Police Powers to PCs for eleven years as President! However, sharing Police Powers with PCs can be arranged, if willing.

Arguments for and against can be made on sharing Land Powers. Frankly, is not this an ethnic issue now than a resource issue? Therefore, Tamil Parties may quote the agreed working arrangements between SJV Chelvanayakam and SWRD Bandaranaike / Dudley Senanayake, which could be used as the bases for negotiations on acceptable sharing of Land Power.

Appropriate politics for Constitution making

Due to political rivalries compromising among southern Parties political reforms had failed. The UNP being the author of power sharing should magnanimously support appropriate changes to achieve peace. Minor southern parties (e.g. JHU) should shed narrow thinking and support acceptable constitution making. Rather than to fight for the pound of flesh, Tamil / Muslim Parties should consider the background of no LTTE life-threats and the strength

of the incumbent government that could make amends and successfully market them.

The UPFA should magnanimously focus on issues it had been reluctant to compromise previously because they now have an overwhelming parliamentary majority. It should proactively think of enhancing powers of Provinces and reduce involvement from the center. Changes should apply to all PCs.

Simultaneously, all politicians should consider that in the foreseeable future there cannot be the currently observed mandate, charisma and cherished opportunity for any Party to convince the electorate and seal permanent peace.

Concurrently, reforms should be undertaken, e.g. presidential powers, introduction of a new electoral system, on local democracy institutionalized in Local Authorities, further strengthened Fundamental Rights, as done in the Draft Constitution- 2000 and on governance by reinforcing the 17Th Amendment. These are not all reforms needed, but the most urgent.

However, selfish motives that influenced Kumaratunga administration while formulating the Constitution-2000 are sure to surge. If the UPFA acts similarly, it will overshadow the main objectives of constitution making / amending.

Socio- Economic issues

The national socio-economy was adversely affected by the conflict. Now the conflict is over for one year, it is time to even belatedly re-focus on it. Though there had been some positive attempts by the government in the interim to resettle the affected, develop infrastructure, improve livelihoods, and relax unpopular controls, the complaints of a 'militaristic approach' in practice remain.

While the war victories had triumphal exhorts across board, losses in the form of kith and kin, failure to return to original areas of habitation, stress, depression, loss of physical assets, Rights demands, equality issues, grievance handling and good governance have created socially unpalatable consequences. There are similar experiences in

economic activities too (e.g. fishing, cultivation in high security zones).

It is easy for some who never lived in or experienced such humiliation, stress, depression and loss, to speak of such consequences as unavoidable in war and ignore them. As reconciliation cannot be reached by only killing terrorists, new approaches to win the hearts / minds of the affected should be explored.

If minorities, especially Sinhalese and Muslims in the North-East, feel that their equal rights as citizens are assured, in the form of freedom, language / religion, culture, transacting business with the government etc, it will be a foundation for healing. The demands for return to their own habitations, free movement and value addition to Fundamental Rights have to be redeemed for social normalcy.

In their absence thinking will circulate that 'state socio-economic terrorism' has replaced that of the LTTE. It was not what those affected anticipated after 'emancipation' from the LTTE. It is not surprising if justifiable "temporary militarization of the recaptured areas" and unjustifiably permitting selective armed Tamil political groups in cleared areas to act with impunity, for example, nurture such thinking.

International attention

These gaps have been identified by the internationals. They have criticized and created economic / political roadblocks consequential to alleged Rights violations, which originated from some stated gaps. Some allegations are exaggerations and some partial-truths and some truths. The government has taken these antagonistic allegations as cross-currents against its military successes and had been boisterously and notoriously critical.

This attitude has certainly affected foreign resource mobilization, though multi-lateral financiers have been somewhat accommodative. Hence, positive diplomatic dialogues with foreign financiers and donor countries, compulsorily with Opposition support are recommended, if the triple victories are to be meaningful, taken forward, sustained, benefiting the country, de-motivating another uprising - the latter

being currently suspected even by the Secretary Defense and the Prime Minister.

Filling gaps

The government authorities mostly seek refuge for delays on potential LTTE activists and demining. It concurrently proves that militarily crushing the LTTE has only ceased war, but not paved peace. Additionally, it proves that there could be attractions for communities to look up to LTTE or another group. What could cause these attractions? They are the unfulfilled political, socio-economic humanitarian gaps, where the government had partially succeeded (e.g. Uthuru Vasanthaya) during one year.

These gaps cannot be filled by constitution making alone. Nor could they be fulfilled overnight. If these gaps were closed while the government celebrates war triumphal, the north-eastern people would have voluntarily celebrated their emancipation from fascist terror. This genuine transformation will make the 'war victory' a 'common man's victory' too- not only of brave soldiers.

Required cooperation

Social reconciliation needs more democratic and human commitment. To act on the basis of "Winner has all and nothing for the loser" is unacceptable. How to attract the losers or the Diaspora or internationals to cooperate is a challenge. Converting 'losers' to be 'contributors' or 'international critics' to 'partners' for development, reconstruction, reconciliation, human benefit, Rights enhancement and forgetting the bitter past are approaches that can be utilized. Going for all kudos for the Government or the Opposition and internationals becoming permanent critics of the Government or indiscriminate rejection of civil society actions will not answer this call.

In this exercise the President and Prime Minister requesting the Opposition to contribute to nation building should be non-rhetoric and genuine. It should not be to subtly wipe out the limited political hold of the Opposition. The mutual cooperation of all political parties and the internationals is a must for normalization and the government should initiate action.

Even though the conflict was between a terrorist group and government forces it had been wrongly interpreted as an 'ethnic war'. The erasing of this misconception is humongous, which requires an integrated political, constitutional, social and economic development strategy / approach / commitment. Internationals and media have a large role play in this. It needs shedding parochial interests, thinking and unreserved contribution from all stakeholders.

Whether the Government should give any space for such constructive interventions is its decision. Whether the Opposition considers this as an occasion to unite for greater good of the country is its decision. Involvement of the civil society is its decision. How the internationals should react is their decision. The country looks forward for collaborated action. Failure to achieve it will engulf the country in a worse status than the war period and hence none can be excused if it happens.

Every stakeholder has to think and act anew and change not only the conflict environment, but collaborative actions too. Are they ready?



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The untold story of a child

By Aufidius

GROUNDVIEWS June 2010



This war has taken the lives of tens of thousands of men, women and children. Hundreds of thousands more are displaced, and the abnormality of the war and post war situation is fast and painfully becoming normalcy to most people, some don't and didn't even live to see that.

Hundreds of children are being born into such conditions, by virtue of the fact that the Muslim IDP's displaced in the early part of the conflict are still languishing in Puttalam, I won't be surprised if a decent amount of these children born would die (possibly as adults) in the same conditions to which they were born to.

Studies suggest that post war trauma is conceivably more painful than the emotional stress suffered during war. During periods of war and despite the aggressive conditions that ensue, people subjected to these live in pain and indescribable stress. However, the

hope that these abnormalities will diminish and normalcy would resume lingers on and this is a solace of sorts to those who look for solace in the most difficult of times. In a post war situation, when there is no conceivable military conflict taking place and the people continue to suffer in difficult conditions it is inevitable that post war trauma will tighten its venomous grip.

Because of its brutality, this has become the paradigm for traumatic experience, with the constant need for psychological and psychiatric help for victims long after its end.

My father was the architect for a project called 'Food for Education' by an Italian NGO. Thus he had to make several site visits to seventy schools in the Trincomalee District. In addition to the war, Trincomalee was also severely affected by the tsunami of 2004.

Due to poverty, lack of infrastructure, the loss of hope that school education will achieve little and for fears of safety, school attendance amongst children was very low. It was also known that malnutrition was rampant amongst these children. The project aimed to build Kitchen & Sanitation facilities in these schools and free food was distributed to students who attended school. Thus this incentive helped mitigate absenteeism of school children to a certain extent in the Trincomalee district.

I joined my father in several of his site visits and I remember going to Trincomalee at least ten times during 2005 – 2006.

In spite of all the pain and suffering that was around, the faces of the children depicted a remarkable sense of resilience to the pain they and their families endured.

These children coupled with the ready and mischievous smiles in their faces disguised the very painful story many a parent I spoke to in my limited Tamil told me.

There is now an end to a military conflict, and a year has gone by. And yet, there is years of work to be done in these areas to rebuild shattered hopes, dreams and society in general. These photographs can only attempt to ask questions about and to do justice to the untold story of many a child.

If not of most, this conflict didn't manage to wipe out the smiles of all children in conflict zones. We must ensure that they never are, at least by planned yet hastened resettlement of all affected men, women and children.



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The Thirty Year Old Boy

By Indran Amirthanayagam

GROUNDVIEWS June 2010

I would like to believe
we have been forgiven,
that the end justifies

means, that prejudice
has been copy-edited out
of the nursery reader,

that the black man
with roving eyes
and moneyed breath

is not after all Tamil,
a dirty devil come
to spook our children

at night who wish only
to dream of sweets
and cricket, and how

they pumped
the minority during
the tea-break in front

of the tuck shop
in a public hazing,
not approved

but allowed
by the benign authority,
the Principal

of laissez-faire—
oh let our boys
steam off,

better now
than grown up
and angry with wives

or trying to get a job
in the Tamil-run
Public Works Department,

or the Civil Service,
or even the thosai kaddai.
Of course that is history

now, the Thirty Year

War has been won,
and Tamil shopkeepers

must hide their newspapers
under lungis, and speak
Sinhala at checkpoints,

or while seeking
entry into government
buildings.

Their identity cards
will betray them
of course constantly,

as we noted in Afrikan
guidance read in preparing
our civic practice,

the administration
of our post- 1956 democracy
based on the tyranny

of the majority
and the humble
subservience

of these once
mighty clerks.
Let them eat strings.

Let them learn
that when one party
wins, another gets

kicked in the butt,
that pottus are walking
invitations

to unseemly violations,
that 100,000 relations
are still under lock and key

in the Northern camps,
that cleaning up
must be sped up

so we can get these

potential voters out
to their farms and shacks

so they can prepare
succulent meals

for the hordes of

war tourists,
the gawkers
in search of

burnt-up pick-up
trucks, and the family
members

who want to see
where their sons
and daughters died.



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Articulating the Concerns of Ethnic Minorities in Relation to Constitutional Proposals

By Devanesan Nesiah

Author's address to the Fifth Annual Tamil Studies Conference, University of Toronto, May 13 – 15, 2010.

GROUNDVIEWS June 2010

It may be useful to begin by going back over 80 years to the time when, in the mid – nineteen twenties, S.W.R.D. Bandaranaike, newly returned from Oxford University, vigorously promoted Federalism in Public lectures as well as in a series of newspaper articles. Curiously, the reported responses to his lecture in July 1926 in Jaffna on Federalism were not very positive. That lecture was on the invitation of the Jaffna Students Congress, later re-constituted as the Jaffna Youth Congress. It was the Kandyans who backed Federalism at that time. If the Tamils too had backed Federalism then, we would surely have had a Federal Constitution in 1946. Those interested in the subject may consult the monumental publication of C.P.A. titled *Power Sharing in Sri Lanka: Constitutional and Political Documents, 1926 – 2008*, edited by Rohan Edrisinha, Mario Gomez, V.T. Thamilmaran and Asanga Welikala (2008).

The Donoughmore Commission, which was far in advance of the local political leaders as well as the Colonial Administration, introduced Universal Adult Franchise and territorial electorates in 1931. Except for the Jaffna Youth Congress, Labour Leader A.E. Goonesinha and other political light weights, Universal Adult Franchise was not favoured. Such opposition was ineffective. It should have been clear to everyone that both reforms were inevitable and that it was only a question of when. Leaders who champion lost causes do harm to their reputations; minority leaders who do so also harm the communities they claim to represent.

I would place the 50-50 proposal of the Tamil Congress in the mid – 1940s and the Vaddukoddai Resolution of 1976 in favour of secession in this category of lost causes.

These were patently unrealizable and doomed to fail from the outset. It should have been clear even then that those proposals would bring harm to the Tamil people. The series of pogroms from 1977 through to the civil war that raged from 1985 till 2009 could be attributed at least in part to the Vaddukoddai Resolution. In the case of Federalism, pushing it as a Tamil project made it a lost cause. Some efforts were made early on, with some success, to secure Muslim support, but none to secure Sinhalese support. Without Sinhalese support the Federal project was doomed. It was possible to secure President Chandrika Bandaranaike's support for Federalism in 1995 and, briefly, Prime Minister Ranil Wickramasinghe's support for Federalism in 2002, but those achievements were not followed up. If Federalism or Quasi Federalism is to be proposed again, it must be preceded by much work with Sinhalese political leaders. No one interested in the welfare of the Tamil people would propose Secession or Confederation – such a proposal would not only fail but might also provoke a violent backlash.

It was noted that Bandaranaike's visit to Jaffna was on the invitation of the Jaffna Students Congress / Jaffna Youth Congress. Over the years that organization invited virtually every political leader of note from outside Jaffna to its sessions as guest speakers or as Session Presidents. These invitees included Sinhalese, Muslims, Indian Tamils, Eastern Tamils and others. The Youth Congress was not merely building up its own organization but also seeking alliances and networking with leaders across the Island irrespective of ethnicity, religion, caste, region, and political persuasion.

Unfortunately that initiative gradually lost momentum. The Youth Congress took a misguided, unilateral decision to boycott the State Council election of 1931, which was the first based on Universal Adult Franchise, on the grounds that the Donoughmore reforms did not go far enough towards independence. Nearly all the Tamil leaders outside the Youth Congress opposed Universal Adult Franchise, territorial electorates and, in some cases, even Dominion status. This brought harm and suspicion on the Tamils and the suspicion directed towards Tamils even extended to the Youth Congress boycott. In consequence the reputation of the Youth Congress declined progressively. Again, it was the Tamils who suffered.

Unfortunately, productive inter-ethnic cooperation has not been in the Sri Lankan political tradition. On the part of Sri Lankan Tamils they had either indulged in Federal Party led go it alone policies or to nondescript Tamils seeking ministerial portfolios in exchange for unconditional support to the Government. Post – 1948, there had been only a few brief instances of productive cooperation by Sri Lankan Tamil leaders, notably by Neelan Tiruchelvam who helped to draft the 1995 Constitutional proposals. These proposals were far in advance of any other proposal before or since then, but he was assassinated by the LTTE, and Tamil MPs failed to back those proposals. In contrast Muslim leaders, among them Badiuddin Mohamed, and the Indian Tamil leader Thondaman Sr. had contributed much to their communities with great acceptance.

The political climate now is less favourable for productive inter-ethnic cooperation than at the times of Neelan Tiruchelvam, Badiuddin Mohamed and Thondaman Sr. To be effective now there may need to be a coalition of Sri Lankan Tamil, Muslim and Indian Tamil leaders with the backing of the Tamil Diaspora. The Tamil Diaspora has resources and lobbying capacity that could make a critical difference. What is necessary is to ensure that the Diaspora works in support of and to complement the leadership within Sri Lanka.

Some radical reorientation of Diaspora politics is needed.

Happily the Sri Lankan Tamil, Muslim and Indian Tamil people voted together at the Presidential election in January this year despite vigorous attempts to divide the votes. If that level of cooperation had been sustained into the Parliamentary elections in April 2010 the outcome would have been much better than it has been. Even now it is not too late for such unity to be forged afresh.

The political climate is not right just now for Sri Lanka to embark on the formulation of a new Constitution. What seems likely is the passage of one or more Constitutional Amendments. An effective coalition of Sri Lankan Tamil, Muslim and Indian Tamil leaders can help to ensure that any Constitutional Amendment is compatible with the concerns of their communities. If that coalition proves to be durable, it could help to create the conditions under which a new Constitution could be formulated. The 1946 Constitution was formulated by the Colonial administration, the 1972 Constitution by the then SLFP led coalition, and the 1978 coalition by the UNP. The ethnic minorities had little or no say in the drafting of these Constitutions. They need to come together and ensure that they have a significant role and that their concerns are taken into account when any future Constitution is drafted. Such unity is both essential and possible.



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Post War Sri Lanka: Thoughts of University Students

By tis-a-small-world

GROUNDVIEWS June 2010

Last May Sri Lanka ended its long drawn war, fought for over three decades with the Liberation Tamil Tigers of Eelam (LTTE). This month Sri Lanka is commemorating the first year after war. This piece reflects the ideas of a cross section of students from the University of Sri Jayawardanapura on how they perceive post war Sri Lanka.

The students of the University of Sri Jayawardanapura had been supportive of the war, since the inception of its final phase in 2006 under the patronage of President Mahinda Rajapaksa. On May 18, 2009 the students of Sri Jayawardanapura enthusiastically celebrated the end of war, lighting crackers, hoisting the national flag and organizing “kiri-bath dansals”. At the same time they collected dry rations and aid for the displaced civilians in the North.

A year has passed since most Sri Lankans (except for the very few like this writer) celebrated the victory of the government. Has anything changed since then? What needs to be done? I asked;

“I’m really happy that the war is over. It eased our fears, especially the fear of being victim to bombs. Now we can go anywhere. I see a lot of development work being done in the North-East as well as in the South. So it’s good. Now that’s what the Government should do. The war was an obstacle for the development, so now we should focus on developing the country” said Amila.

When asked whether the Tamils should be given a solution, she said, *“Yes they should be given a solution. But not a solution based on the 13th Amendment. As a political science student, I don’t agree with the 13th Amendment. It’s provisions on granting police and lands powers to the provincial councils promote separatism and pose a threat to the sovereignty of the country. I think what’s best is to*

give them a solution based on guaranteeing equal rights.”

Most students I spoke to reflected the same sentiments as Amila. But there were exceptions;

While welcoming the end of war, some students look at the post war situation in an objective manner. They have concerns regarding post war development, rehabilitation, reconciliation, and well being of the Tamils and on the political solution.

“We can’t expect a big change from a short period of 12 months. I recently got a chance to visit Vavuniya, I saw a new highway being built there. I heard that these roads used to be in a poor state. But developing the areas in terms of road development is not enough because post war development is not road development. More should be done to address the issues of the people living in Vavuniya.” Said Vasantha.

“For the past year, the only change I have seen is the absence of bombs in Colombo and suburbs. Our problems still remain. For example the unemployment problem, end of the war hasn’t improved the employment opportunities for the graduates. It neither has changed this corrupt political system. At the same time, the quality of our education is very poor and does not cater to the demands of the job market. Therefore we need a national policy on education”, said Sasanthi.

Citing an article published by the Ravaya newspaper (May 2nd 2010) on the removal and demolishing of the LTTE heroes cemeteries and statues, Prasanna said,

“When King Dutugemunu defeated King Elara, King Dutugemunu constructed a memorial tomb in memory of King Elara and the people were asked to pay respect to it when passing the tomb. This was the example given by our great king Dutugemunu. Instead

of following that example, our government is removing the statues and demolishing the LTTE heroes' cemeteries. By bulldozing the cemeteries of LTTE war heroes, Aren't we demonstrating intolerance and hatred towards the Tamils? So how can we talk about reconciliation? These types of actions will increase the resentment and anger of the Tamil people on Sinhalese and we will never be able to solve this issue."

A Venerable Student Monk joining this conversation said, "Although I'm happy that the war is over, I don't agree with certain things taking place in the North. The people who went to Jaffna and Killinochchi told me that most of the shops in Killinochchi are run by the Army and they also told me that lands belonging to the Tamils in Killinochchi have been acquired by people from Ratnapura. I can't clarify the veracity of this story. If it is happening, then it is wrong and unfair for the Tamils! I am not surprised about Tamils taking up arms against the government when I hear stories like this."

Another concern raised by these students was whether there will be a political solution to the ethnic problem or not?

"The Government takes a highly nationalistic approach; an approach based on Sinhala-Buddhist ideology towards the Ethnic Problem, which was demonstrated in the Government's military campaign against the LTTE. This approach hasn't changed since the end of war. Therefore the Government has failed to understand the true nature of the ethnic problem. Its interpretation to the national question as a terrorist problem rather than an ethnic problem clearly portrays its lack of understanding on the National Question. After the defeat of the LTTE, Tamil political parties have been forced to withdraw their agendas and stay silent on the National Question. So we don't see a dialogue among the Tamil political and intellectual circles regarding a solution to the National Question. Because of this, I don't think there will be a political solution to the national question which will address the issues of the Tamils, Muslims and Sinhalese," said Sampath, a post Marxist student.

Then I moved on to speak to some students from conflict ridden North and East. Rajeshwaran a student from Batticaloa expressing his sentiments said;

"It's good that the war is over. It has increased many business, tourism and development opportunities in our areas. They have

now reduced the number of check points in Batticaloa and it's easy to travel now."

Recalling the past he said, "During the war time, we had to face a lot of difficulties especially when travelling. We used to freak at the sight of an army soldier, for the fear of getting arrested, so we used to get a Sinhalese friend to accompany us to pass check points." He was also discriminated by some university students during the war period, "those days when we had encounters with Sinhala students, they used to ask, from where we were? When we said we were from Batticaloa, they asked whether we were with LTTE (oyagollan LTTE ekenda?) Or whether we belong to the Karuna Faction? (oyagollo Karunage ayada). We didn't go to argue with them, but we also had our Sinhalese friends to defend us at times like that. However the situation has now changed with the end of war. We have a lot of freedom to go anywhere now. The soldiers at the army camp in our village are like friends. Even in the university we are no longer discriminated for being Tamil, so it's good. But at the same time, the Government should provide us with a political solution. 13th amendment should be fully implemented and police and land powers should be given to the Provincial councils" said Rajeshwaran.

Nimali a Sinhala student from a border village in Ampara shared her experience during the war period. "I've been living with war since the day I was born. Our village had been targeted by the LTTE on several occasions and fear has been a part of our lives until the day LTTE was defeated. We suffered a lot due to the war. When I came to Colombo to attend university, I had to restrict my visits home due to the security threats in our area. Now that the war is over, we live in peace and more importantly without fear."

"Now the relationship between Sinhalese, Muslim and Tamils has improved in our areas. We have a lot of Tamil friends. We often visit their houses and they visit ours. Their parents treat us really well when we visit their houses. Even though my parents don't like us mingling with the Tamils, they treat my Tamil friends well when they come to see us. Despite being a Buddhist I go to "Kovil" with my Tamil friends," said Nimali.

Commenting on the progress of post war development in her village she said there isn't much development work going on in her village. "Lot of development work is happening in Tamil areas compared to Sinhala areas. I blame the Sinhalese politicians in our area for not paying attention to our

villages. I don't have a problem with Tamil areas being developed. They need that. It was due to the lack of development that Tamils started this struggle. Therefore it is important to address the socio-economic development needs of the Tamils. Lastly what I want to tell is, there should be a political solution and more importantly we have to make sure that there won't be another war like this!"

Lastly I spoke to a Tamil student from the North Nimalaraj. Having being born and bred in Killinochchi which used to be the "kingdom" of the LTTE, Nimalaraj's story is no different to Nimali.

"I have suffered a lot from of this war. I lost a lot of friends. During the last days of war, LTTE forcefully conscripted my younger brother to fight for them and now he is undergoing rehabilitation in Vavuniya. My family lost everything they had and escaped to the government controlled areas before the war ended. Now they are resettled in Jaffna and they were informed that they'll be resettled in Killinochchi. I think it's good that the war is over. We can travel freely without being stopped or arrested at a check point. Even in university; we are not looked down with suspicion. So those are the positive things I see after the war. There should be a political solution to the problem and also need reconciliation."

What I feel after talking to these students is that the end of the war has eased their fears and has granted more freedom of movement. For some, this is more than enough and they don't expect anything else while some students feel that the end of war should immediately followed with development. But they don't seem to have any idea on how development in post war context should be.

Another fact depicted from them is the lack of awareness regarding a solution to the ethnic problem. Those who oppose the 13th Amendment as a solution do not have any alternative solution. The only solution they suggest is to guarantee equal rights to the Tamils. Although some students address the need for a political solution based on devolution, the fact is that their perception of it is vague, to say the least.

With the defeat and the subsequent exit of LTTE, the dialogue on ethnic conflict in the civil society seemed to have disappeared from the hearts and minds of the

ordinary citizens. There is no dialogue or debate among political parties, intellectual circles and media regarding a solution to the national problem. There is no discussion or consensus even among universities which is clearly demonstrated from the views of the students.

Against this backdrop, it is timely and important for the relevant vice chancellors, professors, lectures, student leaders and students to initiate a dialogue on addressing the issues pertaining to post war development, rehabilitation, reconciliation and most importantly to constitute a lasting solution to the ethnic conflict in Sri Lanka.

* Names have been changed to protect the identity of the students.



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What is there to celebrate? Rumblings of a Jaffna Tamil

By Aachcharya

GROUNDVIEWS June 2010

The question that I have been repeatedly asked by people outside Jaffna is whether we Tamils are not happy that the war is over. An immediate follow up question is whether we are not happy that the LTTE is defeated and the prescription that the defeat of the LTTE should not be considered a defeat of the Tamils, because as they say, clearly both are distinct. The first question is one that is supposed to ‘trick us over’ (to solicit an affirmative response to the second question) and the second is an obvious political question asked to evaluate whether there are still “tiger sentiments” prevailing among the Tamil populace in Sri Lanka. I always refuse to answer these questions in a paradigm of a yes or a no – people are generally very adamant for a response in either of these solitary words. But like all political questions they just don’t have a one word answer. Let me then get down to answering the questions. Yes I am “happy” that there is no war or in the conflict resolution jargon ‘negative peace’ but it is akin to being happy of the inheritance that one receives when you lose your spouse. The manner in which the war was conducted and won can never make me feel happy about the outcome of the war. My standard response to the second question is that the Tamil people generally had a love-hate relationship with the LTTE and hence the emotions are just very complicated. Beyond the question of whether you liked the LTTE or not there was a feeling of being defeated; an important part of our life being lost; a sense of feeling drained out; a sense of losing political power. This sense of mixed feeling was well captured by my mother’s domestic aide in Jaffna (who had lost one of her children to the war – he was an LTTE cadre) who cursed Prabhakaran in despair, when she saw his dead body on TV on 18th May – cursing him for taking away her son (and for the futility of purpose in her son’s death) – but

who immediately also said that all was lost for the Tamil people.

What has changed since the war ended?

The A9 is open (people are alighted at Omanthai for checking but otherwise can commute between Jaffna and Colombo in about 10 hours), a lot of banks have opened up offices in Jaffna (one Multi National bank employee told me that ‘Jaffna people have a lot of money’ (!) and hence the rush to Jaffna), traffic police are in Jaffna after a long time, some check points have been removed, a lot of tourists from the South are continuously flocking to Jaffna (largely to visit Nagadipa and also as one tourist told me ‘to see the war wreckage before the Government develops Jaffna’), goods are available in Jaffna almost at Colombo prices, Jaffna traders are able to take their products to the South with less difficulty, Tissainayagam has been pardoned (but we don’t know whether he is guaranteed freedom of movement) and apparently some Emergency regulations have been withdrawn (the latter two are supposed to satisfy the appetite of the international community and they are not too hungry anymore. They make very meek demands. Susan Rice has welcomed the recently appointed “Lessons Learnt and Reconciliation Commission”, styled on the British John Chilcott’s Iraq Inquiry. Most western diplomats that I have met urge us to be patient and be happy with the opportunities created by the ‘liberated’ free market in the North.)

What has not changed?

There are still 40,000 troops stationed in Jaffna and probably more in the Vanni. More than 80,000 people reside in the Menik Farm Camp. People who are resettled in Vanni have the least of assistance to regain their livelihood. There are more than 60,000

relocated from the Menik Farm camp in Jaffna who face the same plight. They await the day they could return to Vanni. More than 70,000 'old' IDPs still remain displaced because of the High Security Zones that take up 1/3rd of the arable land and a good portion of the fishing coastline in Jaffna. Permission is denied for deep sea, multi-day fishing. Despite the recent notification of withdrawal of Emergency regulations on this particular subject, the Armed Forces occupy private property in the form of check points (which cluster four or five houses together) in almost every junction in Jaffna. (for those who are not aware of how Governments in the past and present have acted absolutely illegal even where the Emergency Regulations do not provide for such action read Mr M A Sumanthiran, TNA National List MP's maiden speech in parliament)

What has gotten worse?

The Government is interested in archaeological excavations, supporting the construction of hotels, conducting of trade fairs in Jaffna and in building war monuments in the Vanni (Not a single monument for the dead civilians in the conflict though). Almost all LTTE memorials and graveyards in Jaffna and Vanni constructed for their dead have been destroyed. The statue of Thileepan who died observing a hunger strike seeking the withdrawal of the IPKF, has been entirely demolished. The Government is very particular about erasing any memory of the war and conflict. The right to memory of the war and the dead is considered criminal by the Government in the North and East. Only the death of the Sri Lankan armed force personnel is worth remembering. This is the Sri Lankan approach to reconciliation.

Those resettled in Vanni live in a highly militarized environment. We in the civil society in Jaffna are receiving reports both from credible and unverifiable sources of friction between the resettled IDPs and the armed forces. This Government is adamant on reducing the involvement of non state actors (NGOs, INGOs) in the resettlement process and we have a supra legal structure called the Presidential Task Force which from Colombo is making all decisions relating to resettlement and development. It is Basil Rajapaksa and his all-purpose Ministry of Economic

Development which is tasked with the responsibility of managing "All Regional Development Programmes (including District Development Programmes)" as per the Gazette notification on the allocation of departments and functions to the different ministries. The elected representatives of the Tamil people (including Douglas Devananda, who has now been a Cabinet Minister for over 15 years, are not consulted as part of this process. From information that I have none of the INGOs or the NGOs in Jaffna seem to be involved in any programmes relating to housing and reconstruction for those resettled in the Vanni. There seems to be no programme at all as of now.

In Jaffna there is an increase in the number of abductions which has led to at least one death. The murder is linked to an EPDP member and the EPDP is accused of threatening the Chavahacheri Magistrate who is handling the case. At the time of writing this piece lawyers attached to the Northern Province were boycotting courts protesting against the threat on the judge. One does not understand for what purpose these former Tamil militant groups are holding on to their weapons one year after the LTTE has been wiped out. There are also many mysterious deaths being reported. More than two dozen deaths where bodies were found inside wells have been reported.

And what of the political process?

Post-May 2009, the TNA has compromised significantly as was exhibited in their General Elections Manifesto – retracting on the claim for a separate state and agreeing to reconfigure the benchmark of a solution to federalism. So this becomes the new 'maximalist' standard of the demand of the most important Tamil political formation of the Tamil people. This can only mean that they are willing to settle for a solution below the federal benchmark – within a unitary structure or a quasi federal structure, despite rejecting the 13th amendment as a solution in their manifesto (Anyone who understands the basics of negotiations will know, a party articulates its most desired solution so that through compromise you may achieve something less eventually). This is made clear by confirmed reports that the TNA will run for the upcoming Northern Provincial elections. It seems like the Government will compliment TNA's stand by

providing for a Senate which gives an illusion of moving past the 13th amendment (13++?) while there remain provisions of the 13th amendment which clearly will not be implemented. The TNA seems like it will be satisfied with federalism being a target to which the present system could evolve to. The main splinter group from the TNA (called the Tamil Nation's People Front – TNPF) have expressed serious dissatisfaction with this approach of the TNA. While agreeing that federalism is what the Tamils should settle for they disagree with making federalism the benchmark for a solution. They are for an articulation of the demands through the lens' of principles than frameworks. The TNPF's approach sought to make sure that the Tamils do not settle for devolution within a unitary state but they lost badly at the General Elections. The Tamils largely voted for preserving unity within the Tamil political space – the TNA. The TNPF was seen as breaking the unity amongst the Tamil political forces the 'founding rationale' of the TNA.

Post-war is no Post-Conflict. The South has not shown a single evidence of maturing as a democracy that is not defined in majoritarian terms. **For all these reasons I say there is no reason for celebration. The moment is for introspection, deep reflection and for remembering the dead, whatever political colouring they might belong to. I refuse to be forced into optimism. I refuse to believe in false hope.**



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CHALLENGES TODAY: WEEVILS IN THE MIND

By Michael Roberts

GROUNDVIEWS June 2010

Daya Somasundaram was in Jaffna town in late 1995 when the Sri Lankan army advanced south and eastwards from Palaly. As the LTTE decided upon a strategic withdrawal, they insisted that all the Tamil people should move with them. This enforcement was termed an “Exodus” by some Tamils versed in biblical themes. As Somasundaram relates the tale, many people resented this specific LTTE writ.

Eventually most of the people moved back to their homes in army-occupied territory. Somasundaram was among the professional classes who engaged in their duties in the Jaffna Peninsula in the late 1990s. Within no time army-rule had generated a “collective amnesia” among the Tamils: it was the army that had created the exodus and the Sinhala state was the principal ogre. The role of the LTTE mostly slipped under their retrospective assessments.[i]

Now, in 2010, after the defeat of a LTTE regime that had enforced an exodus on the Tamils residing in the northern Vanni, one which corralled them under starvation-diet within territories subject to the hellfire of war, these clusters of Tamil people are being encouraged to forget their reservations and/or hatred of the Tigers. The present Rajapakse regime’s paranoid overemphasis on security means that uniformed men blanket the Tamil-majority territory in ways that arouse resentment. The bitterness towards the LTTE among some of these Tamil people is in the process of being converted into bitterness towards the state, a bitterness that can also draw on communal sentiment and memories of bombings and specific atrocities in the decades past.

In brief, I present here an image of the uniformed state personnel as weevils undermining the “peace dividend” secured

by the military victory of 2007-09. This spectre is also a tale of the left-hand undermining what the right-hand gives. The right-hand of the Rajapakse state deserves plaudits for the many lines of economic development it is implementing in the Tamil region, both east and north.[ii] However the thrust of my article is towards insisting that the infrastructural projects must be supplemented by genuine hearts and minds work.

The first principle here is to treat Tamils as human beings. This means space for their “Tamilness” and recognition of the fact that they are a nationality or nation. Following and amending Seton-Watson, a “nation” can be said to exist as a force whenever “an [articulate and politically significant] section of its members are convinced that it exists.”[iii] This position was reached by the Sri Lanka Tamils between 1949 and 1956; but has since developed deep roots through the crucibles of war and suffering.

One expression of this ideology is the movement initiated by migrant Tamils motivated by fury and goals of vengeance to create a transnational Tamil state-in-exile through a formal process. Even though this institution is cast within the ethereal stratosphere, such a step will accentuate the paranoia of the Sinhala guardians of Sinhala-ness. As Tamil dissidents such as Rajasingham Narendran argue, these forms of Tamil nationalism are more likely to hinder the process of accommodation between the two peoples within Lanka rather than otherwise.

However, there are more substantial obstacles blocking the prospect of the island’s Tamil people being recognised as a nation worthy of accommodation as a unit, or units, within a Sri Lankan constitutional

framework that is attentive to the island's pluralities. Limitations of space preclude me from going beyond an inadequate check-list of these weevils within the Sinhala dispensation.

One: I begin with the obvious political context. The regime of the Rajapakses is firmly ensconced in power, with the glorious halo accruing from triumph in Eelam War IV now capped by commanding victories in both the Presidential and parliamentary elections. In their own minds they can purr with a sense of political legitimacy. This comfort has a positive prospect: it may encourage them to press forward with some political measures catering to the Tamils. But, therein rests the problem: will these measures be provided in a spirit of condescending largesse? as patronage dispensed by a *walauwa hāmu* on high? rather than rights due to distinct Tamil (and Muslim) communities? The products of the Asokan model of rule^[iv] that informs patronage politics at the highest level in Sri Lanka are inherently unstable. What is given with condescension can be withdrawn in anger. Sri Lanka's need, however, is institutionalized devolution/decentralization of a robust, lasting character.

Two: the Rajapakses and their SLFP represent the rural provincial Lanka of Sinhala-speaking areas, with a prominent Ruhunu badge. But it is rural Lanka that has a spearhead constituted by socially-aspirant and socially-advancing intermediate classes. As such, they are also camped around and within Colombo in places such as Maharagama. They represent a new variant of the *panchamah ābalav ēgaya* that pitch-forked Bandaranaike's SLFP into power in 1956.^[v] In brief, they mark the resurgence of similar ideological currents in re-adjusted form. As such, the Westernized Colombo-elites (including Chandrika Kumaratunga) constitute one of its enemies, *yakku* who sustain their image of themselves as agents of "the people." They embody populist, indigenist currents of thinking that shore up a form of government that can be depicted as "populist authoritarian." The line between such forms of government and the fascist state-form – take the history of Romania in the twentieth century as one example^[vi] – is pretty thin.

Three: replicating the trends associated with the 1956 transformation, the Rajapakse Regime's populism is suffused with indigenism. This indigenism is Sinhala – so that its populism is not weighted towards all the underprivileged, the Tamils, Muslims, Malays et cetera, in equal measure. In the result, when an ideologue like Nalin de Silva deliberately obscures the categorical distinction between "class" and "nation" by quite imperiously casting the underprivileged people of the island as a "nation" that has successfully challenged the "alien nation" composed by the Westernized Sri Lankans, he privileges the Sinhala-speaking underprivileged in a manner that simply bypasses other communities.^[vii] The verbal gymnastics here are as bizarre as alarming. In this thinking the self-justificatory language of "class struggle" and anti-Western nativist struggle are merged in ways that insidiously pushes the Tamil underprivileged into some forgotten corner.^[viii]

Four: this ideological current in turn fuses with, and energizes, what can be called a "Sinhala mind-set." This perspective is based on the conventional belief, however questionable it may be in fact, that the Sinhala peoples were the first civilized settlers, the historically-confirmed fact that the "irrigation civilizations" of the late Anuradhapura and Polonnaruwa periods were dominated by Sinhalese and the enumerated fact that Sinhalese have been the numerical majority since census-taking began in the nineteenth century. "Ceylon" of British times has therefore been widely regarded as a Sinhala space – even by Britons and non-Sinhalese.

On this foundation many Sinhalese – I have no way of providing figures and proportions – slipped into the habit of treating the labels "Ceylonese" and "Sinhalese" as synonyms. Just as some English subsumed "British" within "English," these Sinhalese equated the two terms. Thus, today, the territory "Sri Lanka" is equated with the *Lankā*, *Heladiv*, *Siri Laka* etc of old and the term "Sri Lankans" is often equated with the label "Sinhalas" (Sinhalese).^[ix]

In a nutshell, then, we have the Sinhala part subsuming the Sri Lankan whole in an insidious and yet powerful fashion. Thus we find that in one of

Anagarika Dharmapala's essays addressed to "the Ceylonese Youth" in the early twentieth century, he slips within the body of his text into providing advice to the "Sinhalese youth." [x] Nor is it an accident that Dharmapala was one of the patron saints of the 1956 revolution. [xi] This mind-set underpinned the surge of political forces that effected the political transformation of 1956, challenged the primacy of the English language and its class-agents, made Sinhalese the language of administration and in the process placed the Tamil vernacular in a secondary position.

There are persons of goodwill within the Sinhala community today who are attentive to the needs of the present hour: namely, a healing touch that is built on a genuine confederative ideology that sees the minorities as an integral part of the concept "Sri Lankan." However, I do not know what political clout they carry or what proportion of the Sinhala-speakers they constitute. My conjecture is that they are a tiny minority.

In other words, the conjecture is that most Sinhalese adhere to the Lanka=Sinhala mind-set and that most of them are not even aware of the part/whole relationship that I have set up as a PROBLEM. When leading politicians proclaim that the only distinctions that count today is that between "patriots" and "non-patriots" (that is, traitors) one witnesses an expression of this mode of thinking. That such a perspective is wrapped up as a homespun populist truth, and thereby derives double legitimacy, indicates how dangerous this worldview is. It is especially dangerous because it reposes within the very institutions and forces that have been entrusted with the tasks of reconciliation.

This article is a consciousness raising act. It does not claim that this set of ideological blinkers is necessarily the most central issue within the conundrum raised by groundviews; but I believe it to be a significant issue. If this is accepted, then, the question arises: how do we address these cancers within the hegemonic ideology of the day? How does one raise consciousness in terrains that count?

References

[i] This summary is based on a couple of leisurely conversations with Daya Somasundaram in Adelaide and "collective amnesia" was a phrase he used. Note that during his stay in Jaffna he was courageous enough to criticise the LTTE (as well as the state) when video-interviewed on air for an ABC documentary directed by Marc Corcoran ("Truth Tigers," 15 May 2002). After the ceasefire his professional psychiatric capacities extended to the Vanni areas controlled by the LTTE.

[ii] Roberts, "The Rajapakse Regime: Brickbats, Plaudits," www.groundviews.org, 16 December 2009, Note M. Sarvananthan, "Putting Entrepreneurship at the Heart of Economic Revival in the North, East, and Beyond," ICCR Talk I Colombo, 27 April 2010.

[iii] Hugh Seton Watson, *Nationalism Old and New*, Sydney University Press, 1965: 3. His statement runs thus: whenever "an active and fairly numerous section of its members are convinced that it exists." I do not believe that numbers are vital; 4-15 percent in well-organised operations can be quite a force. The restive youth in underground associations in the Jaffna Peninsula were a force even in the 1970s.

[iv] For the concept of the Asokan Persona and illustrations of the type of operations this mode of thinking encourages in Sri Lanka, see the relevant four chapters in Michael Roberts, *Exploring Confrontation*, Reading: Harwood Academic Press, 1994.

[v] Besides the clarification of this political process by such scholars as Wriggins, Kearney and KM De Silva, readers may be interested in my charting of the generational overlaps between such intermediate political activists from the 1880s to the 1950s in Roberts, "The Political Antecedents of the Revivalist Elite within the MEP Coalition of 1956" in *K.W. Goonewardena Felicitation Volume*, ed. by C.R. De Silva & Sirima Kiribamune, Peradeniya University, 1989, pp. 185-220 and "The 1956 Generations: After and Before," in Roberts, *Exploring Confrontation*, Reading: Harwood academic Publishers, 1994, pp. 297-314. Since completing this article I find that Nira

Wickremasinghe has developed motifs about the class forces driving the Rajapakse phenomenon in ways that mesh with mine. See her “After the War: A New Patriotism in Sri Lanka?” *Journal of Asian Studies*, 2009, 68/4: 1045-54

[vi] See Constantin Iordachi, “God’s Chosen Warriors. Romantic Palingenesis, Militarism and Fascism in Modern Romania,” in C. Iordachi (ed.) *Comparative Fascist Studies. New Perspectives*, Routledge, 2010: 316-57; and Ghita Ionescu, and Ernest Gellner (eds.) 1969 *Populism: Its Meaning and National Characteristics*, London: Weidenfeld & Nicolson.

[vii] Nalin de Silva, “A tale of two nations,” <http://www.kalaya.org/island2010.html>

[viii] Taking off from President Rajapakse’s victory speech in May 2009, Nira Wickremasinghe also highlights this facet of the Sinhala mind-set: “the president’s vision merges nation and state and promotes a love of country based on a particular reading of the history and foundation myth of the Sinhala people in which all other groups—those formally known as minorities—are present merely as shadows, not as constitutive elements of a common political culture” (2009: 1047 – see fn. 5 above). For a previous criticism of the President’s approach see Roberts, “Some Pillars for the Future,” *Frontline*, Vol. 26/12, 6-19 June 2009.

[ix] I have not discovered when precisely the term “Sinhala” was deployed in English as a substitute for the word “Sinhalese.” I know that Gananath Obeyesekere began to follow this practice in recent decades, but am uncertain where the innovation originated. In etymological terms it is probably a more correct usage. However, it has also been adopted by Nalin de Silva and the Jātika Chintanaya school of thought. In brief, whatever a particular author’s intention, it is now an expression of political puritanism. In this manner it is a mirror image of the Puritanism that was sustained in Tamil Tiger circles by such figures as Thamilethi and Baby Subramaniam, supported indirectly by the Orientalist pedantry of Peter Schalk. Set against this context I insist upon adhering to the old noun “Sinhalese” in both plural

and singular implication, while using “Sinhala” only as adjective or as reference to the language.

[x] Dharmapala, *Return to Righteousness*, ed. by Ananda Guruge, Colombo: Ministry of Cultural Affairs, 1965: 501-44.

[xi] Note also this statement from Nalin de Silva: “What happened in 1956 was a continuation of the movement of Anagarika Dharmapala after driven into oblivion for more than half a century as shown by Dr. Gunadasa Amarasekera” (fn. 6 above).



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Negotiables

By Indran Amirthanayagam

GROUNDVIEWS June 2010

I wish to crack
a bottle of arrack
and kick my legs
out on the verandah

before the sea
at twilight,
this mix of
liquor, even

kisses, pleasure
under whirring
fans, brought
by our soldiers

bludgeoning
villagers with bombs.
They chose war,
the Tamils,

must now face
the music,
hopping
on one foot

to a new master.
This is obvious,
why write poetry
anymore, or even

put on a suit
or read the classics?
The arrack is sweet
and limestone,

salt and gems,
if any, in the North
will be harvested
to enjoy our southern

evenings strolling
at Unawatuna
hand in hand
under the moon;

even that Tamil
boy who lost
his mother
and father

to a misplaced
projectile,
says he must
move on,

learn a trade.
There is a new
calculus, throw
away the abacus,

Boys, the dream
has been denied.
Bend your heads
and genuflect,

we may yet
be kind and
give you a bit
of land down

the street
from the newly
shooting Bo Tree
and the shrine.



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Women are not willing to go back to pre-war status quo

By Kumi Samuel and Chulani Kodikara

GROUNDVIEWS June 2010

'Women are not just victims of war, as some aspects of their experiences are empowering and can be used as a resource for healing and transformation'.

War is a gendered process. Post war is no different. It may be a cliché to say that in Sri Lanka as elsewhere in the world, the most visible and harmful impact of 30 years of war has been on women, but that is the reality. As men joined militant groups or the armed forces, were arrested, abducted, disappeared, or took flight to safer locations outside the community or the country, women were left behind to cope with fractured families and communities; multiple displacement, transition in alien spaces such as camps for the displaced; or resettlement in distant and unfamiliar regions. Untold numbers of women, mostly Tamil, (but including a significant number of Muslim and Sinhala women living in conflict affected areas) became de facto and de jure heads of household and were thrust into new roles both within and outside the private domain. They became responsible for the physical and economic security and survival of their families and had to battle the cultural constraints that challenged this conflict-imposed transition. While the violence of war and attendant militarism also contributed to increase the nature and levels of violence against women, ranging from sexual harassment to rape and sexual torture they were never merely victims of the war and violence.

Women took up arms, fighting alongside male combatants both within the LTTE and the SL Armed forces. As suicide bombers of the LTTE Tamil women broke every conceivable stereotype of the 'good Tamil woman'. But women were also frontline human rights defenders engaging with political and military institutions on behalf of detained, tortured, raped, disappeared or

executed loved ones. They were peacemakers in their villages mediating mutual co-existence with hostile neighbours. At the national level they became part of movements, such as the Mothers Fronts, demanding to know the whereabouts of fathers, brothers and sons who had disappeared. They also campaigned for an end to the fighting, calling for a politically negotiated settlement to the conflict, engaged with processes of constitutional reform and in 2002 demanded the inclusion of women and gender concerns in the peace process. In fact the government of the day responded by appointing the Sub Committee on Gender Issues with a mandate to include gender concerns in the peace process. Although the Committee could not continue its work when the peace process collapsed, it remains a significant landmark in women's activism in Sri Lanka.

The conflict has touched and transformed the lives of myriad women. Take the story of Jenzila Majeed. In 1990, at the age of 20, Jenzila, together with the entire Muslim population living in Mullaitivu was evicted by the LTTE. She says she was most probably destined to become a teacher. As an internally displaced person living in Puttalam, she found it impossible to ignore the plight of those displaced with her and in a less fortunate situation Together with five other Muslim men she set up the Community Trust Fund in 1992. Since then she has worked tirelessly to highlight the plight of displaced Muslims and Tamils, focusing particularly on livelihoods, health issues and women's empowerment. Her work was internationally recognized this year when she became one of 10 recipients of the International Woman of Courage Award given by the US State Department. At home in Sri Lanka, she however remains almost unknown.

Or take the story of Saila who is the Secretary of the Taraka Widows Assistance Center, in Chavatkadu, Jaffna. She lost her father to the war at 8 years and her mother struggled to provide for her five children. Saila was married at 17 and widowed at 19 with a year old daughter. Unable to deal with the ostracisation of widows, she rarely left her home in the next 5 years before meeting psychosocial workers from Shanthiham. Saila then trained as a psychosocial worker and began to play a leadership role at the Taraka Widows Assistance Centre. Gaining both economic independence and respect in the community, the group of 90 widows has been able to challenge social bias and transform their lives. They attend weddings, auspicious religious ceremonies, dress in bright coloured clothes, engage in public enterprise and deal with male officials and businessmen on equal terms.

Conflicts inevitably produce structural transformations for some women opening up new social, economic and political opportunities which challenge and reframe gender hierarchies and roles. But how does one sustain these positive gender shifts in the aftermath of war? Oftentimes the end of war signals a return to the pre war gender regime and valiant efforts to “reconstruct gender” in the old way.

One way to contribute to the consolidation of positive gains of women during war in its aftermath is to ensure women’s participation and representation in post war decision making processes. The experience of South Africa, Rwanda, and Liberia provide compelling evidence of how policy and legal reforms can contribute to women’s empowerment in post war contexts building on the diverse experiences of women during times of war. In Sri Lanka, however women remain unrecognized and invisible in post war reconstruction and reconciliation processes. The 19 member Presidential Task Force on Northern Development appointed in May 2009 does not have a single woman. The recently appointed Commission on Lessons Learnt and Reconciliation does not have a single woman. This is compounded by the abysmal representation of women in formal political institutions and the continuing lack of political will to enact affirmative action to increase representation. Given the absence of women in these high level decision

making processes we wonder about the content of rehabilitation programmes for ex women /girl combatants in various rehabilitation centers around the country. Are they now being re-educated to become good Tamil women again? We wonder about the livelihood programmes being proposed for widows and female heads of households? To what extent do these programmes offer non traditional livelihoods / vocational training options for women, do policy makers recognize women as primary income earners? or do they continue to reinforce gender biases and stereotypes?

While official government policy maybe taking a protectionist and welfarist approach to women in the post war context, many women who experienced the war first hand may not be willing to go back to their kitchens and resume their pre war gender roles. As demonstrated at the Jaffna Municipal Council Elections held in August last year, women in the war affected areas in this county are ready to take up the challenge of rebuilding their communities in the aftermath of war.

From a total of 174 candidates who ran for the 23 seats in the Jaffna Municipal Council, 10 were women. They had obtained nominations from various political parties. Three of the women won; a high 30% of those who contested. These statistics defy the national norm, where no more than 2% women get nominations at local level. Anthonypillai Mariamma, a widow who contested from the TNA and who was among the winning candidates had this to say:

‘I am contesting for the Municipal elections because I think people in Jaffna must come forward after all these years to claim their democratic rights. I am also contesting to ensure that widows are not marginalised and are treated without discrimination. I was asked if I was not afraid of the violence of politics and I said, the only way to challenge the violence is for women to stand for elections and prove that violence can be eliminated from our politics’.

Ensuring gender justice in the aftermath of war does not happen in isolation. It is more often than not part of a wider process which addresses root causes of the conflict and which attempts to negotiate a new post

war social order in which all people irrespective ethnic, gender, religious or other differences are ensured equality and social justice. Post war reconstruction and reconciliation in Sri Lanka is however almost exclusively government led without the benefit of such a process. This is what we desperately need – an inclusive process in which all of us, men and women, can re-imagine and renegotiate the fundamental contours of this nation state in a way that the rights of all identity groups are recognized and respected.

Correction, 27 May 2010: We have since learnt that there is in fact one woman on the Commission on Reconciliation. We apologize for this error.



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Living with the Other in post-war Sri Lanka

By Gypsy Bohemia

GROUNDVIEWS June 2010

I often have to remind myself that I live with a Tamil.

My housemate, Vanessa is a Tamil, married to a Sinhalese and I have been living with her and her husband for almost a year and working with her for over two. She is also one of my closest friends.

She is Tamil; I am Sinhalese. But even as I write, it's hard to think of the two of us along those lines, because I can't figure out what defines our identities. Even if I can define what makes her Tamil, I still can't define what makes her different from me.

Is it colour? She is darker than I am, but we are both brown skinned.

Is it accent? She sounds no different than me, except for a tiny, pleasant lilt in her voice.

Is language? We both speak English. She speaks better Sinhala than I do, and fluent Tamil, or which I do not know a word.

Is it culture and customs? She married a Sinhalese, much to the horror of some of her relatives. But she is happy with her choice.

Is it dress? She dresses just like me and we are endlessly in each other's wardrobes.

Is it in name? She kept hers. "I like my own name", she told me simply, by way of explanation.

Is it in political affiliation? Her political views are as vague as mine. We are not for the leadership, nor are we for those who wish to topple it. If she doesn't find today's politics suited to her, I could say the same for myself. We both hope instead for something in between – something more palatable, more honest. Something we cannot see today.

Is it in parentage? Her parents voted for Mahinda. Mine for Sarath.

She and I went to school together too. We were the same age and in the same grade, but we didn't know each other at all. She was in the Tamil medium and I in the Sinhala medium. Even then I remember her being tiny and thinking she must be a quiet little thing. I couldn't have been more wrong!

Once, while travelling in a trishaw to her parent's home, she was stopped by a policeman who searched the vehicle and would not stop harassing them, especially when he looked at her identity card and saw she was Tamil. A barrage of questions followed, all of which she patiently answered, in Sinhala. He refused to believe she was married to a Sinhalese, even when she showed him a wedding photograph she kept in her wallet. After trying to reason with him, she lost her temper, managed to call him a 'racist bastard' in her faltering Sinhala, and proceeded to give him a good verbal wallop which resulted in her promptly being hauled off to the station until her husband collected her.

It was only when she regaled me with this story the day after that I thought to myself, "Gosh. She's Tamil". And when I say 'Tamil', I don't exactly mean her ethnicity. I mean that it is only during these odd instances that I realize that she lives as a minority in this country and is sometimes denied the same freedoms as I am allowed simply because I have a Sinhalese name.

"It's funny", she mused to me that day. "That policeman was surprised when he saw that I was Tamil – he only knew it when he saw my identity card. If I had taken my husband's name, none of that wouldn't have happened". I sat back, stunned and more

than a little ashamed, realizing that she had hit the nail on the head.

To Van, the incident was a one-off, a little misadventure and a good story to tell her friends. To me, it indicated something a little more sinister. Sure, the policeman in question could have just been one bad egg, but we all know this sort of harassment happens on a daily basis. Apparently there are a lot of bad eggs around. I was talking this over with a friend of mine during the last few months before the war ended and he said he had a Tamil friend who literally tried to fold into herself when they passed any checkpoint. “She just wanted to hide. I feel really bad for her, especially since I know that I don’t have to worry about it”, he said.

We never have a reason to worry, do we?

We get stopped at checkpoints too. We get asked similar questions. It’s no big deal, right? It can’t be that bad for them, what are they complaining about? All they do is complain. This is a time of war – these things must be done.

I’ve heard the above from so many people that I know – and in a range of different contexts: from checkpoints to the civilians trapped in Mullaitivu during the final stage of the war. No matter how many times I hear these things, I never cease to be rendered speechless by them. With one casual sentence over a drink they can talk away lives. With a shrug of their shoulders they can excuse and even justify murder. Some spit out the words ‘Tamil cause’ as if it is a bad word or worse, a synonym for terrorism. Despite being intelligent, thinking people, I am not sure they even understand the poison behind what they say, and continue to be struck by the ease with which they deliver the lines.

These moments make me painfully aware of how deeply entrenched this sense of the ‘other’ is in our society. My inability to see much of a difference between Van and myself seems quite an alien concept when I’m confronted by these situations. To me she is not part of a ‘they’. She is simply herself, and those things about her that I do not understand only intrigue

me. She knows so much about my culture and tradition. I barely know anything about hers. She was telling me about the rituals she had to perform for her wedding and the strange and wonderful things she told me had me enthralled.

It has been a year since the war ended but how far have we come? Instead of translating the lack of fighting into real and meaningful peace, the year has been filled with competitions for supremacy. Maybe now that the contests have been won and our eyes no longer have propaganda posters to distract us, we can start looking at each other instead. Looking, communicating and really understanding. As much as it’s easy to blame history, politicians and authorities for leading us down the wrong road, it was still our choice to take it. If a change is to come, it should come from us – because we want it; not because somebody told us to want it.

By ‘us’, I don’t mean just the Sinhalese. Even our lingo has to change: from ‘us’ and ‘they’ to simply – ‘us’. It is a case of building relationships – but it has become so politicized, so complicated and so ugly that it seems to have transformed into something else altogether. Power. Possession. Jealousy. Fear. All fused into our systems and mixed with our blood. It is this that we all have to rid ourselves of.

Knowing Van has quite literally changed my life. She is the first close friend I have had who is Tamil and has made me recognized insensitivity in both myself and others that would never have registered had I not known and cared for her. And I guess that’s where we need to get eventually: we need to care.

If I have one hope as we celebrate a year since the end of war, it is that we pitch ourselves headfirst into a new one. One that will be bloodless, but still harder to fight for many, because it will rage against long-held beliefs and expose secret prejudices. One that will prove all the more challenging because it cannot have bribes thrown at it to make it go away or be defeated by brawn. A body is more easily killed than a mind changed.

If we win that war, our celebrations will not be tainted by guilt for being at the expense of others' pain and loss.

In that victory, we will all be heroes.



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Tamil Question and the Global Crisis of Capitalism

By Vasantha Raja

GROUNDVIEWS June 2010

One whole year has elapsed since Sri Lanka's military victory over the Tamil Tiger forces that were fighting for a separate state. Many had high hopes that the triumphant Mahinda-regime would now magnanimously bring out a political solution to settle the long-running ethnic conflict that has been bugging the Sinhala-dominated state in various forms since colonial times. However, still there are no signs of introducing either a substantial devolutionary package or even the so-called unitary solution for which the government has been paying lip service for quite a while.

In view of the Sinhala Buddhist majority's key national aspiration – that Lord Buddha himself appointed god Saman to protect Sri Lanka, as the only viable land on Earth for authentic Buddhism to thrive – a unitary solution to the Tamil Question may be more prudent than any other model.

However, to attract a highly antagonised Tamil community to a unitary solution will not be easy at all. Perhaps, nothing less than a fully-fledged power-sharing model at the centre may win over the highly motivated Tamil Diaspora away from the rapidly re-emerging separatist ideology among Tamils.

Is there any chance the Mahinda-Regime of invoking far-reaching democratic changes of that scale at the centre? None whatsoever, I should say. Sri Lanka being part of the crisis-ridden global capitalist chain, I argue, powerful political and economic factors virtually rule out any such democratic change in its lopsided state structure. [Most Tamils are unlikely to take seriously the government's latest 'ploy' – the so-called Reconciliation Commission – while so many Tamils rot in prison for years without trial.] In all likelihood, Mahinda administration will keep the existing forms of virtually

monocratic rule intact in the face of Sri Lanka's 'sovereign-debt bomb' ticking in the background. [I shall return to this point later; for now, more on the unitary solution.]

In principle, there is nothing wrong in a unitary setup provided the government is willing to go for a substantial transformation of existing state structures that can convincingly attract all three communities; in other words, a 'democratic revolution' that institutionally enthrone equality and the rights of individuals and communities. On the contrary, it is becoming increasingly clear that the government wants to hold on to the existing supremacist forms, hoodwink the Tamil speaking Hindu-Muslim communities and encourage the Sinhala Buddhists' sentiments of racial superiority to thrive.

The relentlessly worsening economic nightmare seems to me to be a major factor that compels the government to do so. Like in Greece, Sri Lanka's capitalist regime knows that eventually it has to impose the burden of debt on the people, and it knows what that means in terms of social unrest. Thus, the regime is unlikely to discard the present forms of harsh rule, or its ideological cover needed to camouflage the core issues from the public.

Perhaps, as Leon Trotsky pointed out in his Theory of Permanent Revolution, full-blown democracy in underdeveloped countries can only materialise through the socialist revolution. In other words, the democratic changes can only occur as part of the socialist revolution; and, not under national bourgeois governments. In fact, Sri Lanka's post-independence history is a testimony to that. The unique manner in which Sri Lankan bourgeoisie emerged from an artificially imposed capitalist economy on a thriving feudal society may not be conducive

for full-blooded democracy . I shall later explain how Sri Lanka's present situation confirms Trotsky's point. First, let me dwell a bit more on the unitary solution.

Considering demographic, geographic and economic factors [e.g. the spread of Tamil speaking people all over the island, the virtually inseparable natural water circulation pattern and the economic advantage of unitary planning, to mention a few] it seems beneficial for all communities to have a unitary setup. However, this may only work if visibly appealing power-sharing institutions establish equality of all communities at the centre itself along with the introduction of power-decentralisation to regional and local levels. [My own unitary model with "two regional parliaments and an equality-based Supreme Parliament at the centre" is one such possibility – for which I have been campaigning for a long time.]

Now, can the Mahinda regime, I repeat, carry out such a radical transformation? It certainly cannot for obvious reasons. Sri Lankan state, being an inseparable unit within the global capitalist network (which is in mortal crisis), will want to widen its fascistic arsenal even more to defend the capitalist system against the radicalising trade unionists, farmers and socialist leaders. It will force the media to support the government's 'economic war' to save capitalism. Anybody who opposes will be branded as 'traitors' to be eliminated.

Just like most other capitalist countries, Sri Lanka also has been borrowing billions of dollars to cover massive budget deficits, not just to enhance the war-machine, but also to pacify the Sinhala majority by peddling the illusion of development. [Contrary to what Prof. G.L. Pieris claims , the haphazardly- done infrastructure developments and city-beautification projects - without wide-ranging social security networks and major improvements in health, education and housing sectors - will invariably be contrary to the real interests of the ordinary masses. Although, corrupt ministers' whimsical infrastructure projects could have a temporary 'trickle-down' benefit for some layers, in reality such ventures will only benefit the regime-backed profiteers. Pumping 'paper money' for them will widen the rich-poor gap even more. They can do

more harm than good to the society and the environment in general. Widespread belief is that these projects are primarily cooked up to fulfil the insatiable greed of crafty ministers and businesspersons rather than the real needs of the majority. In any case, I should say, such 'developments' have nothing in common with the economic planning of scientific socialism.]

To return to the main point: largely, mountains of debt have been funding both the war and the selective infrastructure projects. The global 'credit bubble' remained the ultimate bulwark behind the 'economic growth'. That bubble has now blown up dragging the nerve centres of global capitalism along with it. It is now taking the form of a 'sovereign debt-contagion' that forces the capitalist states to take back the money spent on ordinary masses. Mahinda-Regime also will be compelled to carry out this capitalist necessity in the form of massive cuts in public spending and social services. [The often-used term, 'austerity measures' is inadequate to depict the gravity of the 'economic reversal' involved.]

The continuing debt-crisis and the resultant mass confrontation on the streets of Greece seem to provide the images waiting to re-occur in many European cities, former colonial countries and eventually the United States itself in the near future. [Sri Lanka is not an exception.] American nervousness was obvious when it created billions of 'paper 'dollars out of thin air –despite its worsening debt-problem at home – and handed over to Europe to stop (read: postpone) the 'sovereign debt-contagion' spreading out of control. However, everybody knows that the only meaningful way to save capitalism is to somehow nullify the debt-based 'prosperity mirage' and pay the money back to capitalist financiers; also, everybody knows that the states' attempt to do this will provoke class conflict as never before.

Are the capitalist states ready to tackle the consequences? Not quite; at least not yet. The artificial capitalist booms have also strengthened self-confident working classes all over the world who will not be prepared to sacrifice their hard-won living conditions easily. Therefore, the states will have to first prevent the

working classes gaining the political awareness necessary to comprehend the real issues involved – i.e. to prevent the working class from perceiving the economic crisis as a capitalist problem and seeing the need to change the profit system to bring in global socialism. The capitalist states have historically used various ideological weapons to do this before using state-power to crush the struggles. Whipping up nationalism and racism to split the working class has often been a major tactic.

The above discussion's relevance to Sri Lanka's case is obvious. Just like many other capitalist states, the biggest problem Sri Lanka is presently facing is the debt-problem; and, keeping the working class split along ethnic lines is crucial. To do that, Sri Lanka has a readymade arsenal of communalist ideology and racist sentiments that can be lit up at short notice. Moreover, Sri Lanka has a readymade arsenal of fascist gangs to mobilize at will along with the Sinhala troops.

As I have pointed out earlier, the Mahinda regime has a stake in maintaining the status quo. Nobody should be naive enough to expect solid democratic changes to solve the Tamil Question or disband its network of gangsters. The Reconciliation Commission will only be a smokescreen to buy time.

In this context, it is sad to see most Tamils, along with their Sinhala counterpart, still failing to transcend the nationalist mindset and comprehend issues in class-terms. The Tamil nationalists' present effort to revive a separatist struggle will contribute to the 'Sinhala' government's strategy to keep the working class divided along ethnic lines. This has happened in the past, and in the present context, it will happen again with far more disastrous consequences to all communities. The time has come for the Tamil separatists to go beyond narrow-nationalism and understand the most fundamental problems facing Tamils, Sinhalese and Muslims as class-issues, and not ethnic issues. Only a far-reaching democratic transformation of the country as a whole will solve the cultural aspirations of all three communities. Such a change will require a paradigm-shift in economic thinking, and is inseparably intertwined with a fully-fledged remodelling of society on the principles of scientific socialism. Remember,

this does not prohibit the role of regulated private enterprise within limits.



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GETTING SRI LANKA'S ECONOMY BACK ON TRACK

By Rohini Hensman

GROUNDVIEWS June 2010

On the first anniversary of the end of the war, with the presidential and parliamentary elections behind us, now is the time to start thinking seriously about addressing some of the problems dogging the economy of Sri Lanka, including a massive debt and unsustainable budget deficits. Failure to do this will mean falling living standards and eventual crisis.

Demilitarisation

What does demilitarisation have to do with the economy? Everything. Military spending produces nothing that contributes to expanding the economy: neither food, clothes nor shelter, neither education nor healthcare, neither infrastructure nor capital goods. On the contrary, by swallowing up taxes, or by creating a public debt which has to be repaid (with interest) out of taxes, it actually constitutes a deduction from a country's wealth. It is parasitic on the rest of the economy, taking but giving nothing in return, a black hole into which resources disappear without trace. Military overspending was one of the reasons for the collapse of the Soviet Union, and also helped to push the US economy to the brink by 2008.

The only valid argument for military spending would be if a country were threatened from within or without by another military force. Until a year ago, the LTTE's military and terrorist threat to Sri Lanka might have justified state spending on military hardware and personnel. But with the war behind us, there is absolutely no justification for continuing with a war-time policy, especially given its negative impact on the peacetime economy. It is entirely possible and desirable to slash military spending: cease buying military hardware and demobilise at least half the military personnel, redeploying them as civilian

workers to socially useful activities that contribute to the economy, such as rebuilding destroyed infrastructure, homes, schools, hospitals, government offices and factories. High Security Zones (HSZs) no longer need to occupy land belonging to Internally Displaced Persons (IDPs), who should instead be assisted to return to their former habitats and rebuild their lives and homes.

The overwhelming military presence in the North and East is a ruinous drain on the exchequer, apart from giving residents of those provinces the feeling that they are under military occupation by a foreign power. Reducing military spending in the present would not only help to balance the budget, but would also help to reduce the likelihood of conflicts in the future, thus improving stability. This, in turn, would encourage investments which create socially useful jobs that expand the economy and help to balance the budget and reduce the debt.

Human Rights and the Economy

There is an obvious and much-discussed way in which the issue of human rights has an impact on the economy: the EU GSP+ facility, which has boosted exports from Sri Lanka to the EU for many years, is dependent on the government meeting criteria related to human rights and good governance. Its suspension will result in a further deterioration of the economy, and can be avoided by implementing the measures recommended by the EU report as conditions for its renewal.

There is a rationale for linking these trade privileges with human rights and good governance. The governments of importing countries are willing to forego tariffs on imports from developing countries on condition that the benefits of this concession

go to all the people of the country. But this depends on the protection of human rights and good governance. For example, if corruption is rampant, the benefits would go to corrupt politicians and government officials rather than ordinary people. If freedom of association and the right of workers to organise unions and bargain collectively is not respected, the benefits would go to exploitative employers and not to the workers. Why should the EU countries give up a source of revenue simply in order to enrich corrupt politicians and exploitative employers?

Far from being an unwarranted interference in the internal affairs of Sri Lanka, this linkage of trade benefits with human rights helps the vast majority of people in Sri Lanka. Further, it also helps to put the economy on a more secure footing. Huge and widening disparities of income between rich and poor was an underlying cause of the global crisis of 2008. Throughout the world, the rich (of the developing as well as developed countries) had got richer and the poor (of the developed as well as developing countries) poorer. This had various adverse consequences for the economies of individual countries as well as the world economy. With the mass of the population getting poorer, aggregate demand fell, and investing in production to satisfy their needs became less profitable. One result was rising unemployment. Another was a massive diversion of investment into financial products that enriched a minuscule elite without contributing anything to socially useful production. It also resulted in working-class families getting heavily indebted in order to maintain their standard of living. This is not a sustainable model of economic growth, and predictably resulted in a meltdown.

Sri Lanka may be only a tiny part of the world economy, but it too suffered from widening disparities of income as well as unemployment. Putting this right requires the implementation of the human rights and governance measures demanded by the EU GSP+ regime. A major obstacle to this is the existence of the executive presidency, which gives absolute power to one person and thereby allows for human rights violations and bad governance so long as this person tolerates or encourages such practices. The 17th Amendment was enacted precisely to prevent such a

situation from arising, but it has become clear that such measures cannot work so long as the executive president has the power to override them. Thus we have had rampant disappearances and extrajudicial killings taking place without any credible investigation or punishment for the perpetrators, while corruption has been widespread and unchecked. The main problem here is the executive presidency itself, and unless it is abolished, the economy will continue to go downhill. Mahinda Chintanaya promised that it would be abolished, and it is now time for President Rajapaksa to show whether he is a man of his word or a charlatan who has taken the electorate for a ride.

Development and Democracy

There is much talk of development, especially in the North and East, as being the need of the hour, and this is true. But what do we mean by development? Does it mean the unfettered rule of the state or capital? Both these models have been tried and have failed. Development based on a statist, centralised command economy was tried in the Eastern Bloc, and collapsed at the end of the 1980s. The neoliberal model, in which the market reigns supreme, was tried in the West and most of the rest of the world, and was in deep crisis by the late 2000s. The world has not yet recovered from that crisis. What is lacking in both these models is democracy: the participation and control of the vast majority of the population in planning and implementing development.

In a somewhat diluted form, both these models have been tried in Sri Lanka too. During the Bandaranaike years, a fairly centralised model was tried, and led to so much hardship due to shortages that there was a massive mandate for Jayawardene when he took power. But the neoliberal model that he forced on the country had, if possible, even more dire consequences. The loss of jobs, to take just one of the consequences, sparked off massive youth unrest: first in the North and East, where it fuelled Tamil militancy, and then in the rest of the country, where it created the conditions for the JVP insurrection.

If we want to avoid these mistakes in the future, democratic involvement of the whole population in development is a must. Communities that are currently

marginalised, such as IDPs, need to be fully involved in planning and implementation. This makes resettlement and rehabilitation of both recently-displaced people and long-term IDPs, including Northern Muslims, a priority. Non-discrimination and equal rights, the bedrock of democracy, are also essential. If certain sections of the population, such as women or ethnic and religious minorities, are discriminated against, their potential to contribute to development will be wasted, which is something we can ill afford.

It is in this context that devolution, normally seen as a demand of Tamils alone, needs to be considered. An over-centralised state, where power is concentrated not just in parliament, not just in government, but in the hands of one person, will produce lop-sided development, the benefits of which are short-lived. Truly balanced and sustainable development requires grassroots participation, which depends on devolution of power. Devolution is thus a requirement for all communities, not just Tamils.

It may look as if economics and politics are different realms, without much to do with each other. But the wrong political policies can ruin an economy. If Sri Lanka's economy is to be put back on track, demilitarisation, human rights and democracy are essential.



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Opportunities and challenges facing post-war Sri Lanka

By MCM Iqbal

GROUNDVIEWS June 2010

The recent Parliamentary Election has resulted in the United Peoples' Freedom Alliance, obtaining a resounding victory at the general election. However, the number of seats won has fallen just short of a two-thirds majority which President Rajapakse was hoping for. This election confirmed the fact that he has continued to maintain the popularity he had gained following the decimation of the LTTE in May, 2009. It is likely he will be able to get the support of some of his sympathizers in the opposition to enable him to push through the Parliament the constitutional amendments about which there had been much talk before, during and after the elections.

This remarkable victory augurs well for a country which has for more than thirty years, been passing through a turbulent stage in its modern history. During that period much of the resources of the country had to be utilized to contain the LTTE at the expense of neglecting the development of the country, especially in the North and the East. Heavy burdens were imposed on the civil society which had to bear with an alarming increase in the cost of goods and services. None of the Presidents who were in power during such turbulent periods, had been able to muster that amount of power and popularity as President Rajapakse has been able to do. It was that which enabled him to conduct the war ruthlessly to a finish, ignoring appeals by several international bodies and countries for a ceasefire to avert civilian casualties.

Now that President Rajapakse has become the virtual king of Sri Lanka everyone is waiting to see what he is going to do to put the country on the road to prosperity. The LTTE is no more and the Tamil National Alliance which is a reasonably moderate Tamil Party has indicated that it is prepared

to accept a political solution to the ethnic problem which would enable the Tamils and the other minorities to live as equal citizens within a united Sri Lanka. The Jatika Hela Urumaya which was a virulent extremist Sinhala Party is no longer in the current Parliament. An important faction of the JVP headed by a person who had been vociferously against any concession to the Tamils, is now a Minister under his government. The party of the contender for the post of President at the last elections and the main party which was in the opposition earlier, are now in tatters. Consequently, the key political party in the opposition in the parliament has become impotent. They are unlikely to oppose any reasonable measures that the President may take to deal with the urgent issues facing the country. The President who was once a champion of the cause of the victims of human rights violations in the late 1980s and the early 1990s needs no lessons on the importance of protecting and promoting human rights in the country.

The extra-ordinary circumstances that prevailed in the country when he became President had made him turn a blind eye to human rights violations that had been taking place in the country so that he may deal with the conflict related issues that were more urgent then. Now that is history, the door is now open for him to become a champion of the rights of all the citizens of this country. Besides, it is no secret that most of the key departments of the State are under ministries held by him or his kith and kin. With all these circumstances and opportunities being favourable to the President, one could reasonably expect President Rajapakse to gear up his team to tackle the burning issues with acumen and put the country on the right track to peace and prosperity. He certainly knows that this

cannot be achieved unless all the people living in the country are treated as equal citizens without any discrimination whatsoever. Sri Lanka needs to be made a country where there is law and order, respect for democratic traditions and human values, and where the human rights of all the citizens are guaranteed.

In his efforts to accomplish these expectations the President will inevitably have to face numerous challenges. He certainly is capable and well equipped to meet these challenges. All that is needed now is 'the will' to meet the expectations. Regrettably, he appears to have got his priorities mixed up. In spite of Rajapakse's unrelenting military offensive he had always been saying that there needs to be a political solution to the ethnic problem. He had been repeatedly saying that he would put forward a political solution to the ethnic conflict after the LTTE is defeated militarily.

Though almost an year has lapsed since the war ended, no meaningful steps appear to have been taken in all earnest to table the promised political solution. Instead, building of statues and monuments to commemorate the victory are given priority and the triumphalism that followed the war continues to be encouraged. The social consequences of such measures immensely damage the reconciliation process that needs to be promoted for the welfare of the future of the country. There is no need for a study by a social scientist to understand that the militancy of the Tamil youth which eventually turned into terrorism, was only a symptom of the unresolved problems of the Tamils which had been allowed to fester through sheer default by successive governments. Unless steps are taken in all earnest to swiftly and effectively deal with the factors that led to the war, the victory achieved in May last year would be squandered in no time. Trampled people cannot be held down for long using military might. The moves to appoint a team to study the reasons for the conflict would be an exercise in futility. There are an innumerable number of books by independent social scientists and researchers on the ethnic problem in Sri Lanka with suggestions for possible remedies.

Besides the All Party Conference (APC) appointed by the President had, after prolonged discussions at its sittings that went on for years, was ready with a solution for the ethnic problem arrived at by consensus. It is no secret that that the President intervened and struck it down and wanted the learned Professor who headed the Conference to come out with an interim report on the lines suggested by him. It is hoped that there will be no such dramatics in the future and that the President would take steps to prove his sincerity to arrive at a political solution for this problem.

We now have a political party which can rightly be called the elected representatives of the Tamils who have stated clearly in their manifesto that they aim to achieve a just settlement for the problems of the Tamils within a united Sri Lanka. This was re-iterated in the maiden speech of one of the newly elected representative of the Jaffna electorate where he eloquently stated that reconciliation is the need of the hour to protect the country from sliding down the path of divisive politics which could lead to undesirable consequences for the whole nation. It needs to be noted that in spite of all that had happened in the past, the TNA wants to live in a united Sri Lanka as equal citizens of this country. The President has to grab his opportunity and bring them into the fold to help him in his attempts to find a political solution to the ethnic problem.

There is an urgent need for a program of education of the people in the North and the South to change their minds to look at each other with a sense of amity rather than animosity, as is the case today. The President should be able to instill this into the minds of his supporters. A concerted effort is needed to make the people realize that ours is a land where there are neither oppressors nor oppressed. As the President says, none should consider themselves to be minorities. If that be so, then there cannot be any room for anyone to think he belongs to a majority community. The majority complex must also go.

There is no doubt that the continuation of the Emergency Regulations and the Prevention of Terrorism Act made way for serious human rights violations taking place in the country. Now that the

terrorism is no more there is no justification for the continuance of the ER. If the fear of the LTTE re-organising themselves once more is the justification for this, then it may be necessary for the ER to be kept in force till the ethnic problems are settled once and for all. This means, the emergency rule is going to be there for a very long time to come. Is that what the President wishes to do? Despite the ER being in force abductions, disappearances of persons and extra-judicial killings still continue in the North and East, though on a smaller scale in the South. Every effort should be made to make the frequent occurrence of these incidents, a thing of the past.

With the non-implementation of the provisions of the 17th Amendment to the Constitution, the people have lost confidence in the institutions that were designed to promote human rights and ensure there is law and order in the country. The President should not be seen as a person who violates the supreme law of the land – the Constitution. When he took the oath of office he had sworn to uphold the Constitution and abide by its provisions. The 17th Amendment is an integral part of the Constitution and was hailed as the first measure that the then Parliament had enacted unanimously, restricting the discretionary power of the President to appoint anyone he pleases to the key institutions of the State. The President should not be seen of availing himself of all the privileges and powers the Constitution has conferred on him and not complying with the provisions of the 17th Amendment which restricts his discretion in appointing persons to high posts and members of Commissions created by the Constitution. The President needs to face the consequent challenge and comply with the 17th Amendment without delay and show the country that he abides by the Constitution and is not a person who would by-pass it on some pretext or the other.

The non-implementation of the 17th Amendment has had a serious impact on the law and order situation in the country. It was enacted at a time when political interference in all the key branches of the State mechanism had become a bane and brought disrepute to the institutions such as the Police Service, the Public Service and even the Judicial Service. During the short period when the provisions of this Amendment were in

force these services began to show signs of improvement and the politicians found it difficult to interfere in the duties of the respective services. This was probably the reason why, when the term of the first Constitutional Council (CC) expired, an excuse was found to avoid constituting a fresh CC. And eventually when the terms of the commissions that were appointed by the CC expired, the President started appointing his own nominees to the such positions and commissions where the need arose. The upshot of this was that the images of these institutions got tarnished and relevant services went back to the state in which they were, prior to the enactment of the 17th Amendment. It is hoped that the President would henceforth implement fully all the provisions of the 17th Amendment or make the necessary changes to it if possible, and implement them faithfully. Let not this matter be referred to a Parliamentary Select Committee once more and the drama re-enacted again. The President needs to project himself as a person who abides by every provision of the Constitution, even if it is to his disadvantage.

The restoration of the rule of law would necessarily mean that all the checks and balances in the laws of the land which had been rendered in-operative by the Emergency Regulations, should be made operative. This would mean the provisions of the Fundamental Rights Chapter of the Constitution would have to be complied with. In other words there cannot be the rule of law in the country as long as the ER is in force with provisions that negate this concept. If the ER are not in force no one could be taken into custody on a mere suspicion and detained indefinitely. All those who are in custody for long periods without any charges being framed against them would be released. Deterrent action should be taken against police officers who violate the human rights of the citizens. Torture of persons taken to custody should be a thing of the past. There should be no more deaths in custody. Every incident of disappearance of a person, abduction or extra-judicial killings should be swiftly and thoroughly investigated and the culprits brought to book. Blaming 'unknown persons' as being responsible for such incidents should never be allowed to be the finding on any investigation into such a crime. Ensuring that this happens is one of the challenges

the President has to take in all earnest. Recent reports indicate that the Attorney-General's Department is to be brought under the direct control of the President. This is a step backwards. When most complaints of human rights violations are at the hands of state officers, how could one expect the Attorney-General to conduct prosecutions effectively against such officers who are the servants of the State. Many Commissions of Inquiries into Disappearances of Persons have emphasized the need for an Independent Public Prosecutor in place of the Attorney General to deal with cases pertaining to human rights violations because the Attorney General's Department was, according to these reports, 'not an independent institution'. The International Independent Group of Eminent Persons who were invited by the President to oversee the work of the then Commission inquiring into serious human rights violations, aborted their assignment after making a scathing attack on the manner in which the Attorney General was guiding the proceedings of that Commission. There again the role of the Attorney General became questionable even while it was under the Ministry of Justice. Now if it goes under the President's direct control, one could imagine what would happen to its image which is already tarnished. It was revealed in a survey of the prosecutions initiated by the police who act on the advice of the Attorney General, that only four per cent of the cases so filed, end up in conviction. Therefore improving the procedures followed to maintain law and order in the country is another challenge facing the President. He should not only ensure that there is fair play in the maintenance of law and order but should also make it appear to be so.

The country has earned a reputation as being one of the dangerous places for journalists and that the State is hostile towards the independent media. This is confirmed by the fact that several media personnel have been killed or have disappeared while many others have fled the country. Perhaps the government thought a strict control of the media was necessary to fight the war effectively. Now that the war is over, it is left to the President to ensure that restrictions of the free media are removed. A climate conducive to practice the freedom of expression has to be created where the media could function independently and

not only reflect the thoughts of the people but also to expose maladministration and promote good governance. Let us hope the President would take up this challenge head on and lift the restrictions on the media and make way for transparency and the freedom of expression.

The President wanted a 2/3rd majority in the Parliament to enable him to make changes to the Constitution. Whether the changes he is having in mind relate to the political solution to the ethnic problem or to whether they are to make his position and those of his kith and kin more secure, one does not know. But the fact remains that it is going to be a big challenge he would have to face in whichever way he is planning to amend the Constitution. The 17th Amendment to the Constitution is said to be flawed because it was pushed through Parliament in a mighty hurry without allowing room for a wide public discussion on the provisions of this Amendment. Let not the President repeat this mistake. Any amendments to the Constitution he has in mind must be made public well in time to enable a wide discussion on the pros and cons of the proposals.

President Rajapakse's sweeping victories had been on the support he had received from the marginalized groups in society based on the expectation that there will be post war opportunities which would lead to prosperity to the country and benefit his supporters. Given the state of the finances of the government that is not going to be an easy task. It would not take long for the disappointed supporters to eventually become disillusioned. They may even turn against the President. There appears to be no letup in the lavish expenses incurred in providing without delay, privileges and positions to the newly elected Members of Parliament. They have wasted no time in ordering duty free limousines for them to get about! It is time the President took stringent austerity measures and got the parliamentarians to set an example in prudent living before advising the people to do so. Then he needs to crack down on government expenditure on unproductive ventures. There had been many of that kind in the recent past. Thereafter the President has to devise ways and means of dealing with the

unprecedented rise in the cost of living before it reaches the breaking point.

The other challenge the President will face is the need to increase the production of food crops and providing employment opportunities to the ever increasing number of unemployed. Rice production which was once nearing the point of self-sufficiency, has now dropped far below the expected levels. Sri Lanka was once the largest supplier of tea to the world. But last year Kenya has succeeded in pushing Sri Lanka to the second place. The war has resulted in large extents of agricultural land in the North being not utilized for cultivation. There is an urgent need to revive agricultural activities in the North. The irrigation canals around the Iranaimadu Tank in the Kilinochchi District and the Giant's Tank in the Mannar District have to be repaired to enable those being re-settled in those areas to commence cultivation. Cultivators in the Jaffna Peninsula and the other districts in the North were one of the leading suppliers of plantains, seasonal fruits, onion, chillies and other vegetables to the South. The best area for cultivation is inside the high security zone. With the displacement of the residents around Mutur, Kinniya and Sampoor the lands they had been cultivating are now fallow. All these cultivators need to be given every possible assistance to resume their traditional activities and contribute to the increase of food production in the country. The same could be said about the fisherman in the Northern Districts whose activities have been curtailed due to restrictions on their movement in the sea. These restrictions need to be relaxed without delay and their activities encouraged to increase fish production. Meeting these challenges would help the President to reduce the cost of living at least to a certain extent and provide employment opportunities to the people in the respective areas.

While the President is talking of reconciliation, it is desirable that all the members of his party in the Parliament should also talk on the same tenor. Regrettably, the Defence Secretary, who is the de facto Defence Minister, appears to play a different tune. He has launched on a project to wipe out all the LTTE cemeteries in the North and is going on a spree of putting up monuments to commemorate the

government's military victory. There had been reports of such cemeteries being bulldozed one after the other. These graves contain the remains of LTTE personnel and others who had died during the war. Each of them has surviving members of his family, to whom the grave is a place where they perform solemn religious rites during anniversaries. The survivors could be grieving widows and their children or even the aged parents of the persons concerned. Demolishing these graves is a highly inhuman, immoral and vengeful act which is not going to help in the reconciliation process the President hopes to set in motion.

One needs to remember that the war has left behind a large number of victims who have been rendered destitute. An estimate says that there are nearly 50,000 war widows languishing without anyone to care, either for them or their siblings. In the North nearly 5000 men have been maimed during the war. About 11,000 to 15,000 youth are detained as LTTE suspects without their next of kin being informed. 250 university students are also in custody. Even the Members of Parliament are not allowed to visit them. The names of those detained are not made public. Many grieving Tamils have no way of finding out if their loved ones are dead or alive. These are all citizens of Sri Lanka. It is the responsibility of the State to inform the next of kin of those detained, that they are under detention. If the President is serious about reconciliation these problems of the war victims' should be addressed without delay. There must be a permanent rehabilitation policy at the national level for the war widows, the maimed and those under detention. They need to be helped to begin a new life. The education of the children among the displaced needs to be ensured so that eventually they may become assets to society and not liabilities.

The announcement that a truth and reconciliation commission is to be appointed raises many questions. Many would look at this move with skepticism. The same fate that befell to the several commissions of inquiry into disappearances of persons that were appointed in the past, may happen to the proposed Commission as well. It is a well-known fact that the reports of these commissions are gathering dust in the

archives of the President's Office while many of the perpetrators against whom the Commissions had found credible material indicative of their involvement in these disappearances, are enjoying high positions in their respective services. The President is aware of this.

Be that as it may, the proposed truth and reconciliation commission, even if it is determined to get to the bottom of all that happened during the offensive, it will not be able to make headway without an effective witness protection law in place. One remembers how many witnesses to the killing of 17 NGO workers in Muttur were scared to come and given evidence before the Udalgama Commission for fear of reprisals. A medical doctor, who was an eye witness to the killing of his undergraduate son in Trincomalee where five students were shot dead near the beach in the high security zone, had to flee from the country before he could give evidence before this Commission due to threats to his life to stop him from giving evidence. In the circumstances the President has an uphill task in achieving his objective of finding out what actually happened during the last days of the war while there is no witness protection law in place. Whether the aim of the President is to sincerely find out what actually happened or whether the idea of appointing a Commission had been put forward for some other sinister motive, is anybody's guess. Further, even if the Commission is appointed and conducts proceedings to achieve the objective of the President, what is there to prevent the same fate that happened to the Commission of Inquiry appointed by him in 2007 to inquire into fifteen high profile human rights violations happening to this Commission too. The former Commission was disbanded before they could complete their inquiries into even one third of the cases they were tasked to inquire. Their report is yet to be published, and may not be made public at all. Let the President not take the people of the country and the international community for granted. Let him not think that they will not realize his dubious maneuvers. He needs to do much more to improve the credibility of his moves, if he is to take the country forward.

Finally the President has the daunting task of improving the seriously damaged impression of the

country abroad. The repeated denials of what is alleged to have happened before, during and after the war has not done any good to the government. The international community looks at Sri Lanka as a country fast approaching a status similar to pariah states such as Myanmar, Sudan, Somalia, etc. This was confirmed by the fact that the first overseas visit the President made after the war, was to Myanmar, perhaps to get the blessings of the leader of the ruling military junta General Than Shwe. He is known the world over as a ruthless dictator who was responsible for the massacre of a large number of people of his country, including Buddhist Priests and suppressing democratic movements in Myanmar. He is also notorious for imprisoning a democratically elected leader, Aung San Suu Kyi, for more than fourteen years. On his return visit to Sri Lanka this General was given a grand reception much to the dismay of the Sri Lankan Buddhist clergy. This exchanges of diplomatic courtesies did not augur well for the good name of the country.

In the eyes of the UN, Sri Lanka is a State that is alleged to have violated many International Conventions during the conflict and the Secretary General even contemplated appointing a UN team of experts to advise him on what is actually happening in Sri Lanka as against what the government is saying. Sri Lanka has been doing its best to prevent such a team being appointed. The UN Secretary General appears to have had second thoughts about it. Visits of UN fact finding missions to Sri Lanka are looked upon with scorn. That has only made the outside world feel that the government has many things to hide. There is speculation whether the decision of the President to appoint a Commission to find out what happened during the last days of the war, could be a ploy to avert the UN appointing its own team for this purpose. It is now left to our all powerful President to initiate measures to restore the good name of the country.

The newly appointed Minister of External Affairs has expressed concern about the activities of the Tamil Diaspora. The Prime Minister has also joined in the fray and has taken umbrage against the international community for not curtailing their activities in the

respective countries. They need to realize they have only to strengthen the hands of the President to find an amicable solution to the ethnic problem so that they could easily take the wind out of the sails of the instinctive machinations of the Tamil Diaspora to rescue their brethren in distress. If the President succeeds in this effort, it is likely that this same Diaspora could make a remarkable financial contribution to the re-building of the war ravaged infrastructure in the North. If otherwise, the Tamil Diaspora has the potential to becoming the bane of Sri Lanka in the years to come and sap its energies away from the goal of the President to usher into the post-war Sri Lanka, the dawn of a golden age. He has proved his mettle in winning the war. It is now left to him to prove his ability to win the minds of the Tamils.



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Re-imagining Sri Lanka post-war

By Anupama Ranawana

GROUNDVIEWS June 2010

About a month or so after the end of the war in Sri Lanka, R Swaminathan, former Special Secretary of the Government of India commented that there should be no rigidity in implementing measures of reconciliation, reconstruction and rehabilitation in post war Sri Lanka. He further stated that a 'credibly delivered' political solution was an essential component to the end of the kind of conflict that Sri Lanka had experienced and without this, the future appeared disturbing at best. The sentiment was echoed by the blogger Cerno, although in more vernacular terms: "Sri Lanka: Now the Hard Part Begins". Now, we all know this to be true. No avenue in a process of critical reasoning can conclude that the end of physical hostilities in Sri Lanka can mean that the ethnic conflict has ended. The road ahead will be laborious, painful and difficult to navigate, but it cannot be embarked upon without being fully cognizant of this. If what we want is true reconciliation and a society built upon liberty, justice and equality we must be prepared to face all the issues that every single democratic experiment has historically confronted. These are the ideals for our society that form the shallow rhetoric of our beloved politicians, and which inspire the fight of the many members of civil society, or, as a friend of mine once labelled them- the 'peace' industry. There is nothing wrong with these ideals- they are anchored to a project that seeks nothing but social justice, and real democracy. Of course, this being that we accept the democratic and capitalist projects as normatively good.

By this time you will be deriding me for bringing out that hackneyed old socialist Marxist tripe that, in academia at least, is becoming very mainstream. It's easy, it's even trendy to go all hammer and tongs at neo-liberalism, capitalism and modernity. These

institutions are built on good, strong moral, Christian grounds, and yet, of course, they destroy and fall to ruins very easily. I am not speaking only of the disasters of the Third World, but globally, certainly. Academics active in the climate change debate are arguing for governments not run by politicians but for institutional authoritarianism run by knowledge experts. Why? Because democracy has failed humanity and the institutions, laws, markets and corporations that sustain this experiment of the modern only survive on the image of humanity in chaos and disorder. All our value and knowledge systems are distorted by its principles. More than colonial legacies, it is the principles of modernity, with a focus on individualism, with the dominance of a concern for the centrality of the individual, for private values against collective values that divides and antagonises us. Social fragmentation at its best, preying on our social insecurities and fears in the most insidious manner- by talking to us of equality and liberty. I make no new or perverse argument here. The democratic experiment will fail in Sri Lanka, and this would have happened even if this war had ended in a 'credibly delivered' equitable political solution.

Do not mistake the sentiments of this piece. I have no sympathy with the petty thuggery of the Rajapakse administration or in their handling of the conflict or the country. The damage that they are doing to Sri Lanka has caused many of my friends to think fondly of Chandrika Kumaratunge and even Ranasinghe Premadasa. It is morally revolting to think of members of the Buddhist clergy in active parliamentary politics and somewhat shaming to note the weakness of the Christian leadership. There is no place for academia or independent thought and speech, and certainly nothing

but death or a little light torture for the braver members of the media and civil society. Ranil Wickremasinghe, leader of the opposition cannot and will not deliver. Indeed, civil society is fighting the ‘good’ fight for liberal democracy, economic prosperity and so on. Contrary to the rhetoric of the government, I would point to them as the real patriots of Sri Lanka. My grief with this ‘peace industry’ is that they buy in to the West, to the policies by which foreign superpowers have decided we must all run our countries, and this makes it all the easier for the Rajapakse administration and the Buddhist clergy to wage a vicious cultural war upon them and to incite the darker sides of Sinhala nationalism.

I am tired, as you are, of the argument I made above about the failure of democratic, modern institutions and the dominance of economic and individual concerns. As I said before, it’s dead easy to criticise institutions and policies without presenting an alternative. This focus only solidifies the centrality of these systems to our thought and organisation of the world. This is a blind spot in modern academia and policy making, that while willing to be critical of the systems and institutions, we are unwilling to look beyond them to the possibility of an alternative, towards radical reform that moves away from the models of ‘growth’ and ‘progress’ that the principles of political modernity are fundamentally based upon. We cannot imagine even the conception of an alternative, and in terms of Sri Lanka, a home-grown solution that isn’t based on these principles. Now I do not know what this alternative is so I cannot provide you with the framework for building it. However, let me ask this. An academic I met in Sri Lanka, years ago, made the comment that little in Sri Lanka fits neatly into any theoretical box. If this is so, why struggle to make Sri Lanka fit into the same democratic, capitalist box? Why not move the discussion, debate and work we do into a Sri Lanka that becomes an example to the world in seeking a moral, sustainable alternative? Perhaps we need to retrace our steps, not be afraid of a little developmental regression into the pre-modern, and courageously make a new journey out of the city of the world and into the village of the mind. I think it’s best to do this while the sun’s still shining and arrack flows free and true.



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Post-War Sri Lanka: Way Forward or More of the Same?

By Lionel Bopage

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Without peace, there is no development; without development there is no peace, President Rajapaksa has said. Yet, for the overwhelming majority of the population he presides over, life is quite harsh under the growing burden of the militarisation of the economy and society. Despite rhetoric on the devolution of power about 50,000 Tamils are still detained in camps behind barbed wire. Under such economic and political conditions hopes for reconciliation and the strengthening of civil society look bleak. To understand why this is so and its attendant solutions some understanding of the formation of post-independence Sri Lanka needs to be elucidated.

The mode of social development in Sri Lanka was a result of colonial superimposition of capitalism on a society where feudal socio-economic and cultural conditions prevailed. Building such an economy required capital accumulation, wage labour, huge tracts of land and infrastructure, centralisation of power in the hands of a few, and a base for administrative assistance from the locals. They achieved this through abolishing the system of service tenure, imposing a unitary administration island wide and introducing English as the medium of instruction.

The long-lasting effects of this uneven capitalist development were reflected in the appearance of an economic divide between the haves who became increasingly affluent and the have-nots who became increasingly impoverished. The plantation economy generated issues of landlessness, land fragmentation, and lack of water for irrigation, giving rise to the so-called urban rural divide.

As the availability of land and water for agriculture became more acute, rural youth

welcomed the introduction of free education and the change of medium of instruction from English to local languages as measures to alleviate their increasing unemployment. These responses expanded opportunities for rural youth for higher education. . The economic structure was not capable of providing sufficient jobs, resulting in a huge number of tertiary educated youth not being unemployed.

The state's reaction to any socio-economic demand was often to curtail freedom, weaken political institutions, and move towards authoritarian forms of governance. So, class mobilisation in the south became totally based on opposition to social exclusion and economic deprivation. The militancy in the south predominantly represented the aspirations of the rural young lower-middle class Sinhala Buddhist constituency

Post 1956, state violence extended to suppress peaceful protests by indigenous Tamils. These tactics marginalised the elected representatives of the Tamil community, which resulted in the demand for a homeland by Tamil youth. This situation led to cycles of political violence and counter-violence.

The war has had a devastating effect on the economy. Vast sums of money were spent on the war by the state and non-state actors, including the diaspora. The economy is heavily indebted due to the colossal military spending and this spending continues, as is evident from the recent military purchase agreements signed with Russia and China.

According to the government sources, 1,672,159 people received concessions due to their extreme poverty in 2008. The unemployment rate has gone up from 5.5

percent to 5.9 percent, according to the CIA Factbook. The real unemployment situation would be worse than the figure indicated. About 36 percent of foreign exchange earnings are due to a majority of rural people slaving as domestics in the Middle East and elsewhere overseas. 37 percent of the same rural people live in poverty

The grim reality that can no longer be hidden under any statistical carpet is the fact that during the war and after the war, the cost of living has been on the rise. The budget deficit has doubled during the four year of the current government. Compared with a government debt of at least 77 percent of GDP in 2008, in 2009 the debt has reached at least 83 percent of GDP. Total exports are estimated to have dropped from USD 8 billion in 2008 to USD 7 billion in 2009. Total imports are estimated to have dropped from USD 14 billion in 2008 to USD 10 billion in 2009. The IMF offered a loan of USD2.6 billion to Sri Lanka to avoid a balance of payments crisis.

All indications are that further restructuring of the economy, privatisation of public enterprises and deeper cuts to public spending are on the cards. There will be opposition to such measures, which will be met with state repression.

Reliance on China and Russia has helped Sri Lanka cover up its worse human and democratic rights violations. Sri Lanka has been able to successfully thwart all attempts of the international bodies, to have independent investigations into the nature of such violations. Avoidance independent investigations entangle the island more and more in the power play of major powers and to marginalise human rights.

During the last five years, the systematic undermining of democracy was and continues to be evident due to the many abductions, assaults, arrests, detention and killings of journalists. The rule of law had been undermined drastically by the Prevention of Terrorism Act (PTA) and Emergency Regulations, which provided impunity for crimes instigated by the state. None of these issues were addressed after the end of the war, and do not seem to be part of the political of the current government.

. The repressive response adopted by successive governments in Sri Lanka to any group like the Tamils demanding their rights included the following: detention for extended periods of time in jails, maltreatment, torture and death while in custody, the disruption of civil activity, prolonged solitary confinement and holding people incommunicado without legal or family access, enforced disappearances, killing them (usually young people) in a ratio of one to ten or more to terrorise civilians, aerial bombardment of villages and scorched earth policies.

Basic demands for fair wages and working conditions have been suppressed by repeatedly alleging that individuals who made such demands were helping the LTTE by disrupting the war effort. The state apparatus including the security forces, the judiciary and at times presidential powers were used to sabotage or ban industrial action which the current regime will continue to use to keep itself in power.

Erosion of human rights in the last four decades because of political violence have resulted in more than one hundred thousand dead, mostly civilians, and hundreds of thousands displaced, who have become refugees in their own land. There are thousands of war widows, orphans, invalids, and millions of people walking around with mental scars.

Despite the talk about devolution of power, about 50,000 Tamils are still detained in camps in miserable conditions behind barbed wire. Under such circumstances, reconciliation between the peoples of Sri Lanka will be extremely difficult. The Internal Displaced Persons (IDPs) need to be rehabilitated and resettled in a way that is speedy, democratic and transparent. The financial transactions involved in rehabilitation and resettlement should also be transparent. As with the rest of the populace, the IDPs should have the opportunity to enjoy their freedoms and rights.

For the country to move forward its political elite needs to jettison these harmful policies. A shift in approach could commence with the demilitarization of society

and the de-politicisation of the public service and the security forces. Paramilitary groups need to be disbanded; the security forces alone should maintain law and order, and do it without undue political influence. The 17th amendment to the Constitution needs implementation so that the police and other public sector organizations can fulfil their responsibilities independently and with accountability.

Participatory democracy and equitable distribution of the results of economic development are essential for any society to progress. So the problems created by capitalist globalisation need to be acknowledged and addressed. If solutions to these problems cannot be found internally, external forces could interfere for their own benefit.

Those who, value democracy, freedom and liberty need to actively show that they oppose the repressive political culture in Sri Lanka. They need to exert pressure on the state to negotiate towards a meaningful and just power-sharing arrangement. Power sharing will weaken both the social forces that favour internal subjugation as well as those favouring separation. This can only succeed under a strong leadership. Such an environment requires the building of a culture that treats the other with dignity, respect and fairness.

Sinhala and Tamil expatriates that helped perpetuate this conflict need to make a positive contribution to its resolution by engaging in dialogue within their community and with other communities. They need to become drivers of this paradigm shift by creating a new reality through their interactions with each other.

If peaceful coexistence through power sharing is not achievable, the probability of another conflict cannot be ruled out. Even though the Sri Lankan state has managed to militarily defeat the LTTE and physically eliminate its leadership, the lack of a just political solution could see the secessionist forces re-emerge. A way out of this would be the implementation of a constitutional framework that strengthens democracy and good governance and provides regional autonomy to the Tamil and Muslim peoples. Such radical political reforms, in the long term, will reduce mistrust and

enable the populace breathing space on how best to go forward.

This is essential for Sri Lanka to move forward, because otherwise it will be more of the same in terms of the corruption, the corrosion of civic society, the debasement of public institutions, economic inequality and majority rule.



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Beyond the war psyche in Sri Lanka

By Dilrukshi Handunnetti

GROUNDVIEWS June 2010

Dust is finally settling on the euphoria generated by last year's military defeat of the Liberation Tigers of Tamil Eelam (LTTE). Old concerns naturally give way to the new and a year later, people have different realities to grapple with including how to keep their home fires burning.

For President Mahinda Rajapakse and the government elected on an overwhelming 'gratitude vote' for providing political leadership to crush the Liberation Tigers militarily, the post war call is to rebuild the lives of 22 million people-beyonds the rubble of yesteryear.

If winning the war was no mean task, leading this country post war to new heights and to achieve its true potential will prove a bigger challenge. This requires a collective and concerted effort to go beyond the war psyche that continues to grip Sri Lankan society.

Two crucial elections have been fought and won by the incumbency this year largely on the emotional premise of 'a public demonstration of gratitude' (read sometimes servitude) than to make prudent political choices. The appalling quality of some legislators demonstrates at what price gratitude may be expressed but that's entirely a different topic.

It is no mean task to end a socio-economically as well as politically costly war. But a year later, the question is not about resting on laurels but about the need to create a winning formula that could take Sri Lanka beyond its present political wasteland.

History is replete with examples of war winning leaders being ousted from power only to be replaced by more strategic managers of economies. But the large

majority of Sri Lankans, having entrusted the task of eradicating the LTTE militancy to the Rajapakse administration, installed them back in power- this time to lead a different war towards economic prosperity.

As we make grand plans for economic advancement and seek to absorb Malaysian and Singaporean economic models, on the downside, such focus indicates a willingness to compromise democratic fundamentals upon which this society was created and nurtured.

The war being over in May 2010, Velupillai Pirapaharan's ability to revise the nation's agenda sans notice and bombs that go off that instilled fear in people is now history. Yet the real challenge before President Mahinda Rajapakse is to ensure the transition of this nation into a true democracy.

Besides, in the absence of the LTTE, the government is faced with a unique opportunity to strike a better political bargain with the Tamil leadership in addressing the root causes of conflict. The Tamil political leadership has been diluted and splintered in and there less likelihood for them to act like prisoners of some Tamil militant group and to make extreme demands that may be unacceptable to the majority. Yet, the government remains stoically silent on the most vital question.

In a post war analysis, it is pertinent to flag some concerns the citizens have including the possibility of the re-emergence of violent conflict. The Rajapakse administration appears to be concentrating fully on a developmental drive despite the absence of significant aid (hence the backdoor negotiations to urgently secure the GSP + facility).

But what is needed to complete socio-political transition in a country that has suffered three decades of war, the commitment to address the root cause of the conflict is nowhere in sight.

To begin with, the incumbency should have taken measures to ensure de-escalation and demilitarisation so that the rule of law can take root. It is undeniable that huge compromises were made in this regard and provisions of the Prevention of Terrorism Act (PTA) and Public Security Ordinance (PSO) in effect overruled many other laws.

It is only fair that the citizenry be allowed to experience normalcy, more so in the north east where thousands are still huddled in displaced camps. The introduction of normalcy can take place only if the government demonstrated a serious commitment to de-escalate and demilitarize-but no such action appears in the horizon yet.

Let it not be forgotten that the war effectively turned this nation into a national security state and the military defeat of the Liberation Tigers was achieved at great human and financial cost. Good governance and civil liberties took severe beatings in the process, but this should have been, at its worst, a very temporary state.

While it is a welcome change to hear about the appointment of a commission similar to South Africa's Truth and Reconciliation Commission, the results of such an effort may prove futile in a country where the chief executive himself defines who a patriot and a traitor would be and systematically divides the citizens into two broad camps. It certainly is no formula for healing ethnic wounds or promoting integration.

During this month, two positive developments have indeed taken place. The government introduced effective amendments to the emergency regulations, enacted under the Public Security Ordinance (PSO) and jailed journalist J S Tissainayagam was granted a presidential pardon to coincide with the International Press Freedom Day on May 3. Yet these two moves are of symbolic value and too little for a nation that needs

to experience more visible signs of demilitarisation to and a state of normalcy.

Though the election campaigns were replete with promises that range from dismantling high security zones to immediately resettling the internally displaced to generating thousands of jobs to curbing corruption, they simply remained election pledges. It is pertinent to note that the need to address the root causes of the conflict did not even make to these war- hyped platforms, though so vital to complete this nation's transition from a national security state to a post war, growth- driven and politically mature nation.

Yet, with the burdensome war consigned to history, Sri Lanka is presented with a unique opportunity to develop itself. This requires strategy and political maturity. If the priority in May 2009 was to fight the war to an absolute end, a year later it is restoration of democracy, rule of law, ethnic integration and ensuing normalcy in the island. Only huge efforts in these areas could augment effort at nation building.

The Sri Lankan opposition is virtually crippled in many ways. The common opposition candidate, Retd. Gen. Sarath Fonseka has been brought before a military tribunal for alleged conspiracy to overthrow the government, a clear message that Sri Lanka does not shy away from the Burmese model of dealing with democratic opposition. Less said of the fragmented United National Party (UNP) the better, except to note that the UNP's perpetual leadership crisis only strengthens a government that relishes concentration of power.

Despite riding a popular wave, the government continues to wage a separate war against the media, and a presidential pardon to a single journalist, a very welcome move, till cannot conceal the reality of continued harassment experienced by individual journalists and media houses. Post war, journalists have also felt compelled to temporarily leave the country amidst continued and systematic harassment of certain sections of the media and of course the plight of missing political cartoonist Pradeep Ekneligoda remains a mystery.

The hype of recent times is about northeastern resurgence and Sri Lanka becoming Miracle of Asia. Indeed there are many developmental projects underway in the once war ton areas and it is hoped that the local people will soon benefit from these projects and enjoy the fruits long denied economic advancement.

But theirs is a social fabric torn asunder by militancy. The LTTE may not be active anymore, but there are other armed groups, some working with the government. People are separated from their families, lost their homes, livelihoods and basic rights. Restoring their lives require a different miracle and this miracle must happen for Sri Lanka to move forward.

It is time to strengthen Sri Lanka's democratic institutions and to introduce a more liberal legal regime that would not compromise civil liberties. It is time to embrace a new culture of openness and unity and a time for celebrating peoples' fundamental freedoms.

Whether President Rajapakse is confident and mature enough to ensure those socio-political, legal and economic changes will ultimately be his litmus test. He has certainly walked away with the trophy by defeating the LTTE. But the world continues to watch him as to how he may lead this nation beyond the phase of war.

If the President is keen to maintain his popular base and to go down in history as the leader who actually placed Sri Lanka under the sun, it is hoped he would take meaningful steps to complete the vital transition. Only then can there be permanent peace and Sri Lanka can be justly proud of what it can become.

[*Editors note:* The author is a lawyer by training having specialized in international law. A journalist for over 17 years, she has extensively covered the areas of politics, conflict, environment, culture, and history and gender issues. *Groundviews* interviewed Dilrukshi on Human Rights Day 2009 on the murder of Lasantha Wickremetunge, the Editor of the *Sunday Leader*, media freedom and human rights in post-war Sri Lanka.]



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Going Beyond the Politics of Devolution: Back to the Future

By Vasuki Nesiah

GROUNDVIEWS June 2010

As the dust settles on victory parades and politician speeches, a sense of déjà vu is difficult to shake. The new May Heroes' Day speeches bear uncanny resemblance to what used to be the November Heroes' Day speeches – another part of the country and a man with a differently styled mustache but we all recognize that this is not about wars passed but wars in our future, not a lament for dead victims but a war cry that will make future victims; even as victory is declared it is said that there are new enemies that need to be crushed.

The sense of repetition has other resonances too. A new commission on the ethnic conflict is inaugurated with lofty mandates and empty purpose. They will sit for many months, convene protracted investigations, ponder many complex questions and deliver a lengthy report that is so deferential to power it could be installed as the new wallpaper in Cinnamon Gardens. Yet even that timid file and its hesitant recommendations will be buried alongside the many that came before it.

Finally, talk of backroom negotiations between Delhi and Colombo set the stage for a familiar conversation. We are once again at a moment where there is discussion of the devolution framework that would be entailed by implementation of the 13th Amendment. Over the last decades, again and again, there has been a turn to alternative constitutional architectures for territorial sovereignty as a solution to the ethnic conflict – a range of diverse proposals for power sharing by disaggregating statehood that run on the continuum from devolution in a unitary state to proposals for regional structures in a federal state.

This broader sense of déjà vu, the sense that we have lived this moment before, partly

accounts for the subdued but pregnant terror of the moment. Victory speeches, commissions and constitutions have all been with us through several cycles of war and peace – each time it is re-lived, as if perfected by eternal repetition, the mood is darker, political space more claustrophobic, the climb out of the constraints of the moment more challenging. I am reminded of the Greek myth of Sisyphus. Sisyphus is condemned by the gods to an eternally recurring task of pushing a rock up a hill and then, just as he gets to the top, the rock slips downhill and Sisyphus has to descend towards the bowels of the earth and push the rock up the hill once more with the inspiration, energy and commitment needed to get the rock back up the hill. Yet, even as he reaches the top, the rock slips back down. Sisyphus has to follow it back down and repeat his labor all over again; this is his eternally recurrent punishment.

Perhaps Sisyphus represents to us an inevitable dimension of political engagement: the labor of justice is relentless. Yes, we have been here before, but it may be because the challenges of social conflict in Sri Lanka persist. Working towards a more just Sri Lanka is that kind of Sisyph-ian labor, where, even when we descend back into the darkest hell, we need to be able to summon up the inspiration, energy and commitment to imagine the pinnacle of the hill and once again move forward – even if moving forward also means moving uphill.

However, perhaps, the story also represents a warning. Like Sisyphus we have been too tied to a single boulder and a single hill – the idea of a singular 'solution' to the ethnic conflict. Territorial power sharing has been the central, and in most cases, the sole focus of efforts addressing the ethnic conflict. A cursory survey of past peace proposals

evidence a continued focus on different constitutional frameworks for devolution as paths towards a 'solution' to the ethnic conflict – federalism, provincial councils, interim self-governing regional authorities, district councils, and various other approaches to regional autonomy and power sharing.

With the back drop of past debates, I want to argue that justice struggles, including struggles for inter-ethnic justice, should not only be aimed at renegotiating the territorial power sharing contract, but also the everyday questions of citizenship. I use the term 'questions of citizenship' here to refer not to passports and identity cards (although that too) but the range of issues that shape resources and meanings in our collective lives. These are issues that extend from questions of distribution to the space for dissent and accountability. Undoubtedly, entrenched ethnic injustice is a brutal dimension of the Sri Lankan landscape. Moreover, far reaching regional autonomy is an urgent and indispensable part of the way forward in addressing that injustice. However, it is not the only urgent and indispensable arena for political engagement, be it to address inter-ethnic injustice or any other dimension of injustice. For instance, in a context where journalists and political opponents have been under duress for exposing government abuses (be it the horrors of Menik farm or corruption charges against the President), background citizenship issues regarding dissent and accountability are critical to advancing inter-ethnic justice. This entails not just a focus on devolution but on trying to expand political space in Sri Lanka more generally.

The near exclusive focus on territorial sovereignty as the solution to the ethnic conflict has been carried forward by fellow travelers of diverse political stripes. There was the unhappy synergy with the LTTE's self-serving definition of the horizon of politics as the control of territorial sovereignty such that questions of citizenship would be deferred to a post-Eelam world. Thus contentious issues of accountability, dissent and democratization (dimensions of what I refer to in this article as 'questions of citizenship') were sacrificed to an ever receding horizon. We got terror in the name of territory.

The near exclusive focus on configurations of territorial sovereignty was the focus not only of the LTTE but also of many groups committed to a political solution – in fact, the very concept of a political solution was equated with constitutional frameworks for territorial devolution. This was sometimes driven by a series of problematic homologies between ethnic identity and interest, interest and political representation. The resulting interventions served to further marginalize those issues (such as class) that were not captured by the devolution agenda. Concomitantly, it also further marginalized groups (such as hill-country Tamils) who were victims of a vicious majoritarianism, but whose situation was unlikely to be radically transformed by devolution to the North and East. Thus while many worked diligently towards a political solution, the assumptions that shaped their vision were limited and regressive. Moreover it spurred an approach that may well have been self-defeating because it defeated more transformative agendas and thwarted solidarities with groups and issues that were not addressed by the contours of territorial sovereignty alone.

The problem was not only ethnic or regional parochialism, however; it was also a statist understanding of politics. With constitutionalism occupying a privileged political space, many embraced sovereignty, and the notion that getting the macro power-sharing formula right would be the key to everything else below. The lofty heights of constitutionalism and a renegotiated definition of statehood would deliver inter-ethnic justice. Statism is not merely an academic mistake; this impoverished vision of justice bears some responsibility for the disempowering of citizens, the erosion of the space for dissent and the diminishing of alternative political futures.

To examine the issues at stake, we may want to consider territorial sovereignty and citizenship as twin preoccupations that have dominated the politics of constitutional engagement in Sri Lanka. The former brought with it a focus on federalism and alternative constitutional approaches to power-sharing; the latter has involved a focus on associational rights, distributive justice, civil liberties, limits on the abuse of power and

a host of other matters that are critical to an empowered citizenry. It should be underscored that these are not alternative but complementary preoccupations. This is hardly a new point for many readers. However through the past several decades, the majority of past political interventions seeking to address the ethnic problem have focused disproportionately on proposals for devolution as the sine qua non of advancing inter-ethnic justice. Even when we have had a wide ranging set of constitutional proposals on the table (the PA proposals of '95 and 2000 for instance), much of the discussion at that time assessed those proposals' relevance to 'solving' the ethnic conflict by focusing overwhelmingly on the provisions for regional autonomy (rather than how different constitutional provisions empowered or disempowered social movements or impacted questions of distribution and redistribution). To the extent that it neglected or crowded out questions of citizenship, the focus on devolution may have not been part of the solution but part of the problem.

If our history to date hadn't already made this evident, the Rajapakse regime has made it clear that approaching the domain of devolution and the domain of citizenship as such separate spheres entails the defeat of progressive forces on both fronts. Anyone interested in a just approach to the ethnic conflict and its legacies has to also be focused on the everyday issues regarding citizenship. All Sri Lankans have borne the cost of seeing issues related to federalism or regional autonomy as minority issues or 'Tamil' issues, and issues such as labor rights, free speech claims or land rights as 'Sri Lankan' issues. The legal and political terrain of the PTA and high security zones offer the most pointed evidence about the continuities between the "micro" politics of the everyday, and the "macro" politics regarding territorial sovereignty. However, these continuities surface constantly in quotidian political and legal struggles. For instance, just a few days ago an indigent, mostly Muslim community in Slave Island were rendered homeless when the Defense department ordered the bulldozing of their homes, shanties that Gotabhaya Rajapakse had declared an 'eye sore' – these are issues about inter-ethnic justice in the most significant sense. Even if there was a federal solution for the North and East, these families will

remain vulnerable to the abuse of power – not only because they are Muslims (although this greatly exacerbates their vulnerability), but also because they live in a country where the political space of all citizens to resist such abuse has become much diminished.

A focus of the kind we have discussed here entails recalibrating our political imagination towards change that Roberto Unger has called "incremental but radical." We cannot postpone the challenges of citizenship till we achieve federalism, the 13th Amendment or any alternative horizon of devolution. If we don't critically rethink past approaches, like Sisyphus, we will be condemned to the eternal task of struggling to take a boulder up the hill that will roll down towards the depths of hell; it will take us with it, again and again.



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Zippo's special edition lighter to celebrate Sri Lanka's war victory is most definitely more colourful (and cheerful?) than versions produced for the US military in Vietnam.

Sharni Jayawardena



Smokin' soldiers: The Zippo Special Edition lighter

By Sharni Jayawardena



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Dungeons are also peaceful: Enduring uncertainties in post-war Lanka

By Kumar David

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Is the world coming unhinged?

In Spain a judge is on trial for a technicality relating to his attempts to go after war crimes committed by Franco's fascist regime. The Sri Lankan government's close buddy the Burmese guerilla dictatorship in preparation for the election, Burmese style, has forced Suu Kyi's NLD into dissolution. Panama's ex-dictator Noriega having done 17 years in US prisons for drug trafficking has been extradited to France to face money laundering charges and possibly an additional prison term. Meanwhile prosecutors in Panama, where his most execrable crimes were perpetrated still await him – pity if the monster dies in a French prison. At home President Rajapakse assigned ministerial oversight of the media to Lanka's equivalent of a Nazi storm trooper and then had to climb down. It is Jabawockery everywhere! Can you make sense of all this or is it, all round, "ineffable, effable, effanineffable, deep and inscrutable singular (shame)?"

The war is over, you will say; there is peace, at least in the sense that armed conflict, air raids, artillery, suicide bombs, and state and LTTE terrorism have subsided. That's good is it not? Yes that's true – I will not touch on whether war crimes lie strewn along the way; I have already had my say. "Then what's eating you?" you will ask. "I have little confidence in the future" I will respond. Or to be a little colourful: The government's persistent assault on democracy is breeding the next generation of Prabaharans and Wijeweeras. Rousseau was more sensational: "There is peace in dungeons, but is that enough to make dungeons desirable?" Hang on, this is getting lurid; let's start again at the cold-blooded analytical end.

What is war victory?

There are contradictory opinions in circulation re the significance of the end of the LTTE. Let me recount four.

(a) The Sinhala nationalist narrative: A terrorist monster that was devastating mother Lanka has been annihilated. Everything is ok now. Tamil problem! What Tamil problem? There is nothing left to worry about. Devolution, what devolution? The bloody Indians and the imperialist West, having failed to defeat our brave soldiers on the battlefield, are now planting political rot on the inside. Never! The people have spoken and given our great leader a huge mandate to do Chintanaya; he must not overstep one centimetre 'Tamilwards'.

(b) The Left-Liberal interpretation: Historically the LTTE was born of unfairness to Tamils under the jackboot of the Sinhala State. It too then foolishly responded with war and terror and dug its own grave; in any case Thmil Eelam was fantasy. The destruction of the LTTE leaves the Tamils forlorn. The government will take no notice hereafter; Rajapakse ain't gonna "give" them nothing, and there's bugga all they can do about it. Meantime the regime exploits bigotry spurred by electoral and war victory to cement dictatorship.

(c) The lament of the Tamil separatists, mostly in the diaspora: The Sinhala State with Delhi's backing subjected the Tamil people to genocide and consolidated the hegemony of Sinhala-Buddhism. The struggle for a separate state is not over; Eelam referenda in the diaspora, trans-national contraptions, and pressure on Western governments are ways of keeping the flag flying.

(d) Lankan McCarthyism: Senator McCarthy saw a red under every bed and hounded every radical voice in America. One arm of the Lankan regime, despite war victory, shrieks of perpetual terrorism and craves to hang “traitors” as a short cut to silencing dissenting voices

These and other intermediate hypotheses throw different light on the same reality in the perception of different actors. The Sinhala nationalist narrative is cosseted with state power hence hegemonic and will prevail for now. Hitler and Mussolini’s final step in the accession to power was facilitated by electoral victories and greeted by rapturous crowds. It was not internal dissent but external intervention, the incredible horrors of war, death and destruction that unseated that mandate. This is a chilling thought; in Lanka an electoral landslide on the heels of war victory is a continuum, a process, a pointer to the consolidation of dictatorship.

May 2010 is not just the first anniversary of war victory; it is also the first month of consolidation of that victory in massive electoral mandates affirming that victory. I must repeat; war and the electoral mandate form a continuum, a single process. The mandate rejects an equal relationship with the minorities and reflects the will of the Sinhala people; let’s face it, let’s not be ostriches. Democratic and civil society spaces have suffered a crushing contraction. I do not use the term civil society in the petty NGO sense; I use it as in eighteenth and nineteenth century enlightenment political discourse; civil society is the wide public space, distinct from the state on one side, and the private space of the family on the other.

Girding up for the long road

The Left-Liberal voice is the cry of a moral and rational interlocutor, but for now a muted voice; for how long I cannot tell. If dictatorship consolidates whether it can be reversed by internal (national) processes alone is moot, but what needs to be done by homo-democraticus in the present conjuncture is unambiguous. The watchwords are patience, consciousness building and public education. In the old days it used to be called educating the masses, sounds patronising but it is true.

Tens of thousands of people are involved in networks of patronage and corruption; willing partners, their mind-set limited. Millions more have grown indifferent, prefer ignorance or benefit from crumbs. Social ethics are in decline, moral apathy is customary, and Lankan society exists in a condition of anomie. This is not an injustice inflicted on a good people by corrupt and power hungry politicians and venal and inefficient bureaucrats. No, that is not the whole picture. The people are themselves involved in the game; partners willingly inducted into an ambiance of corruption, power abuse and patronage.

Political practices need appropriate terms to denominate them. Caciquism though not a common word is a timely acquisition in our political lexicon. It is a system of rule by local political bosses mainly government party MPs, and other hangers on. Previously I have compared our regime, within a Marxist reading, to Marcos type authoritarianism, crony capitalism, and patron-client relationships. These are valid but miss what is distinctive about the Lankan case; we are moving in the direction of ***a populist elected dictatorship flourishing in symbiosis with a network of regional cliques who have made politics a business***, a business to reap profits and usurp civilian power. Politics has become the most lucrative business in town; caciques soak sleaze like moose in rut wallow in pheromone laden urine pits. The cacique stabilises a local power base, delivers votes, plasters walls, battles covetous competitors and leads the masses in hosannas.

Challenged by uncertain outcomes in the aftermath of triumph in a race war, a landslide mandate for elected dictatorship and a packed rubber stamp parliament the patient long term project of the Left and Liberal alternative has to be patient pluripotent mobilisation; I have borrowed the word from modern genetics. Every mammal starts as a single cell which multiplies into a small group of embryonic stem cells, pluripotent cells with the potency to develop into livers, kidneys, muscles – even the evil brains of fascists. The pluripotent re-education and conscience building tasks facing the independent left and democratic liberals needs patience; they must hang in for the long haul. It has to be pluripotent in that there will be a variety of

challenges not now foreseeable and response must be imaginative and flexible.

An organisation calling itself the *Coffee Party* movement has appeared in the USA in opposition to the wacky Tea Party movement. It is an interesting group that has already gathered a following of 200,000 fed up with the nutters, racists and reactionary dinosaurs who characterise the American far right. What is interesting is that the *Coffee Party* is a de novo example of pluripotent political consciousness building and grass roots mobilisation. Not aggressive mobilisation in the sense of street warfare but rather raising people's awareness, and encouraging the concerned and the willing to intervene. The keywords of the Coffee Party are "coming together of concerned, intelligent citizens who are tired of angry rhetoric" and "all political persuasions joining in a spirit of equanimity to discuss the nation's problems" (Newsweek 3 May 2010).

Of course an America based model cannot be copied for Lanka but in a very broad way there is something to think about; how to take a step back and understand caciquism, how to take a long view to pluripotent cooperation of concerned citizens of all persuasions. I am convinced that the time has come to discard dated ideological garments and spurn obsolete organisational mantras that we have been slaves to for half a century; time to think afresh, time to think lateral.



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Tamil Diaspora in Post-War Sri Lanka

By Arun Pillai-Essex

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One year ago today, the Sri Lankan army brutally and decisively ended its military campaign against the LTTE. The once hoped quiet dissolution of the national question through negotiation, devolution, and constitutional amendments were replaced by the unambiguous nature of the bullet, and the ferocity of the bomb.

From firecrackers, and dancing on the street, to quiet celebration, and outright anger and despair, Sri Lankans the world over represented the full spectrum of emotion as President Rajapaksa declared victory on local television stations. But victory, for whom? For many of the one million strong Tamil Diaspora in Toronto, Sydney, London, Paris, and the various other cities and towns they reside in, the images splashed across the international news websites, and Tamil blogs all but confirmed a long held truth of the Tamil community: that the Sri Lankan state will never provide institutional safeguards for the rights of the Tamil people. And the legitimate grievances that have unnecessarily caused a generation or two of Tamil and Sinhalese young men and women to lose their lives, remain as always unresolved.

Diaspora and the LTTE

The perception of the vast majority of Sri Lankans still living in the country, was in many ways the exact opposite of those living abroad. The black or white, Tamil or Sinhala, zero sum prism that so often dominated the political discourse only became more entrenched. Many Sri Lankans supported the war, and believed its conclusion had ushered in an unprecedented era of peace to the island, something that seemed so elusive just several years ago. For others, namely the Tamil Diaspora the images of individuals rounded up, and caged within makeshift military camps or being killed by indiscriminate aerial

bombardments, proved once again the Sri Lankan Government's desire to oppress the Tamil people through brute force. The torrent of vitriolic anger unleashed against the Sri Lankan Government manifested itself in dozens of demonstrations all over the world, with many Tamils waving and wrapping themselves in the snarling tiger flag of the LTTE, an emblem co-opted from the 3rd century Chola Tamil dynasty.

The desire to appropriate the symbols of the LTTE when demonstrating against the widespread human rights violations of the government was in many ways the innate reaction of a population far removed from the excesses and often-fascist actions of a separatist cum terrorist organization. This reaction however was intuitive, Tamil nationalism as expressed by the Diaspora community became over at least the past decade symbiotically attached to the LTTE. An expression of solidarity with Tamils suffering in Sri Lanka thus became an exercise in LTTE propaganda. This of course is not unique to the Tamil Diaspora. Many studies of Diaspora communities contend that the community's removal from the direct consequences of conflict coupled with the trauma of displacement and past war experiences create a more hardened and extreme form of nationalism conducive to supporting armed struggle.

The consequence of articulating genuine grievances through a symbol and a group that for many, majority and minority alike represented a violent terrorist organization was that it de-legitimized their voice in the eyes of much of the Sri Lankan public. This allowed the Government to paint the Tamil Diaspora demonstrations as nothing more than a partisan gathering of terrorist sympathizers, rather than the emotional reaction of a community in despair at the

plight of their Tamil brethren. The hope of a convergence of interests between the Tamil Diaspora and segments of the Sinhalese left and others to limit the excesses of the Government's campaign sadly never materialized. The distrust between communities increased, positions hardened, and hopes for reconciliation between the Diaspora and the majority of the Sri Lankan public were dashed.

Narratives

Ethnic identity connects individuals through perceived past common experiences and expectations of shared future ones[1]. This connection expresses itself in the form of a narrative, a biased history based on a group's selective choosing of historical facts and symbols. For decades the intransigence of the extreme forms of Sinhala Buddhist nationalism and Tamil nationalism created irreconcilable existential truths about injustice, legitimacy and victimhood. Non-negotiable cultural claims, rights, grievances become the core metaphors of each group's identity[2]. These narratives were often seen as symptoms of the conflict, now in post-war Sri Lanka they have become the obstacle to bridging the gap between the Tamil Diaspora and the Sri Lanka government.

The Path Ahead

It is key that these divergent narratives between the Tamil Diaspora and the Sri Lanka government must be eradicated for the sake of all communities on the island and to prevent a reigniting of the ethnic conflict. Reconciliation and not recrimination – should be the order of the day. Initial steps for reconciliation have to come from both sides. For the Tamil Diaspora this means confronting their role in exacerbating the conflict. The Tamil Diaspora's ideological and financial support of the LTTE, a terrorist organization that killed Sinhalese, Tamils and made thousands of Muslims into IDPs alienated not only the vast majority of Sinhalese but also many Tamils. The cloak of extremism must be dropped and the reality of an undivided Sri Lanka must be embraced.

The Sri Lankan Government must also take stock of its role in the conflict in particular its record of manipulating ethnic tensions for electoral gain and understand that the Diaspora was created by the

policies and actions of successive Government administrations. Only once both parties acknowledge their respective roles can the narratives of both sides be changed to accommodate the other, and a new-shared vision of Sri Lanka be realized.

There are however particular steps that the Government can do to foster an environment for reconciliation. Firstly it must accept the United Nation Human Rights Commission's independent inquiry into the human rights violations that occurred during the last phase of the war. The past is said to be prologue, and without the full revelation of the government and the LTTE's actions during the war the country will not be able to truly move forward and close this dark chapter in its history.

The Sri Lankan Government can also build trust by ensuring that land rights are respected and ownership is given back to the IDPs and those Diaspora that have left the country due to the conflict. Re-possession of their lands is vital for the security and rebuilding of livelihoods for Tamils in conflict-affected areas. Reports of rampant land grabbing will only result in the resurgence of ethnic tension – maybe not today or tomorrow – but in the years ahead.

Finally, the Sri Lankan Government should allow the Diaspora to be brought in as partners in the development of the country, particularly in the North and East. The Tamil Diaspora in the past has invested hundreds of millions of dollars into development initiatives, a trend which should actively be encouraged by the Government. Since reconstruction and rehabilitation after decades of war will take a substantial commitment of resources and financing, a properly coordinated campaign by the Government to reach out to its fellow Sri Lankans abroad would help enormously to build a strong foundation for the future.

Though the Tamil Diaspora and the Sri Lankan Government were central actors in the theatre of war, without their active partnership there will be no just peace.

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WILL THE ISLAND OF SRI LANKA WIN PEACE? SOME NOTES ON WAR AND PEACE IN SRI LANKA

By Dr. A.R.M. Imtiyaz

Dr. A.R.M. Imtiyaz' research and teaching is mainly focused on ethnic politics and Islamic transnationalism. He has published widely in peer-reviewed international journals. He currently teaches at the Department of Political Science, Temple University, Philadelphia, USA, and affiliated as a research fellow at Global Vision, Kandy, Sri Lanka.

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Introduction

On May 17, 2009 the Liberation Tigers of Tamil Eelam, (LTTE), the major Tamil resistant movement, admitted defeat in the war that was waged without any witness and vowed to silence guns against the Sinhala-Buddhist state.

In May 18, Sri Lanka security forces announced that the LTTE chief Velupillai Prabhakaran, was killed by "Sri Lanka's military in a firefight that signaled the effective end to one of Asia's longest-running military conflicts." [i] There was and is a strong perception in the Southern Sri Lanka that Sri Lanka would embrace peace because the LTTE has been militarily defeated. This short article would attempt to discuss some issues surrounding the symbols and also would focus on how ethnic symbols are powerful and why they often become barriers to win peace when they are being politicized for war (by political forces).

Analytical notes

Sri Lanka, which has been practicing democracy since 1931 (well before independence), now ranks as one of the poorest states in Asia and is notorious for the Tamil Tigers who were and are claimed to be a revolutionary product of the country's seven decades old democracy. In other words, the competent political outbidding of Sinhala politicians on Sinhala-Buddhist emotions and symbols against the minorities, particularly the Tamils eventually produced a state-seeking violent Tamil resistance movement, which erased the country's stunningly beautiful global image as a

tropical paradise and made the country one of the most dangerous places on earth to live in.

Democracy in deeply divided societies can trigger dissonance and instability if politicians embrace irrationalized-emotional cards such as ethno-nationalism to win a political position. On the other hand, these symbols have a profound influence at the masses, who take political and religious sayings literally, particularly among economically and socially disadvantaged groups. Hence, when politicians employ symbols and myths, it is often with underlying political agendas, which serve to enable them to cling on to power without addressing other pressing socio-economic questions.

To induce people to make choices, political actors make use of existing or primordial identities of targeted groups such as language, mother-land, religion, ethnic values, national flag and food. The identity of the groups always matters and is sensitive because shaping their decisions and existence. Thus, it is likely that groups would respond positively to the needs of political actors when the latter sympathetically plays politics on the formers' identity. Moreover, these symbols often work well in non-peace situations or to mobilize war against ethnic enemies. These symbols, on the other hand, would induce the people to make choices and support hostile or war against the others who do not share their symbols. In point of fact, this is the bottom line of symbolic politics theory. The essence of this argument,

therefore, in S.J Kaufman's words, is that "people choose by responding to the most emotionally potent symbols evoked." [ii] Therefore, theoretically, we can define symbolic politics as a sort of political game by political elites and politicians on arousing emotions to win and hold a political power rather than educate the masses in a logical way to address the issues.

Peace, War and Symbols in Sri Lanka

Sri Lanka's Sinhala political establishment used Sinhala symbols in both war and peace with the LTTE. They were used and are being used to consolidate power of the Sinhala political class and to alienate the non-Sinhalese, particularly the Tamils. In fact, the politicization of ethnic differences began in the 1950s. Successive Sinhalese political parties formulated policies such as Sinhala Language Only in 1956. This made Sinhala the only official language in state and public affairs and sharply discriminated against Tamil speakers. Then an educational standardization policy in 1972 allowed Sinhalese students to enter Science and Medicine schools with lower scores than the Tamil students. The Constitution of 1972 conferred special status to Buddhism both in the state and public corner.

Besides, peace packages of the successive Sinhala ruling class did not provide either genuine political autonomy, in clear political science language power-sharing democracy nor they had political guts or need to seek solution beyond the current unitary state structure, which is one of the major symbols of the Sinhala nation. The regime, led by Mr. Rajapakse who came to power in 2005 by employing Sinhala symbols such as war against the LTTE and anti-peace slogans, successfully defeated the LTTE in May 2009 with the anti-Tamil statehood campaign and with the support of the global political, economic and military aid that were represented by both liberal and illiberals.

The global actors assumed that the regime would deliver peace. But it is plain fact that the regime in Colombo is not at any rate interested in building peace, and in fact, it is difficult for the regime to commence genuine peace when the Sinhala political elites had used the symbols in its war against the Tamils. The political elite may think it can retract its symbolic

promises once in power. However, recent study on Sri Lanka's political outbidding strategies points that, when they have employed religion and/or ethnicity to maximize their votes or consolidate power, politicians find it next to impossible to backtrack on their divisive promises. And the same problem befalls their successors. [iii]

War destroys all possibilities for peace when it is being used by dominant groups against the weaker section of the masses or marginalized groups. The key nature of symbols in politics is that when they were being used for war against the others, it would not permit any politicians to use the same symbols to build peace. This is the result of politicization of symbols. In Sri Lanka, the Sinhala symbols (such as language, flag, and territory) are being politicized both for politics and war. Hence, politicians would find difficulties to fight the same symbols and to give justice to the ethnic others. This explains the difficulties pertaining to win peace under the Rajapakse regime.

Evidences do not suggest that Rajapakse regime has political will, for that matter maturity to challenge symbols and to broker peace with the ethnic Tamil nation and minorities. In actual fact, peace is serious business than war, and when divided and conflict-ridden societies represented by power-hungry elites who resort to symbols to cling to power, peace would face severe challenges. The fact is that ethnic reconciliation is a serious political exercise, but given Sri Lanka's current political climate and inability to seek political solution beyond the unitary state structure would effectively wane any hope for true reconciliation and evocative democratic practices.

One of the major challenges for ethnic reconciliation directly links with the war crime accusations targeted at the Sinhalese dominated security forces. The way the war had been fought by the Sinhala political and military establishment to defeat the LTTE triggered the global concerns. As luck would have it, this ugly war, in the name of just war, was naively applauded by some political intellectuals who often serve to power. The war won without witness and the Tamil deaths, including children, and sufferings by the security forces were deadly ugly and had constituted some acts that

can be safely cited to make a case for ethnic genocidal war against the Tamil nation. Also true that, according to ICG, the LTTE and its leaders committed some form of war crime[iv]

But when state kills its own people, it loses legitimacy to represent and rule the people. The recent sources suggest that the security forces got the order from the top (political and military hierarchy) to kill everyone, including Tamil civilians.[v] Moreover, according to the International Crisis Group investigation, many thousands of Tamil people may have killed in the so-called “No-Fire Zone” due to government fire “than previously estimated and targeted hospitals and humanitarian operations as part of their final onslaught on the rebel Tamil Tigers.”[vi]

The findings are very serious, and thus there must be global efforts to push for an impartial global investigation on to these grave human slaughters allegedly committed by the security forces of Sri Lanka. On the other hand, state killing and war fades the prospect of ethnic reconciliation and peace between the Tamil-Sinhala nations, because they reveal state’s nature and its desire to uphold Sinhala symbols and identity. Sri Lanka would not run into any serious ethnic reconciliation as long as (1) there are allegations of war crime against the Tamil nation and (2) Sinhala elites constantly pursue hostile symbols for electoral and war purpose.

Conclusion: Three alternatives

The future, however, offers three stark alternatives, (1) kill all Tamils [all out war against the Tamil nation] (2) power-sharing package and (3) partition. Ethnic war will increase into pogroms, ethnic cleansing, emigration, and genocide. Violence leads to retaliation and counter-retaliation, as society rides a downward spiral of distraction. Chaim Kaufmann pointed out, “war itself destroys the possibilities for ethnic cooperation.”[vii] The second alternative is to find a solution that provides guarantees for security, stability and ethnic peace, which can be materialized in ethnically divided societies through restructuring the state system with power sharing (consociational democracy). Such a peaceful resolution can not be won by force.

This requires genuine efforts to build power-sharing measures with the Tamil nation and minorities. The military defeat of the LTTE provides opportunities to commence serious discussions on power-sharing with the Tamil nationalists. In actual fact, power-sharing could strengthen Sri Lanka’s democracy, its war-ridden economy, and religious and ethnic harmony. But many Tamils both at home and abroad (Tamil diaspora) are completely convinced that Sinhala political establishment would not offer any meaningful power-sharing democracy or federal system. The behaviour of successive Sri Lanka’s Sinhala ruling class correctly prove the Tamil conviction. [viii]

If there is a resistance to offer power sharing, the third option is partition. The demand of separation becomes strong when a power-sharing arrangement is not possible. Some may fear that partition may further strengthen the ethnic hostilities between two nations, but even if it provokes a period of violence, it would offer the separated ethnic groups much needed stability and security in the near future. In actual fact, the demand of separation would not be in vain if the separation reduces the ethnic fear and offers social and political security, as well as stability, to the different ethnic groups.

As I discussed in my research on ethnic conflict in Sri Lanka, “partition experiences of Pakistan from India, Eritrea from Ethiopia, Bangladesh from West Pakistan, and Greeks from Turks on Cyprus all show that partition can be helpful, even if it is less than completely successful in terminating violence.”[ix] The world recognizes that if the people do not want to co-habit in the same polity then, partition should not be automatically neglected as a solution. This might be one way to manage Tamil nation’s demands for political space and self-determination since 1977.

It is not clear to what extent the developments of the past can help resolve the basic issue at stake: whether, federalism—as repeatedly asked by the Tamil nationalists, Sinhala political elites would not seek beyond the failed 13th amendment. Then again, one would have to be a considerable optimist to believe that the global pressure will compel Sinhala ruling hardline elites to change direction toward the Tamil question.

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[ix] A.R.M. Imtiyaz and Ben Stavis



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Sri Lanka after war: Where to now and how?

By Concerned Citizen

GROUNDVIEWS June 2010

Great Expectations

The greatest challenge facing Sri Lanka is the quest for a just reconciliation to the ethnic issue through a democratic process coupled with a well planned economic strategy which will promote rapid development and equitably shared prosperity. The nation has stagnated in all respects as a consequence of the thirty year old ethnic conflict and now we need to fast track development. However, the negative trend of governance and increasingly adverse international reaction to it leaves little room for optimism in overcoming the numerous obstacles and challenges faced. Despite this, we need to keep hope alive to fulfill our dreams for a better Sri Lanka.

Loss of International Credibility

Can the victory over the LTTE be considered a genuine triumph? Certainly not, if one sees it as the decimation of a misguided group of frustrated Tamil youth in whose hearts hatred was sown through decades of marginalization and discrimination as a minority. On the contrary, it reflects a monumental defeat in terms of good governance and political will to seek a negotiated solution in addressing minority rights. Additionally, the war was conducted behind a wall of secrecy by preventing 'on site' media reporting during and after the war. Consequently, it is not surprising that suspicions of war crimes and human rights violations have surfaced. To make matters worse, no genuine attempt has been made by the state to address accusations in a transparent and accountable manner except for repeated stubborn denial and obvious cover ups. Their confrontational stance has cost the state its credibility for good governance and also resulted in cancellation of trade benefits subject to principles of good governance as well as the possibility of economic sanctions. The

regime has heightened the problem by aligning with like minded authoritarian regimes having poor human rights records and non respecters of international laws.

Bad Governance

The most serious obstacle to a better Sri Lanka is the caliber and integrity of governance. The democratic process is under serious threat on account of an increasingly authoritarian leadership, nepotism and politicization, corruption and media control. The government's war victory resulted in a clear electoral victory giving them a carte blanche to govern with minimum opposition which has further strengthened their authoritarian stance. The insidious breakdown of the system of checks and balances between the executive, legislature and judiciary which is the seminal feature of the democratic process is cause for alarm. The most glaring example being the indifference shown in restoring the Constitutional Council which acts as a check on partiality by the executive in key public sector appointments. This failure alone is testimony to the government's insincerity in abiding by democratic principles of governance.

Corruption and Nepotism

The above mentioned lack of accountability and control mechanisms in the public sector gives rise to further abuses such as misuse of state resources for personal gain and perpetuation of power evidenced in the last presidential and parliamentary elections. Once a gain, the government failed to take responsibility. Increasing corruption in the economic sphere through the execution of low priority prestige projects resulting in the misallocation of scarce financial resources is also extensive. A classic example being the fast track construction of phase 1 of the Hambantota harbor and international

airport, contracted on commercial rate borrowings and foreign labour, notwithstanding the currently low capacity utilization of the Colombo harbor(also under expansion) and international airport at Katunayake (recently upgraded). Nepotism is at its zenith with the governing family in exclusive control of the finances and economic development of the country. Additionally, the grooming of the next generation of the ruling family to carry on power is openly displayed by utilizing all available resources and opportunities.

Neglect of IDP's

International attention has also been drawn to the appalling negligence of several thousands of IDP's who continue to languish in camps with minimum facilities as resettlement is slow and accorded low priority. Due to the politicization of the judiciary, decisive judgments have been stalled on illegal detention of suspected terrorists and the dismantling of high security zones in favour of resettlement. In fact, the government has ordered the establishing of more terrorist detention centers within army camps indicating a dangerous trend towards extrajudicial action against suspected traitors and terrorists.

Resurgence of Violence

By deliberately neglecting IDP's and consequent Tamil rights and aspirations, there is potential for deep under currents of frustration and anger to build up among the Tamils which may lead to the re-emergence of ethnic violence. In fear of further economic sanctions, the government has set up a Truth and Reconciliation commission based on the South African model. It appears that the commission's major thrust is to suppress terrorism rather than address the causes. A positive outcome in terms of 'truth and reconciliation' is doubtful in view of the failure of a similar attempt made by the Human Rights Commission to address violations impartially in keeping with international laws.

Suppression of Press Freedom

The unrelentless suppression of press freedom in Sri Lanka through intimidation, violence and even murder in order to curb dissent is causing alarm not only in the democratic world but also in the United Nations which is the supreme authority responsible for ensuring

democratic governance, globally. Let there not be a repetition of the despicably unjust conviction of journalist Tissanayagam as a traitor for which a presidential pardon was mandatory in order to salvage the country's honour or suspect political murders remaining deliberately unresolved such as that of internationally eminent investigative journalist Wickrematunge and political analyst Sivaram and the continuous brazen abductions of dissenting journalists like Eknaligoda. Such a policy will only spell impending doom.

The Right to Protect

The concept of the 'Right to Protect' is receiving prominence in the UN with the proliferation of dictatorial regimes using brutal and predatory tactics to harass and eliminate vulnerable groups of citizens seen as prejudicial to their interests. In response, the UN is increasingly assertive of its right to intervene in the interests of the victimized. Consequently, it is vital for the regime to treat the Tamil polity, particularly war victims, with genuine concern and compassion and respect their human, political and economic rights as citizens.

Economic Rights

If we are to achieve economic prosperity as a nation, then we need to consider the importance of economic rights of citizens in addition to political and human rights. The universal importance of economic rights as a complement to political rights was stated most eloquently and succinctly by U.S. President Franklin D. Roosevelt (FDR) in his state of the union address as far back as 1944. It epitomizes what any citizen, particularly Sri Lankans, would wish to hear from their leadership.

In summary, he contended that the state cannot be content even if a fraction of citizens are ill-fed, ill-clothed, ill-housed, and insecure. The nation's strength is based on the protection of certain inalienable political rights—among them the right of free speech, free press, free worship, trial by jury, freedom from unreasonable searches and seizures. However, it is evident that these political rights have proved inadequate to assure equality in the pursuit of happiness. True individual freedom cannot exist

without economic security and independence. He stated that “Necessitous men are not free men.” People who are hungry and out of a job are the stuff of which dictatorships are made. It is self evident that a new basis of security and prosperity must be established for all—regardless of station, race, or creed which include the right to a useful education, the right to a satisfying and remunerative job adequate to cover basic needs and aspirations, the right to a home which meets basic comforts, the right to adequate medical care and facilities to achieve and enjoy good health and the right to social security benefits and old age care.

The universal applicability of such cherished ideals of economic freedom, particularly to our nation and the developing world, is patently clear in the address of the US President although it targeted the American people of a bygone era.

The Challenge of Good Governance

Sri Lanka has the resources necessary to provide every citizen with basic political and economic rights. However, it has failed to do so essentially due to poor governance, insincerity and lack of strong political will despite being governed by democratically elected governments since achieving independence sixty two years ago. Consequently, the country’s growth has been severely stunted resulting in endemic rural poverty and underdevelopment. The state coffers would be empty if not for ‘blood money’ derived from foreign exchange earnings mainly through the exploitation of cheap female labour by exporting housemaids for menial work overseas as well as through low value adding garment industries.

The challenge of good governance is to implement a economically viable and environmentally sustainable development strategy which genuinely meets the growing aspirations and increasing standards of living of the people while maintaining political and social stability through just, ethical and democratic principles.

Assertive Civil Society

Sri Lanka needs a strong civil society leadership capable of challenging the government in committing to good governance and also motivating and

enlightening citizens to be assertive of their rights and thereby to proactively participate in building the economy. This may prove to be the only way forward for us to prevail over our self imposed subjugation to an autocracy.



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The importance of not forgetting

By Samanmalee Unanthena

GROUNDVIEWS June 2010

One year ago, the war that had defined our lives for the last 30 years ended. Brutally, callously and mercilessly fought like most wars are, it ended amidst allegations of immense suffering wrought on the people caught in the middle of the final desperate onslaughts. Since then according to the official version, Sri Lankans have nothing but happiness and prosperity to look forward to because the one thing that has hindered our progress as a nation has been finally eliminated. That, as I said, is the official version.

Since May of last year, however, reports that contradict the official version of the story that ended happily ever after have been circulating. It started with the horror of the internment of the thousands of people who fled the fighting, the arbitrary arrests and disappearances of those associated with the LTTE, of the suffering of those injured in the fighting, families separated from each other with no means of obtaining any information about what may have happened to their loved ones and the multiple displacements and losses experienced by people living in the North and East. A few months later followed the stories of the influx of tourists from the South to the North and East, mainly from the Sinhala community; of Sinhalese Buddhists arriving in their droves to visit ancient Buddhist sites in the North and East.

There were many stories of new highways cutting through communities and familiar landscapes torn apart for hotels and guest houses to cater for tourists with total disregard for the feelings and desires of local communities. More disturbing stories were to follow: of the lack of sensitivity of the tourists to local communities, and the rude disruptions to the everyday lives of local people by visitors from the South buoyed by

the triumphalism and arrogance with which the Rajapakse regime portrayed the end of the war as a victory for a narrow and racist Sinhala Buddhist nationalism. Recent media reports have described the demolition of Prabhakaran's family home, the destruction of LTTE political wing leader Thileepan's memorial and the LTTE martyrs' graves in Jaffna. A statue of a Sri Lankan soldier has been erected in place of Thileepan's memorial reportedly. Many other statues of Sri Lankan forces have also appeared elsewhere. New billboards proclaiming that Sri Lanka is a Buddhist nation and that this land has been blessed by the Buddha have also been spotted in the North and East. When the President proclaimed last May that there were no more ethnic minorities in the country, whoever thought that he meant is so literally?

I am not surprised by the callous disregard of the Rajapakse regime for people living in the North and East despite all its pious claims to the contrary. It has never demonstrated even a modicum of sensitivity to the minorities and has proved to be rabidly racist. What is frightening is the way in which the regime has galvanised and justified racism among the Sinhala community.

If the regime after its demolition of the LTTE has showed even a small measure of humility and attempted to ensure that the victory was not going to be used to impose a Sinhala Buddhist ideology within the country, it might have gone some way in silencing its critics. Unfortunately, instead it has lived up to its worst expectations. Given that this is the tragic reality with which we will have to live for the next several years, where does this leave us?

Post colonial Sri Lanka has witnessed several moments of state brutality against its own

citizens in the name of stability, peace and unity. Apart from the long fight against the LTTE, various regimes have also been responsible for putting down two insurrections in the South. Thousands of mainly young women and men and even children have been killed, maimed and disappeared in this process. What is remarkable about this bloody history is the ease with which these tragedies have been erased from our minds and the way in which an official version of the causes and consequences of such brutalities have been accepted by the public.

Thus, the JVP insurrections have been portrayed as those of 'misled' and 'frustrated' youth, examples of what happens when the impetuosity of youth is misdirected by manipulative political forces. The young men and women who joined the LTTE have been portrayed as brainwashed and fanatical, manipulated by a psychotic leader. At no point has there been any effort to question why thousands of young men and women in this country have been willing to die for these causes. In fact, in celebrating the successful campaigns to eliminate these young people, the fact that they are citizens of this country, that their families are citizens of this country and that the state that is technically responsible for their protection and wellbeing have instead been responsible for their deaths have been forgotten.

When we danced on the streets in joy last May at the end of the war the fact that we were celebrating the deaths of thousands of our own citizens never seemed to have entered our consciousness. The regime had done such a successful job of portraying the LTTE as less than human.

At this moment when we are inundated with visions of becoming the next Singapore, Malaysia or South Korea, maybe it is also time for a counter politics that argues for a future for this country which doesn't forget the past so easily. Not because of some ghoulis fascination with death and destruction, but in order to ensure that those who lost their loved ones are allowed

to remember and to mourn and also so that we can begin to understand the desperation that drove people to their deaths.

The official response to these 'misguided' and 'brainwashed' youth has been offers of rehabilitation and training. Apparently English and IT training will miraculously solve their problems. And obviously the international community agrees if the recent proliferation of vocational training institutes in the North and East are anything to go by. This was after all the same solution that the 'misguided' youth in the South were offered.

The counter politics that I am suggesting here is that when this regime presumes to act on 'our' behalf or speaks for us, or attempts to define this nation in a particular way that we find means to raise a different voice. Thileepan may have fought against the state (in fact, he died protesting the presence of the IPKF just as many others in the South did), but is he not also a symbol of our failures to acknowledge and respond to very real problems in our society? Who is to say whether or not the Thileepans of the North and the Heraths of the South were actually fighting the same battles against the same forces that have kept Sri Lanka progressing as a nation that respects freedom and non discrimination?



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Pretending that they were misguided, politically manipulated or psychologically impaired is merely a refusal to acknowledge our responsibility for the atrocities that we have experienced and witnessed over the past many decades and a social and political system that spawns such desperation.

The need for a counter politics to this regime is essential and urgent. Determining and identifying the shape of the counter politics we need to engage in will

be a challenge, but this is probably where we will need all our ingenuity and creativity. It may be in the form of everyday resistance to being represented in ways that we do not agree; in our efforts to remember when we are being forced to forget; in acknowledging the spaces to mourn our losses instead of merely celebrating our victories; in claiming spaces for local communities rather than for big development, that we can take some steps in making our resistance felt to this regime's totalitarian and racist project.



A Tribute to our Unsung Heroes

By Lalith Gunaratne

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The teenage girls singing a Tamil song “Tomorrow is Ours” is interrupted by my wife Samantha and I walking in to the classroom. They giggled coyly as we looked around at them. They were being trained to be Girl Guides and did not seem any different to any of the many young people I have encountered over the years.

One of the leaders, Deepa (fictitious name) walked up to us in curiosity and introduced by the Girl Guide trainer. She had a presence but seemed restless.

Deepa was abducted by the LTTE at age 16 from her Aunt’s home in the Wanni and was trained as a soldier. She had not seen combat as she was found by the Army in a Wanni camp only three months after. She has not heard about her parents since then and thinks they are in London. The other thirty odd girls had suffered similar fates. Another, Ramani (fictitious name) told us through the interpreter, the LTTE had come to her home and she was picked out of the three sisters as she looked the strongest. She said, “They took children over thirteen and only one from a family”. She had been trained for 25 days and had seen combat. When asked about the training and her time in the LTTE, she said, “I do not want this to ever happen again” and evaded the question. This was the sentiment of the others too.

The Girl Guide trainers volunteering their time, one Sinhala and the other Tamil former teachers were volunteering their services for this camp administered by the Army. They were preparing for the Girl Guide and Scout Investiture ceremony planned for the next day. In addition to the girls there are about 40 boys in this camp.

The Guide trainers told us tales of how these children were distraught and disoriented

when they were brought here seven months ago. Most would not smile or speak much as they were scared. Obviously there has been a tremendous transformation through this programme as to us they seemed normal as normal can be. Later when I was looking for a toilet, the Guide trainer asked one of the boys to show me. I suggested, I use theirs’ which was closer, but he very politely took me to the guest toilet on the other side of the compound. He looked so innocent that I could not imagine him as a terrorist.

The Guide trainers were full of praise for the Army officer in charge and his staff who administers the camp for the way it is run. They said that uniforms were not worn by officers when they visit the camp and that these young people were treated with dignity and respect. Both the boys and girls had made great friends with their warders too, the Police constables who guard the premises. I saw a few boys bantering and laughing with them as they drank tea together.

Deepa graciously invited Samantha and I to join them for tea. She continued to engage Samantha in a conversation in a combination of Tamil, Sinhala and English asking about her personal life, who I was to her and then when she found out we had children of our own she backed off, as if she was hoping we would take her home with us. Later we found out, of all the girls, she was the only one without a family or extended family to go home to.

Another girl came to Samantha and spoke in Sinhala and told her in a matter of a few minutes that her father is Sinhala and mother Tamil and they had lived in the Wanni. As she was relating her story, the girls were called to regroup to practice.

Watching these girls act and interact, I just could not fathom the fact that they were trained killers and I would have had no chance if I encountered them out there just over a year ago.

Later, we met the Army officer and his staff and I could see why all the children called him Appah. He was indeed a father figure, a tall handsome man, gracious and well spoken. He was there to go through a rehearsal for the investiture and getting impatient as the children were trickling in when they should have been in their seats in the make shift campfire circle. He turned to me in exasperation, “They are behaving like civilians” and with a chuckle went on “I suppose that is a good thing”.

Indeed, undoing the combat discipline and violence out of these children would have been a tremendous challenge and what amazes me most is that it was spearheaded by the very army which was their enemy.

The Young Diaspora

In a conversation with the Army officer, I highlighted the irony of so many of the young Tamil Diaspora of a similar age group growing up in another world, many who had never been to Sri Lanka, yet espouse hate, at times militantly, towards Sri Lanka and Sinhala people. He said, “We cannot blame them as that was their reality when they ran away from Sri Lanka at the time and sadly they have passed it onto their children too”.

Such are the contradictions of this complex situation, where a nation has shared its soil between these two communities for two thousand years, distinct in many ways, yet similar in so many and every so often like siblings drawing battle lines, fighting it out. This last battle of thirty years seemingly the most brutal, full of hatred for each other, spreading like wildfire, thanks to the information age and in this camp bringing them back to a life of dignity they deserve with love, compassion and a determination – this seeming side story has tremendous significance as we work towards peace one year after the war ended.



“After all these very girls are going to become Mothers some day and bring up children, so this is the least we could do to help them back to normal life” said the Guide trainer. No doubt the scars will remain, but the nation has to come together, to heal the wounds, as we share a common karma.

The True Unsung Heroes

The Girl Guide and Scout trainers volunteering their time tirelessly for the love of humanity, the Army personnel, the Police guards and the other volunteers, they are the true unsung heroes as the nation heals the wounds of war.

These are the stories that keep my spirit alive and that there is hope for humanity to someday overcome our selfish and fearful behaviors to understand that suffering is the default human condition, but we overcome by being centered, balanced and a middle path of compassion for self and others through our common humanity. This is the message of the camp.

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All these unsung heroes are the proof of this human spirit as they work selflessly to ensure that these children do not become a burden to society, but useful contributors to humanity.

The other heroes are certainly these youth who lost their childhood to a force beyond their control as they commit to become useful citizens again. Hopefully they will be champions of peace themselves as they grow and they rightfully said, “We do not ever want to face that again”. This is our collective responsibility to prevent a war from ever happening in this beautiful land again as war brings out the worst in all of us.

If you say, “war is a necessary evil for human existence”, then I ask “have we not evolved?”

If you say, "guns are necessary to protect us", then I ask "protect from whom?"

If you say, "fear, hate and conflict is being human", then I ask "where is the love?"

If war is ugly then peace is beauty is then human!



THE SECOND PHASE OF A WAR WITHOUT END

By Dr. Jehan Perera

GROUNDVIEWS June 2010

One year after the end of the war there is optimism in the country, particularly amongst sections of the business community. The government has taken the position that rapid economic development can be a panacea to the problems that afflict the country, including the long festering ethnic one. South Korea, Taiwan, Singapore and Hongkong, and more recently Malaysia and China, all point the success of tight political control coupled with the centralisation of power that yielded positive economic dividends. There are predictions that the country's growth rate can even reach rates of 10 percent like China and India depending on how effective the government is in tackling the economic challenges it faces.

Following the Presidential and General elections held earlier this year there is every reason to believe that the government will be in power for another six years. Due to the central role of the government in the affairs of the country it is important to come to terms with the government. A year after the war's end the three most salient characteristics of national politics are the three realities of a strong government, a weak opposition and the continuing political divide between the North and East and the rest of the country.

The two core features of the government are its commitment to ethnic majority nationalism and to the centralization of power. The government mobilized the force of nationalism to enable the ethnic majority population to bear the cost of the war and win it. The centralized power of the government enabled it to enforce its will on a plural society. The intense concentration of power within the government itself points to the virtual impossibility of devolution of power to the provinces or sharing of power with the ethnic minorities. There are reports

that the government is not keen on implementing even the 13th Amendment to the constitution that was put forward as the solution to the ethnic conflict way back in 1987

There was a hope of the government shedding its nationalism after the completion of the war. There was also a possibility of the people looking beyond the war to the needs of national problem-solving in other areas of the country's political and economic life. The ending of Rule by Emergency and reduction of the military budget became possibilities. However, the government has shown itself adept at keeping the war, and its institutions, at the centre of the people's attention even a year after the war. The regular victory celebrations have been one means of accomplishing this feat. Now the government has found another reason to justify its military focus.

NEW THREAT

During the years of the war, the LTTE provided the government with the rationale for harsh laws and for militarization of society. Now it is the turn of the Tamil diaspora to provide that rationale. The pro-LTTE diaspora has been busy setting up branches of a Provisional Government of Tamil Eelam in various countries. In addition, the Indian government has decided to proscribe the LTTE for a further two years on the grounds of increased activity by LTTE remnants in Tamil Nadu. This has given further strength to the Sri Lankan government's case for vigilance, including continuing anti-LTTE actions that call for taking the battle abroad.

Accordingly, the war has not really ended for the government, and most people in the country who gave the government its resounding majorities at the recent elections

are likely to agree. Even though the LTTE was destroyed at great cost on the battlefields of the North last year, and the government claimed the credit, the government will be able to show a need to prepare for a revival of the LTTE in the future. Government leaders have referred to their strategies to counter the LTTE abroad, including sending military officers to staff Sri Lankan embassies in vulnerable countries.

The new international threat of the LTTE will undoubtedly be used by the government to place restrictions on the democratic freedoms that Sri Lanka is entitled to have in a time of peace. It will justify close scrutiny of NGOs and other possible Trojan horses. The Emergency Regulations and Prevention of Terrorism Act will remain the law of the land that are applicable on a day to day basis. The spectre of separatism rising again from the Tamil diaspora may also prompt the government to reduce the potential for misuse of devolved powers available to the Provincial Councils under the 13th Amendment. It can also be used to justify the further concentration of power in the Presidency.

The government has an election-winning and power-centralising formula that will be hard to overcome. While the government emphasizes an indigenous model of problem solving and national development, it can look towards the successful models of South East Asia where authoritarian rule accompanied rapid economic development. However, the government will need to guard against the possibility of corruption and abuse of power growing out of hand, as it did in the Philippines under Marcos and Indonesia under Suharto. This can lead to economic failure. If the economy gets into trouble, not even the power of nationalism will be able to sustain the government, as in 2001.

OLD DANGER

The other danger will come once again from the North and East in the still longer term. If the people there continue to feel alienated and unfairly treated, there will surely be another call for rebellion that a new generation will be willing to heed. The cycle of rebellion may repeat in the absence of a mutually acceptable political solution. The government,s

alternative to provincial level devolution seems to be decentralization to smaller units. The problem with the type of district or village level decentralisation that the government appears to be contemplating is that this form of devolution, while it may facilitate economic growth, does not address the issue of inter-ethnic power sharing.

There is also a strong nationalist sentiment that has grown stronger with the government,s military victory over the LTTE that whatever ethnic conflict there may have been has been resolved with the elimination of the LTTE. It is believed that rapid economic development of the country, including the North and East, would productively engage the energies of people and reduce the impetus towards ethnic-based politics. However, such an analysis is not in keeping with international experience. Ethnic-based grievances and desire for self-determination exists in both rich and poor countries which economic development by itself cannot dispel. Tibet in China, Kashmir in India and Chechnya in Russia give ample testimony to the resolve of aggrieved ethnic minorities to seek some form of regional self-government above all other values.

At time when there is a measure of optimism about the future, it is appropriate to recall that the centralisation of power that took place in 1972, and again in 1978, did not bring about the desired economic development. On the contrary, the centralisation of political power, and failure to devolve power to the ethnic minorities, accentuated the ethnic conflict. Whether it will be on a large enough scale to be to the detriment of economic development is the question. Unlike in the 1980s when the Tamil rebellion took off, the Sri Lankan security apparatus is well prepared and Tamil society in Sri Lanka is weaker. But nationalism can be an unquenchable force.

Sri Lanka is not alone in facing this challenge. There are many other countries that face similar political dilemmas. The challenge is to transform those which mainly espouse majoritarian democracy, or the interests of the ethnic community that forms the majority, to those which embody the principle of an equitable distribution of power among their ethnic communities. It has been stated that the enemy within

resides in the ideological orientation of the government that construes nationalism as the promotion of the interests of the ethnic majority, which breeds ethnic disunity. As has been pointed out by scholars in the field, political stability in pluralistic societies without internal power-sharing mechanisms or systems of governance which are responsive to the aspirations of ethnic minorities is simply not possible.

[*Editors note:* Dr. Jehan Perera is the Executive Director of the National Peace Council of Sri Lanka.]



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The Drivers and Scenarios in Post-War Sri Lanka

By Sumanasiri Liyanage

GROUNDVIEWS June 2010

My focus in this essay is not what happened in the past but what can be envisioned in the near future particularly with regard to the national question in Sri Lanka. The Sri Lankan security forces comprehensively defeated the Liberation Tigers of Tamil Eelam (LTTE) one year ago. However, the transformation of peace writ small that was achieved in May 2009 to peace writ large has yet to be achieved and the steps taken in that direction are, in my opinion, inadequate. Although the simultaneous operation of so many variables in complex situations makes predictions almost impossible in social science, it is possible to identify possible future scenarios through the analysis of key drivers that undergird future changes. Here I identify four key drivers and four scenarios, though one is a very remote possibility.

Context and Drivers

1. *Vacuum in Tamil nationalist politics:* Comprehensive military defeat of the LTTE and the decimation of its entire leadership have created almost an unbridgeable vacuum in Tamil nationalism in Sri Lanka. All other trends in Tamil nationalism in Sri Lanka revolved round their attitudes towards the LTTE when the latter enjoyed an unchallengeable military capability. The two options that were available to other Tamil nationalist parties were either to be a proxy to the LTTE (TNA) or to be an opponent of it (EPDP, TULF, TMVP). When the LTTE were decimated, none of these two tendencies were in a position to present a viable Tamil nationalist political position. There are no signs that this political vacuum will be filled in the immediate future.

2. *The rise of exclusive Sinhala nationalism:* The second contextual factor that is a determinant in future scenarios is the presence of Sinhala exclusivist nationalism, the manifestation of which may be traced in

the mid-1990s. Since the first years of this century, the Janatha Vimukthi Peramuna (JVP) and Hela Urumaya have been in intense competition to emerge as the most prominent and vocal Sinhala party. Although electoral strength of the two parties are not that significant, it is interesting to note that both have been capable of influencing the two main political parties, the United National Party and the Sri Lanka Freedom Party, to change their stand on national question.

3. *Over-securitization of the state:* Prioritization of state security is a natural growth of nearly 30 years of armed conflict that totally disturbed the equilibrium between civil society and military in favor of the latter. Although the armed conflict between the government security forces and the LTTE came to an end a year ago, the involvement of the military in political decision-making remains undiminished. Hence, it is not only a phenomenon but is also an attitude. The government seems to look at almost everything from the prism of its own security, which deeply influences its practices and policies in many spheres.

4. *External relations:* Under the Mahinda Rajapaksa regime, there has been a paradigm shift in Sri Lanka's foreign policy. As Gotabhaya Rajapaksa recently outlined, three main elements of Sri Lanka's new foreign policy are: (1) Sri Lanka is non-aligned country, so that it maintains friendly relations with all the countries in the world; (2) Sri Lanka has shifted the focus of its foreign policy from Western countries (USA and EU) to countries in the region; (3) Sri Lanka maintains special relations with India so that its foreign policy decisions will be consistent with the security concerns of India (limited external self-determination). While these three pillars will remain unchanged, it

seems that the government will make a serious attempt to re-win the support of the West, as it is imperative especially from the point of view of economics.

How will these conditions and drivers affect the way in which Sri Lanka deals with the national question post-war? In one of my previous articles, I envisioned that Sri Lanka was heading towards East-Asian type of democracy. The post-election scenario appears to have strengthened the movement in this direction. The way in which the new cabinet was formed signifies that Sri Lanka is now heading towards the adoption of the American style of cabinet-making rather than that of the Westminster system that is party based. I do not intend here to discuss possible changes in political landscape at macro level, but confine my analysis to how these changes will impact deliberations on the national question in Sri Lanka.

In what follows, I identify four possible scenarios and assume that the actual developments may combine the characteristics of all these four. Although the fourth scenario is a very remote possibility, we may not be able to leave it out completely at least in a theoretical exercise as militant organizations have shown high degrees of resilience. How the first three elements will evolve and morph will also depend on the strength of non-Sinhala nationalisms, the democratic forces, the activities of the opposition parties and the pressure from external actors.

(a) *Developmental welfarism*: Some sections of the ruling coalition and Sinhala elites appear to think that there is no separate or specific Tamil national problem. The problems the Sri Lankan population has faced are, to them, problems of underdevelopment that include poverty, unemployment, regional inequalities and class-based inequalities. These problems are common to the Sinhala population in peripheral regions and to Tamil populations living in the Vanni, Mulathivu or Mannar districts. Tamil youth took up arms as Sinhala youth took up arms in 1971 and 1987-89. According to this view, a specific ethnic/national expression was given to it by the Tamil separatists backed by imperialist forces who sought the destabilization of the region. Now this terrorist threat has been defeated. So, what is imperative now is to address the general and common

issues of underdevelopment. Of course a protracted war has made the Northern and Eastern provinces more underdeveloped because the circumstances did not permit the implementation of development projects that took place in other regions. So, special attention to these areas in new development strategies is warranted. This is quite a strong notion within as well as outside the ruling coalition. A large part of the business community also thinks in the same way. Negenahira Udanaya and Uthuru Wasanthaya are concrete expressions of this developmental welfarist perspective. The strength of this strategy is that it emphasizes basic material needs of the majority of people that have to be satisfied. However, its main flaw as demonstrated in the last elections lies in the fact that people have basic needs like security, identity and the recognition of identity that are also of an equal existential importance. When those non-material needs are neglected, the experience shows that people tend to interpret the lack of physical and material needs in ethnic terms.

(b) *Assimilationist Strategy*: President Mahinda Rajapakse announced in his speech to the Parliament after the conclusion of war last year that there is no division in the country hereafter between the majority and minority, and the division that actually exists is between the people who love the country and those who do not. He reiterated the same idea in his exclusive interview with the Editor of the Hindu, N. Ram. Of course, this statement should not be interpreted to give the meaning that the President wanted all to be integrated into one single community shedding their cultural differences. What he implied was an overarching Sri Lankan identity making other identities subordinated to it. Assimilationist strategy gains its strength in my opinion from two sources. First, it flows from the idea of civic nationalism that has been constantly identified with democracy. While accepting the presence of different cultures, it posits, what Habermas called, constitutional patriotism. However, in real politics, civic nationalism except in exceptional cases tends to be defined from the prism of majoritarian cultures neglecting or marginalizing pluri-cultural characteristics of the society. Hence, there is a possibility, in highly divided societies, that non-dominant communities may come forward to resist

such an overarching identity. Secondly, it appears to be fitting into prevailing demographic realities of the island.

(c) *Power-Sharing Arrangement:* Since 1987, two major political parties in Sri Lanka, the Sri Lanka Freedom Party and the United National Party accepted that some form of power-sharing is needed to satisfy Tamil nationalist demands. When the President announced that his government would implement the 13th Amendment to the Constitution fully until new proposals are ready, many believed that this would be the point of departure or benchmark in future constitutional reform. In the Parliamentary election in 2010, the UPFA made an appeal to the voters that the UPFA be given a two third majority in the Parliament so that it could initiate long awaited constitutional reforms. However, the UPFA did not reveal what would be the major changes that it proposed to introduce in making new constitution. Changing the electoral system was the only aspect that was stressed during the election time. Prior to the election, three suggestions were flagged. The suggestions were: (1) full implementation of the 13th Amendment (may be with some minuses); (2) the introduction of a second chamber; and (3) a bill of right that was initiated by Milinda Moragoda as a former Minister of Justice. The negative signs are visible in the arena of real political practice. First, there is no genuine effort to implement the 13th Amendment. Secondly, the implementation of many development programs is done by the central government, almost completely neglecting elected provincial bodies. This is clearly visible in the Eastern Province. Thirdly, the President has so far not taken any action against the activities of the Governor in the Eastern Province whose own actions are under constant contestation from the elected provincial council. Finally, there has been a significant Sinhala national opposition within and outside the government to any kind of power-sharing arrangement. The recent statement by Minister Wimal Weerawansa against Indian Foreign Secretary's statement demonstrates this anti-power-sharing sentiment in government.

(d) *Back to Confrontational Politics:* If the government gives into Sinhala exclusive forces and assumes that the

large section of the Sinhala masses are against any kind of consensual politics, are totally unconcerned about the Tamil national issues and the issues relating to other numerically small nations and ethnic groups, the re-emergence of exclusive Tamil nationalist politics may be unavoidable. The epicenter of Tamil exclusive nationalist politics has been now transferred to the diasporic community. Although it may not happen in the immediate future due to the high magnitude of the defeat suffered by the LTTE and continuing vigilance of the security establishment, the presence of trained combatants and stockpile of arms hidden in various places may facilitate an emergence of militant groups like in the late 1970s.

This is based on the talk given at Center for South Asian Studies, in Chennai.



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Will 'Peace' Arrive Before Death?

By Kalana Senaratne

GROUNDVIEWS June 2010

It was, unfortunately, a necessary war, for terrorism had to be defeated, eliminated. After some thirty long years, on or around the 19th of May 2009, Sri Lanka gained liberation; liberation from the clutches of the Liberation Tigers of Tamil Eelam (LTTE), from the clutches of terrorism (May, 2010: *The Prime Minister states in Parliament that a new military wing of the LTTE is being formed, is getting ready to raise its ugly head*).

'Terrorism', however, was only one facet of the problem. The moment that ugly facet becomes non-existent, the moment there is an absence of a violent armed conflict, problems which remained unresolved, problems which could not be resolved through the use of force, re-emerge, re-surface. Political developments which soon followed the defeat of the LTTE proved this, to some extent. An acrimonious debate ensued concerning the 13th Amendment (*Did not, for a brief moment in our history, the 13th Amendment become something like the 6th Amendment, like 'separatism'; something no one could utter a word in favour of?*) Then, unfortunate developments surrounding a confused, misguided and revengeful Army Commander unfolded in quick succession. Thereafter the people, a vast majority, indicated on whose side they stood; at the Presidential and General elections. As a consequence, there is, now, a very strong government; strong here meaning a government that cannot be brought down easily. There is also a very weak opposition; weak here meaning an opposition that cannot be resuscitated easily.

Soon after the defeat of terrorism there arises, in the mind, that inevitable question of whether terrorism would re-surface in the future (*suffering, anxiety, which knows no end, which is unending*). This question in turn raises much broader questions. Now that violent

terrorism has been defeated, how, and in what way, should different ethnic groups co-exist within a multi-ethnic State, peacefully? How, and in what way, should we, the people, act? How long would it take for 'peace' to arrive, and from where (if not from our heart), would 'peace' begin its long journey? What should be done, what should we do, to achieve 'peace'? (*Why do we still ask this latter question, in a country which is full of 'peace-loving' and friendly people? Are we, really, a 'peace-loving' people, and if so in what way, to what extent? Are problems the creations of politicians only, of successive Parliaments, of Parliamentarians? Or is the Parliament, its composition, a microcosm of the larger society that we live in?*)

It is not possible to answer these questions, these complicated questions, satisfactorily. There may be no clear answers to such questions, anyway. Yet, there may be certain things, some obvious things, that evade us. Perhaps, the answer to many of our political problems rests in our own attitudes and perceptions, in our ability to 'compromise'. But how difficult it would be to reach a compromise, by changing our deeply-held, deep-rooted, beliefs, attitudes and perceptions?

Such changes in our own attitude and approach are necessary when considering some of the critical challenges facing the country, today. Two such challenges would be: the 'devolution of powers' and the 'promotion and protection of human rights and equality' – issues on which people hold very strong and uncompromising views.

Consider the critical and contentious issue of devolution of powers – the "most intractable problem" – which touches that strong 'nationalist nerve' in many people, across the Sinhala-Tamil ethnic divide. It is one problem concerning which some form of a

‘compromise’ is quintessential, the resolution of which calls for that need to “hammer out a compromise”, as the late Minister Lakshman Kadirgamar put it, when he spoke in Parliament, in favour of the 2000 Draft Constitution (*Kadirgamar: one who opposed the LTTE and was shot and killed by the LTTE, but nevertheless strongly believed in the idea of ‘power-sharing’, in the need for some resolution of the conflict, based, perhaps, on the lines of the 2000 Draft Constitution*).

But, today, on the issue of devolution, is ‘compromise’ possible? Or is there any evidence to suggest that a ‘compromise’ is forthcoming?

On the one hand there are very strong views placed against the idea of ‘devolution’ – i.e. that devolution is unnecessary, that it is “development and not devolution”. The argument that the mandate received by President Rajapaksa does not make any significant reference to ‘devolution’ is also raised. The 13th Amendment is claimed to be unnecessary and an absolute failure (Was it not due to the inability and/or unwillingness to implement? Is the waste of resources a problem of the document or more of a problem regarding those who were supposed to implement it?). Recently, a subtle rubbing of the 13th Amendment did take place when Defence Secretary Gotabaya Rajapaksa was interviewed by Al-Jazeera (*Question: in such a context, how could President Rajapaksa rubbish Mr. Gotabaya Rajapaksa’s views, by fully implementing the 13th Amendment, now, as promised?*).

On the other hand, the case in favour of devolution/power-sharing resonates strongly in the views expressed by many Tamil politicians, in particular; from ITAK’s R. Sambanthan to UPFA’s Douglas Devananda. Reference is made not only to the 13th Amendment, but also to, for instance, the 2000 Draft Constitution and the APRC-Majority Report of the Panel of Experts.

How then would there be a compromise? One would not believe in the concept of a ‘traditional homeland’ or in a merged North-East, and would dismiss these ideas as political myths. But the fact that the majority of the North and the East consist of Tamil speaking people is not a myth, along with the fact that this

demand for power-sharing had always been the predominant demand of the Tamil minority, or its representatives, elite or otherwise.

In such a context, how does one approach the issue of ‘devolution’? Perhaps the responsibility falls on both (or all) ethnic groups. The political leadership representing the majority would need to understand that this notion of ‘devolution’ cannot be rubbished off easily, cannot be dumped in a political dustbin, so conveniently and easily as one would like to do. The political leadership representing the minority would also need to understand that their demands would need to be couched in less inflammatory language; a language which does not resemble that of the Provisional Transnational Government of Tamil Eelam, for instance. There would also be a need to approach the idea of power-sharing from a citizen’s perspective; to regard devolution as a tool that empowers the people at the periphery; as a tool that effectively challenges an all-powerful centre, whenever necessary. Yet, it would be a serious mistake to imagine that that kind of approach means that the unit of devolution ought to be the Gamsabha or Janasabha (*In this regard, would one forget that even the APRC-Minority Report states that the unit of devolution should be primarily the existing ‘province’?*)

In reaching this compromise (*‘would there be a compromise?’ is a recurring question, a doubtful prospect*) there is also another critical factor which needs to be borne in mind; i.e. that ‘devolution’ would not work (*or logically, it cannot work*) unless of course there is a serious commitment, a parallel and simultaneous commitment, to constitutionalism, the rule of law, the establishment of independent institutions and a firm resolve to promote and protect human rights and equality. It is a great fantasy to imagine that significant devolution would resolve all problems the moment it is agreed upon and put down on paper. Even if there is a compromise reached, it would not be long lasting, unless there is commitment shown concerning the above issues as well.

But here again, there is an enormous challenge. On constitutionalism and the rule of law, Sri Lanka’s track record, unfortunately, is a dismal one. So too, with regard to the promotion and protection of human

rights and equality; an issue over which many seem to have very fixed, even uncompromising, views; an issue, then, which needs to be approached with a changed attitude and mindset, today.

There is too much concern about the problem of the ‘West’. The ‘West’ displays hypocrisy when it talks about human rights protection, since it continues to show that its practice, elsewhere in the world, is no different. Such hypocrisy needs to be exposed. But in doing so, there is a tendency to view the notion of ‘human rights’ as simply a Western-liberal notion, without understanding that the moment one views ‘human rights’ as simply a Western concept, one’s resentment towards the West shapes the way in which one approaches all that is perceived to be Western concepts; forgetting completely and even conveniently, the importance attached to the protection of human rights in our own Buddhist teaching and philosophy (or in any other religion) for example. Unless one’s attitude changes in a more positive way, there will not be any progress in relation to the improvement of own human rights standards. President Rajapaksa reminded the world in September 2007 that human rights have been an essential part of Sri Lanka’s cultural tradition and human rights protection is “nothing new for us”. True. But one needs to go further, and prove, that this is so even today, that this cultural tradition has not stopped, that it continues (*And what a shame for a country with such a rich and glorious tradition, to be continually reminded of the importance of human rights protection, and that too, by the EU or the ‘West’*).

So too is the case of ‘equality’. If the country and its people are burdened by that problem of complex – the ‘majority with a minority complex and a minority with a majority complex’ – then, ‘equality’ becomes a terrible

problem, one that threatens one’s perceived status (*that dominant status, that rightful place*) in society. Demanding ‘equality’ or the respect for ‘equality’ is easy, but that demand becomes meaningless if one is not ready to accommodate what this ‘equality’ would necessarily mean; i.e. inter alia, equal status in society, equal

citizenship, opportunities based on meritocracy, independent institutions etc. (*How would a strong Sinhala or Tamil nationalist view ‘equality’? Does ‘equality’ shatter ideologies, nationalist ideologies?*). Ensuring ‘equality’, too, is a great challenge.

Conclusion

The year was 2005, the year in which he was killed. Mr. Kadirgamar, who had delivered a lecture (“Third World Democracy in Action: Sri Lanka’s Experience”) at an event organized by the SAIS-Johns Hopkins, was asked a question (the audio recording, which I listened to on the web, seems to be, unfortunately, unavailable now). The question was asked by one; whether there would be an end to our conflict during his lifetime. Mr. Kadirgamar (was it a humorous or poignant tone) answered: ‘it depends on how long you are going to live’ (*Was he thinking about the difficulty of resolving the conflict with an armed and violent terrorist group, or of the conflict, in general*). How would one answer, how differently could one answer, that question, today?

There would be no announcements made; ‘The Government of Sri Lanka officially declares and confirms that peace has finally arrived and all the people are living peacefully’. There would be no possibility of lighting fire-crackers or cooking kiri bath, to celebrate ‘peace’. An opportunity, a tremendous opportunity, has arrived, now that there is an absence of violent conflict; but success depends on how well that opportunity is used, or utilized. There is, therefore, that challenge, as always: to try and make today a more



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‘peaceful’ day than yesterday, to make tomorrow a more ‘peaceful’ day than today, however arduous that may be – until, suddenly, a different kind of peace overwhelms one, as it inevitably should, one fine day.

[The writer thanks the editors of *Groundviews* for the kind invitation extended to him to contribute this

article for a Special Edition which marks the completion of one year since the military defeat of the LTTE, in May 2009.]



Post-war Sri Lanka: Challenges and opportunities

By Ravin

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This Government, as it commences to address the many challenges facing post-war Sri Lanka, stands today at a watershed of major, unprecedented and possibly never to be replicated, opportunity. Wherever one is located in the Sri Lankan political firmament that obvious and pre eminent condition would have to be admitted. The sense of overall stability about the new Government pervades all thinking, writing and action, both local and foreign.

How valid is this assumption of political, economic and societal stability that the Government so bountifully enjoys today – the first anniversary of the defeat of the LTTE, or of ‘separatist terrorism’, as the government calls it and would like it to be known?

The elements of that apparent stability which both local and foreign observers prefer to comment on are well known. They are broadly the massive majorities obtained by the President and his Party at the recently concluded elections. The arguments of the many who contest the accuracy and the manner in which these results were obtained are also well known. But what are some of the many vulnerabilities that lurk overtly and covertly below the surface of the apparently favourable political, economic and social crust and which cannot be discounted as one assesses future progress? This essay will seek to explore some of the more obvious of these ‘torpedoes’ that the unwary and the historically uninitiated may overlook.

Indeed the recent history of our blessed and serendipitous land has some telling lessons of great electoral victories not being a sufficient condition for undiluted growth and success. Take for example the 1970 United Front government which, decimating the UNP incumbent won a two-thirds electoral

majority under Sirimawo Bandaranaike’s resurgent leadership. All seemed set for a long reign of unparalleled prosperity. But what happened? Within a year and a half she was fighting a guerrilla revolt from below (it was not called terrorism then) which all but upset her government. In 1977, J R Jayewardene won a five-sixth victory in the elections which he thought would have enabled him to turn a man into a woman and vice versa. But what happened? In 4 years the accumulated deficits of his predecessors, and his own unenlightened policies, ignited an ethic imbroglio which was seismic and whose reverberations continue unabated to this day. Both these movements which presaged instability came not from a political, parliamentary opposition but from forces which seemed to arise, unexpectedly to those in the seats of power, from deep subterranean, systemic causes. How far have these ‘structural faults’ in the terrain on which the game of politics is played, been resolved or eradicated by what has happened in the last few years?

Not to any great extent in this writers assessment.

Take poverty and the unemployment of educated youth which were the triggers of the J V P rebellion of the 1970’s and eighties, for example. The official figures based on data from 18 districts (the other seven in the North and East were not counted for well known reasons) say that the level of poverty has now been reduced from 23% which it was, according to World Bank figures in 1998, to 13%, while some districts like Moneragala record figures as high as 37%. The President frequently quotes a Central Bank mantra that per capita GDP has doubled from \$ 2000 to \$4000. Nice, round sums which carry the image of people with nice, round bellies. (No one contests this,

although surely the GDP denominator on which these statistics are based is not corrected for inflation).

Anecdotal evidence from our rural areas hardly supports this improved state of well – being. If at all, the sight of more tiled roofs, cement floors and so in our villages is due to increased foreign remittances from foreign employment of our women or the hours they spend in the nearby garment factory. And, Employment (with ever increasing educated unemployment as a result of more students exiting the school system each year) has been through heavy recruitment into the armed services, or politically motivated entry into a heavily overloaded state system. Other than these two avenues for the politically correct there has been hardly any other absorption of new entrants into the workforce. Both avenues – garment factories and military service are now drying up. Even the safety valve of low – paid employment abroad will shrink as firms abroad economize in line with the lessons the recent global recession has taught them. The powder keg of frustrated youth can be explosive. One of the post-war priorities will be how to assuage this compelling need.

If the prosperous future based on rapid, sustainable and equitable development in the South is one strand of the Governments post-war vision, the other must be the fulfilment of its hope that the ‘defeat of terrorism’ would free the North (and East) for investment and re – connection with the rest of the country. Here too as we saw in the discussion above there seem to be some ‘torpedoes’ which should caution any expectation of immediate high returns. There appears to be much work yet to be done before that goal could be realized.

How zealously, for example, is the defeat of terrorism being celebrated in the North and how is this to be made congruent with the reconciliation objective with the now alienated bulk of the Tamil people. The end of Prabhakaran and the militarism of the LTTE may be widely welcomed by the mothers of children who were forcibly drafted into its cadres. But is the cause for which he fought misguidedly and hopelessly maybe, also be forgotten and put away so easily? The strength which the trans- national government idea seems to have derived in the Tamil diaspora after the LTTE

should caution us that the incipient drive for autonomy or major devolution has not been killed along with Prabhakaran and the demise of the LTTE. Indeed the results of the recent Parliamentary elections and the strong performance of ITAK should serve as an early warning that a political solution to the ethnic problem must remain a priority in the business of Government. Regrettably there has been little evidence of this in the recent actions of Government.

After all the pain and suffering they have been through in so many years the Northern Tamil may not disclose his or her thoughts in any public poll. But any disinterested observer of the evolving situation in most of the five districts which make up the Northern Province would see the following three elements as being highly important in any real recovery programme.

Firstly, urgent and effective action on devolution of power from the Centre which feeds into the constitutional reform process now being planned. Mere representation in a Senate of indeterminate status will be a cheap substitute for a degree of autonomy resembling at least that of an Indian state government.

Two; urgent action on reducing the high military component in the Jaffna Peninsula, the symbolic home of the Tamil people. The Mahinda Chintana 2010 states that ‘By the year 2012 Jaffna city will be made one of the most outstanding cities in South Asia’ (page 62). Leaving aside the hyperbole which accompanies this Manifesto of the Government let’s hope that as a preliminary step the army vacates the locations it occupies in the city and that the High Security Zones which apparently take up one-third of the arable land of this densely populated peninsula will as a follow up to an election promise, be soon restored to the rightful owners.

Three; that the process of reconciliation between the Sinhala and Tamil people be conducted on a tested basis using the lessons learned from other parts of the world which have experienced similar trauma. In this respect a word about the proposed Presidential Commission of Inquiry into alleged ‘war crimes’ may be not out of place. This has been announced along

with the promise of ‘restorative justice’, *a la* Bishop Desmond Tutu’s South African Truth Commission. While the names of the seven Commissioners (from here and abroad) and the Commission’s Terms of Reference are eagerly awaited, some have already averred that the timing is singularly appropriate given the impending visit of the Secretary of the Treasury, the Secretary, Foreign Affairs and the Attorney General to Brussels to plead for reconsideration of the E U decision to terminate the GSP + concession. If the Commission were only to forestall the E U intention and lacked sincerity of purpose it would hardly help the reconciliation process. The untimely fate of the Presidential Commission headed by Justice Udalagama two years ago, into the 17 high profile political murders of that period of history and the summary treatment which the International Body of Experts headed by Justice P N Bhagavati received in its review of the work of the Presidential Commission is still remembered.

The experience of Presidential Commissions appointed to examine the misdeeds of Police and military officers by earlier administrations too has not been great. Public Commissions of Inquiry into allegations against military officers in the past have generally been of no credibility as President Premadasa’s Commission into the pitiable alleged massacre of 167 civilians in Kokadocholai in 1991 would show. Independently financed and staffed Commissions of Inquiry might do a better job but which President’s Office would agree to such an arrangement, ‘interfering with the sovereignty’ of the country. But not ensuring a process with the modicum of sincerity and some possibility of getting at the facts would be worse than useless. No reconciliation would result. Only the pain and inextinguishable memory of those scarred will remain.



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Vanni in the year after war: Tears of despair and fear

By Ruki

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About six months after the end of the war, in November 2009, the government of Sri Lanka relaxed restrictions on travel to the Vanni[1] and started to allow some of the displaced people to go back to their villages.

Although the government still maintains some restrictions on travel, I managed to visit these areas many times. My visits including overnight stay in Vanni without beds, attached bathrooms, running water, electricity, helped me to better experience and understand life there after the war. It also increased my admiration for some of my friends, Catholic priests and sisters, who warmly welcomed and hosted me and my friends every time we visited, despite the very basic and difficult life they had opted to live.

My visits took me to interior villages deep inside the Vanni. From Paranthan on the A9 road to Ponneryn, and then further south on the A32 road, down to Vidathalthivu, visiting villages such as Mulangavil, Thevanpidy. We also visited villages and towns such as Mallawi, Thunukai, Uruthirapuram Sannar, Eechalavakai. In the Mannar district, we went to Adampan, Alkataveli, Uylankulam etc. East of the A9 road, in the Mullativu district, we visited places such as Oddusudan, Katsilaimadu and upto Vattapalai on the A34 road.

The A9 road was crowded with buses, vans and even luxurious vehicles such as Prado, Defenders etc. I had talked with some and most appeared to be tourists from the south going to Jaffna. Name boards from buses indicated the variety of places they were coming from, practically all districts of Sri Lanka. Many were picnicking under shady trees on the roadside, others admiring war monuments built by the military.

However, I saw no tourists and luxurious vehicles along the dusty, broken and bumpy roads beyond the A9 road. Every time I went in a van, after the journey, the drivers told me they will have to send the van for repairs and service! The times I went by motorbike, it was a bit easier to negotiate the gaping holes on the roads, though the dust, heat and sitting upright for hours was not so comfortable.

What's hidden beyond the A9?

On most occasions as we turned from the A9 road or from the Mannar – Medwachiya road to go interior villages, it seemed to arouse suspicion and curiosity in soldiers. Familiar questions of earlier years, such as “where are you going?” “why are you going?” “who are you” were thrown at us. Our response that we are going to visit friends didn't appear to be a satisfactory answer. In the Vanni, it seems to be considered something abnormal and suspicious to visit friends!

My Tamils friends from the North found these questions offensive.

“This is our land, our people are living here, these soldiers are from outside, how dare they ask us all these questions and stop us? Why can't I visit my place? Why can't I visit my relatives and friends? Why can't I invite friends (meaning me)?” were the angry and frustrated refrain I was to hear often from my friends.

Most of my friends were Christian priest and sisters, some of them were going to their own places, own land and houses. Places they had grown up, and their families had been living and still lived. These were also areas where they had served their religious and social ministries and their colleagues were now

living and working in very difficult circumstances.

The fact that I was Sinhalese from Colombo seemed to arouse further suspicions and curiosity amongst the soldiers.

We asked why they were trying to stop us from visiting, especially as these were areas formally declared as areas cleared of land mines and people were already living there.

“We don’t know, we just follow orders” was the inevitable response. Some of the soldiers were apologetic. On several occasions, it was mentioned that we have to get permission from the Ministry of Defense or that we should go to a nearby Brigade Headquarters and get special permission or a pass.

My friends and I tried to maintain our composure and sometimes soldiers at the check points tried to help us by contacting their superiors while we waited patiently. Some occasions, soldiers did their best to sooth our frustration by offering us chairs, chatting to us and giving us tips about how bad the roads were! I didn’t think they had anything else to offer. On one occasion, we waited for about 30 minutes near Paranthan on the A9 road and one soldier rode on a bicycle to inform the checkpoint that the commander had given a special permission for us to proceed to Uruthirapuram. On another occasion, me and a priest friend from Mannar waited in vain in the hot sun for about an hour at the Mankulam junction check point awaiting permission to visit the recently returned people in Oddusudan. The permission never came and we left the embarrassed and apologetic soldiers at the checkpoint and turned back. On yet another occasion, we waited patiently at a barrier in Vattapalai in the Mullativu district for about 30 minutes, again while the officer on duty contacted his superiors and that superiors contacted his superior. We wanted to proceed to Killinochi through the shortest road through Puthukudiruppu that we learnt was already open, but not for civilians. Permission never came and we finally turned back and took the longer route through Mankulam. When we turned back and went, some officers on duty offered to call us on our mobile phones if they did get permission from their superiors to allow us through, but we never got a

call. On several other occasions, the soldiers or officers at the checkpoints consented to allow us to proceed after some initial hesitation.

Anyways, like we did with the LTTE during the time they were in control of the Vanni and restricting travel to Mullativu and other interior villages, my friends and I did manage to negotiate with those trying to stop us and visit our friends in the interior villages.

Militarization

On most roads inside the Vanni, whether on the A9 or interior roads, I felt as if we were travelling within a military camp. Military camps and check posts were along all the roads.

In Pooneryn, the main road literally ran through a newly built Army camp. In several other places including the A9 road, army camps occupied the main tarred road and we as civilians were forced to take a roundabout route, on muddy dusty makeshift pathways. In the more bushy and jungle areas, sign boards on the roadside indicated military camps inside the jungles.

Soldiers were everywhere with uniforms and with weapons. Some soldiers were in civil but were easily identifiable through the gun on their shoulders, even as they were walking or riding their bicycles. Other soldiers were relaxing, playing cricket and bathing in small streams. The buildings that were in the best conditions were all military and police structures. I could very well empathize with what one elderly gentleman in Mulangavil told me; “it looks as if it’s their (military) land and we are strangers, while the truth is they are occupying our land”.

Clearly, the military has less to do on military matters now. I saw and heard in several places that the military is assisting with road construction, distributing water, organizing cultural and sports events etc. I also heard of efforts of some military officials to assist civilians in their basic needs. In view of the massive needs of the population for basic services and infrastructure, and the very weak civil administration and reluctance of the government to allow NGOs access to help those in

need, people are compelled to depend on the military for even basic services like water.

Security fears

The huge military presence, with past experiences of abuses, has caused deep rooted fear amongst many of civilians I spoke to. “We are scared to have young girls and boys walk around in the dark” one mother told us.

Catholic sisters who had gone to be with the people had sent additional reinforcements, as they didn’t want sisters to be alone.

“I was accused several times by the Army intelligence of being in the LTTE. Another boy was also accused. The Army had also told a villager that I would be taken away. I’m scared and don’t go anywhere alone” was what one man in Kathalampiddy, close to Vidathalthivu told us. “Although only two people had been threatened, the whole village is now scared” another woman from the village told us.

“Will the Army leave soon?” one anxious young man asked me, to which I had no answer.

Snakes have also instilled fear in several villages in visited. In one village I visited, snake bites had caused two deaths and several injuries.

Sexual abuse

“In front of our own eyes, and inside our premises, the army was touching a young girl...so what would happen if we are also not there” one Catholic sister asked me when I met her in the Vanni.

Amidst the huge military presence, one lady was raped in newly resettled area of Alkataveli, close to Adampan and north of Mannar and one person was killed in Killinochi. The checkpoint and soldiers with their guns had been unable to prevent or bring perpetrators to justice. An incident of sexual abuse by a soldier in Nachikuda was narrated to me. I heard of other incidents of rape, sexual abuse, killings, but could not get confirmation.

Two young female students we spoke to complained that they felt they were being harassed by regular

requests to see identity cards as they cycle to school in nearby Illupaikadavai. “They don’t ask the boys, they only ask girls, even when they know we don’t have identity cards at our age, and they know who we are. It seems they are trying to flirt with us” one girl said.

Happy to be back...but incomplete return

Most of the people I met would start conversations with bright smiles, saying they are happy to be back in their own land, despite all they have lost and the adverse circumstances.

But as we continued to listen to them and be with them, we would often be left speechless and helpless, as tears welled up in their eyes.

Most families had returned incomplete. Not just without properties, but also without their loved ones who had been killed, missing and detained.

Discriminating the dead

Many of the people I met in Vanni had parents, children, brothers and sisters, grandparents and other close family members killed during the final months of the war in 2009. It almost seemed normal and inevitable in most of the villages I visited in Vanni.

Since 2006, I had met families of Sinhalese killed in claymore attacks, suicide bombings by LTTE in rural villages such as Kebidogollwe, Moneragela. The sorrow I experienced with them and with the Tamils in Vanni was not very different. The tears and sorrow didn’t seem to have an ethnic dimension.

But how the society and government deal with these certainly seems to be on ethnic lines.

Society and the government had been quick to condemn killings by the LTTE and mourn with the grieving families. Sinhalese people killed by claymore attacks, suicide bombings had got death certificates, compensation from government and even business groups. They all had funerals, often with media coverage, even state patronage. I had seen these on TV, in newspapers, and saw and heard from family members and villagers. I felt these were some basic

measures, even though we all know lives lost can never be compensated.

But there seems to be a reluctance of Sri Lankan society and the government to mourn and grieve with the Tamils who had lost thousands of loved ones within a few months. The large number of Tamils killed don't have death certificates, no compensation, no funerals. "We had no time to mourn, leave alone a funeral. We had to run over the dead bodies, just to save our own lives" one woman whose two children were killed told us.

"About 25 have been killed in this Grama Seweka division. I can easily collect the details of those who have been killed in the village, witnesses etc., and assist people to get death certificates and compensation. But I have not got any instructions from the government. I think the government wants to cover up that so many people were killed. I'm scared to do anything by myself as I might fall into trouble" said one Grama Seweka in a village in Manthai West division when I asked him about this.

I tried to find out procedures for obtaining death certificates, but was not successful. In the Vidathalthivu area, I was told there was a mobile clinic to issue birth and death certificates, but that all applications for death certificates were rejected.

Families of those missing, detained, injured

Families of those killed were not the only ones who were crying.

Many didn't know where their loved ones were living or dead. And if they are living, where they are. Most had seen their children, husband, brother etc., go off with the army. Subsequently, they had searched in IDP camps, detention centres, hospitals, with relatives. Except few, many had failed to find their loved ones.

"I live crying everyday, and searching for my 3rd son. He was injured and taken to a hospital by the armed forces. I heard that he was in Mannar hospital and I went there. With help of Police there, I could find the name of my son on the register. I was told by the hospital that the Army had taken him away after

getting him discharged. But I couldn't find the Army officers who had taken him. I can't find my son. Who will find my son? There are so many mothers and fathers in this situation. Can those who have elections find our children?" was what a mother from Krishnapuram told us.

In April, I and some friends joined an 67 year old man now in Zone 4 of Menik Farm IDP camp (Chettikulam, Vavuniya district) to find his missing son. We went to Padaviya hospital where the son had been admitted after being evacuated from the Vanni by the ICRC in March 2009. Padaviya hospital records showed that the son, who was mentally retarded and unable to walk, was indeed admitted and had been transferred to Vavuniya hospital. When we came to Vavuniya hospital, there are no records of such a person being admitted.

Many others I met had similar stories.

In every village, I would also meet people whose children and family members are being detained, for almost a year and some for many years. They have not been charged in court of law. And have limited access to friends, family and no access to ICRC and lawyers.

"I have come back to my village. I could probably build my house. But my son is a prisoner. I don't know when he will be allowed to come home. First the LTTE took him and now the Army has taken him. How can I be happy at coming back when my son is still a prisoner and I don't know what will happen to him" asked a mother with tears in her eyes.

Each time I visit the office of the National Human Rights Commission (NHRC) in Jaffna and Vavuniya, I run into anxious families, glancing through the list the NHRC had displayed. This list has a round one thousand names of people being detained in Boosa detention camp and elsewhere. But the government officials have claimed over 10,000 are detained in Vavuniya alone. Many thousands more are in detention facilities all over the country.

But these helpless families don't have access to a centralized list with any government or independent

agency, to check and see whether their children or loved ones are in any official detention facility.

Fear of Sinhalese domination

In the interiors of Vanni, I could see many sign boards in Sinhalese. Despite the fact that almost all the civilians in Vanni are Tamil speaking now, Tamil language was visibly absent in many sign boards.

Some places and names had been given new Sinhalese names by the military. As I took a photo of a signboard in Sinhalese marked “Ali handiya” (meaning elephant junction) Along the Mankulam – Mullativu road, an army officer rushed to stop us and asked us why were taking photographs. We asked in turn about this board. “The Tamil name is too long and complicated, so when we took control of this area, we put this name, as this is much easier for us” was his explanation. My friend from Mullativu was inside the van, but kept quiet, but he couldn’t hide his anger and hurt afterwards.

Some of the signboards in Sinhalese are those with names of Sinhalese soldiers. Gamini Kularatne Mawatha in Pampaimottai and Ranawiru Abeyesundara Mawatha in Kalliyadi are examples. When I asked a villager what this meant, he said he thought it was their village name written in Sinhalese, and was shocked when I told him that it was not the village name, but a Sinhalese soldier’s name.

At the Mankulam junction on the A9 road, there is a signboard in all three languages. But in addition to the usual and accepted Sinhalese names, the board also mentions older Sinhalese names. “This is an attempt to show that these lands are Sinhalese lands” one Tamil priest told me.

Foremost place to Buddhism even in Hindu and Christian villages

A striking feature along the A9 road, in the Killinochi town is the large arch proclaiming “May Buddhism shine”. From what I understood from the civilians I spoke to, vast majority of the civilians were Hindus and a significant number Christian. However, there were of course no arches or boards proclaiming “May Hinduism shine” or “May Christianity shine”. The

Lumbini Viharaya, the Buddhist shrine in Killinochi town was spick and span and was obviously being given a lot of attention.

Compared to this, the Hindu kovils and Christian churches were visibly in bad shape, some were abandoned and buildings damaged.

Along the A9 road and the smaller roads in the interior villages, new and shining Buddhist monuments and statutes were visible. All of these were villages with large majority of Hindu and Christian civilian populations. I saw soldiers cleaning up an area in Mankulam with a Bo Tree, probably to put up yet another Buddha statue.

There was even a Buddhist dagaba in the premises of a Catholic Church which was occupied by the Army when I first visited Manthai West AGA division in Mannar district, immediately after people were allowed to go back. 09.

I have a lot of respect for Buddhism. But I wonder why Buddhism has to given such a prominent in villages where the civilian population is predominantly Hindu and Christian? Is it because our constitution has a clause saying “foremost place to Buddhism”? Or to show that Buddhism is the religion in Sri Lanka and people in Vanni had better learn to accept it now?

New monuments for the Army and destruction of dead Tamil militants cemeteries

Along the A9 road such as in Killinochi and Elephant pass as well as in interior villages such as Pooneryn, there were monuments built by the military. These symbolize victory for the military and the government, but for most of the Tamils I spoke to these monuments symbolize domination of their lands by the Army. And glorification of a war that killed and injured thousands of their loved ones.

There were no monuments for the thousands of Tamil civilians who were killed and went missing in the war. I asked many times, in many places from many people about any monuments to remember the thousands of Tamil civilians killed and gone missing, but there were none.

Making this worse is the destruction of cemeteries with dead LTTE cadres by the Army. I saw at least one in Vanni, while I had seen such destructions in Jaffna as well. Despite its brutality and record of violence & killings, the LTTE had a tradition of respecting its dead cadres and this had provided family members and friends to visit the graves of their loved ones and conduct religious and cultural rituals, especially on special days such as birthday and day of death. Now, family members are compelled to gaze emptily at gravel heaped together.

Re-displacement and occupation of land by Army

In my most recent visit to the Vanni, earlier this week, I went to Eechalavakai, along the Periyamadu Road from Vidathalthivu, in the Mannar district. There, I met some people who were still living in tents in a common village land as displaced persons. Amongst them was a 10 day old infant.

“We were told by the Divisional Secretary that we can go back to our lands. So we came from the camps. But when we came and started to clean up the land, the land we have been living for more than 25 years, the Army came and told us to go away. When we asked why, they told us that they are going to take our land for a Army Camp” one villager told us.

Later, we were shown their lands, in nearby Sannar, where notices were pinned to trees saying “This land is reserved for Army”

Houses

Most of the houses had been damaged. Most people I met were living in temporary make shifts tents built with canvas and tin sheets provided with foreign aid. Many more were living in makeshift houses that were damaged. When I first visited Adampan, some people were living in a church.

We also saw a number of houses destroyed. Some were totally destroyed and will have to be built from scratch. Others were partly destroyed, but parts still standing.

I was told by people that while some houses were damaged during actual warfare. In case of other

houses, people had just abandoned their houses and left as the Army advanced. Several had been converted as bunkers by the LTTE. Others had been occupied by the Army. Some are still occupied by the Army.

Basically, there was hardly any house that was in good shape that I saw. Except some that were occupied by the Army.

“The house we built had to be abandoned during the last phase of the war. When we came back, the house had no roofs, windows, doors. There was not much fighting in these areas. Who took these? Why did they take these? What was the connection between war, terrorism, LTTE and the roof, windows and doors of our house?” questioned a Principal of a school close to Killinoch town.

“When we came back (after displacement), we found that roofs, doors, windows of all houses were missing, except one house. The remaining house with roof was because the army had used it as their camp. Valuable household items were also missing” commented a middle age man from Vattapalai, close to Mullativu. Another middle aged man from Katsilaimadu, also close to Mullativu showed visible anger as he told us “I have heard that doors, windows etc. is available for sale. This means selling our own things that were stolen from us. There was no war in these areas, we left everything. Walls of houses are there. But nothing else.”

Education

Along the A9 road and along the interiors, we saw many school children. Some schools buildings had been renovated some had not been repaired after been damaged or abandoned. And there were many classes being held in the open air under trees.

In one of my visits to Thevanpidy, I was surprised to hear that that the whole Church, the residence of the priest and even the garden was being used for the school, as the school itself had been damaged. In a subsequent visit this week, I learnt that some classes are still conducted inside the Church.

One of my friends from Jaffna, is now teaching in this school. “We do our best to teach our children. But we who try to educate the children have no hostel or proper facilities to stay, while the Army and Police have good buildings” lamented my friend, who stays the weekdays in the makeshift school and travels every weekend to Jaffna to be with his family.

We had the chance to chat with several students, teachers and principals and one Deputy Zonal Director of Education, who I met by coincidence in the train I was travelling to go to Vanni. Below are some of the stories we heard:

In Panikankulam Government Tamil Mixed School, along the A9 road, we found that there are 19 teachers for 18 students. However, teachers have to travel 2-3 hours, and some even more, from Jaffna and Vavuniya, on a daily basis. A free bus service was provided till the Presidential elections of 26th January, but since then, the teachers have to spend a major portion of their salary for transport.

But in other schools, there was a clear lack of teachers. One Principal there were no teachers for Mathematics, Science and English

We met some students (aged 17-18) who had sat for the G.C.E Ordinary Level examination in December 2009, and were now volunteering as substitutes for teachers

At the time we visited in February, we learnt that only 10 of the 54 schools in the Thunukai division had started. 18 out of 29 were functioning in the Poonagary division.

At least in two schools, we heard that children walk at least 8km a day (4km either way) to go to school, as there is no bus service or any other transport system. Some children have also been compelled to travel far to distant schools, as schools in their villages had not reopened

Several children told us that they had not received text books or even copy books

We observed that some children were in school uniform, while others were not in uniform. “Many children don’t have uniforms, they have not been given uniforms and parents don’t have livelihoods and can’t afford to buy school uniforms. So we allow them to come without uniform” explained one Principal.

Most of the support for students comes not from the government, but from UN. The UN’s World Food Program (WFP) was providing mid day meals to some school students. One Principal told us the WFP subsidy comprises rice, dhal and cooking oil and is an average of Rs. 2.00 per student

UNICEF provides most other materials, from mats for children to sit on (both indoors and classes under trees) as well as school bags, books, tools etc.

Several Principals and teachers also told us about teachers and children who had been killed and injured during the last months of the war. Principals also reported about their students who had been abducted /recruited by the LTTE. One Principal added some students forcibly recruited are now detained by the government

Military restaurants and people’s restaurants

One of the initial sources of livelihood when people went back to villages in the Vanni were the small tea shops that they set up along the A9 road and other roads.

But these were overshadowed by the bigger, better looking and better equipped “Janaavanhalas” (People’s restaurants) put up by the military. Each and every time I go along the A9. There appeared to be more military run restaurants than before. In the small Paranthan junction, there were around 10 such restaurants, run by various divisions, brigades of the military.

“We have nothing, had to start from scratch and wanted to slowly build up business. The Army has the resources to put up big structures, refrigerators, tables, and chairs etc., also people to work. Visitors coming in buses and vans from the south go to the bigger restaurants run by the Army. Most of the visitors are

Sinhalese from the south and maybe they prefer to go to the restaurants run by the Sinhalese soldiers. So although thousands of buses and vans go on the A9 road, we have very little business and it's very difficult to build up and develop our tea shop" was the grievance of one elderly women, at whose small and basic tea shop I had stopped to have some tea.

Cultivation and fishing

As I visited the Vanni, I was struck by the fertile land and greenery, especially around Adampan. It was refreshing to see that some farmers had already started cultivation in these areas.

However, in most parts of Killinochi and Mullativu, there was no cultivation yet and I heard despairing farmers waiting to start cultivation. Some had received some agricultural tools, but no seeds. Most importantly, many still didn't have access to their farmland. Some remain occupied by the Army, some areas are claimed to be still not demined and other areas simply declared off limits without reasons.

Fisherfolk on the western coast have been more fortunate in terms of easing of restrictions since the end of the war. Restrictions still apply however, such as around Iranathivu, Periyathivu, Sinnathivu, all of which are occupied by the Navy.

Some fishermen complained to us that the Navy had beaten them. "We thought the restrictions were lifted and went nearby these fertile areas for fishing. But we were beaten by the Navy and told we can't fish there as the area belongs to the Navy. At least they could have informed us without beating us" was what a group of fisherman told us.

A major problem these people face is the lack of boats and nets, as most of these had been abandoned when they fled for their lives. Most boats and nets were lost, while others are damaged. Some said boats had been stolen. "There were about 250 boats in our village, but now, there are only 3 left" one fisherman told us. Another fisherman told us that they can earn about Rs. 1,000.00 per day when they go fishing, but they only get the chance to go once a week on average, due to lack of boats.

Government servants such as the Grama Sewekas, Divisional and District Secretaries and their staff, health officials, teachers and education officials have also returned to work.

Freedom of Association

The government is also trying to restrict any peaceful mobilization, collective action of empowerment of people in the Vanni.

The Presidential Task Force headed by the President's brother Basil Rajapakse had granted permission to some NGOs to launch some projects to assist people in need of assistance. "But permission has been granted only to build houses and infrastructure and start income generating activities. Permission has been rejected for counseling, capacity building and empowerment activities. So we are restricted in what we can do" said one head of an NGO based in Mannar, which is keen to assist people in Vanni.

"We tried to start a small association to help people who were helpless. But the army doesn't allow us to meet" an elderly gentleman told us in Vattapalai, close to the Mullativu town.

What does the future hold for Vanni?

Vanni people had suffered a lot. Under the authoritarian rule of the LTTE when people, including children, were forcibly recruited to fight, dissent was punished and many lived in poverty. Then during the war, where entire villages were displaced more than ten times, some had been injured, all had lost properties, and most have had their loved ones killed, missing and detained.

So people I met in Vanni are happy that the bombings and shelling have ceased. They are relieved to have been allowed to go back, after multiple displacement and subsequent detention by the government.

But they still face an uncertain and fearful future.

Most people in interior villages live isolated lives, surrounded soldiers they fear. Men live in fear of being abducted or detained. Women and girls live in fear of

sexual abuse. They also fear domination of their lives, lands and culture by the Sinhalese and Buddhists.

Students are concerned about access to educational facilities. Farmers and fisherfolk await opportunities to engage in their traditional livelihoods.

Even those who had suffered under the LTTE and had opposed the LTTE are saddened as the cemeteries of Tamil militants are destroyed and monuments are built by the military and for Sinhalese soldiers

And the despair and fear worsens as the rest of country prepares for a massive celebration of a war victory, while people in the Vanni cry over their dead family members, try to trace their missing family members, try to recover from their injuries, await release of detained family members.

Divisions between Sinhalese & Tamils, North & South become clearer as the Sinhalese in the South celebrate and Tamils in North mourn for the same occasion. If Sri Lanka is a home to one family, where Sinhalese and Tamils are brothers and sisters, what we might see on the occasion of one year since the end of the war is something like having a funeral and a wedding in two rooms of the same house for two children of the same family.

One year after the end of the war, reconciliation would be a hollow and empty word unless concerns such as the above are not addressed.



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WINNING THE INVISIBLE CONFLICT: Is Sri Lanka headed for sustainable peace?

By Pushpi Weerakoon

GROUNDVIEWS June 2010

Background

On Tuesday 19th May 2009 – the day after the death of Velupillai Prabhakaran, leader of the Liberation Tigers of Tamil Eelam (LTTE) – Mahinda Rajapaksa, the President of Sri Lanka, declared victory over the Tamil Tigers, bringing to a close 26 years of conflict. With the routing of the LTTE, and the reclamation of all occupied territory, it was announced that the conflict in Sri Lanka had come to an end.

The cost of this declared victory was immense. At least 90,000 people were estimated to have been killed, the majority of those innocent civilians; hundreds of thousands were internally displaced, and interned, having lost everything they owned; tens of thousands of families were left without an adult who could earn a livelihood; and over 10 percent of the population were estimated to be suffering from trauma – many of them orphans, widows, and ex-combatants. The cost of conflict was not merely human. For decades Government spending has been ploughed into the military machine rather than servicing economic and social growth; 60% of homes in the north have been seriously damaged by fighting, whilst infrastructure has been devastated; uncertainty and lack of opportunity have led to Sri Lankan ‘brain drain’, with many highly educated and skilled people of every ethnicity leaving these shores; and investment potential has not been realized.

Creating Order from Chaos

In the chaotic immediate aftermath of the conflict, over 250,000 people were detained in holding centres; the army grew, the defense budget increased, and the newly liberated Northern Province became a security zone, raising international concern. Since then, however – though it has taken its

time – a degree of order has been restored. According to the UN Office for the Coordination of Humanitarian Affairs, 216,000 IDPs have returned home, with 73,000 remaining in camps; the land is being demined; investment is returning to the North; and a number of government and INGO schemes have been launched to create sustainable livelihoods and develop much needed infrastructure.

Despite world recession, the economy has picked up; share prices have risen; and Sri Lanka has been touted as one of the most favourable investment opportunities in South Asia. Significant trade deals have been secured with China and other Asian neighbours; tourism is up 50% on last year; and an IMF loan has been secured to support the country’s restoration.

The recently concluded Presidential elections reelected president Mahinda Rajapaksa, achieving just shy of a two-thirds majority; emergency powers have been partially relaxed; and the President has declared his commitment to national unity through the appointment of an eight member ‘Lessons Learnt and Reconciliation Commission’.

In Search of the Truth

In constituting the Commission on 15th May 2010, the President stated that ‘having regard to the common aspirations of all we have collectively resolved that our people are assured an era of peace, harmony and prosperity’. The Commission is charged with conducting enquiries and producing a report which will – amongst other objectives – propose measures ‘to promote further national unity and reconciliation among all communities’.

This is a bold statement of intent, and one which has been viewed with some skepticism

within, and particularly beyond, Sri Lanka. Critics point to a general absence of concrete measures of restitution and reconciliation over the preceding 12 months. Stability and security have undoubtedly been reestablished, but at the expense of human rights, and the Convention to which Sri Lanka is a signatory. Concern has been repeatedly expressed about the detention and treatment of civilians, the harassment of the media, the lack of an independent judicial system, and the opaqueness of the democratic system which saw the leading presidential opponent to Mahinda Rajapaksa, Sarath Fonseka, forcibly incarcerated and awaiting trial. International concern has resulted in punitive measures, including the loss of the GSP+ trade preferential status, valued at an estimated \$135million, and arguably contributing to a drought in international aid – with the UN reporting that the country is only receiving 24% of the donor monies it requires to support the necessary development activity.

The Commission is a late but welcome initiative to counter international accusation. Yet some suggest that the Commission itself has only been established in an attempt to deflect interest from the findings of the UN ‘Panel of Experts’ tasked with looking into human rights issues in Sri Lanka, announced by UN Secretary-General Ban Ki-Moon in March 2010, and that its report will be valueless. The proof of its worth will be in the recommendations that the Commission makes, and in the degree to which those recommendations are implemented.

Origins of the Conflict

Before looking towards the future, it is necessary to look to the past. The root causes of the Sri Lankan conflict pre-date the country’s independence. In 1948, at the handover of power, the position and influence of Tamils over many institutions within the country was disproportionate to the size of the Tamil community itself. Moreover, the Sinhala – though a sizeable majority within Sri Lanka – recognised a potential threat in the greater Tamil majority across the shallow waters in India. Ethnic differences were exacerbated by different religious, social and cultural practices, and though these were partially integrated, both ethnicities were proud of their identity, and perceived it to be at threat from the other. Almost the only constant

through time from any ethnic group in Sri Lanka – for the Muslim community should not be overlooked – has been a reluctance to concede sufficient ground to forge a truly plural society. Discontent has always threatened to flare up into conflict on a local, regional or national level, as the desire to assert identity and self-hood overwhelmed a desire for coexistence.

The formation of the LTTE was initially an embodiment of Tamil disillusionment and loss of identity (to counter the strong identity of state, which assumed a predominantly Sinhala guise), though it went on to assume a grotesque identity of its own which bore little resemblance to the aspirations of most Tamils. Few people, of any allegiance, would argue against the need to break the LTTE because of what it was (though not for what it purported to represent ideologically.) Through time, the LTTE demonstrated that it harmed all communities and represented none. It was arguably more interested in its own struggle and survival than in the creation of a state of Eelam, instinctively recognizing that a peaceful solution of any kind would not have suited it, since neither Prabhakaran nor the organisation itself would have had a place within a united state. The LTTE was led by a despot, with no real intention to deliver anything other than instability; and its means was a corps of exploited individuals, indoctrinated within a fanatical culture, too young to have known anything other than war. The continuance of the LTTE lay in the continuance of the conflict, and the LTTE’s behaviour demonstrated such – proving more extreme the more their powerbase was eroded.

On the 18th of May 2009 I was up early to join the walking meditation conducted by my professor John Paul Lederach before his ‘Moral Imagination’ class began. It was at this moment I heard about the historical victory. I have never wished that I was home as much as I did that day! But all I could do was to send a message from the ‘Father of Conflict Transformation’ to my people back home:

As he states, the mistake to be made is in supposing that eliminating the LTTE equates to eliminating the conflict. Though the conflict with the LTTE is over, the root causes which in part were responsible for giving

that entity its birth have yet to be addressed. Underlying ethnic divisions remain, fuelled by a sense of inequality and discrimination, and manifested by lingering suspicion and fear. The purely military solution that the Government of Sri Lanka both promised and delivered on has merely eradicated extremist opposition. It has not – in itself – reunited the people of Sri Lanka. Necessary as it may have been, a military solution alone can never do more than contain or prevent the appearance of discontent. It cannot address the root causes of conflict. Nor can it convert a culture of suspicion and fear into one of mutual trust and respect, which is needed to forge national unity.

A Process for Reconciliation

In scope, the Commission's mandate encompasses a broad range of investigation – from 'whether any person, group, or institution directly or indirectly bears responsibility' for the failure of the 2002 ceasefire and the sequence of subsequent events, to lessons learnt, restitution and reconciliation. The wording implies a desire to seek both accountability and justice. These are both virtuous aspirations. However, if the Commission is truly to support the process of national unity, these terms require some definition. Accountability needs to range across all stakeholders who were engaged in the conflict – not merely the defeated party – and should embrace the accountability of the commissioning agent to act upon the recommendations received. Justice may follow judicial system, particularly in relation to criminal law, but it should also be restorative.

Almost exactly three years ago, an article in the Daily Mirror, entitled A Need for a Truth and Reconciliation Commission for Sri Lanka, argued strongly that 'a wrong committed against a person or against a collection of persons is tantamount to a wrong against an entire nation', and that 'a consensus of the whole of society that... justice must be rendered to the nation as a whole' – enabled by a determined leadership – was needed to bring about unity. All people are equal in a democracy; and people need to participate for democracy to survive. These are fundamental truths which need to be asserted most when the state needs healing and making whole. Under such circumstances,

the most appropriate form of justice is restorative not criminal.

So what exactly is restorative justice? According to Dr Howard Zehr, my Professor of Restorative Justice at the Center for Justice & Peacebuilding at the Eastern Mennonite University, restorative justice 'involves those who have a stake in a specific offence collectively identifying and addressing harms, needs and obligations, in order to heal and put things right'. It requires recognition of the people who have been hurt, and what they need (in order to alleviate that hurt). Similarly, it recognizes who has an obligation for causing that hurt, and what process can be put in place to make things right. It brings two parties together in the understanding that unless and until the truth has been told, however unpalatable it might be, in the open and forgiveness sought, there can never be any reconciliation. This is true whether it be two individuals, two factions, two communities, two ethnicities/cultures or two countries. Restorative justice is about healing, not judgment; about recognizing the uniqueness of a situation and individuals, not blindly following the rule-based system of law; it is about compassion not control; about dialogue not advocacy; about recognition of the harm, and not apportionment of guilt. Restorative justice empowers people who are typically silenced or marginalized; it deals with people, not process and system; it builds rather than fragments communities; and it is cathartic – a legitimate end in itself.

Restorative, participative and transparent justice is not new to Sri Lanka. The Gamsabhawa (or village council) had a mandate to maintain local peace and harmony by facilitating the amicable settlement of disputes, which dates back to 425BC. Similarly, the head priest of the village temple took an active role in dispute resolution. Both processes were traditionally conducted in the open air – in a shed without walls, or under a tree – where any member of the village could come and observe, or give testimony that would be taken into account in the matter heard. Both offender and victim were given a chance to relate their side of the story, to explain what had happened and how they felt. When all had been heard, the community as a whole decided what recompense was due the victim,

what justice should befall the offender, and what action was needed to ensure that the incident would not ever happen again. There, in the open, before so many witnesses, there could be no deception or manipulation – either in the telling, or in the process that followed – and the strength of the community was such that all were keen to keep it together, rather than fragmenting, punishing and bringing shame.

What We Should be Mindful of for the Future

With the passing of the first anniversary of the end of the conflict, the government and the civil society must be mindful of the dangers of suppressing the needs of victims to express themselves and find their own individual and collective peace, whether through excessive security, undue force or exploitation of their vulnerability. We should take care not to create space for further discontent or the potential uprising, destroying yet more innocent lives and valuable infrastructure as has been witnessed in Angola, Bosnia and former Yugoslavia. Instead, we should draw on the examples of building sustainable peace, as has been achieved in Mosambique, Northern Ireland and Nepal, as articulated by Dr Brubaker in my interview with him:

Victory breeds hatred in the conquered. The defeated live in sorrow.

Giving up both victory and defeat, the appeased live in peace.
Dhammapada, 201.



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Sithuvili: On war's end and a year later...

By Chaminda Weerawardhana

GROUNDVIEWS June 2010

Prelude: The following is a 'fragmented reflection', on present-day Sri Lanka, war's end and related issues. The objective was to capture the thought process of a citizen 'thinking' about these issues as realistically as possible, hence the fragmented nature of the rendering, and the frequent passage from one point to an(unrelated)other.

A war was thus fought. It all started decades ago, when the colonial alcohol was well-absorbed into her, leading to inevitably sheer tipsiness, and the long-lasting 'hangover' was just about to begin.

As some said Sinhala should be the national language of independent Ceylon and Buddhism the state religion, some others felt insecure and concerned for their future in the island. Insecurity is a dangerously devastating feeling that's always better avoided but virtually impossible to avoid, when going through tough times. The rest is largely history. Key events in the storyline include the following, among a trillion others: triumph of one shrewdly intelligent man at a Westminster style general election in 1956 (a sharp contrast to the 2010 Westminster elections in the UK, that, according to a Sri Lankan writer, saw the 'black-out' of 'Brown'), nationalist campaigns against the recognition of minority rights, assassination of the Prime Minister in his private office in broad daylight, and thereby exploiting 'widowhood' to produce the world's first female Prime Minister, ethnicity-based legislation at university admissions, youth unrest, bloodshed, stagnation and the meanderings of the Executive's *pouvoir absolu* since the enactment of the Constitution of 1978.

From a post-2009 vantage point, and reflecting from afar, one is strongly struck by the feeling that all this sounds extremely

surreal. From relative peace and economic stability, the island nation plunged into a dark age of desperation, hopelessness, violence and ritualistic politics of patronage, 12th century-style. The last twenty-six years were the toughest, a time when policymakers, the educated and sophisticated middle classes, and ministers of religion of the multitude of faiths practised there, could not raise a finger while well over a hundred thousand people (the figure could be much higher) died, thousands abducted and hundreds of thousands disappeared. Except once when the corps of an abducted (young and highly skilled) journalist was swept to a beach in Colombo by the rough waves of the Indian Ocean, next to nothing was ever heard of those abducted. They just ceased to exist. The numbers of children forcefully engaged in military training, young families torn apart, young children who died, are obviously uncountable. From Premavathi Manampéri to young Krishanthi Koomaraswamy (and to thousands of unnamed young women of 'our times'), womanhood was doomed, all this in a country where a Sorbonne/Sciences-Po educated, multilingual, cosmopolitan, liberal-minded, internationally respected and highly cultured lady (i.e. *femme cultivée*), with a strong mark of being a young Parisian of/ from 1968, held the Gaullist executive presidency for some eleven years.

While inside was chaotic, one wonders how the chaos was felt outside. As qualified professionals packed their bags, obtained immigrant visas, and flew away to English-speaking greener pastures, other less qualified fellow citizens had a tougher time. The former category would settle in comfortably in their adoptive homelands. They would obtain citizenship, their children would easily mingle into the respective local societies, and in a world where 'racial

profiling' (i.e. judging someone exclusively on his/her race/ethnicity, to give an example - in UK academia, if someone with a South Asian face and tanned skin is to say that s/he has an academic interest in the politics of European integration or European border studies, many are the {Caucasian} academics who would look at you the way they would gaze at a strange animal) is still unfortunately the norm, this writer can proudly write of a substantial proportion of his fellow countrymen/women in expatriation who have been broad-minded enough to venture beyond the shallow boundaries of race, ethnicity and the ever-ridiculous east-west trash in shaping their personal and professional lives. By and large, the educated and highly skilled Sri Lankan expatriate remains a global citizen, and is capable of standing second to none in an increasingly competitive world. This is the 'grand' Sri Lanka, like the 'grand' Dublin of Ireland, where people would speak in the 'grand Dublin accent', study at Trinity, are wealthy, widely travelled and highly sophisticated (NB: the contrast between the Grand Dublin and the rest of Ireland has been considerably thinned in the last few decades, yet its presence continues). It is the Sri Lanka recognised and respected beyond the island's shores, a minor example being the only former Head of State still alive being invited as Guest of Honour at a private dinner reception hosted last year by the Lord Hameed of Hampsted, a highly respected life peer in the British House of Lords.

Let's talk about the flipside. This writer once heard the story of a man (a Tamil man, to be precise), who landed in Paris, immigrant visa sorted by his relatives already living in the outskirts of the city. He found work as a kitchen aid in a restaurant, and the smallest possible chambre de bonne, i.e. an attic room on the very top floor of a 6 to 7-floor immeuble Hausmanien. He had to cook his dinner on the rooftop of the building, learn French and adapt himself to a whole new way of life. A few years later, he arranged for his wife and seven year-old daughter to come over. His wife ended up being psychologically affected by the move, coupled by the physical nightmare of asthma. His daughter underwent bad experiences at school, and ended up becoming a psychologically fragile individual. This is just one fragmented anecdote, and worse stories galore in the streets around Gare du

Nord, the tiny but bustling Sri Lankan (predominantly Tamil) neighbourhood of Paris. The large majority of expatriates from the Tamil community, especially those who left the island during the post-1983 phase and those who (unfortunately) are not part of the educated Sri Lankan elite, have had to reshape their lives the tough way, demonstrating strong willpower to reshape lives fragmented by civil strife and ethnic politics.

It has been well documented that the larger portion of the Tamil Diaspora harbours rather surreal conceptions of Sri Lanka, which continue to exist in the post-2009 phase. In the pre-2009 era, many expected Thamil Eelam to dawn, so that they can pack their bags, withdraw their savings, and fly down to Eelam. The year 2009 saw their tremendous attachment to their convictions regarding Ilankai, their native land. While Parliament Square in London was full of Sri Lankan, British and Anglo-Sri Lankan Tamil protesters, a young man burnt himself alive in Geneva, the same metropolis where yet another fellow countryman, a highly erudite Sri Lankan (Sinhalese) scholar was working hard at defending the interests of the Sri Lankan government, in a diplomatic capacity. Similar protests were the norm everywhere Tamils live in significant numbers. This activism helped increase international awareness on the Sri Lankan conundrum, and made the Miliband-Kouchner duo visit Colombo on what may be termed one of the most futile of Franco-British diplomatic ventures of all times. Meanwhile, Colombo's diplomacy, where diplomacy was probably perceived as similar to breaking up a big estate into small plots of land and selling them at competitive prices (discerning readers familiar with Sri Lanka may understand), plunged into unpopularity, with the Swedish Foreign Minister being denied diplomatic entry clearance, during the Swedish Presidency of the European Union (the list could go on, and is better reserved for a different article).

While an American lawyer was working hard documenting rights violations by the former Sri Lankan army chief, the same army chief was being approached by opposition politicians, and in the aftermath of war's end, positions changed in a dramatic swing, making a one-time army chief a presidential hopeful, then a possible leader of an

opposition coalition and finally a political prisoner. As one journalist was killed on a busy Colombo road and many others were beaten up, journalists left the island in large numbers. Those aspiring positive transformation of Sri Lankan politics and society, who want to see Sri Lanka becoming a modern, cosmopolitan society are left increasingly sceptical, as what resembles a constitutionally-empowered monarchy makes itself comfortable in the post-April 2010 phase of Sri Lankan politics. The national cricket team, Lanka's apple in the eye, led by a well-educated, handsome and extremely talented young man, is facing major challenges to move forward due to undue political interference, and those whose hunger for fame and power knows no bounds.

Now, a word about the media in an apparently democratic state. The state-owned media remains thoroughly uncritical, and exclusively focuses on endorsing the government in power and its policies. The private (both print and electronic) media institutions are under pressure, while some of them have resorted to 'go with the flow' and follow suit by adopting a clearly pro-government stance. The artistic scene is in lethargy, with a precarious film industry, where the 'creative freedom' of filmmakers has been substantially curtailed. The media (and those in charge of the media in the central government) comfortably forgets that it has a major role to play in making contemporary Sri Lanka a more tolerant, modern, physically, mentally and sexually liberated and critically-minded society. Instead of challenging heaps of existing prejudices – from socio-political inclusion to sexuality, Sri Lankan media thrives cultivating prejudice and sociocultural stagnation.

One key factor in post-war Sri Lanka that bothers this writer is Sri Lanka's foreign relations, her standing in the international community and her credibility as a modern state. Whoever is in charge of Lanka's post-war diplomacy ought to have one objective: make Lanka a forerunner, in terms of a booming investment market, using diplomacy to transform higher education (i.e. create a modern, world-class university system that stands in par with such systems in the so-called 'west'), working hard to ease travel hassles for fellow citizens, put a stop to 'Middle-East housemaid' foreign

employment and enable more people travel as professionals to states where fundamental human rights are respected, and the list goes on. In reaching such a colossal goal, what foreign policy framework are we to adopt? Bonne question. Is it one that slyly shakes hands with Mr. Ban every now and then, where our Head of State sits next to the Libyan leader in an Isurumuniyapem-yuwala-reminiscent pose, makes the Islamic Republic of Iran and Myanmar's Junta our foremost allies and dances to China's tunes? Or should it be a more J.R. Jayawardene-like policy, with strengthened ties with Western powers?

While pondering on these questions, this writer came across a copy of the 2008 Dag Hammarskjöld Lecture, delivered by of former Finnish President Martti Ahtisaari. The latter is well-respected in the international community for his work in 'conflict resolution', but with due respect, this writer takes outright offence to the following paragraph:

It is good to remind ourselves about our Scandinavian and European roots and values, such as the rule of law and respect for human rights, which should have become global. The justification for advancing our values is based on their universal nature. At the same time, we should keep in mind how these values are being challenged in today's world. My career has been intertwined with conflict resolution and development cooperation and my work has always been guided by the common values laid down under the UN Charter (Ahtisaari 2008 10).

The opening statement of this paragraph makes a shallow affirmation subscribed to by many people around. According to this logic, the 'West' is the forerunner of human rights and the rule of law, and in places like Sri Lanka under the present government, the international community (i.e. the powerful and economically affluent western states) has to intervene and establish law and order. This is the root logic that runs behind the recent International Crisis Group (ICG) report on Sri Lanka. Interpreting the rule of law and respect for human rights as quintessentially 'European' or 'Western' values is a farce, and cannot be accepted in 2010. If contemporary Scandinavia stands as a part of the world where human rights are

respected and equality (in all respects) ensured, such feats were achieved after centuries of conflict, invasions, bloodshed, ideological and political conflicts over territory and blatant colonisation, such as the Danish colonisation of Iceland that lasted some five centuries. The story of the rest of Europe is even worse, and the 'liberal' society of contemporary (and post-1968) Europe was achieved after extremely long centuries of bloodshed, discrimination, trauma, violence and destruction. Forgetting history and making statements of this nature, guided by one's high position, international stature and the nature of the event is thoroughly deplorable. The values Ahtisaari mention are not Scandinavian or European. They are way more universal, and the reality is the other way around: Scandinavia and Europe resorted to comply by them at given stages of their histories. Appropriating such values as 'ours' or 'European' or 'Scandinavian' inevitably make you sound ridiculous, bullish, and conveys the impression that good Ahtisaari is a deeply prejudiced 'old lad', as the Irish have it.

In the global political zeitgeist of the present century, rule of law and respect for human rights are universal values, and no one can afford to claim them more than others, and/or associate them with one particular continent, skin colour or people (not going hors sujet, this is similar to the widespread assumption among many people in many parts of the world that to be a sexually liberated man or woman, one has to be white-skinned – otherwise, you are the *cheveu sur la soupe*, frequent victim of loads of stereotypes and *idées reçues*). If someone is to associate the above-mentioned values with one particular continent, s/he is practising a shameless and shallow form of race consciousness, making the discourse sound even white supremacist. If highly placed actors of the so-called 'international community' are to make open statements of this nature at a high profile event taking place in one of Europe's oldest and most prestigious universities (i.e. Uppsala University, Sweden), it is no positive sign, and is of no good neither to the so-called 'West' nor to any



state/community categorised by such international pontiffs as 'non-Western'.

This writer certainly does not mean to state that Colombo ought to follow its lately predominant trend of ignoring all international pleas for reconciliation, rights and rule of law. Here's the point: our foreign policy must develop a new discourse that suits the times, where respect for human rights, gender equality and the rule of law are OUR values (i.e. are quintessentially appropriated to Lanka and ingrained in policy-planning and implementation), a 'given', in an era that seeks to move towards a more promising phase of sociocultural socio-political and socioeconomic evolution. In this new logic, human rights transparency, rule of law and even a war crimes tribunal no longer become elements the 'West' is seeking to impose on Lanka, but what Lanka is striving to achieve, and is fully capable of achieving. Some readers may wonder if the present administration demonstrates sufficient willingness to go on a path of this nature. This is where the jigsaw requires to be put together: a more powerful opposition with a new and energetic leadership, increased civil society activism. Mr. Indi Samarajeewa's recent article 'The Liberal Circle Jerk', published in his blog, shows the limited scope of liberal civil society activism. Such activism definitely needs to be extended to a wider audience, both nationally and internationally, especially among target communities such as university students and young professionals, both in Lanka and in the

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Diaspora, across ethnic and religious divides. It is all about working together, building new partnerships and working hard to develop new discourses and shift public support towards human rights, the rule of law, a more accommodating and humane 'liberal perspective' on life and equality, especially in terms of ethnicity, gender, sexual orientation and social class.

Sources

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The HOPE in Sri Lanka after war was in 2009 Deborah Philip's first photo-essay to Groundviews anchored to a novel and compelling idea – to photograph people holding up a sign board titled HOPE.

Deborah Philip



Capturing HOPE in Sri Lanka through photography

By Deborah Philip



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FROM NECESSARY WAR TO SUSTAINABLE PEACE IN SRI LANKA

By Dr. Dayan Jayatilleka

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Interestingly of the four best pieces I have read on the first anniversary of the war, three are by Indian analyst/commentators, of whom two are military professionals: Gen Ashok K. Mehta's Manekshaw paper No 22 for the Centre for Land Warfare Studies (New Delhi) on 'How Eelam war 4 was Won' (which cannot be read by any patriot or anti-fascist without a lump in one's throat or mist in one's eyes), the piece by Col R Hariharan in The Hindu and by PK Balachandran in the Indian Express. The fourth is by a youthful security researcher Sergei de Silva Ranasinghe writing in the respected Australian periodical, The Diplomat.

Within Sri Lanka and among Sri Lankans, the debate on the war may be differentiated into four positions:

1. Those who condemn both the war and the voices that justify it and approve of its results (such as mine),
2. Those who applaud both the war and its aftermath, condemning both the critics of the war and the post-war present.
3. Those who criticise both the present policy of the state and the past of the Tigers, while either criticising or observing a vow of silence on the last war and the politico-military leadership that took it to success. This position is both intellectually dishonest as well as a-historical: it seems to assume that Prabhakaran and his Tigers were whisked away by a magician or wished away by pious preaching.
4. Those who advocated and supported the war and still do in retrospect, refusing to allow a reversal or revision of the 'correct historical verdict' that it was a necessary and Just war, while simultaneously seeking and struggling for a just peace. This stance holds that external-internal (chiefly

but not exclusively Indo-Lanka) dynamics would open space for the transition from a Just War and victory—which requires consolidation—to a Just Peace.

This last position (which I hold) is hardly represented on GV and may seem unrepresentative to the GV constituency, but its fundamentals ('we supported Sri Lanka's war and are pleased you won, but you must not waste time, and should move towards a sustainable peace based on a political settlement with the Tamils') are shared by all those states which supported the Sri Lankan war effort by military, economic and politico-diplomatic means, i.e. the majority of states in the international system, including all of Asia. More pertinently, all public opinion surveys, including the most recent (Colin Irwin's surveys of 2009 and 2010 for the Univ of Liverpool) reveal that in respect of its basics, this is indeed the position of the vast majority of Sri Lankans (anti-Tiger, pro-war, pro-victory, pro-Mahinda, anti-federalism, pro-enhanced provincial devolution within a unitary system). A trawl through GV archives reminds us of a 2007 MARGA institute opinion survey introduced and summarised by Godfrey Gunatilleke, revealing complete congruency with the Irwin surveys of 2009-2010. In 2007:

- the large majority — 84% — favour a total military defeat of the LTTE and recapture of the territory presently held by it
- While only 22 % approved a federal solution, most of the respondents — 87 % — were in favour of the provincial council system. 51% wanted the two provinces to be de-merged and continue as separate provinces

What is utterly significant is that no mainstream political formation, leadership,

or intellectual tendency comes close to this binary view. The government reflected and implemented the first part, which no preceding administration did. The CBK administration ignored the majority view on the second aspect, and toyed with the minority view, possibly under the ideological influence of the peace lobby. The Sinhala ultranationalists ignore the preference for provincial devolution, as do their targets and foes, the cosmopolitan liberals, who go for the federal model.

This brings us to the challenge of today and tomorrow. Provincial autonomy must be fought for because there is a serious danger that it will go by the board. It is a battle that can be won because there is a bed-rock of public opinion in favour and the realities of external factors and forces pushing (or at least nudging) in this direction. Ironically, the 'moderate' TNA and 'enlightened liberal' opinion is not for it; preferring to push for a federal or quasi-federal outcome. The problem is that there is no significant public support for it and enormous public opposition to it. As philosophical method cautions us, 'Is' cannot be derived from 'ought'. Realism teaches us on the contrary that 'ought' must bear relation to 'is', by which is meant that in order to be feasible, the ideal aim — 'ought' — must not be simply a wish-list, but a projection of the most progressive tendencies and probabilities of the present.

A sustainable peace is not easy to conceptualise. For it to be implementable it must be viable and for it to be viable it must guarantee security — both 'national' and 'human' — and be in accordance with the strategic needs of the Sri Lankan state. It is, in short, problematic and must not merely be prescribed but 'problematized' by public and policy intellectuals. Years after the war, the Sinhalese and the Tamils, the two major communities on the island have lessons to learn, but are they doing so? Will they do so? It is far too late in the day to place postures of politically correct punditry ahead of the political truth, however deep one has to cut and drill down in order to get to it and however deep the truth itself cuts when expressed coldly and analytically.

Antonio Gramsci drew an important distinction between the West and the East, by use of metaphor. In the East, once you capture the main fortress, you win the war, but in the West, you may capture the fort but then you see a complex network of fortifications and tunnels etc snaking all round. This spoke to the difference between the East where 'the state was everything and civil society nothing' and the West, where the opposite was true. Therefore in the East you can win by war of manoeuvre and frontal assault but in the east you have to fight a long and patient war of position, capturing trench by trench, which takes time. This is the strategy of the long march through the institutions, where one accumulates intellectual, cultural ethical and moral leadership, so that you have established consensus before the final a decisive assault.

Whether they know it or not, the same experience has been undergone by the Sinhalese and Tamils. Both the Sinhalese and Tamils thought that each other resembled a relatively simple 'Eastern' formation (in the Gramscian sense) which could be knocked out by a frontal blow, while the reality is that both have a 'Western' configuration, with significant complexity and 'reserves'.

The Tamils thought that Prabhakaran and his miraculous Tigers had punched the Sinhala armed forces into submission and always would. They did not understand that however many Mankulam (1990), Mullaitivu (1996) and Elephant Pass (2000) fortresses fell to the enemy, behind these forts and this army, were the Sinhala people who just kept resisting; refusing to give in. Similarly when the armed forces beat Prabhakaran last year and decimated the Tigers, the Sinhalese thought that the Tamils had been decisively beaten at Nandikadal and thus it would be easy to cow them. The Sinhalese did not understand that behind the Tigers were a globalised community, the mobilised Diaspora.

In my perspective on Sri Lankan politics, especially the politics of ethno-nationalism, I have gravitated to what might be called a combination of the Realist and Prudentialist schools. While the Idealists range from Kant to Kofi Annan, and the Realists range from Thucydides, through Machiavelli, to Lenin,

Morgenthau and Kissinger, the Prudentialists claim ancestry from Aristotle, Montesquieu, Pascal, and Tocqueville through to Raymond Aron. More recently the Prudentialist school became indistinguishable from the new Ethical Realist tendency (Anatole Lieven). I agree with those who consider the best post-war Western strategic and foreign policy thinkers such as Reinhold Niebuhr, George Kennan and Stanley Hoffman, to be Ethical Realists.

The father of the Realist school of political theory and international relations, Thucydides, tells us that as Athens grew strong there was apprehension in Sparta. Applying realism I conclude that the outbreak of the war was inevitable as was the LTTE's defeat. The policies and practices of the decade extending roughly from 1973-83, pushed the Tamils to the brink of what must have seemed like eternal victimhood and servitude. This posed an existential threat. The Sinhalese gravely underestimated the Tamils. Given their sense of selfhood, deriving in part from their numbers in the neighbourhood, their global spread, and the status they enjoyed in other parts of the world, they decided to make a fight of it. That much was inevitable. What was not was the nature, the character of that war; its duration and its dynamics.

A Realist reading would similarly yield the following conclusion: Given the sheer demographic weight and the fact that the Sinhalese as a collective are unique to the island of Sri Lanka, it was inevitable that they would fight back, especially when, with the CFA, the ISGA demand and the emergence of the LTTE air arm, it looked like the Tamil Tigers would establish a dominant position on the island while raiding the South at will, murdering its leaders and keeping the Sinhalese in their thrall. In this stage the Tamils and the West, underestimated the Sinhalese, and lost the war. That too was inevitable, given the numbers and the Sinhala sense that their backs were to the sea and they had no strategic space to retreat. Then, they morphed from lambs to lions, rose against the Tigers and devoured them.

The international targeting of Sri Lanka on this first anniversary of the victory in the war shows that the Sinhalese have once again underestimated the Tamils,

who despite their military decimation, have a significant global 'reserve army' and international leverage sufficient to bring an avalanche down on the head of the Sinhala leadership.

Following in the tradition of Thucydides, a Realist reading would remark that there are three strategic perspectives for and of the island. Some among the Sinhalese hold that though the island holds more than one community, given the overwhelming superiority of numbers and the civilizational-linguistic uniqueness of the Sinhalese, they must enjoy sole ownership of the island, while the minorities remain as tenants. The second perspective is that of many Tamils who hold that given their numbers off the island and their cultural-civilizational antiquity and achievements, they should have co-equal sovereignty with the Sinhalese over the island — that being the animating spirit from 50:50 to the ISGA/PTOMS.

The third perspective, which is the Realist-Prudentialist one that I share, is that given the existence of more than one community on the island, power and sovereignty must be shared between them all; given the Sinhalese specificity and huge demographic preponderance on the island that power and sovereignty cannot be shared equally and must of necessity be unequal and hierarchical; and given the external (regional and global) spread and demonstrated leverage of the Tamils, that unequal sharing cannot be quite as unequal as the Sinhalese would wish.

So the Realist-Prudentialist perspective would conclude that the solution is for both communities to accept that there will be neither sole ownership nor equal partnership but there will be shareholder ship by all communities; a shareholding in which the Sinhalese will have a majority but now quite as overwhelming as they would wish. The Tamil share or stake will not be merely tokenistic but they will be minority shareholders, even in combination with other minorities. This is the case because the domestic balance of power is such, and the Sinhalese have a much bigger stake, existentially, in Sri Lanka than does any other community. They cannot but be the major stakeholders of and in the island. This is a consociation

model of sorts but I would prefer to see it as uneven, hierarchical sharing of political space and power. It is not a model of Sinhala political monopoly, but of Sinhala political pre-eminence (hegemony?) in power relations. This is not to be mistaken for unequal rights the level of citizens: all citizens must have equal rights, in law and enforcement, be they Sinhalese, Tamils or of any other ethnicity. This is a model of equal citizenship but of unequal political power and influence; a domestic Yalta model. It is a model that is neither a hyper-centralised unitary one (1972-1988), nor a federal, still less con-federal one, in which the units have a veto (union of regions package, ISGA). It is a strong state, unitary not federal, centralised but not hyper-centralist, with a degree of autonomy that is sufficiently broad to be authentic and centripetal, but sufficiently circumscribed not to be centrifugal. After the war, the only serious conversation should be about negotiating the degree of unevenness in a necessarily, inevitably hierarchical of power relations in a structure of shared power and sovereignty among the citizens of our common island home. My personal perspective is that the deliberation should take place somewhere within the square constituted by the 13th amendment (1988), the draft Constitution of August 2000, the APRC Experts Committee 'majority report' (2007) and the APRC proposals of 2009.

Some may observe critically, that mine seems an ethnic if not primordial perspective, and that this is not the way things are in other parts of the world. However I am a universalist who has grown to respect the Aristotelian contribution of focusing on specificity and particularity, in historical time and geographic space. For instance, India has many nationalities and is thus multi-polar while Sri Lanka's demographic and power distribution is bi-polar, if not strictly on the island, then in a sub-regional frame. Our problem is to prevent the bi-polar distribution from becoming a perpetual zero-sum game. Singapore has four national languages, but its communities (Chinese, Malays, and Indians/Tamils) have a regional or global presence. The Sinhalese do not. The Tamils do. This means that the Sinhalese feel they cannot afford a level playing field. They are apprehensive about a trade off, in which they retain an uneven playing field with politico-cultural space at the periphery, because of the proximity of Tamil Nadu

and the fear of osmosis. This is why under Mahinda Rajapakse there is dawdling on movement in either direction: equality at the centre or space at the periphery. For better or worse, the Sinhalese do not have the external component of national strength and power, to avoid making reform on one or the other, without a world of pain being brought down on them. This past week's international offensive is just the arrowhead.

The Sinhalese simply do not have the strategic space to afford the generosity of conceding equal power on the island, but they do not have the strategic weight globally to retain sole power or sole ownership of the Sri Lankan state. They are simultaneously too strong (on the island) and too weak (off it). The Tamils are too strong off shore, to be crushed as a collective under the Sinhala jackboot though Prabhakaran was, but they are too weak on the island to carve out the political arrangement that fulfils their self image and self-esteem. A prudent, pragmatic compromise is imperative.

Departing further from postures of politically correct pedagogues, I would argue that a Realist re-reading of Dutugemunu (a reading I had ventured in print slightly a decade ago) would trace the contours of such a pragmatic compromise. Dutugemunu of Mahavamsa legend evokes polarised responses: hero to the Sinhala chauvinists, anathema to the cosmopolitans. In a pioneering and valuable critique Gananath Obeyesekere homed in on the consolatory episode in which the dying king is assured that his pangs of conscience are not in order. While I agree with Prof John Richardson that this prevented the 'Dharmasoka turn' on the part of Dutugemunu and thereby Sinhala Buddhism, my own point is the facile resolution of the question of violence prevented the wrestling between religio-philosophical ethic of non-violence and the state imperative of the use of violence, which in the Christian case resulted in the theology of Just War, which has become a part of secular political philosophy. But I digress: the Dutugemunu legend contains a doctrine which I believe to be the viable strategic solution of our dilemma.

The Dutugemunu doctrine is twofold:

1. The Indian ocean at our back and a Tamil kingdom in the North (with a Tamil hinterland further back) gives us little strategic space; given this strategic situation, a rival Tamil power centre on the North of the island will always be strategically intolerable and will have to be eliminated; The island's geopolitical situation dictates strategic uni-polarity. Thus, a unitary state, not federalism still less confederalism.
2. The Mahavamsa legend has it that having won the war Dutugemunu appoints a Tamil 'sub-king' to rule the area 'in accordance with the traditions and customs' of the area and its people. Thus devolution and autonomy, not demographic incursion.

Now, the cosmopolitan liberal idealists refuse to accept the grand strategic validity of Proposition (1), and the contemporary Sinhala chauvinists fail to practise, indeed do not accept the validity of proposition (2). The fact that Sinhala chauvinism has deviated from Dutugemunu is a massive vulnerability which cannot be exploited ideologically because there is no one to do so, since that would require acceptance of and adherence to Proposition (1), in order to have viability and legitimacy, and indeed strategic soundness. The two propositions constitute an inseparable, organic strategic unity; a strategic synthesis. What makes matters more interesting is that public opinion surveys from 1997 (available in a PRIO bibliography) right up to the University of Liverpool's survey of 2009-10 conducted by Prof Colin Irwin, reveals majority support precisely for the combination of the two propositions of my Realist reading of the Dutugemunu doctrine: strong centre, unitary state, no federalism or Indian model, tri-lingualism, zero tolerance of a parallel Tamil army, improved devolution and provincial autonomy.

I am a universalist-modernist who is also a pluralist, because I recognise uneven development. The universal is an abstraction which is mediated by the particular in order to become real-concrete. Some think that world history is heading in one political direction – which I do not, preferring to think that each model has its advantages and disadvantages and

that history remains open. Even though I respect and applaud genuinely universal norms and standards, I am enough of a votary of uneven development to know that not every state or society is at the same level of development as the other and that states have to go through a process of evolution. A reading of the Springtime of Nations, namely Europe in 1848, would reveal a picture of ethno-lingual nationalism as the propellant of nation building and a zero-sum game with minorities, rather like post Independence Sri Lanka. That first great wave of European nationalism and state-building left an unfinished problem of internal 'national questions'.

Sri Lanka, like many societies in the periphery, was impacted by colonialism with paradoxical results: one the one hand, internal development was retarded, holding back certain changes that would otherwise have come about, and on the other hand, accelerated certain processes 'artificially' as it were, rendering their results rather rootless in the native soil and consciousness. This is so in the matter of nation and state building. There are stages of political growth and Sri Lanka and many states in the global South at different stages of politico-historical development from those in the First world. Therefore, notions of nation, nationalism and nationality and concepts of citizenship are rawer and rougher edged, less refined and evolved. Is Demos of mature or mid-modernity, Ethnos of and in early modernity? We have a historical journey to complete, towards a universalism which accommodates pluralism; towards modernity, guided by Reason.



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Fighting Windmills? Diaspora and Militarism in Post-Conflict Lanka

By Darini Rajasingham Senanayake

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“Just then they came in sight of thirty or forty windmills that rise from that plain. And no sooner did Don Quixote see them that he said to his squire, “Fortune is guiding our affairs better than we ourselves could have wished. Do you see over yonder, friend Sancho, thirty or forty hulking giants? I intend to do battle with them and slay them. With their spoils we shall begin to be rich for this is a righteous war and the removal of so foul a brood from off the face of the earth is a service God will bless.”

“What giants?” asked Sancho Panza. “Those you see over there,” replied his master, “with their long arms. Some of them have arms well nigh two leagues in length.”

“Take care, sir,” cried Sancho. “Those over there are not giants but windmills. Those things that seem to be their arms are sails which, when they are whirled around by the wind, turn the millstone.”

—Part 1, Chapter VIII. Of the valourous Don Quixote’s success in the dreadful and never before imagined Adventure of the Windmill.

“Resisting the (terrorism) discourse is not an act of disloyalty, it is an act of political self-determination and it is absolutely necessary if we are to avoid another stupefying period of fear and violence like the Cold War. There is little doubt by now that terrorism discourse creates its own reality.

Joseba Zulaika in *Terrorism: The Self-fulfilling Prophecy* (2009: 2)

The weather gods have intervened to arrest the war gods in Lanka. Victory celebrations that were to feature military hardware, air power, and parades scheduled for V-Day on May 18, 2010 on Galle Face Green, while Colombo’s ordinary citizens were subject to yet another security lock-down to protect the Victors have been indefinitely postponed. Pre-monsoon rains and floods have displaced many poor and vulnerable families, living in “unauthorized shelters” (that the Urban

Development Authority now headed by the valiant Defense Secretary, Gotabaya Rajapaksa is given to knocking down), in Southern Sri Lanka. It is apparent that the funds and energy spent on victory celebrations, would be better spent on rehabilitation of flood victims (almost 500,000) and, one might add, the 50,000 war displaced Vanni IDPs who still remain in camps.

Since the war ended a year ago on May 19, 2009, there has not been a single “terrorist” attack in Sri Lanka, as Ravinath Aryasinghe, Lanka’s Ambassador to the European Union pointed out in Brussels recently. Yet the State’s (anti)terrorism discourse continues with rumors of the LTTE regrouping in South America. Ravinath noted that the war had moved with the Diaspora to the Western hemisphere; an overstatement that seems to be more in concert with the Colombo regime’s propensity to fight windmills à la the valiant Don Quixote, ever in search of villains on the horizon. Of course, a few ethnic entrepreneurs in the diaspora whose livelihood may depend on marketing “liberation” have announced a virtual state of Tamil Eelam in cyber space. This may not be the best way to keep up the pressure on the GoSL to treat its minorities right, since the declaration a Transnational Government of Tamil Eelam (TGTE) has been enormously helpful to those inclined to pursue post-conflict militarization and securitization in Colombo and the northeast.

Citizens of Lanka from all communities who were relieved and grateful to the armed forces for ending the war are increasingly confounded by the new (in) securitization and continued military footprint in Colombo, as well as, the permanent State of Emergency. The purchase of close circuit television (CCTV) cameras with training for

service personnel (in Singapore), to secure the posh neighbourhoods of Colombo's Cinnamon Gardens through which the Presidential entourage passes daily, is one such example of extravagance in the interest of post-conflict (in)securitization aka. fighting windmills. Meanwhile, on the roads dug up for CCTV power lines, an unsuspecting pedestrian has fallen into a pot hole or two and broken her leg during the pre-monsoon down pours. Whose security is it, anyway?

Did the war end after all? The Diaspora and Amnesia

It is easy to forget that "terrorism" comes to an end somewhere, sometime, somehow, since the global 'war on terror' discourse is seamless, endless and has no exit strategy. As Harvard Political Scientist, Audrey Cronin, has noted in her book "How Terrorism Ends": "Amid the fear following 9/11 and other recent terror attacks, it is easy to forget the most important fact about terrorist campaigns: they always come to an end—and often far more quickly than expected". Before the war ended we had become used to the idea that it would go on for a long time. Various local and international conflict and peace experts in the business of predicting and sometimes rendering "protracted conflict" a self-fulfilling prophecy had said so. Extended exposure to violence on an of screen also tends to anesthetize the public and creates an endless plateau just like the non-existent term limits of Sri Lankan political leaders impervious to the fact that all good things must come to an end. But it seems that the post/conflict (in) securitization has a more material explanation: the Army Commander that helped win the war is locked up and the V-Day celebration would have been like Hamlet without the Prince!

Post/modernist pronouncements on the end of "grand narratives" seem rather misplaced these days since "terrorism" appears to have become a new international grand narrative of sorts, of course. The terrorism narrative like previous grand narratives of progress, development and the forward march of civilization that underwrote various forms and phases of imperialism has a political economy that benefits among others, the security knowledge industry, the arms trade, and the "terrorism" spin mill. Terrorism discourse mimics other grand narratives as antithesis or

apocalypse. As Brezinski has noted in an article titled "Terrorized by the War on Terror" in the Washington Post, in March 2006: "Constant reference to a 'war on terror' did accomplish one major objective: It stimulated the emergence of a culture of fear. Fear obscures reason, intensifies emotions and makes it easier for demagogic politicians to mobilize the public on behalf of the policies they want to pursue. The war of choice in Iraq could never have gained the congressional support it got without the psychological linkage between the shock of 9/11 and the postulated existence of Iraqi weapons of mass destruction. Support for President Bush in the 2004 elections was also mobilized in part by the notion that 'a nation at war' does not change its commander in chief in midstream. The sense of a pervasive but otherwise imprecise danger was thus channeled in a politically expedient direction by the mobilizing appeal of being 'at war.'"

As the one year anniversary of the defeat of the LTTE approached the terrorism spin-mill worked overtime to equate the Tamil diaspora with 'terrorism', rather than highlight the manner in which it sustains family and kin who survived the war back home. The constant repetition of stories about LTTE arms catches and arrests of members works to re-produce the terror discourse and legitimize militarization and the extraordinary security for the ruling family in post-conflict Colombo. While a few members of the Tamil diaspora have declared a Transnational Government of Tamil Eelam (TGTE), in exile and are engaged in anti-GoSL propaganda overseas the great majority has little interest in a Tamil cyber-nation-state. Several Tamil diaspora organization are actively opposed to TGTE, particularly, those who are conscious that 'long distance nationalism' may negatively affect the prospects of their kin in Lanka to live in peace and security.

It is well known, as with the Palestine/Israel conflict that Diasporas often tend to be far more intransigent and unwilling to compromise than those who remained at home, but the international context that enabled the LTTE become a powerful global terror network during the post-Cold war period of unfettered globalization, no longer exists. Tamil and Sinhala ultra-nationalism and extremism is most visible at this time from the

respective diasporas, but there is also an emerging disconnect between the diaspora leadership and those in-country who wish to compromise, co-exist, and work with “other” communities to build back better. The declaration of a virtual state of Tamil Eelam merely serves to legitimize continued militarization in post/conflict Lanka, and the concomitant (in)securitization of minorities. It is not the best way to keep up the pressure on a regime that may suffer the Macbeth syndrome.

Different Strokes to Mark V-day

Before the intervention of the weather gods, the Sri Lankan State had called on its citizens and subjects to celebrate V-Day with pomp and ceremony, and ordered flags flown in all official buildings in the districts. The public of the Capital, particularly residents of snooty Colombo 7, where the Hambantota interlopers have been ironically on a tree-cutting, road-beautifying, charm-offensive, (consonant with the Urban Development Authority (UDA), being handed over to the Defense Ministry), had once again braced itself to be inconvenienced by ‘security’ arrangements for the ruling extended family. On the other hand, Tamil politicians and the TNA had called for a day of mourning, since the defeat of the LTTE represents to them the defeat of Tamil nationalism. Civil society meanwhile tried to be tempered and emphasized the need for balance, proportionality, dignity, and respect for the grief of those who lost kin when marking the first anniversary of the end of armed violence in Sri Lanka. At the same time, the International Crisis Group and Human Rights Watch saw fit to renew calls for accountability for war crimes to mark the first anniversary of the end of war in Lanka. Unfortunately, they may also have renewed the Macbeth complex of the establishment – fear of trees and the ghosts of murdered souls– (Out, out, damn spot and all that...), that seems to be at the root of Sri Lanka’s post-conflict militarism and insecurity.

What is to be done?

The best and only way to ensure that Lanka becomes the “wonder of Asia” and honor those who defeated terrorism is to ensure that there would not be a recurrence of violence. Rather than fighting windmills and appointing commissions to reveal lessons already

known, the government’s best option would be to set things right on the ground in Lanka by ensuing speedy and dignified resettlement of the war displaced, securing minority rights, reparation, and reconciliation among the various ethno-religious communities. For this, fully implementing the 13 Amendment to the Constitution in the North and East would be a beginning. These should be the priority at this time, rather than constitutional changes to extend the term of the Presidency.

Unfortunately both the head of State and the Opposition seem to suffer the same malaise—an aversion to relinquish power and dislike for term limits on political power; to ensure that they move on and hand over to the younger generation, which may partly explain the propensity for youth uprisings and rebellions among youth from the different ethnic communities in post/colonial Lanka. The Buddhist principle that “all things change” must surely apply to politicians in the land of the peaceful one and those in power today must know that they are merely custodians of the land who need give way to others tomorrow? The United National Party must sort out its internal crisis speedily rather than dragging its feet and mimicking the government on reforms, in order to engage the UPFA government on the priorities for constitutional reform since most Presidents of Lanka have displayed an unseemly aversion to giving up power when their term runs out. But until Wickramasinghe passes on the torch to someone else, this may be a case of the pot to call the kettle black!

Finally, during the Tsunami disaster local civil society organizations worked ceaselessly, across ethno-religious identity lines to assist those who were displaced, and to help them resettle and reconstruct. The Sri Lanka diaspora also contributed enormously to relief and recovery. More than the government and international donors (the UN which consumes most of the funds raised for disaster victims again mourning about donor fatigue), similar efforts by civil society with the help of the Diaspora should be able to see the war-displaced resettle with dignity rather than living in miserable temporary huts once they have returned to their home villages, as is the case in much of Killinochchi and Mullaitivu. The scale of assistance necessary to

support the conflict-displaced at this time is far smaller than on the first anniversary of the Tsunami disaster. Perhaps some of the energy and funds of the TGTE may be diverted to help the Vanni IDPs and returnees, and the Defense Ministry remove restrictions on access to the north — to prevent “terrorism” becoming a self-fulfilling prophesy again in Lanka?



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SRI LANKA'S POST-WAR FUTURE: A RADICAL PLURALIST RESPONSE TO THE ETHICAL REALIST VIEW

By Publius

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I had not intended contributing to Groundviews's commemoration of the first anniversary of the end of the war, for the simple reason that there having been no movement whatsoever on post-war constitutional reform, I did not wish to add another gripe of a general nature to this 'liberal echo chamber' of ours. Two publications in the past few weeks however have persuaded me that perhaps there is something worthwhile to discuss about constitutional reform from a liberal perspective. The first was the Peace Poll conducted by Dr. Colin Irwin of the University of Liverpool, which contained some astonishing findings about the state of public opinion with regard to power-sharing, and second, Dr. Dayan Jayatilleka's nuanced conceptualisation of a 'sustainable peace' in post-war Sri Lanka elsewhere in these pages.

Dr. Irwin's questionnaire is based on the APRC proposals of 2009 which envisage, at least notionally, a measure of devolution and power-sharing that exceeds what is presently provided under the Thirteenth Amendment, but which is firmly within the formal framework of the unitary state. The findings are impressionistic, due to two reasons. Firstly, since no one really has any clear or precise idea what the APRC's official proposals are (and for that matter, whether they are final or work-in-progress, or how seriously the government regards them), those participating in the survey responded to what the questionnaire described as being the APRC proposals on fourteen constitutional issues. Secondly, the fourteen propositions put to the respondents are framed in such broad, neutral and sensible terms that only those opposed to motherhood and apple pie, or the nationalist lunatic fringe on either side of the ethnic divide, would really object to any of them. But the multifarious devils that lurk in the

detail of these bland formulations have the potential to make the high levels of support for reform evaporate, as we know only too well from Sri Lanka's chequered history of constitutional reform attempts. As far as impressions go though, this is as good as it gets, and the survey is a useful tool for moving the debate in a more constructive and enlightened direction, and a particularly useful one for Mahinda Rajapaksa should he attempt the metamorphosis from politician to statesman. Fat chance, I hear you say, but eternal optimism is the first vocational qualification of the Sri Lankan liberal.

To me, the most striking finding is in Table 24 of Irwin's survey in which it is revealed that a massive 83% of Sinhalese responded that they would support, in a putative referendum, a constitutional reform package that encompasses measures for democratisation (for e.g. abolition of the executive presidency and the strengthening of fundamental rights), and which, provided the unitary state is retained, also devolves more power than the Thirteenth Amendment (9% answered 'Don't know'). Thus the visceral antipathy to sharing power with minorities that is associated with Sinhala-Buddhist chauvinism – unambiguously represented by such parties as the JHU and the NFF within the ruling UPFA – is shared by only 9% of the Sinhalese. As the proviso with regard to the Sinhala community's palpable attachment to the symbol of the unitary state demonstrates, this is a clear rejection of more radical forms of power-sharing, especially federalism. But it also forcefully underscores the point that Sinhala-Buddhist nationalism's more doctrinaire and exclusivist constitutional agenda, ostensibly speaking for the majority, is being advanced and implemented by political actors entrenched within the institutional establishment of the state, by

loudly vocal and disproportionately influential sections of civil society such as the politicised Buddhist monkhood, and by some idiot savant columnists, who in fact represent only a miniscule proportion of public opinion.

These findings of Irwin's survey with regard to the constitutional aspirations and anxieties of the Sinhalese constitute one of the empirical bases of Dr. Jayatilaka's reflective article, in which is made an 'ethical realist' case for a post-war civic nationalist state that in form represents 'enhanced provincial devolution within a unitary system'. This rigorous defence of the unitary nation-state (but conceptually of a more liberal and pluralistic kind than what obtains in reality) is supported by arguments from foreign policy and strategic considerations; a historicist critique of Sinhala chauvinism and a realist critique of Tamil nationalism and cosmopolitan liberalism; and from a normative standpoint on nation-statehood that is classically modernist, but with an active effort to contextualise the notion of the modern demos in the ethnocentric pluralism of Sri Lanka's statal polity.

I regard Dayan's position as that of a 'liberal statist' which is genuine in its commitment to the kind of pluralism which may be secured through individual liberty and equality, through the separation of the public and private spaces, and its hermeneutically innovative concern with the reinterpretation of historiographical political concepts for modern relevance, but which accords a centrality to sovereign statehood especially in its external dimension that is not negotiable. It is thus liberal because of its commitment to equality, pluralism and modernity (liberalism is not necessarily synonymous with federalism even in Sri Lanka), and it is statist because it rejects any attempt to downgrade the central importance of state sovereignty – not only as a legal safeguard, but also as the necessary condition of independence of a non-western, developing country – by sub-state nationalisms and secessionism, or by liberal cosmopolitanist human rights arguments, or any other kind of international intervention except at and to the extent of the invitation by the state itself, or presumably as allowed by Chapter VII of the UN Charter (i.e., never).

It is in sum, however, a very conventional model of sensible, modern nation-statehood in a plural society, the pragmatic conservatism of which, one imagines, would have appealed to the Soulbury Commission. That even such a mellifluously nonthreatening perspective as this is regarded as dangerously liberal in President Rajapaksa's post-war administration reveals the startling seriousness with which centralisation is taken at the centre of power.

A preliminary point I want to note is about the methodology of reasoning in public intellectual discourse that Dayan employs, which also in a sense anticipates my critique of the substantive constitutional model he proposes. The realist approach holds that the 'is' cannot be derived from the 'ought', and the ethical realist approach seeks to derive the most 'progressive ought' from what 'is'. Since this is not the only method of reasoning in the humanities and social sciences, the question in relation to liberal ideas for constitutional reform in a democracy seems to be whether a refusal to follow it renders a non-realist approach 'unrealistic'. Inversely put, should public opinion be the main (if not the only) original source of ideas; and is the value (if not the validity) of ideas contingent on a social majority's acceptance?

Recalling the way in which President Lincoln introduced Emancipation – the opposing Union perspectives on which were represented in his Cabinet by Seward on the one hand and Chase on the other – through an adroit mixture of political management, skilful timing and inspirational rhetoric, the liberal tradition to which I belong would firmly answer no to both these questions. Popular majorities, inherently concerned with the here and the now, are notoriously incapable of discovering the 'political truth', and whatever the form and content of the political truth, liberal or chauvinist, it clearly is hatched and promoted by an elite as the Irwin survey shows. The task is easier for populist elites by their very nature, because all they have to do is pander to and inflame the basest instincts of a society in order to mobilise a democratic majority. But leadership is greatest when it succeeds in taking the electorate with it to higher order moral and political

objectives, especially against reflexive opposition from quotidian majorities.

The role of realism in democratic political leadership therefore is in determining questions of timing, presentation and persuasion, not the creation or articulation of ideas and beliefs themselves. President Johnson's Great Society and, if not exactly in the same epochal category, President Obama's healthcare reforms, belong to the same tradition of liberal, democratic leadership. Likewise, the Laskiesque substantive core wrought by Nehru and Ambedkar in the Indian Constitution contrary to what was the arguably more organically authentic vision of Savarkar, and President Mandela's leadership in the enshrinement of a sophisticated schema of federalism in the South African Constitution, against the majoritarian unitary state pathology of the anti-apartheid liberation movement.

Democratic responsiveness is not the same thing as circumscribing policy possibilities by reference to the popular majority, and the proper place of realism in the task of the public intellectual is not in conditioning the articulation of ideas to the wants and fears of the popular majority, but in choosing the presentational methods of persuading the majority to adopt unorthodox thinking. Perhaps the best illustration of this in the Sri Lankan context is the idea of federalism itself. Federalism remains a brilliant idea for Sri Lanka, and its distortion, vilification and consequent wholesale rejection is due to the abject failure of its proponents (like me) to articulate its merits in a relevant and persuasive way to all sections of public opinion. As in fact Colin Irwin's first poll in 2008 showed, there is substantial support for federal-type decentralisation if only it is not called that, and it is what elected and administrative officials including ruling party Chief Ministers at the provincial level have been saying consistently, from Varatharajaperumal to Gamini Jayawickrema Perera, and Berty Premalal Dissanayake to Sivanesanathurai Santhirakanthan. The periphery understands and desires decentralisation of a fairly high order in Sri Lanka, and it seems to be the case that shorn of the pejorative connotations of the term itself in abstract, the relevance, utility and value of the federal idea has been proven at a very practical level.

Bandaranaike set the pusillanimous precedent of surrendering democratic political authority and leadership to the chauvinists, which has since been scrupulously followed by all heads of government because they are at one with the chauvinists, or it is in their interest to use the chauvinist opposition as an excuse to evade the loss of centralised power and patronage that results from the radical decentralisation of federalism, or in the case of Kumaratunga and Wickremesinghe, just plain confusion, incompetence and arrogance. Thus the lack of realism here is not in the conception of federalism as a self-evident constitutional response to the policy challenges of democratisation and multiethnic accommodation, but in what have been either non-existent or ill thought-out methods of persuasion. President Kumaratunga's attempts at attitudinal change to power-sharing failed because of the inherent flaws of her 'war for peace' policy as well as the generally here-nor-there quality of her administration. The record of Ranil Wickremesinghe's technocratic elitism and disdain for the messy process of democratic politics is its own indictment.

However, in terms of both his substance and method, Dayan is not a federalist because there is no public support for federalism (i.e., a majority of the Sinhala majority), but if there were, he would probably not object to it. This certainly makes Dayan's position 'realist', but given that there is equally clear empirical evidence of the Tamil desire for federal autonomy, what I want to explore further is whether it is also 'ethical' as he claims. There are two matters of evidence I want to establish at the outset.

The first is that I regard Tamil nationalism, not as some sort of illegitimate extremism propagated by a disaffected Tamil political class, but as a real, genuine, democratically demonstrable and phenomenologically consistent desire among Tamil people to be recognised as a distinct nation, with a common culture, language, history and territory. The specific legal and constitutional claims made on the basis of this assertion of nationhood, are distinct from the assertion itself. Accordingly, such claims – power-sharing at the centre, linguistic parity, federal autonomy, and external and/or internal self-determination, and so on – have

varied over time in response to changing political contexts. However, with the sole and significant exception of the LTTE which was irredeemably separatist, there is a default constitutional position that is consistent in Tamil nationalism, and that is asymmetrical federal autonomy within a united state. The documentary evidence for this conclusion is the multitude of proposals that occur in the continuum between the resolutions of the Federal Party's first national convention in 1951, to the TNA manifesto for the April 2010 general election, via Thimpu. These constitutional assertions of Tamil nationalism are supported in a general psephological trend in elections since 1956, notwithstanding the general election of 1977 and the presidential election of 2005.

The second evidential issue is that I am unable to agree with Dayan's presumption about the general constitutional opinion of the Sinhalese, not only because of what I think is the role of political leadership and the public intellectual, but also because I believe that until such time as there has been, not only an intellectually honest and properly informed, but also a civilised debate on federalism in which the Sri Lankan electorate and especially the Sinhala polity have had a chance to assess their choices, the jury's out on whether the Sinhalese are as implacably opposed to federalism as has been made out. That is one of the broader and most important inferences to be drawn from the findings of the two Irwin surveys at the critical junctures of March 2009 and March 2010.

Substantively then, I want to critically deal with three aspects of Dayan's argument: (a) his proposal for a 'hierarchical consociation' and the principles underlying it; (b) the historicist arguments he uses in two distinct ways, firstly to challenge existing Sinhala and Tamil nationalist constitutional historiographies, and secondly in the theory of nationhood he implicitly relies on; and (c) the use of international relations/law categories as analogies in the construction of constitutional concepts.

Dayan calls his conceptualisation of the state, its constitutional substance, 'a model of equal citizenship but of unequal power and influence: a domestic Yalta model' in which 'there will be neither sole ownership

nor equal partnership but there will be shareholder-ship by all communities.' This 'ethical' appeal to fairness in the accommodation of pluralism is balanced by the 'realist' recognition of the Sinhala preponderance of numbers, and their existential interest in preserving the unitary state. In my view, a devolved unitary state constructed along these lines in a context defined by the demographic and territorial configuration of Sri Lanka's statal society, together with its hegemonic political and constitutional discourses, would in practice be no different to what prevails. As Dayan clearly accepts, his 'is not a model of Sinhala political monopoly, but of Sinhala political pre-eminence (hegemony?) in power relations'. The reference in parenthesis to hegemony completely undermines the notion of shareholding that is central to ethical realism, because this is in effect an argument for the legal institutionalisation of a *de facto* situation of power relations, both of which are already in place.

The task of law in general and constitutions in particular in pluralist settings, unlike international relations or political power relations, is to mitigate the *de facto* dominance of numerical or other forms of power. The perennial critique of constitutions and constitutionalism in Sri Lanka has been that they seek to constitutionalise majoritarianism, out of a wholly misplaced sense of insecurity that characterises Sinhala-Buddhist nationalism. Like England in the United Kingdom and Anglophone Canada, very little of the societal, economic and democratic pre-eminence that the Sinhalese presently enjoy will be altered to their detriment as a result of federal, or any other meaningful constitutional form of accommodation of the Tamil national claim within the framework of a single state, although hegemony and assimilation to the detriment of minority communities will not be allowed. And that is also the realist truism that Tamil nationalism has to accept: that there was and is no prospect of successful secession in the regional geopolitical context, and even in a constitutional arrangement that provides extensive autonomy in the North and East, the Sinhala societal pre-eminence within the broader statal polity is a fact of life.

Instead of addressing this unnecessary, fearful and reactionary backwardness in the Sinhala-Buddhist mindset, Dayan qua public intellectual, not only uncritically takes it at face value, but in seeking to justify its defensive majoritarianism, he also overestimates Tamil nationalism's power outside Sri Lanka and overstates its influence on foreign governments, intergovernmental organisations and international NGOs. As even a desultory observer of the Tamil diaspora can see (an excellent recent report of goings on being D.B.S. Jeyaraj's column in the Daily Mirror of 29th May 2010), the arcane factionalism and directionless recession that is consuming its energies is more farce than threat. Thus what he succeeds in doing is merely to substitute the 'blood and soil', 'kings and battles' arguments of the chauvinists with a seemingly more sophisticated justification framed in strategic international relations language for the perpetuation of the majoritarian unitary state, in which none of the pluralism safeguards he proposes would have much practical effect because there is an ab initio concession to majoritarian hegemony no different from the status quo.

It is thus not an adequate response to the challenge of pluralism we confront in Sri Lanka, a challenge which is framed by the existence of more than one nation/nationalism within the territory of an existing state. The state's inability to reflect that pluralism in its constitutional arrangements led, eventually, to civil war, which the state won by military means last year. That was politically and historically important no doubt, but it does not, as the results for the TNA in the April 2010 general elections and its manifesto commitments on federalism, shared sovereignty, and the first three Thimpu principles demonstrate, change the basic political facts of the underlying constitutional problem. Admittedly, Dayan concedes that 'given the existence of more than one community on the island, power and sovereignty must be shared between them all.' But there is a significant difference between Dayan's position and the Tamil nationalist claim in respect of power and sovereignty sharing, and in this respect, his use of the term 'community' is normatively important in two ways. Firstly, it arises from his classical modernist or functionalist theoretical approach to nationhood at the statal level which can accommodate

only one nation within a state, and therefore some other category – 'community' – must be used to describe sub-statal group claims. The second implication of the use of the term community is that it is an in limine denial of the Tamil claim to distinctive nationhood and its consequential rights.

There is no reason, apart from the en vogue inward looking nativism pretending to be patriotism, that we cannot look elsewhere to learn how more than one nation can be constitutionally accommodated, without compromising an inch of our commitment to a united Sri Lankan state. The foremost conceptual obstacle to this is our slavish adherence to the Westphalian paradigm of the nation-state in which the political concept of the nation must coincide exactly with the legal concept of the state. This is made infinitely worse by the fact that, whereas in the Westphalian model what is meant by 'nation' is a thoroughly deracinated normative concept of a unity of values, our nation-state, with its procedural democracy and majoritarian unitary state, represents the nationalism of the Sinhala-Buddhists to the exclusion of others. This fundamental anomaly is neither objectively fair nor is it politically viable. We need therefore to disaggregate the two concepts of nation and state from the traditional 'nation-state' and develop the necessary constitutional principles of accommodation from there. This involves the constitutional recognition of multiple nationalisms, the provision of the constitutional space for their autonomy (self-determination), and their constitutional representation at all levels of the state, in exchange for which, sub-state nationalisms would be constitutionally required to commit unequivocally to the unity of the Sri Lankan state and to contribute in good faith to its full political and constitutional development as a united state. This model of radical national pluralism does not in any way prevent the formation of a state national identity, and in fact may promote it through the reciprocal loyalty that arises from the periphery in exchange for generous autonomy.

What I think we have to bear in mind is that there is a fundamental lack of realism in realist accounts of Sri Lankan constitutional historiography, and this analytical weakness arises out of the realists' reliance on the 'monistic demos thesis'. This means that they

visualise the traditional nation-state in entirely unitary terms; that is, not only unitary in constitutional form, but also unitary in terms of nationhood. To be sure, this unitarism has a liberal ancestry in that the very movement of modernism in political theory begins with the attempts to construct a nation of shared values and rights-based citizenship as a progression from what were considered to be 'pre-political' or primordial notions of nationhood based on ascriptive factors such as ethnicity. Modernists like Dayan might be willing to concede ethno-territorial group autonomy at the sub-statal level for political management or strategic reasons, but there are limits to this, dictated by the overarching commitment to one nation within the state. This is the reason why national pluralism cannot be conceptually accommodated and the ethical realist is reduced to the blunt assertion of majoritarianism as the sole criterion of democratic legitimacy in the face of rival claims from sub-state nationalisms.

As we see from the emergence of 'plurinational states' elsewhere, there is no reason why this should be so from the perspective of constitutional theory and law. Constitutional law in Sri Lanka remains in thrall to an anachronistic command theory positivism in which our imaginations are limited by narrow formalist categories. We continue to subscribe to nostrums about sovereignty (illimitable and indivisible), territorial integrity (unity equals unitary, federalism leads to secession) and epistemological approaches to constitutional classification (unitary v. federal), that have long since been superseded by developments in scholarship and praxis elsewhere. Dayan's contribution is in this respect refreshing in that he has the more supple constitutional imagination of the political theorist rather than the lawyer. This is what enables him to re-historicise major historiographical legends such as that of Dutugemunu in ways that have contemporary relevance and to salvage the monopolisation of history from the chauvinists. However, it is unfortunate that he places more emphasis on the first limb of his articulation of the Dutugemunu doctrine than the second, whereas a more judicious balance of the two would enable us to easily fit a state that is federal in form within the geopolitical strategic space to which the doctrine is directed. Paradoxically, Dayan's concern about a rival

pole of power in the North in a federal arrangement is a strange undervaluation of the state (akin to that of his cosmopolitanist liberal detractors, albeit for different reasons), because in my view, for strategic and external purposes, internal federal autonomy does nothing to dilute uni-polarity with regard to the external power of the state. The situation might well be different of course in a confederal arrangement in which a Tamil North has powers similar to a sovereign state, but that is not what we are talking about here. I believe we can extend federal autonomy to even limited powers of 'paradiplomacy' and external competences over inward investment, trade and commerce, circumscribed by requirements of co-operation with and consent of the centre, without endangering the strategic interests of the state that Dayan is concerned with.

One of the related problems in Dayan's approach to constitutional modelling is that there is, in my view, an excessive reliance on the conceptual categories of international law. International law has a traditional bias in its understandings of such concepts as sovereignty and self-determination towards a unitary paradigm, which is understandable because traditional public international law is not concerned with internal arrangements of states. However, when used as constitutional concepts, these are unnecessarily limiting and obstructive. The best example for this is the acrimony and hot air that the phrase 'self-determination' is capable of generating in Sri Lanka. Unitary statist and Sinhala nationalists regard self-determination either as a one off right that is exhausted after a successful process of de-colonisation, or as a continuing right, one that is a exclusively auxiliary to sovereign statehood. Tamil separatists use exactly the same understandings of self-determination to rationalise their claims to a separate state. Both ignore the conceptual development of 'internal' self-determination in ways that can be domestically serviceable in designing constitutional arrangements for regional autonomy within a united state. Indeed, aside from the unnoticed (and electorally irrelevant) liberal constitutionalists, no one has explored the possibilities of developing a theory of self-determination in and for Sri Lanka, as a concept of constitutional law or political morality that can be

uniquely ours. That would truly be an example of the present vogue for a 'home-grown solution'.

Dayan concludes his essay with an exhortation to a modernity of universal values and pluralism that is welcome for its historicist and non-linear understanding of the political and constitutional development of societies/nations/states, and its implied rejection of historical determinism. However, it is also in this sense that Dayan's model is one of classical, not to say antiquated, modernism, because this hortatory conclusion reveals his real, and in every way laudable, concern. That is the construction of a modernist unitary state underpinned by a (singular) civic national society, comparable to the nation and state-building exercises that Western countries underwent in the nineteenth and early twentieth centuries, in contradistinction to the chauvinistic and supremacist ethno-nationalism he sees as forming the basis of the present statal national society in Sri Lanka. As we see now in any number of Western states, this modernising enterprise did not result, as hoped, in the withering away of sub-state national and other 'pre-political' identities, and these fully modern states are now dealing with ways of constitutionally accommodating sub-state national diversity in ways which reflect their plurinational character. In Sri Lanka, we simply do not need to re-invent the wheel.



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WHY RADICAL PLURALIST IS RADICALLY WRONG: 'PUBLIC INTELLECTUAL' PONDER'S 'PUBLIUS'

By Dr. Dayan Jayatilleka

GROUNDVIEWS June 2010

I must thank Asanga Welikala ('Publius') for a reasoned and literate critical engagement with my views. I respond for the twin purposes of clarification where I think my views have been misunderstood, and advancing the discussion, indeed debate.

Asanga chooses to take Colin Irwin's latest statistics as a one off, ignoring my references to the Marga survey of 2007 and numerous surveys of public opinion in Sri Lanka starting from the Research International Pvt Ltd surveys of 1997 running through the many Peace Confidence index surveys of the last decade. Furthermore, he parleys Colin Irwin's survey of 2008, which shows a majority in favour of radical decentralisation provided the term federalism is not used, into a real or potential endorsement of federalism. In so doing he not only conflates devolution, decentralisation and federalism ("federal type decentralisation") as do the Sinhala chauvinists, but also ignores the results of repeated surveys that give federalism a support base of around 5%.

Now it is perfectly possible that some enlightened liberal redeemer will come along someday with a perfectly convincing sales pitch for federalism and convince the majority in its favour, but I would prefer not to waste my time, when the weight of empirical evidence is so overwhelming. This does not mean that Realism proceeds from the foundation of mere public opinion, but decades long failure of the federalist politics and propaganda, taken together with the cumulative weight of public opinion over a fairly long period of time (12 years of survey data) and the complete absence of any political formation of significance at the centre (a contender for state power) which

stands for federalism, tells the realist in me that the balance of forces leaves no room for a federalist perspective. If however, there had been a significant body of opinion or some serious political current with a chance of success, which stood for federalism, I'd spend more time on it, rather than consider it the utopian abstraction that I do.

I dismiss out of hand and as absurd, analogies with the abolition of slavery, the end of apartheid in South Africa, and Obama's campaign on healthcare. Not only was there mass sentiment for abolition (which included Lincoln's wife), but slavery existed only in the southern states, not in the industrial North. Apartheid was a system of minority rule over majority rule and the anti-apartheid struggle was primarily one for majority rule, while the call for federalism in Sri Lanka is quite the opposite. However laudable, it is strictly the view of a small minority in a competitive democracy. As for Obama's campaign for healthcare, that was a struggle over a policy paradigm, not one over the fundamentals of the US constitution, which a struggle for federalism in Sri Lanka would be. The day Obama campaigns against the Constitutional right of every American citizen to bear arms, we may see an analogy with a Sri Lankan leader campaigning for a federal state.

In the UK, China, Indonesia, the Philippines, to name just a few, there is no serious call or political campaign involving a major political formation agitating for a federal state. I take that as a given; a fact, which is not to say that it will remain so in permanence. What it does mean is that the issue does not enter any consequential

political calculus. The same is true, or even truer, of Sri Lanka.

My opposition to federalism does not derive from public opinion polls. I was not opposed to the federalist trade-off implicit in the Mangala Moonesinghe proposals of the early 1990s, because that was during the tenure of President Premadasa who had demonstrated a firm commitment to what he called 'state-led, a carefully regulated market economy' along East Asian lines. I was however, opposed to President Kumaratunga's federalising 'union of regions' package of 1995, because the global context had changed to the victory of neoliberal 'Washington Consensus' and CBK herself had converted to a neoliberal economic policy. Reinforced by the contrasting experiences of Gorbachev's USSR and the break-up of Yugoslavia on the one hand, and the growing success of the Chinese model on the other, I have since considered a combination of radical economic and state restructuring to be dangerously centrifugal, especially when it involved ethnic-federalism. The firm opposition to federalism in the context of globalisation, as articulated theoretically by Samir Amin and politically by Evo Morales, should bear out that this has little to do with Sinhala sentiment, but then again that should be self-evident to anyone who recalls that Karl Marx was as bitter a foe of federalism as Mikhail Bakunin, his Anarchist enemy within the First International who was an advocate of it. This issue, that of federalism, was one of the lines of demarcation between Marx, a radical modernist if ever there was one, and the Anarchists, and was but a subset of the larger debate between them: the question of the state. My views on federalism derive from that source: the issue of the state and the need for a strong unitary state. Thus, while I have no issues with 'radical pluralism' as a vision of society, I am opposed to it as a vision of the state.

If however, a Sri Lankan government or political formation with a proven commitment to a strong state, national security and sovereignty were to arrive at a negotiated federal solution with the Tamil leadership, I would not write in opposition to it and would support it as a risk worth taking.

Asanga is wrong when he assumes that I cannot conceive of a state with more than one nation. I do not believe that I have ever written or said anything which lends itself to such an assumption. I have no problem either with a two state solution for Israel/Palestine or with a one state solution in which there would be a single, secular bi-national state. Indeed I have no problem with the idea of a multinational state. Tito's Yugoslavia with its population distribution was one. I just do not think that Sri Lanka currently holds two equal nations. The concrete demographic reality leads me to conclude that currently there is only one fully fledged nation on the island and that is the Sinhalese nation, while the Tamil community constitutes (at best) a minority nationality or (at least) a national minority. Even if one were to accept that both Sinhalese and Tamils are nations, it would be a politically correct fiction to pretend that they are or should be equal nations in terms of access to /distribution of power (with the Melian Dialogue as rendered by Thucydides, making my underlying point). The challenge today is to accommodate and reconcile Sinhala and Tamil collective identities, with their enormous asymmetries of presence, within an overarching national or state identity ('Sri Lankan'). While as citizens there must be complete equality (and I have advocated a powerful anti-discrimination legislation and a standing commission), no progress is made by whitening out the real and abiding asymmetries of power.

To conclude, let me deal with the troika of Asanga's most serious errors of analysis. He misunderstands the term hegemony or my use of it; he confuses the model I advocate with what currently exists; and he has a dubious notion of realism in politics.

I use the term hegemony in the Gramscian and indeed Leninist sense, in which it is drastically distinguished from 'domination'. Hegemony denotes leadership based on alliance or the composition of a bloc. This cannot be on the basis of pure coercion or even primarily on the basis of coercion. Gramsci's notion of politics, which he derives from and develops Machiavelli's use of the dualistic symbol of the centaur, is the twofold combination of coercion and consensus. Alliances, blocs, and leadership of course contain the idea of hierarchical power relations. I argue that

Sinhala leadership on the island is unavoidable and understandable, but if it is to be successful it must be based on consensus and ‘hegemony’ in the Gramscian sense, NOT domination/pure coercion; pre-eminence, not monopolistic ownership. When Lenin spoke of the worker-peasant alliance he meant the hegemony or leadership of the former in a partnership with the latter. The Sinhala chauvinists have no model of partnership with the Tamils, while the Tamils (with the significant exception of Devananda) have no realistic recognition of the possible terms and parameters of such partnership. The model I propose is as similar to Obama’s ‘ethical realist’ strategy for US global leadership as the JHU’s is to the Bush Neo-Conservative model of global dominance, or to the Rabin-Peres-Barak two state solution with ‘security red lines’ rather than the Netanyahu-Lieberman apartheid model.

Asanga is transparently wrong when he describes my ‘domestic Yalta’ model as essentially what we have today. He has repeatedly recognised that mine is an argument for maximum devolution within a unitary state, and one which bases itself on the 13th amendment but improves upon it. To me that is the concretisation of the ‘Dutugemunu’ Realist model, which mirrors the material reality of the island’s historically evolved social formation with Sinhala pre-eminence in state (politico-military) power in the final analysis, while moulding it in a progressive direction by devolving power to the periphery through an authentic measure of ‘self-government’ or ‘home rule’ in those contiguous areas where the Tamils comprise a compact majority. If as Asanga complains, Proposition 1 has greater emphasis than Proposition 2 in my schema, that is because it was so in Dutugemunu’s original practice and could not but be so for the contemporary state when faced with the existential threat of the LTTE. Surely there is a qualitative difference between Putin’s Chechen model and that of the Gaza strip or the West Bank under Netanyahu? To assert that this is what prevails today is to play precisely the game of the spin doctors of the status quo! It is to deny the distance that has to be travelled and the political struggle waged in order to turn what is or may well become (an occupation of sorts) into what was envisaged under the Indo-Lanka accord of 1987 and its issue the 13th

amendment of 1988! In the broadest domestic consensus for devolution, Vijaya Kumaratunga and the parties of the democratic, rational Left joined with the UNP in producing a thick proposal for Provincial Councils (without the merger, which Vijaya stood opposed to) in mid-1986. In August 2000 Lakshman Kadirgamar and MHM Ashraff passionately argued and pleaded on the floor of the House for the acceptance of the draft Constitution (which was a draw down from the union of regions package of 1995). Asanga implies that what I advocate, the devolution of power within a non-federal state, which is what Rajiv Gandhi, Vijaya Kumaratunga, and Lakshman Kadirgamar stood for and lost their lives for, is essentially what prevails in Sri Lanka today. This is truly surreal.

Finally, a word on Realism. “With the Marxians, Machiavelli returned to Italy” observed Benedetto Croce with wry accuracy. In a volume in the interesting Routledge Studies on Critical Realism series, Jonathan Joseph deals with what he terms Gramsci’s ‘Realist Hegemony’. Whatever the appellation, Gramsci himself sets out the very core of his political strategy, the strategy he derives from Machiavelli and Lenin and commends the ‘modern Prince’:

“If one applies one’s will to the creation of a new equilibrium among the forces which really exist and are operative – basing oneself on the particular force which one believes to be progressive and strengthening it to help it to victory – one still moves on the terrain of effective reality, but does so in order to dominate and transcend it (or to contribute to this). What ‘ought to be’ is therefore concrete; indeed it is the only realistic and historicist interpretation of reality...” (Gramsci 1971:172)

Gramsci’s politics consists of (1) “the creation of a new equilibrium among the forces which really exist and are operative” (2) “basing oneself on the particular force which one believes to be progressive and strengthening it to help it to victory” (3) “moves on the terrain of effective reality”, (4) “but does so in order to dominate and transcend it (or to contribute to this)”. As for the

'is/ought' conundrum, Gramsci cuts the Gordian knot: "what 'ought to be' is therefore concrete; indeed it is the only realistic and historicist interpretation of reality", and it is to this ensemble that "one applies one's will".

Thus, Gramsci bases himself not on some political current not yet in view, or still in embryo or worse still in the imagination, but on the most progressive of those political forces that exist. In other words it deals with concrete political reality, with the balance of forces, and an available force among those that have a chance of success. It does not involve the leap of faith into a state of federalist grace that Asanga (and Dr Kumar David among the GV commentators on the debate) would have us undertake. Asanga obviously fails to see the obvious: that what we face today is not the challenge of advancing to federalism, a defensive 'war of positions' against a counter-reformation which was defeated in the southern civil war of 1986-89 but now seeks to roll back even modest provincial autonomy. Today's struggle is to save and restore the gains of the Indo-Lanka Accord, namely the 13th amendment, and any attempt to overshoot that mark by placing federalism of the agenda, would jeopardise the really ongoing debate and contestation. Asanga's slogan, formula and platform ("asymmetrical federalism ...with powers of paradiplomacy, including inward investment, trade and commerce") possess none of the conditions that would warrant an "application of one's will".



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Celebrating war victory and banning commemoration of dead civilians: this is “home grown & indigenous” reconciliation and freedom in Sri Lanka?

By Ruki

GROUNDVIEWS June 2010

Today, 18th June 2010, has been declared a public holiday by the government. Many Sri Lankans, especially Sinhalese from the South are expected to respond enthusiastically to the government's elaborate plans to celebrating the war victory over the LTTE. For several days, citizens in Colombo had to put up with closed roads in preparation. How much of our – citizens – tax payer's money will be spent for this celebration is something I don't know and dare not think.

Some media had highlighted on the fact that the General who led the war victory is likely to be in detention and not invited to celebrate the victory he led.

What seems to be forgotten, and what I do know for sure is that tens or hundreds of thousands of Tamils, particularly in the North, will not be celebrating this victory. Many of them infact, will be grieving and mourning for family members and friends killed, injured, missing and detained in during the course of the war, particularly the final months of the war.

However, now, even grieving and mourning appears to be criminalized in the newly “liberated” North.

On 17th May, amidst heavy showers and floods in Colombo (which had compelled the government to postpone the victory celebrations), I was with a group of friends, at an ecumenical (Christian) event to commemorate those killed in the war. As we were starting the event, I got a call from a good friend, a Catholic priest in Jaffna, who

told me that he had got several threatening calls asking him to cancel a religious event he had organized in Jaffna to commemorate civilians killed in the war. In addition to the telephone calls, senior army officers had visited his office and asked him to cancel the event. He was in a dilemma – he was personally not keen to cancel the event, but was concerned about the safety of his staff and families due to participate in the event.

Later, I came to know that this was not an isolated incident and several other friends were subjected to similar threats.

On the same day, 17th May, Nallur Temple area in Jaffna, where an inter-religious event was being held to remember those killed in the war was held, was surrounded by the police and the army. The people who came to participate were threatened and told to go away. Those who insisted on going in they were asked to register their names and other details with the police. Many went away in fear and only few had participated. Later on, the army had questioned and threatened a priest who was involved in organizing the event. The priest was even summoned to Palaly military headquarters in Jaffna for questioning.

In Vanni, an army officer had told a villager that he will shoot a parish priest and drag him behind his jeep, because he (the priest) was organizing prayer services for those killed in the war. Another priest was prevented from celebrating a holy mass to pray for those killed in the war on 19th May in the Vanni.

So, it is clear the army doesn't want Tamils to mourn and grieve for their loved ones killed during the war. The thinking appears that all these events are to commemorate the killing of LTTE leader Prabakaran. Or that May 17th – 19th is a victory day, and thus, no mourning should happen, and everyone should celebrate, even if your own mother or child or husband was killed.

This seems to be the official policy of the government, with the Minister of Media and Information reported as saying that Tamil people only have a privately commemorate their kith and kin killed privately and not publicly. (See <http://www.lankaenews.com/English/news.php?id=9568>)

Of course the writing has been on the wall for some time. Ever since the end of war, I had seen many monuments built in the Vanni celebrating war victories and in honour of dead soldiers. At the same time, memorials for Tamil militants built by the LTTE have been destroyed, in the Vanni as well as in Jaffna, denying family members the opportunity to light a candle or lay a flower. At one such destroyed memorial site in Jaffna, army officers told me not to take photos since that place is now earmarked to be an army camp. I was not allowed to even get near another such well known memorial in Kopay, Jaffna.

Not surprisingly, I didn't see a single memorial built to remember civilians killed in the war. A priest in Vanni who was trying to build a simple and small monument for civilians killed was warned by the army to stop building it.

Beyond a moral and ethical perspective, these incidents raise serious issues about freedom of assembly and freedom of religion.

Just a few days after some provisions of the emergency regulations, including restrictions on public processions and meetings were repealed, the military had prevented peaceful religious events from taking place and threatened organizers and participants.

The army had also curtailed religious freedom, despite freedom of religion being a right that cannot be restricted in any circumstances in the Sri Lankan constitution.

So, we Sri Lankans will have to live with a type of homegrown reconciliation in Sri Lanka that doesn't allow its citizens, and especially families of those killed, to light a candle, lay a flower, say prayer to mourn and grieve.

We will have to live with an indigenous "liberation" and "freedom" which doesn't include rights of religion and peaceful assembly to have religious events to commemorate family members and loved ones killed.



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Editors



Groundviews was established in 2006 by **TED**Global Fellow Sanjana Hattotuwa, who continues to curate site content every day.

Educated at S. Thomas' College, Mount Lavinia in the finest traditions of a liberal education, Sanjana read English at the University of Delhi, India and as a Rotary World Peace Fellow, was awarded an Advanced Masters in Conflict Resolution and International Relations from the University of Queensland, Brisbane with a Dean's Commendation for High Achievement.

He is currently a Senior Researcher at the Centre for Policy Alternatives and a frequent commentator on journalism and new media in domestic and international fora. In addition to hosting a talk show on public television, Sanjana teaches at the Sri Lanka College of Journalism (SLCJ), engaging journalists from state, private, alternative media on how to use web, internet and mobile technologies to strengthen professional, independent and investigative journalism.

In 2010, Sanjana received a **TED**Global Fellowship, two years after he was awarded a News & Knowledge Entrepreneur Fellowship from the Ashoka Foundation. Both awards recognise pioneering efforts to create and use citizen journalism and new media to bear witness and strengthen democracy, human rights and just peace.

Sanjana does not share his co-editor's mercurial fascination with Nick Clegg, but will openly admit, for nigh on 15 years, to be completely in love with Nandita Das.



Nigel V. Nugawela was born in Israel and attended primary school at the Anglican International School of Jerusalem. He moved to Sri Lanka in 1995, where he completed his secondary education at the Colombo International School. Nigel read Politics at the University of Edinburgh and wrote his MA (Hons.) thesis on militant ideology, conflict and Tamil nationalism.

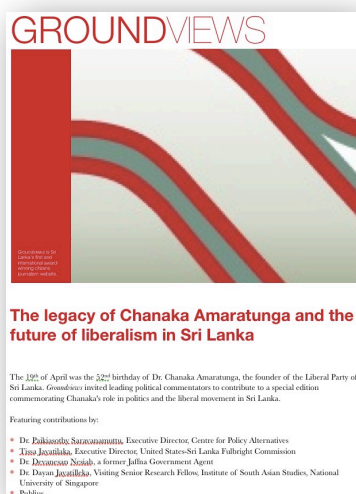
In addition to being co-editor of *Groundviews* he is a Researcher at the Conflict and Peace Analysis Unit of the Centre for Policy Alternatives. He has spoken at international conferences on the form and content of citizen and mainstream media in Sri Lanka.

Nigel's primary areas of research interest are on the politics of Sri Lanka and the Middle East, ideologies, existentialism, nationalism studies, authoritarianism and democracy.

He is unyieldingly committed towards Liberalism and agrees with Nick Clegg - most of the time.

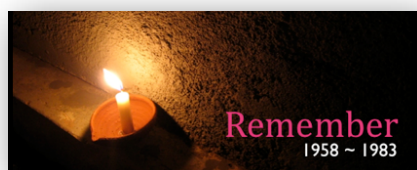


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