

# Post-Colonial Violence in Sri Lanka – a Narrative of Historical Evolutions and Contemporary Trends

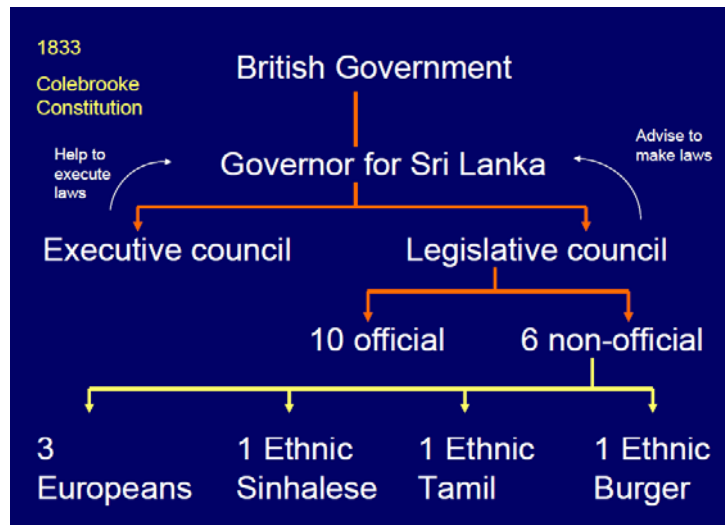
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Sri Lanka has seen three armed rebel uprisings after it gained independence from Britain in 1948. Two of them have been Southern uprisings orchestrated by the Marxist People's Liberation Front (JVP), in 1972 and 1987. Both were crushed through military means that resulted in more than 500,000 deaths. However, the JVP has turned to democratic politics after 1990. However, the conflict with Tamil militant groups has been continuing for nearly 30 years that has claimed nearly 75,000 lives of Tamils, Muslims, and Sinhalese in Sri Lanka. If I may introduce the demands of the LTTE in a nut-shell, they demand for a separate state in the North and the East of Sri Lanka that they claim to have been a traditional homeland of Tamils. To justify the military path they have taken, they claim that the early peaceful struggles by Tamils were met with violence by the Sri Lankan Government that "forced" Tamils to take up arms. Furthermore, they claim that the Sri Lankan Government has been discriminating Tamils. The main counter argument in the South is that Tamils could still win their aspirations through a process of dialog, and that no matter what part of the country was a traditional homeland of which ethnic group or tribe, giving 1/3 of the land mass and 2/3 of the coast to 6% of the population (46% of the Tamils) out of the 20 million population living in 25,000 square miles of total land mass in Sri Lanka is an unacceptable demand at present. In the following discussion, I will make an attempt to give a brief historical account of the conflict, and shed some light on the possible means for a political settlement by discussing four major aspects that play cardinal roles in the conflict.

I wish to focus on four major aspects of the post-colonial violence in Sri Lanka: 1) how the perceived favoritism to Tamils during the British colonial rule transpired in a struggle for social and political power among Sinhalese and how its over-reactions underpinned the present rebellious uprising; 2) how the nature of the rebel uprising affected opportunities for wide constitutional reforms for power devolution 3) how the perceived mistrust of European mediators and their flawed approaches undermined peace efforts; 4) how electoral reforms brought in by post-colonial Governments to provide a political solution to the conflict worked counter to forming a Southern consensus on a political solution to the present conflict.

**1. Perceived favoritism to Tamils during the British colonial rule:** The British took over the coastal areas in 1796. Subsequently in 1815, the central hill country also came under the British after a successful conspiracy against the King of Sri Lanka. It should be noted here that the British signed a treaty of surrender with the solitary King in Sri Lanka, belying the claim of the LTTE that British unified two separate states. However, the British colonial rule soon realized that the majority Sinhalese were opposed to their rule. Therefore, they adopted a divisive policy where they favored Tamils especially in terms

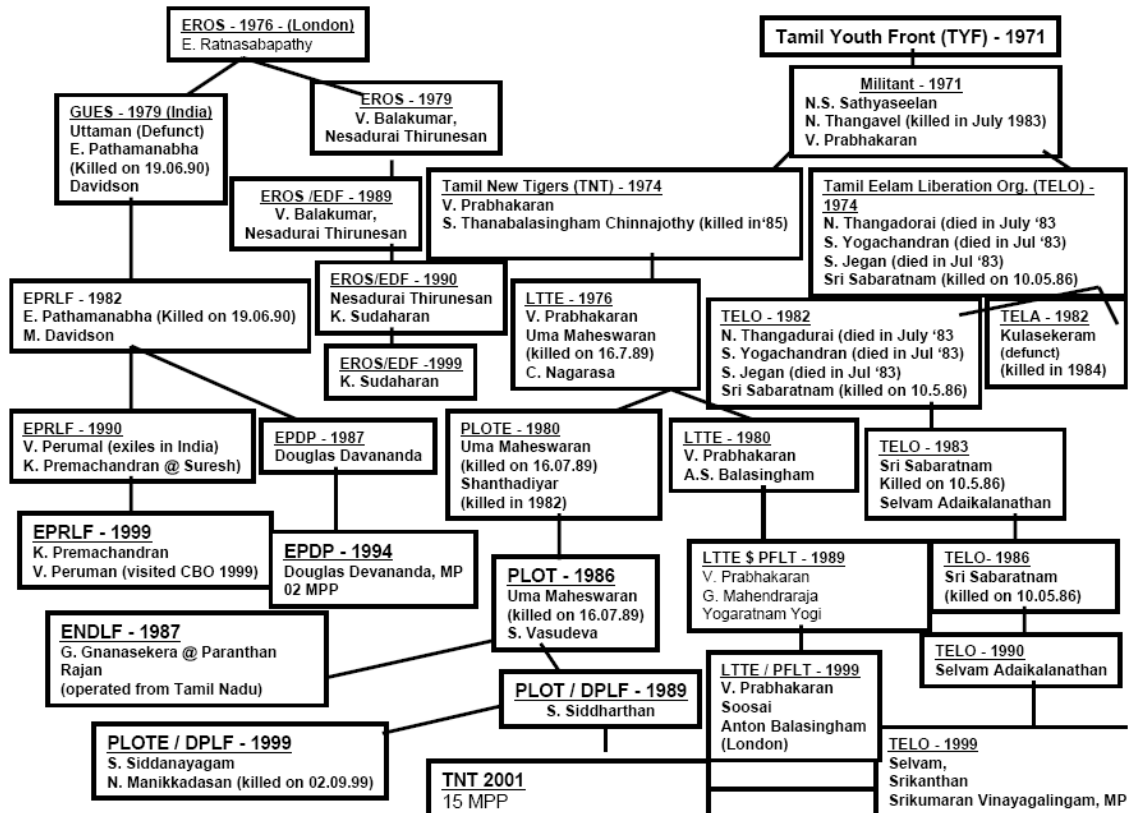
of infrastructure for education. It is noteworthy that by 1885, out of 819 schools in the country, 300 schools were in Jaffna where Tamils were the majority. This amounted to 40% of the total expenditure on education spent on less than 5% of the population. By the time, Sri Lanka gained independence, all major civil services and military were dominated by educated Tamils. For instance, the first native commander of the Sri Lanka army (then Ceylon Defense Force), Major General Anton Muttukumar, OBE and the first native commander of the Sri Lanka navy, Rear Admiral Ranjan Kadirgamar were ethnic Tamils. Furthermore, ethnocentric constitutions introduced by the British rulers further contributed to worsen frictions between Sinhalese and the Tamils. For instance, the Colebrook constitution in 1833 introduced representation based on ethnicity as shown in **figure 1**. It is apparent from **figure 1** that Sinhalese and Tamils were encouraged to form political representatives based on their ethnic background as opposed to any political ideology. Repeated invocation of ethnic sentiments and apparently disproportionate representation gave the Tamils the impression that they should maintain the 50-50 power share with the Sinhalese, which continued to create tensions and clashes subsequently.



**Figure 1:** Composition of the representation introduced by the Colebrook constitution

Though the first prime minister of independent Sri Lanka did not propose drastic changes, Mr. S. W. R. D. Bandaranayake, an Oxford graduate responded to the popular Sinhalese sentiments in 1956 by asking for a mandate to make Sinhalese the official language and to bring in an affirmative action on access to University education. Though at present Sinhalese, Tamil, and English are all official languages, and the Government has gone to the extent of printing all its currency in these three languages, Tamils in 1956 were shocked to experience this apparent alienation. Those Tamil students who had invested much in an English education were badly affected by this psychological shock wave. On the other hand, the quota system for University admission in fact did justice to the discriminated Sinhalese in the South. However, the students in Jaffna (who were less than 5% of the total population) who used to enjoy 40% of the National resources of education naturally perceived this experience as a purposeful discrimination on them. Apparently

the first two militant organizations were Tamil Youth Front formed in 1971, and Ealam Revolutionary Organization of Students (EROS), formed in 1976 in London. **Figure 2** shows how these two organizations evolved to form other militant organizations that ended up being victims of LTTE.



**Figure 2:** The birth and expansion of rebel groups

**2. Nature of the rebel uprising and missed opportunities for peace:** If we pay attention to **figure 2**, we can notice that there has been an expansion of diversity among separatist groups till mid 1980s. This reflects the fact that the rebellious uprising in early 1970s had room for diversity of ideas, and that Tamil groups in fact continued a debate on their ideologies. However, this picture changed with the emergence of the LTTE in 1980, led by Velupillai Prabhakaran. Before launching LTTE, V Prabhakaran established his violent credentials by assassinating the Jaffna Mayor, Alfred Duraiappa on 27<sup>th</sup> July 1975. With this incident, he sent a strong message across Tamil groups that death awaits anybody who dares dissent.

While this rapid change of Tamil power structure was taking place, the South also underwent drastic political changes. In 1977, J.R. Jayawardana led United National Party won the elections with a 5/6 majority in the parliament for a mandate to introduce a free market economy to Sri Lanka. J.R. Jayawardana became the first executive president of Sri Lanka. Though he kept his promise of introducing a free market economy, he became notorious for his authoritarian politics. His Government first stripped the political rights

of Mrs. Sirimavo Bandaranayaka, the presidential nominee of the main opposition Sri Lanka Freedom Party in 1980 for alleged misuse of power in her 1972-1977 Government. Furthermore, he cancelled parliamentary elections in 1983 by using his power of 5/6 in the parliament to take extraordinary constitutional and electoral decisions that required a 2/3 majority in the Parliament. Furthermore, he brought in the Prevention of Terrorism Act (PTA) in 1979 that gave sweeping powers to police to arrest and detain people under suspicion. Furthermore, JR Jayawardana Government was carefully monitoring the developments of Tamil ethnic politics after the “Vadukkudai resolution” adopted by the Tamil United Liberation Front (TULF), a democratic party who had a representation in the Parliament large enough to be the main opposition party of the JR Jayawardana Government. The Vadukkudai resolution laid down the first seeds of a separate state for Tamils [1]. On 31<sup>st</sup> May 1981, during a rally held by TULF, three Government policemen were killed. This led to a riot in Jaffna from 31<sup>st</sup> May – June 2<sup>nd</sup> 1981. During these riots, the Jaffna Library that housed nearly 97,000 unique Tamil literary collections was burnt by a mob gang. The police failed to arrest and punish these culprits under the PTA of 1979. This fuelled V. Prabhakaran’s ethno centric militant agenda. It further gave a powerful insight to V. Prabhakaran as to how the Government would react to the death of Police and Army personnel. Inspired by the favorable experience, V. Prabhakaran planned an ambush on an Army platoon in July 1983 in which he himself took part. The ambush killed 13 Government soldiers. This time, V. Prabhakaran wanted violence in Colombo. As expected, riots began in Colombo on 23<sup>rd</sup> July 1983 after the bodies of the slain soldiers arrived in Colombo. According to police records, the riots made damages to life and property shown in **table 1**.

**Table 1:** Statistics of damage to life and property during July 1983 riots

<b>District</b>	<b>Deaths</b>	<b>Arson</b>	<b>Looting</b>	<b>Mischief</b>
Badulla	52	838	630	378
Chilaw	2	161	20	22
<b>Colombo</b>	227	2720	1712	2165
Gampaha	7	216	58	53
Jaffna	70	4	13	1
Matale	3	1131	838	112
Matara	4	220	31	119
Kalutara	6	115	70	97
Kandy	31	1065	132	274
Kegalle	24	490	195	167
Nuwara Eliya	22	194	29	184
Vavuniya	4	23	7	16
Trincomalee	17	643	22	65
Other	2	257	78	16
<b>Total</b>	<b>471</b>	<b>8077</b>	<b>3835</b>	<b>3769</b>

Again, JR Jayewardene Government showed a soft stand on the riots. It took nearly one week to curb the riots. More than the Government machinery, the Sinhalese civilians were credited with saving tens of thousands of civilian Tamils by filling their houses with Tamil neighbors to protect them from mob gangs. Ironically, this violence was documented by video crews who were placed in various parts of Colombo at a time hand held video cameras were not a commodity in Sri Lanka. These horrific scenes were sent across the Globe and aroused the sentiments of Tamil Diaspora that started funneling funds to V. Prabhakaran's militant LTTE. According to Jane's Intelligence report in 2007, LTTE's annual income has gone upto nearly US\$300 million.

Having realized how TULF's separatist politics backfired in mass scale ethnic clashes, the TULF leader Appapillai Amirthalingam openly campaigned for a negotiated settlement for the conflict and promoted an Indian intervention. LTTE assassinated A. Amirthalingam on 13<sup>th</sup> July 1989. However, the lessons learnt from 1983 permanently changed Sri Lanka. JR Jayawardana Government and six Tamil groups (TULF, LTTE, EROS, TELO, EPRLF, and PLOTE) sat for talks for the first time in Thimpu in 1985, the Capital of Bhutan. These talks were sponsored by the Indian Government. However, LTTE leader V. Prabhakaran did not participate in the LTTE delegation like other groups. Instead, he sent two representatives to indicate his low priority in the talks. On the other hand, President JR Jayawardana also sent his brother, a lawyer, to lead the Government delegation, though his brother was not even a representative of the parliament. The Tamil delegation wanted the Government delegation to agree on four principles: 1) recognition of the Tamils of Sri Lanka as a distinct nationality, 2) recognition of separate Tamil territory and the guarantee of its territorial integrity, 3) based on the above, recognition of a Tamil nation, and 4) recognition of the right to full citizenship of all Tamils, who look upon the Island as their country. The Government side did not heed to define Nationality based on one's ethnicity. Sri Lankan and Indian Governments took the stand that a solution should come without harming the territorial integrity and sovereignty of Sri Lanka. It also stressed that the fourth demand was already being implemented by giving citizenship to all upcountry Tamils with right to return to India voluntarily. However, the Tamil delegation walked out of talks on 17<sup>th</sup> August 1985 blaming the Government for ceasefire violations.

LTTE turned more violent after Thimpu talks. V. Prabhakaran systematically implemented his strategy to be the sole representative of Tamils by eliminating the leaders of other Tamil rebellious groups as shown in **figure 2**. As a result, PLOT, TELO, EROS, EPRLF, EPDP, ENDLF, DPLF, and PFLT almost disappeared from the Tamil political map. More importantly the LTTE began systematically killing the democratic and moderate Tamil leadership of the TULF who were against separation and supportive of devolution as a solution. Among dozens of veteran Tamil leaders killed by Prabhakaran were the TULF leaders Amirthalingam, the distinguished Harvard Scholar Neelan Thiruchelvam and others. V. Prabhakaran also wanted to clean North and the East from other ethnic groups as shown in **table 2**. Therefore, the LTTE launched a series of massacres in villages of other ethnic groups in the North and the East. Often the LTTE did not shoot these civilians. Instead, they hacked them. Victims included infants expecting mothers, the sick, and the old. By year 2000, the North province was almost

clear of Sinhalese and Muslims. However, Sinhalese and Muslim villages continued to exist in the Eastern province despite repeated attacks from the LTTE. For instance, on 3<sup>rd</sup> August 1990, LTTE gunmen entered the holy Kattankudy mosque and shot dead 147 Muslim devotees while they were praying. It is widely believed that LTTE would have expected the Muslims to return brutality on innocent Tamils like in the 1983 riots in Colombo that would have attracted support from Western countries who have already shown a hard stand on Muslim violence.

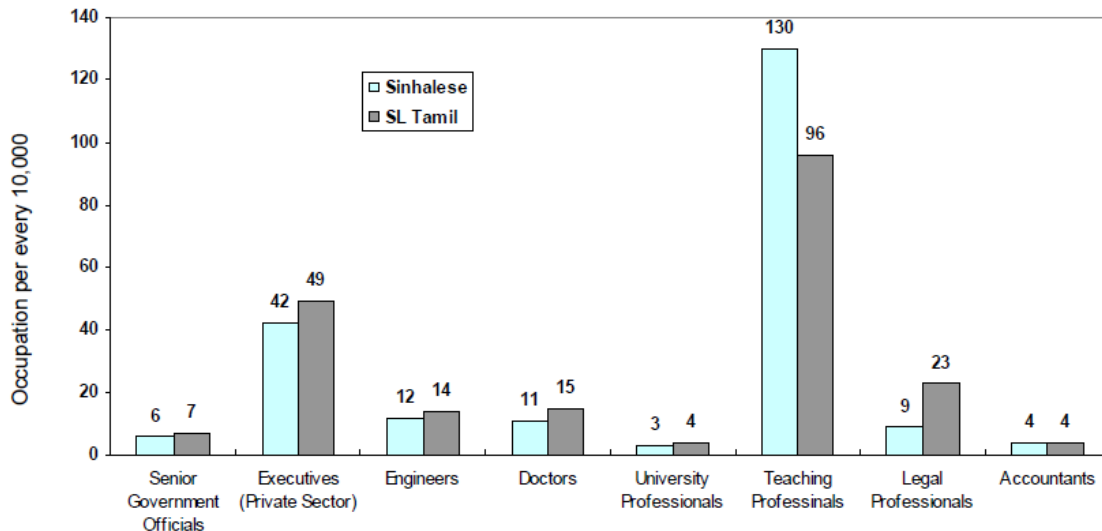
**Table 2:** Demographic compositions of N&E of Sri Lanka by 1981 – source Government census 1981

Northern province					Eastern province			National average
	Jaffna	Mullaitivu	Vavuniya	Mannar	Tinco	Batticaloa	Amparai	
Sinhalese	0.6	5.1	16.8	8.1	33.6	3.2	37.6	74.0
Sri Lankan Tamil	95.3	76.0	56.9	50.6	33.8	70.8	20.1	12.6
Indian Tamil	2.4	13.9	19.4	13.2	5.6	1.2	0.4	5.6
Muslim	1.6	4.9	6.9	26.6	29.0	24.0	41.6	7.1
Other	0.1	0.1	0.02	1.5	1.0	0.8	0.3	0.7

Interestingly, LTTE has been quoting a disputed reference made by a British Colonial Secretary called Sir Hugh Cleghorn in June 1879 to a Tamil Homeland distinct from a Sinhalese Homeland in the South to justify their ethnic cleansing movements. In the statement, Cleghorn says: "Two different nations, from a very ancient period, have divided between them the possession of the Island: the Sinhalese inhabiting the interior in its Southern and western parts from the river Wallouwe to Chilaw, and the Malabars (Tamils) who possess the Northern and Eastern Districts. These two nations differ entirely in their religion, language and manners."

Cleghorn's references to Sri Lanka and her ethnic groups were later challenged by the British Governor Fredrick North, because Cleghorn had made many mistakes in his notes including his reference to the origin of Sinhalese to be from Thailand (Siam). In any event, LTTE does not tolerate migration of other ethnic groups to North and the East of Sri Lanka, whereas it stays silent about Tamil migration to other parts of the country. Interestingly, the Tamil population in the South has grown to 56% of the total estimated Tamil population in the country according to the Government census held in 2001. LTTE did not cooperate to hold the census in 2001 in the North and the East. Following **figure 3** shows the distribution of different occupations among Sinhalese and Tamils in Government held areas by 2001.

## Employed population by selected occupations, ethnicity and employment sector, 2001



**Figure 3:** Distribution of occupations among Sinhalese and Tamils – source: Government census 2001

Since failed talks in 1985, the Sri Lankan Government has attempted to bring in a negotiated settlement to the conflict. In 1987, President JR Jayawardana Government brought in the 13<sup>th</sup> amendment to the constitution that introduced regional autonomy through provincial councils. A provincial council had wide control over planning including education, health, acquisition and requisition of property, pricing control, etc. The 13<sup>th</sup> amendment also recognized Tamil as an equal official language with Sinhalese and that English would be a link language. Due to the pressure of the Indian Government, LTTE first agreed to the peace accord. Subsequently the Indian Peace Keeping Force (IPKF) was invited to arrive in Sri Lanka to observe the implementation of the peace accord especially the laying down of arms by the LTTE [2]. Unfortunately, the LTTE withdrew from implementing the peace agreement that cost India 1500 soldiers. Moreover, on 21<sup>st</sup> May 1991, an LTTE suicide cadre assassinated the Indian Prime Minister Rajiv Gandhi. This prompted the Indian Government to cease its direct involvement in the Sri Lankan peace process. President R. Premadasa who was elected as the executive President of Sri Lanka after the tenure of President J.R. Jayawardana resumed direct peace talks with LTTE from April 1989 – June 1990. President Premadasa was against the presence of Indian Peace Keeping Forces in Sri Lanka. He compelled India to withdraw its forces from Sri Lanka. Critics say that President Premadasa had unrealistic hopes that he can come to a negotiated settlement with LTTE without any foreign intervention. He had gone to the extent of giving material aid to LTTE to fight the Indian Peace Keeping Force, which he thought would improve the goodwill between the Government and the LTTE. However, The LTTE predictably ensured that there was no progress in Talks and LTTE assassinated President Premadasa on 1<sup>st</sup> of May 1993 during a May Day rally in Colombo. LTTE withdrew from talks by summarily executing 600

Government Policemen who were Prisoners of War (POW) under the LTTE. The newly elected President Chandrika Kumarathunga from the opposition United People's Freedom Alliance (UPFA), attempted to resume stalled peace talks with the LTTE in October 1994. After this failure, President C. Kumarathunga made another attempt in January 1995. However, LTTE resumed hostilities in April 1995 by attacking the Naval base of Trincomalee. Subsequently on 25<sup>th</sup> January 1998, an LTTE launched a suicide attack on the sacred Buddhist temple of tooth relic in Kandy. The whole world was shocked by this un-anticipated event. Following the incident, UNESCO Director General Federico Mayor issued the following statement on 27 January 1998.

*"I am deeply shocked by this act of blind violence perpetrated against a place of meditation, joy and peace. All religions are based on love and respect for life. Attacking a holy place means striking the very best in humanity, undermining its innocence and purity. Those who attack people through their faith can only be condemned. Religious differences can absolutely not be justification for conflict, and places of worship should in no case be used as targets."*

Following an exhaustive debate nationally and internationally, a multiethnic Think Tank led by the Harvard educated moderate Tamil Leader Neelan Thiruchelvam produced what was by far the most liberal devolution package in Sri Lanka and the Chandrika Bandaranayake Kumarathunga Government was ready to negotiate with LTTE on that basis. Fearing that Tamil people will support this liberal devolution package ending his separatist dream, Prabhakaran promptly killed the architect of the package Neelan by carrying out a suicide bombing of Neelan's car in broad day light in Colombo on 29<sup>th</sup> July 1999. The Government reciprocated by military measures. The Government forces captured Jaffna peninsula and were on the forward move till October 1999. However, LTTE's counter offensives reversed many Government gains and by May 2000, the Government forces in Jaffna were under heavy threat of defeat. This led to a change of Government in 2001. During an election rally, an LTTE suicide bomber made an attempt to assassinate President Kumaratunga. She narrowly escaped with a loss of one eye. After the terrorist attack on America on September 11, 2001, the LTTE was scared of being in the radar of the new Global fight against terrorism. LTTE declared a unilateral ceasefire in December 2001. The newly elected United National Party candidate Mr. Ranil Wickramasingha responded favorably by signing a ceasefire agreement with the LTTE in February 2002. This time the Norwegian Government mediated the talks. The LTTE delegation consisted of an LTTE commander called Karuna Amman who later broke off from the LTTE. Karuna Amman played a pivotal role to dislodge Government forces from Killinochchi and over-running the strategic Elephant pass military base. In an interview with the BBC correspondent Roland Buerk on his participation in the peace talks, Karuna Amman said "What we were told by him (V. Prabhakaran) was to drag these talks out for about five years, somehow let the time pass by, meanwhile I will purchase arms and we'll be ready for the next stage of fighting. That was his order. I told him many times, 'Let's get a federal kind of solution. This federal settlement will bring an immediate solution for the Tamils.' But he never really accepted that" ( [http://news.bbc.co.uk/2/hi/south\\_asia/6524869.stm](http://news.bbc.co.uk/2/hi/south_asia/6524869.stm) )



In the mean time, LTTE made a move to have a proxy representation in the Sri Lankan Parliament. They called members of the Tamil National Alliance (TNA) to Killinochchi to have direct talks with the LTTE leader V. Prabhakaran. A statement issued by the TULF Secretary General - R. Sampanthan in 2002 hints the purpose of the LTTE - "Mr. Anton Balasingham explained the position of the LTTE. The need of the LTTE and the TNA to work united was accepted by all participants. The exchange of views took place in a cordial atmosphere. In conclusion the LTTE leader Mr. Pirapaharan hosted all participants to dinner". Except the TULF leader V. Anandasangaree, all other party members agreed to obey the directions given by the LTTE. However, repeated violence inside the Sri Lankan parliament did not bring the expected results for both the TNA and LTTE in terms of igniting a violent response from other democratic parties that would have helped LTTE to fuel their propaganda campaign against the democracy in Sri Lanka.

Upon expiration of the term of President Chandrika Kumarathunga in 2004, an interesting political drama took place in the subsequent elections. The UNP presidential candidate who signed the ceasefire agreement with the LTTE was competing with a coalition of the United People's Freedom Alliance and the Marxist Janatha Vimukthi Peramunna, the party that led two armed uprisings against the Government in Sri Lanka in 1972 and 1987. It was quite apparent that the latter coalition would pose a hard stand on the LTTE whereas the UNP candidate would continue with peace efforts. LTTE decreed all civilians who lived in North and the Eastern provinces of Sri Lanka to abstain from voting. In fact they cut the fingers of one who dared to vote. Political critics argue that this decision of the LTTE helped the coalition led by Mahinda Rajapaksa to win the presidential elections. Though he won by a narrow margin, he gained popularity with remarkable speed with his unexpected stand to achieve a negotiated settlement to the conflict. President Mahinda Rajapaksha resumed the stalled peace talks with the mediation of the Norwegian Government in on 22<sup>nd</sup> February 2006 in Geneva. LTTE delegation responded favorably at first, but they started hostilities in April 2006 by attacking Government forces. Another attempt was made in June 2006 again in Geneva. This time, LTTE took the opportunity to travel to Geneva, but refused to sit down for talks. Instead, the head of the LTTE delegation, Mr. Thamil Chelvam spent time on fund raising campaigns organized by the Tamil Diaspora. For the first time, the Norwegian mediator Mr. Erick Solheim publicly stated that LTTE should take direct responsibility for the failure of the talks. On 15<sup>th</sup> June 2006, LTTE attacked a civilian bus in Kabithigollawa killing 67 Sinhalese passengers, most of them were children going home from school. On 21<sup>st</sup> July 2006, LTTE closed the Mavil Aru gates shutting off water supply to 15,000 farming families in the Government controlled areas in the Eastern province of Sri Lanka. On 2<sup>nd</sup> August 2006, LTTE attacked Muttur town and moved upwards gaining control from Government forces. The Government forces started an offensive to open Mavil Aru gates to save the affected families, and the offensive continued till the Eastern province was completely liberated. Having captured the total land area of the Eastern province by late 2007, the Government held elections in the Eastern province on 10<sup>th</sup> May 2008 after a lapse of 20 years of democratic elections in that region. Fifteen parties contested. The polling rate was 61%. The ruling United People's Freedom Alliance secured 52%, while the main opposition United National Party secured 42% of the votes. Amazingly, the revolutionary parties running on ethnic

agendas performed significantly lower than expected. Ex. People's Front of Liberation Tigers: 0.06%, Akila Ilankai Tamil United Front: 0.06%, Muslim Liberation front: 0.01%. Despite the rising inflation rates and pressing poverty levels, the Marxist parties also have not secured anticipated levels of public acclaim. Ex. People's Liberation Front (JVP): 1.59% and United Socialist party: 0.43%. These quite unexpected revelations confirmed that the people in the North and the East of Sri Lanka are not for a mono-ethnic state as previously claimed by the LTTE.

**3. Perceived mistrust on Europeans:** By the time Portuguese arrived in the Galle natural harbor located in the Southern region of Sri Lanka in 1505, Sri Lankans were enjoying a vibrant transnational trade links with East and the West through the Silk Road. Therefore, the Sri Lankan King did not believe that the Portuguese had a colonizing objective. The Portuguese requested the king of Sri Lanka to give them a small piece of land enough to lay the skin of a cow. The King was amused by the request and readily granted permission. Then the Portuguese crew made a long string out of the cow's skin and claimed a long stretch of land along the coast where they later built a fort. This is perhaps the first impression about Europeans in Sri Lankans' minds. Sri Lankans began to look at Europeans as dishonest people, or who would misuse relaxed terms of memorandums of understandings. This was further confirmed during the subsequent colonial rules of the Dutch (1660-1796), and the British (1796-1948). This impression about Europeans plays a very important role in the present conflict of Sri Lanka, where Sri Lankans are still today apprehensive about external mediation. In fact the 20<sup>th</sup> century Western non- Governmental Organizations (NGOs) added fuel to this paranoia. For instance, in early 2008, the Sri Lankan forces noticed the LTTE using heavy earth processing equipment belonging to the Norwegian People's Aid (NPA) to construct a 48km earth bund connecting Nachchikuda on the Western Coast to Akkarayankulam close to the A-9 road connecting Kandy and Killinochchi. The NPA confessed that their heavy machinery was "stolen" by the LTTE some time back. Given the magnitude of the bund building project, the equipment must have been with the LTTE for nearly a year. However, NPA failed to inform the ministry of defense about this "theft" till they were asked to give explanation. This only contributed to the popular belief that NPA and the Norwegian Government were in fact giving material support to LTTE while playing the role as a peace mediator. Independent groups like the International Crisis Group have pointed out the flawed approach of Norway by proposing a ceasefire agreement that conceded territory to a banned terrorist group without any reciprocal commitment from them to negotiate in good faith and disarm, or to even have a time frame to start serious talks. The Norwegian proposed ceasefire did not have any of these benchmarks. It also did not have any verification machinery except powerless 'monitors' observing violations of CFA. As a result with each unverified violation (there were over 6000 by LTTE and over 400 by Government), mistrust and hostility between parties increased. Normally CFA should facilitate confidence and promote talks, but this Norwegian CFA decreased confidence and undermined talks, as at each session of talks parties blamed each other and came back more estranged. The facilitators and monitors provided 'score cards' of violations but no solutions.

This impression severely hampered the opportunities for any reconciliation promoted by the Norwegian Government. Followed by evidence that several other NGOs were providing material support to the LTTE, in August 2008, the Government gave a notice to all NGOs except the International Red Cross to leave rebel held areas to operate from Government held Vavunia. Confirming the Government's paranoia, the program manager of ZOA refused to obey the Government order. Instead he sent a letter confirming that he joined the LTTE fighting cadres. Other incidents such as the confession of an officer belonging to the United Nations Development Programme that he was involved in an arms smuggling project contracted to him by the LTTE, World Food Programme sending high Protein biscuits to rebel held areas without the knowledge of their country director, Action Contra La Faim sending 17 of their local aid workers to the epi-center of fighting in Muttur in Auhust 2007, against their will that later caused their death causing controversy contributed to solidify the widespread certain foreign organizations can not be trusted. Unfortunately, this perception has been working in the background of the Sri Lankan society to undermine any external effort to facilitate a solution irrespective of how genuine such efforts may be.

**4. Constitutional reforms and the Southern consensus:** I mentioned above that JR Jayewardene Government won elections with a 5/6<sup>th</sup> majority in 1977. According to the new constitution he introduced in 1978, a 2/3<sup>rd</sup> majority votes in the Parliament is required to bring in a constitutional reform. Then he introduced a new election system that abolished winner take all system, where the party who wins one electorate wins the single seat in the parliament assigned for that electorate. According to the new proportionatal representation system, parties get seats according to the proportions of votes they have got. This was brought in to increase the minority representation in the parliament. As a side effect, this multiplied diversity of Southern political views ranging from major Capitalist parties like UNP to Marxist and communist parties like JVP. As a result, none of the subsequent Governments had an absolute majority. They always had to form coalitions with Marxist and ethnocentric parties or those with a religious view. This is no different to the threat the coalition Government in India is facing from the ethno centric, coalition partners in the Southern Indian state of Tamil Nadu. Often these minority parties threatened to quit the coalition if the Government did not agree to their views. Mahinda Rajapaksa Government continuously suffered from this threat in the tug of war between those supporting a federal solution in a united Sri Lanka and those insisting on power devolution in a unitary state. Therefore, the Rajapaksa Government called all the parties to sit down and come to a consensus. Thus the proceedings of the All Party Representative Conference (APRC) went in parallel to the military offensive in the North. A session of this APC is shown in **figure 4**. The chairman of the APRC, Prof. Tissa Vitharana came up with a set of proposals in January 2008 that essentially proposed the Government to fully implement the 13<sup>th</sup> Ammendment to the constitution. It also suggested additional police and judiciary powers to the provinces. However, the Marxist JVP and the Jathika Hela Urumaya (JHU) that sent Buddhist monks to the Parliament opposed these proposals.



**Figure 4:** A session of the APC – source: Government news portal (<http://www.news.lk/>)

## **5. Summary and recommendations**

According to the census in 1921, the total population in Sri Lanka was 4.5 million whereas the population today is just over 20 million people. Therefore, migration from densely populated areas to more suburban areas has become a mandatory phenomenon. Though 56% of the Tamils live among the Sinhalese in the South, Sinhalese migration to North and the East of Sri Lanka has been felt as a threat by the LTTE. Tragically, entire Sinhalese villages have been annihilated by LTTE in certain parts of the North and the East as a hostile gesture [3]. Despite such ethnic tensions, the need for a distributed development of infrastructure and freedom for migration within Sri Lanka is felt with more vigor than ever before. Furthermore, the demand for a traditional homeland of  $\frac{2}{3}$  of the coast and  $\frac{1}{3}$  of the total landmass of Sri Lanka for 46% of the Tamils who live in the North and the East (6% of the total population) is increasingly felt as an unfair demand in a country with so much pressure for internal migration and co-existence of multiple ethnic groups.

Sri Lanka gained independence from Britain in February 1948. Historically, it is widely felt that the British policy of favoring Tamils during the colonial time to form the critical mass of civil service support led to ethnic frictions between the Sinhalese and the Tamils. This was further solidified by the ethnocentric constitutions like the Colebrook constitution in 1833. The reactions of the Southern political parties in the independent Sri Lanka and subsequent emergence of Tamil militant groups took the quest for a political solution to the ethnic frictions to a military path that has taken more than 75,000 lives. The LTTE policy of eliminating other groups and especially the moderate and democratic Tamil leadership and its consistent stand on violence to achieve political objectives has further aggravated the problem [4], [5]. On the other hand, the expansion of Southern political diversity in the Parliament has also contributed to delay the formation of a political solution to the conflict. Repeated attempts made by foreign countries have also

failed to bring in a political solution partly due to the mistrust Sri Lankans have over such mediators and partly due to the process flaw of the approaches adopted by such mediators. In fact the contemporary European NGOs have contributed negatively to heal these wounds.

At present (2008), the Sri Lankan Government is adopting a dual strategy where it meets LTTE with military means, holding democratic elections in the cleared areas while encouraging the Southern political parties to arrive at a consensus for a political solution to the conflict. However, it is of paramount importance to note that the final solution to the conflict is not a military solution but a political solution evolved through a dialog among all local stake holders [6], [7]. The process of dialog should provide room for all Tamil and Sinhalese views and concerns to interact among each other without threats from LTTE or the Government armed forces. It is my personal belief that the emergence of greater National goals centered around respect for human life through such a dialog will be the basis for a solution. At least during the 2004 Tsunami disaster, it was seen that such powerful National goals have helped to bring peace to Aceh province in Indonesia, whereas the LTTE's hard stand on the petty political objective for an Interim Self Governing Authority (ISGA) shattered all hopes of a collective effort to serve the Tsunami affected communities in the East [8]. A National dream that transcends such rudimentary political goals should emerge where all ethnic groups find opportunities to achieve their individual religious, cultural, economic, philosophical, and ethnic aspirations with dignity. This dialog should happen with wider participation of the general public free from political pressure from armed groups. Ideally, new political leaders should emerge whose vision transcend tribalism and racism.

More specifically, my personal suggestion is to decentralize power to local Governments to set regional development priorities, collect Taxes, and law enforcement to uphold basic human rights such as language rights, religious belief rights, etc. Full implementation of the 13<sup>th</sup> Amendment to the constitution could be an immediate step towards this direction. Moreover, private sector leadership should be allowed to serve community aspirations. This can be accommodated if the Government monopolies are dissolved in areas such as aviation, ports and shipping, energy, etc. Instead, the central Government should give high priority to improve access to education. Nearly 97% of the Sri Lankans today can not have a university education even if they have financial resources to secure a paid education, due to Government restrictions on private sector involvement in University education. Youth should get wider opportunities for higher education either through state universities or private universities, for any sensible distributed economic growth. This would also help eliminate some of the root causes of this conflict. Furthermore, the central Government should allocate more resources to strengthen the legal bodies and law enforcement infrastructure to uphold human rights. It is my belief that an important part of sustained peace is the perception of the people of a country that the Government has enough regulations and mechanisms to protect their human rights as stipulated in the Universal Declaration of Human Rights. All Sri Lankan police officers should be trained to genuinely appreciate the importance of upholding human rights of people regardless of their social status, ethnic or religious background, or Nationality. Finally, Democratic institutions and traditions should be strengthened to make sure a healthy political dialog

will continue to shape up the Sri Lankan Government to serve the aspirations of all its citizens.

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