TOWARDS A NORTH-EASTERN CONSENSUS

Devanesan Nesiah

Introduction

Much attention is correctly paid to securing a Southern consensus on the National Question, but very little to securing a North-Eastern consensus. The latter is just as critical to finding a solution to the ethnic conflict.

Is there a rationale for treating the North-East as an integral unit? If the North-East is to be an autonomous region, with or without semi-autonomous sub-regions, its governance should be so structured as to be responsive to the concerns of all the peoples of the region. Is an arrangement possible that would evoke the loyalty and secure the cooperation of all sections of the population? Alternatively, if the region is to be broken up, what are the options and what would be the consequences?

Whatever the solution to the National Question, it needs to begin with a North-Eastern consensus. What are the main obstacles to reaching it? Is it possible, or desirable even if possible, for the units of devolution to be mono-ethnic? What are the diverse interests and fears of the Tamil, Muslim, Sinhalese peoples of the region? Are there critical regional differences within the North-East? What are the prospects of reconciling the various concerns and aspirations?

This paper traces the political developments and salient interests of the peoples of the region since independence, highlighting the critical points of special relevance and the changes in the concerns and priorities over time. The paper also attempts to identify the common elements in the aspirations of the peoples of the North-East as well as the differences. Various proposed reforms are analysed in relation to these issues.

It would be presumptuous to prescribe a solution; that needs to emerge from negotiations among the leaders of the region, as a step toward negotiations with the centre. A basic premise of this paper is that such a process is both possible and necessary, and that it must involve the LTTE as well as Muslim and Sinhalese leaders of the region, just as the resolution of the National Question would also involve the leaders of the PA and UNP. What this paper seeks is to identify in very broad terms some of the more important concerns and aspirations, some of the difficulties hindering progress, and to analyse a few of the options in addressing these.

Politics of Ethnic Identity

The identities of the major ethnic communities of Sri Lanka developed and crystallized under British rule in the 19th and early 20th centuries. In the context of the political imperatives of the post-independence period, changes have occurred and are continuing. For example, from colonial times up to and including the 1971 census, Kandyan and Low-country Sinhalese were classified as distinct ethnic groups. For the first time the 1981 census merged the two classifications into one, viz. Sinhalese. The Kandyan-Low Country distinction had been recognized in administering the country up to independence and into the 1950s. Revenue Divisions were classified as Kandyan, Low-Country or Tamil, and served by three ethnically distinct cadres of Divisional Revenue Officers, viz. Kandyan, Low-Country and Tamil (the latter including Muslim and, presumably, Indian Tamil). In recent decades the official distinction between Kandyan and Low-Country Sinhalese appears to have disappeared but the distinctions between Sri Lankan Tamil, Sri Lankan Moor and Indian Tamil are now sharp; in fact, the Tamil-Muslim divide is widening.

At present, the Sri Lankan Moors and the Indian Tamils are regarded as ethnically distinct from the Sri Lankan Tamils. In Tamil Nadu the Muslims are regarded as Tamil (e.g. President APJ Kalam is categorized as Muslim Tamil) but, for various reasons that are not relevant for our purpose, it is not so here, and I think the Tamil-Muslim distinction is likely to continue. In the case of the Indian Tamils my expectation is that they and the Sri Lankan Tamils will eventually merge, but the issue cannot be forced. However, the three ethnic groups are linked by a common language, viz. Tamil, and by the fact that they have suffered much ethnic discrimination.

Post-Independence Political Developments

T he roots of the ethnic conflict reach back almost to the time of independence when legislation was passed effectively denying citizenship and voting rights to virtually all Indian Tamils. Most Sri Lankan Tamil and Muslim MPs were complicit in that initiative, whereas Sinhalese Marxists stood by the Indian Tamils. Clearly, Sri Lankan Tamils and Muslims felt little affinity to the Indian Tamils who felt greatly betrayed, particularly by Sri Lankan Tamils. Any solution to the National Question must provide for the full emancipation of the Indian Tamils wherever they live.

In 1956, when Sinhala was made the sole official language, resistance had been weakened by the disempowerment of Indian Tamils who remained unrepresented in Parliament for two and half decades. Most Muslim MPs from outside the North-East voted for Sinhala as the only official language even though they too were Tamil speaking. This generated significant anti-Muslim feeling among Tamils. Then followed a belated move by the leadership of the Federal Party to forge a Tamil–speaking alliance. Several Muslims contested Eastern parliamentary electorates as Federal Party candidates and some were elected. But for various reasons including 'divide and rule' policies of the state, the alliance gradually unraveled.

The Muslims of the North-East have been as much concerned as the Sri Lankan Tamils about certain all-island issues such as language of administration, and regional issues such as territory (colonization), autonomy and control of local resources, but these concerns were not adequately articulated by the South–based national Muslim leaders. It was in the 1980s that the Sri Lankan Muslim Congress was formed with MHM Ashroff as the leader. For the first time, there was a Muslim political party based in the North-East with a charismatic leader from the same region. But it came much too late and, in the meantime, the conflict had developed on Sinhala-Tamil binary lines and the civil war as a revolt of the LTTE (initially together with other militant groups) against the state. Peace talks between the state (under President Premadasa) and the LTTE began and were aborted. When they resumed (an initiative of President Kumaratunge), they continued as two-party talks. Subsequent talks were also binary.

Unit of Devolution in the North-East

I will not go into the question of why separate North-Eastern and Southern consensuses could greatly facilitate reaching a national consensus or of why multi-party negotiations with everyone sitting at the same table from the outset may be less likely to succeed than beginning with two or three–party negotiations and finding ways to progressively take in the concerns of other stakeholders, who could be brought into the negotiations in diverse ways. I will first focus on the Unit of devolution within the North-East, and then go on to make some tentative suggestions in respect of the unit of devolution in the South.

There are critical differences between Sri Lankan Tamils, Muslims and Indian Tamils in their history and political aspirations, especially in relation to territorial focus. As per figures collected in mid-2006 (Vigneswaran, 2006) from the respective District Secretariats, the total Tamil population of the North-East is 1,980,400. The Sri Lankan Tamil population outside the North-East (vide the census of 2001) is 620,000. We may conclude that about 75% of the Sri Lankan Tamil population are resident in the North-East. Even amongst the 620,000 resident elsewhere, and the 800,000 externally displaced, the overwhelming majority would trace their origins to and identify with the North-East irrespective of whether they plan to return there.

In the case of Indian Tamils, the majority may have descended from those who worked in the hill-country plantations, but few owned land or were permanently settled in those localities, and even fewer may regard any of those localities as their place of origin.

No arrangement for the North-East can work unless it has the endorsement of the Muslims of the North-East. In the case of Sri Lankan Moors, the territorial focus is widely dispersed, covering almost the entirety of Sri Lanka. Only a third of the Sri Lankan Moor population are resident in the North-East, and only a minor fraction of that one third of that population would be caught up in any contiguous Muslim majority South-East region carved out of Ampara district. Large concentrations of Sri Lankan Moor populations such as in Kathankudy, Kinniya and Eravur in the East, and Musali and Erukalampitty in the North, would be excluded. Overall, only about 1/8th of the Sri Lankan Moor population would be resident in the proposed South-East region.

An alternative arrangement, based on the 'Pondicherry Model,' of an autonomous Muslim entity composed of non-contiguous, virtually mono-ethnic mini-units, is conceivable but would be difficult to administer, especially in times of ethnic tension when movement across unit boundaries could become problematic. Exclusive mono-ethnic units may not

4

be conducive to inter-ethnic harmony. A vital feature contributing to the viability of Pondicherry is that there is neither any ethnic disconnect between the scattered mini-units comprising Pondicherry and the regions in which they are embedded, nor any history of political conflict. The rationale for Pondicherry in South India is to facilitate preservation of certain historic and linguistic (French) traditions and culturally enrich the entire region. In contrast, discontinuous mini-units in the North-East demarcated exclusively on ethnic lines and in response to ethnic conflict may perpetuate and even accentuate the conflict; the exercise may turn out to be counter–productive in terms of security, political harmony and socio-economic interaction and welfare.

Whereas Tamil opinion (including that of Eastern Tamils) is overwhelmingly for merger, many Muslims in the East may welcome the de-merger of the North and East. Initially there was a sizable number of Muslim youth, especially from the East, who were amongst the Tamil militants, but LTTE–led violence against Northern and Eastern Muslims in the 1990s led to many of them leaving the movement in disgust. In the light of their bitter experience it is not surprising that Eastern Muslims, while fearful of oppressive Sinhalese majoritarianism, are equally or even more fearful of oppressive Tamil regional dominance. But the Northern Muslims, already victims of total ethnic cleansing only minimally reversed, would be completely isolated and further weakened by de-merger. Tamils and Muslims in the East, while apprehensive of Jaffna domination, also have cause to fear de-merger facilitating accelerated Sinhalese colonization combined with ethnic cleansing of Tamils and Muslims.

The proportion of Muslims in the combined North-East region (about 18%) is roughly equal to the proportion of Tamils in the entire island. Just as Tamils need to have a major say in the settlement of the National Question, the Muslims need to have a major say in the settlement of the North-East Question. The initiative and the primary responsibility to secure North-Eastern Muslim backing as well as the acquiescence of the Eastern Sinhalese to settle the North-East Question lies with the Tamil leadership. Any formula worked out would need the endorsement of the LTTE (which controls and administers considerable areas of the North-East including the entirety of Kilinochchi and Mullaitivu districts) before it acquires irresistible legitimacy as the North-East consensus–a precondition for an all-island national consensus.

The Sinhalese population of the North-East is largely concentrated in certain localities, some of which adjoin neighbouring Sinhalese majority provinces. They could either opt to have those localities attached (subject to the requirement of contiguity) to those adjoining provinces or opt to remain part of the North-East, in which case it is essential that their concerns are adequately covered in working out the administrative structure for the North-East. They will enrich the cultural diversity of the North-East.

For a region to be a viable unit of devolution, it needs to be not only of significant size but also to be seen as the home of all those who reside in it. Thus the North-East region, if seen as essentially a Tamil homeland, may not be a viable unit of devolution. The scheme of governance of the region needs to be more inclusive and so structured that the Muslim and Sinhalese populations caught up in it are equally at home. Sub-regions, intermediate between the region and city/town/village, with a substantial level of autonomy (including internal policing) much higher than that enjoyed by local bodies, could possibly be part of the scheme. While mono-ethnic regions and sub-regions are neither feasible nor desirable, the sub-regions may be so demarcated as to bring together, as far as the requirement of territorial contiguity may permit, people of like ethnicity. Inter-ethnic power sharing mechanisms and safeguards would be necessary at every level. In ethnically mixed areas ethnic quotas may perhaps be needed for a decade or so. Agreed procedures to resolve disputes would need to be developed and established. There could be provision for similar sub-regions within other regions of the island.

Unit of Devolution in the South

Under the Bandaranaike–Chelvanayakam (BC) Pact (which was scrapped without implementation), there was very limited devolution envisaged to the North-East and none to the residual rest (which was treated as one but with no regional council corresponding to the proposed North-East Regional Council). Under the Dudley-Chelvanayakam Pact (which was also scrapped without implementation), and the unsuccessful District Development Council system introduced under the Jayewardene administration, each district was treated as an independent unit. Clearly, neither the district as the unit of devolution nor the powers devolved on the districts were adequate .

It is for this reason that attention reverted to the province as a unit of devolution, with the North-East temporarily merged

as under the BC Pact. However, unlike in the case of BC Pact, the powers prescribed to be devolved under the Indo - Sri Lanka agreement were much more substantial, and the devolution covered the entire island and not just the North-East. Inadequacies in the 13ᵗʰ Amendment as well as in the implementation contributed, along with other factors, to the failure of the scheme.

Treating the entire South as one unit would be unsatisfactory for two reasons. Firstly, there would be gross asymmetry in the sizes of the units and, second, two–unit federations tend to be unstable (the zero sum factor). On the other hand, the province, though superior to the district, may yet be too small to be economically feasible as a unit of devolution. Moreover, in the absence of ethnic characteristics as a binding factor (such as language in the case of the North-East), it will help if each unit could have a coherent identity beyond the districts and provinces created by the British purely for their administrative convenience.

This is a matter that should await a Southern consensus but consideration could be given to reducing the number of Southern regions from seven to three or four. Perhaps, the new regions could roughly correlate to the ancient kingdoms centred on Anuradhapura, Kandy, Kotte and Ruhuna. But this needs to be worked out by the leadership of the entire population of the seven Southern provinces, just as the unit devolution within of the North-East needs to be worked out by the leadership of the entire North-East population.

Origins of Tamil Nationalism

T amil separatism and violent militancy, very much part of the current reality, are developments in the last three decades. An earlier generation of Tamils was inspired by Gandhi, and Tamil areas were noted as having low levels of violence. A political manifestation of this inspiration was the Jaffna Youth Congress (JYC), which dominated the Northern political landscape for two decades beginning in the late 1910s. The ideals of that organization, which captured the imagination not only of the people of Jaffna but virtually all anti-imperialist activists in the island, are in sharp contrast to the values which many now identify with Jaffna. The JYC campaigned for immediate independence, for universal adult franchise, for Gandhian ethics and non-violence in political and social life, against the caste system, against communal electorates, and for the teaching of Sinhala and Tamil in all schools. If maintained very close cooperation with all shades of the political leadership of the South as well as the Gandhian leaders in India (Nesiah, 2001, pp. 9-13).

The Donoughmore Commission appointed by the British Labour government recommended far–reaching reforms including universal adult franchise, the abolition of communal electorates and progress towards dominion status. For the JYC, the latter was too little too late, and it boycotted the 1931 election based on the Donoughmore reforms demanding, instead, immediate independence. Many in the South, notably the Marxists, applauded the stand of the JYC, but the mainstream Sinhalese leaders considered it too radical. The conservatives, in the North and in the South, opposed the Donoughmore reforms for the opposite reason – they thought they were too much too early. In the event, the boycott by the JYC resulted in the Northern conservatives gaining election to the newly formed State Council in lieu of the JYC, stealing a march on the latter. This, together with the rise of communal politics all over the island beginning in the 1930s, led to the gradual fading out of the JYC from the political scene.

It was the mid-1950s imposition of Sinhala as the only official language in the mid 50s, and sweeping discriminatory measures that accompanied and followed it, that precipitated the consolidation of Tamil nationalism (Nesiah, 2001, pp. 13-17). Initially its vision was uncompromisingly federalist and against secession. Till the early 1970s, at every political election, every candidate on a secessionist platform was overwhelmingly defeated. The turnabout was in the 1970s, following the drastic curtailment of the admission of Tamil students into the universities beginning in 1971 and the starkly majoritarian 1972 constitution. The statement of Chelvanayakam on winning the Kankesanthura parliamentary seat at the 1975 by-election marks a fateful turning point. He declared:

We have the for the last 25 years made every effort to secure our political rights on the basis of equality with the Sinhalese in a united Ceylon… It is a regrettable fact that successive Sinhalese governments have used the power that flows from independence to deny us our fundamental rights and reduce us to the position of a subject people… I wish to announce to my people and to the country that I consider this verdict at this election as a mandate that the Tamil Eelam nation should exercise the sovereignty already vested in the Tamil people and become free. (quoted in Nesiah. 2001, p.16)

Pogroms, Civil Wars and Ethnic Cleansing

T he general election that followed set the stage for a radical escalation of the ethnic conflict. On the one

6

hand, for the first time, the Tamil electorate returned a slate of candidates on a secessionist platform. On the other, the new government kicked off with a post-election pogrom in 1977 and proceeded to install a new constitution firmly locking in the essential majoritarian character of the 1972 constitution. The well organized, coordinated and widespread ethnic cleansing in 1983 was a follow-up on the scattered cases of ethnic cleansing in 1977. Since then, the practice has been adopted by many groups, affecting Sinhalese, Tamils and Muslims. In October 1990 the entire Muslim population of the North was evicted by the LTTE in the largest act of ethnic cleansing since 1983.

Since my focus is on a North-East consensus, I will make only passing mention of the extensive discrimination suffered by Tamil-speaking people outside the North-East in transacting official business in the Tamil language. For example (FCE, 2006).

· the population of Badulla city is 26.2% Tamil speaking but only one of the Municipal Council staff of 450 is Tamil literate.
· The Tamil-speaking proportion of Kandy city is 25.7%, but none of the 60 working in the registrar's office is Tamil literate.
· Ratnapura city is 13.3% Tamil speaking, but no one in the High Court office is Tamil literate.
· Colombo city is 56.7% Tamil speaking, but less than 1% of its staff are Tamil literate.
· Over the decades, the situation has been getting worse, not better.

The Issue of Self-Determination

T he critical issue is internal self-determination (regional autonomy within a united island). In this light, the Oslo Statement of 5 December 2002 was a major and valuable breakthrough. It is essentially a modified refinement of the Thimpu Principles put forward in Thimpu in 1985 as representing a Tamil political consensus. Both parties, particularly the LTTE, made unexpected and unprecedented commitments toward peace and reconciliation but, since then, have been trying to wriggle out of that commitment. Perhaps all of us who want peace, including civil society and the international community, have been lethargic in failing to keep the government and the LTTE pinned to the very thoughtfully drafted Oslo Statement, which includes the following:

... a solution founded on the principle of internal self-determination in areas of historical habitation of the Tamil speaking peoples, based on a federal structure within a united Sri Lanka [and] acceptable to all communities... Power sharing between the centre and the region as well as within the centre... Human Rights protection... Law and order... the need to ensure that the priorities and needs of the women are taken into account... that children belong with their families or other custodians and not in the work place, whether civilian or military... consultation with all segments of opinion as part of the peace process...

Problems Impeding a Consensus

A s often in multi-ethnic countries, the largest ethnic minority community (in our context, Sri Lankan Tamils) appears to have the greatest political problems in relation to the state. Except for one or two brief periods, the Sri Lanka Tamil leadership had never any significant representation within the cabinet. Nor had they any part in the formulation of the two post-independence constitutions. Whereas the Muslims and the Indian Tamils have sought to influence national policy and decision making from inside the government, the Sri Lankan Tamils have sought to do it from outside. To make progress on major issues concerning all the minorities, collective action by the leaders of the Sri Lankan Tamils, the Muslims and the Indian Tamils is needed, and this requires orientation and coordination that extends well beyond agreement on common objectives. This may not be easy.

Firstly, the party that has engaged in armed revolt (the LTTE), and many other Sri Lankan Tamils too, may feel that they have vested more into the process than other groups, and that both the negotiation process and the details of the settlement should reflect that reality. On the other hand, it is not easy for the others to agree to such disparity. Second, what are the fallback options if negotiations fail? For one party (particularly the LTTE) it may include a possible return to civil war; for the others that may not be a tolerable option. A further complication is that in the course of the conflict there have been terrible instances of ethnic cleansing between minority communities (including the eviction by the LTTE of the entire Muslim population of the North), fratricidal violence within and among the two communities, and suspicion of complicity by Tamil and Muslim groups in deadly military action by the state against the LTTE/Tamil civilians. Bitterness on account of these atrocities and lingering suspicions that more atrocities may follow may

hinder collective action. The bitterness and suspicion are augmented by the 'divide and rule' policies of the state.

Another problem is that of representation. Can the LTTE speak for the whole of the North-East or even for all Tamils? Moreover, it has become increasingly clear that an involvement of a third party, viz. the Muslims, is absolutely essential to any discussion extending beyond the cease-fire to regional autonomy and other issues, and that of a fourth party, viz. the Indian Tamils, is absolutely essential to any discussion extending beyond regional autonomy. But the two negotiating parties seem reluctant to take even the first step and to accept the entry of the Muslims as an independent party to the negotiations. Curiously, both the state and the LTTE seem to prefer including the Muslims as a component of the state delegation. Does this imply that the North-Eastern Muslim interests are more aligned to those of the state than to those of the North-Eastern Tamils?

There are other problems too arising from the lack of an independent Muslim negotiating team. Two-party conflicts tend to take on zero-sum characteristics, with the weaker party likely to come out as the bigger loser. Moreover, each side may be tempted to look for an opportune moment to launch a pre-emptive first strike. We have seen this again and again. In contrast, three-party conflicts may provide inducements to each party to build partnerships, to work out creative solutions and to avoid violent confrontations. We have had a long history of two-party conflict and two-party negotiations; these have failed, leading to a succession of pogroms and civil wars. Perhaps three-party negotiations may yield better results for everyone excluding those with a vested interest in the resumption of war. As the peace process progresses, other stakeholders need to be identified and brought in.

The alternative to collective action is the totally unacceptable continuation of what has gone on in recent years, viz. spells of no-war, no-peace; punctuated by pogroms and outright war from time to time (Eelam War 4 is looming). The strategy for collective action must be based on the reality that the Sri Lankan Tamils, Muslims and Indian Tamils, though socially and politically distinct, share many common interests, apart from the common interests that bind the entire population of Sri Lanka. It is clear that the LTTE-directed armed struggle has gained significant political advance, though at great cost. But there are limits to what can be achieved through armed struggle. Many gains can come only through political coalitions engaged in democratic processes.

The Land Issue

Among the many disasters resulting from the civil war is damage to forests. Forests covered 80% of the island a century ago; today they cover barely 20%. Protection of existing forests (woefully inadequate) and the planting of new forests (equally inadequate) have been affected by the civil war, which has thus accelerated the adverse trend in respect of forest cover. Large numbers of palmyrah, coconut and other trees have been destroyed by shelling; many others have been deliberately felled for security reasons (especially those by the roadside that could provide cover for ambush) or to build bunkers or to provide firewood in areas deprived of other fuel. Over most of the North-East, planting new forests has not been possible on account of security conditions.

For at least six decades a major ethnically contentious issue has been the control and occupation of land. There is much landlessness among agricultural communities in several Southern areas. Land suitable for colonization schemes is available in the North-East as well as in several other regions such as Moneragala, and the North-Western and North-Central provinces. Overall, population density is lower in the East and in the mainland area of the North than in most other provinces. Colonization schemes have served to provide cultivable irrigated land and required ancillary facilities to landless agricultural labourers, helping to transform their lives and socio-economic conditions. In many cases, the settlement of large number of Sinhalese colonists in previously Tamil or Muslim majority areas has also transformed the ethnic character of the neighborhood, with negative consequences to the original Tamil or Muslim residents in such matters as access to schools, public services, security in times of ethnic tension, etc.

A problem that specially concerns those in land–scarce regions is the need for cultivable land. It is true that the North-East region has a disproportionate area of cultivable land per head of population, and this disparity needs to be addressed.

It is also true that from even before independence, colonization schemes have, whether deliberately or otherwise, served to convert large extents of–Tamil or Muslim majority areas into Sinhalese–majority areas, with many adverse consequences for the former (in respect of political representation in parliament, language of governance, the ethnic composition of the administration and police, the medium of instruction in schools and many other matters).

In many locations the descendants of Tamils and Muslims who had been in occupancy for centuries had been marginalized and, in times of communal tension, had cause to feel deeply insecure. In consequence many such villages have been totally evacuated and are now occupied by others (mostly Sinhalese). The villages ethnically cleansed in this manner include Thennamaravady, Kokkilai, Kokkuthodavaai, Kurunthumalai, Mankemdimalai, and numerous others. This is also happening in urban centres, notably in proximity to Trincomalee harbour. This too is a reality that needs to be addressed.

A third reality is that in many areas of the South, Indian Tamil agricultural labour is largely landless. Many of them have gone to the North-East, and a few of them have gained access to land, but most of them remain landless. Everywhere those of other communities gain precedence in land allocation.

A fourth reality, already referred to, is the alarming shrinking of forest cover over the island. I need not elaborate on the negative environmental consequences, locally, nationally and globally.

The scarcity of land for colonization has been overstated, and colonization schemes undertaken in border areas of the North-East for political reasons, even when equally suitable land is available in other provinces. Some lands in the North-East (as in other regions) need to be reserved for colonization with preference given to people of the region. Those brought in from outside could include significant numbers of Sinhalese and Indian Tamils, but not in such numbers as to radically alter the ethnic character of the district or division. Further, the intensity of mutual discontent in respect of the colonization issue could be substantially reduced, concurrently with gaining very significant environmental benefits, if large areas of the North-East could be demarcated as forest reserves and excluded from all land settlement schemes. The benefits of large scale foresting will accrue to the entire island and even to lands overseas. Several developed countries would be happy to fund the establishment of new forests.

Political Violence

Finally, given the diversity of the population of the North-East and of the tragic events of the last few decades, how do we reach a consensus? It is a very difficult exercise made immensely more difficult by the resort to fratricidal violence, which is surely suicidal. Fratricidal violence has been misguidedly indulged in by activists in many struggles against oppression in the belief that it may be the only means to effectively settle differences. Differences that may arise on policies, strategies, personalities or on any other matter will have to be resolved through discussion among the partners in the struggle, not by liquidation. Resorting to fratricidal violence can only deepen divisions, provoke counter-violence and undermine the struggle. Bitterness created by liquidation or expulsion of communities will linger, like in the case of the fratricidal clashes among Sri Lankan Tamil groups in the late 1980s and early 1990s and the recurrent instances of ethnic cleansing of Sinhalese, Tamils and Muslims in the 1980s and since then.

A culture of permitting free expression of opinions and lively discussion of differences has been a feature of successful struggles (e.g.,the Russian Revolution and the French Revolution in their early stages, the movement against Apartheid in South Africa, the US Civil Rights Movement of the third quarter of the last century, and the liberation/independence movements of India and Cuba). In contrast, a culture of violence and intolerance, even if it appears to be helpful to enforce unity, is a recipe for the emergence of dictatorship and further oppression (e.g., USSR in due course, the French Revolution in the later stages, and the proliferation of communal conflict in India in the wake of BJP rule). The end result may be that both in numbers and in quality the potential strength of the movement is undermined, increasing the adverse tilt of the balance of forces and facilitating further majoritarian oppression.

A major concern is that the culture of violence, especially violence against civilians of all ethnic groups, has led to losing the moral high ground occupied by Tamil leaders when the struggle was against violent suppression of Tamils by the state. Ready resort to violence against civilians and indifference to democratic and human rights norms devalue the legitimacy of the struggle against state violence and denial of minority rights. Recruitment and use of child combatants, fratricidal violence and assassinations, torture and brutality, and the intolerance and suppression of dissent, resorted to by various Tamil groups, have contributed to the loss of much support, locally and globally. Attempts to undermine the autonomy and integrity of non-government organizations, political parties, newspapers, universities, schools and other institutions functioning in the North and East by various agencies have also been counter–productive. Even if some of these activities appear to yield immediate gains, their long-term impact on the community is overwhelmingly negative. In contrast, consistent upholding of values and principles

9

played a critical role in the success of the struggles led by Mahatma Gandhi, Martin Luther King and Nelson Mandela.

We need to be concerned about the rights and sensitivities of regional minorities. It is increasingly accepted among the Sinhalese (though not yet by the government) that federalism and inter-ethnic power sharing are necessary to regain national unity and integrity. In turn, Sri Lankan Tamils need to accept the need for power sharing in the regional capital (Trincomalee) as well as sub-regional autonomy, particularly for sub-regions in which regional minorities are dominant. Those who campaign against ethnic violence, ethnic cleansing, ethnic oppression and displacement, de-legitimize their protests if they do not also protest against ethnic violence, ethnic cleansing, ethnic oppression and displacement of civilians of other communities, especially if they occur at the hands of their own ethnic group. Civilized political culture demands that we need to protest all violations of human rights and to uphold the rights and welfare of women, children and all vulnerable sections of the population. Those who claim to fight for human rights cannot afford to be selective.

A striking feature of the ethnic conflict in Sri Lanka is that it has been conducted as if it is a zero-sum game that could be resolved through violence. The misery, displacement and bloodshed caused are disproportionate to the size of the country and, indeed, to the issues involved. After decades of gross oppression, ethnic cleansing, pogrom and civil war it appeared that the protagonists had learnt that the war was unwinnable, and that the way forward is through negotiations, not violence. That lesson now appears to have been quickly unlearnt and we face the prospects of having to relearn through a fresh cycle of oppression, ethnic cleansing, pogroms and civil war. Hopefully the illusion that the war is winnable will be rapidly dispelled and we will turn again to negotiations.

A zero-sum game is intrinsically not conducive to a negotiated settlement; it is the prospects of joint gains that motivate and sustain negotiations. Clearly, there are joint gains to be made by the parties concerned at the centre, between the centre and the periphery, and at the periphery. It is increasingly accepted that a Southern consensus, though difficult to reach, is an essential pre-condition to the resolution of the National Question; so too a North-Eastern consensus.

References and Bibliography

Ali, Ameer 2001. "Plural Identities and Political Choices of the Muslim Community," Marga Monograph Series on Ethnic R econciliation, Colombo.
Cheran, R. 2001. "The Sixth Genre: Memory, History and the Tamil Diaspora Imagination," Marga Monograph Series on Ethnic Reconciliation, Colombo.
Department of Census and Statistics 2002. "Statistical Abstract", Colombo.
Foundation for Co-Existence (FCE) July 2006. "Language Discrimination to Language Equality," Colombo.
Galtung Johan October 2003. " Federation as Peace Structure: The Case of Sri Lanka," Colombo.
Hasbullah, S.H. August 2004. "Report on a Dialogue between Tamil-Muslim Women: Project on Re-establishing and Strengthening Tamil-Muslim Relations in Northern Province," Colombo.
October 2004. "Regain the Glory of Mannar through Tamil-Muslim amity: A Situation Report", Colombo.
Hoole, Rajan 2001. "Sri Lanka, the Arrogance of Power: Myths Decadence and Murder", Colombo.
Loganathan, Ketheshwaran 1996. "Sri Lanka: Lost Opportunities", Centre for Policy Research and Analysis, Faculty of Law, Colombo.
Mc Gilray, Dennis B 2001. "Tamil and Muslim Identities in the East," Marga Monograph Series on Ethnic Reconciliation, Colombo.
Nesiah, Devanesan December 1998. "An Audit on the use of Tamil as an Official Language in provinces outside the North-East", Marga Institute and Official Language Commission, Colombo
2001. "Tamil Nationalism," Marga Monograph Series on Ethnic Reconciliation.
2001. "The Claim to Self-determination: A Sri Lankan Tamil Perspective," *Contemporary South Asia* 10(1).
2001: Ethnic Identity and Self-determination," -*Polity*, Vol. 1, No.1
Pathmanathan, S. 1999. "Tamil Identity, History and Historiography," Seminar on History, Identity and Historiography, Colombo, 1-3 December.
Rajasingham- Senanayaka, Dharani, Fara Haniffa and **Devanesan Nesiah** 2001. " A Vision for Sustainable Peace in Sri Lanka," *Polity* , Vol. 1, No. 5.
B. Raman, N. Sathiya Moorthy and Kalpana Chithraranjan (eds) 2006. " Sri Lanka: Peace without Process," Samskriti, New Delhi.
Sivathambi, K. 2001. "The Sri Lankan Ethnic Crisis: A Tamil Perspective," Marga Monograph Series on Ethnic Reconciliation, Colombo.
Sumathy, S. 1999. "Militants, Militarism and the Crisis of (Tamil) Nationalism," Marga Monograph Series on Ethnic Reconciliation, Colombo.
Vigneswaran, K. 2006. Unpublished data. ∎

Dr. Devanesan Nesiah is a researcher and consultant.

10