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*This article, written in March in the context of the parliamentary election campaign, points to some of the fundamental contradictions in the Sri Lankan polity at present.*

## MULTIPLE CRISES IN SRI LANKA

Kumar Rupesinghe

**S**ri Lanka today is facing what could be termed multiple crises. With the country's attention devoted to campaigning and elections, the current political crisis in the Eastern region brings a new dimension to an already fragile peace process. The development of multiple levels of crises suggests that the country has lost its center of gravity and is being propelled into mutual self-destruction. It seems to me that we have lost analytical categories which can truly comprehend and understand the chaotic and turbulent period to which the country is heading. If our leaders, Sinhalese, Tamil and Muslim, do not act with a sense of responsibility the country will be drawn irrecoverably into a vortex where further fragmentation of the polity could result in a period of escalating domestic violence and increased external intervention. It could also lead to an inadvertent war. A war that nobody wished but which was propelled by circumstances and events which are unfolding before us.

The current conjuncture can be characterized as a period in which all stakeholders are attempting to maximize their own power and position at the expense of others, leading to a situation where all sides are poised to lose. The political structures we have inherited and the personalities which today dominate the political spectrum all seem to be pulling towards positions where the pursuit of narrow interests will tear the country apart. We are experiencing deep and profound systemic crisis at all levels of society.

Primarily it is a crisis of governance, hegemony and domination, the blatant abuse of power, and the lack of respect for identities and communities. The politics of majoritarianism dominates the political culture of the Sinhalese and the Tamils. The politics of exclusion is manifest in a variety of ways.

- Despite a formidable armed struggle by the LTTE the Tamil National Question has been marginalized and ignored by the Sinhalese polity.
- The Sinhalese ruling class continues to be engaged in an internecine power struggle which is likely to bring the country into further destabilization.
- The recent attacks on Christians by Sinhalese chauvinist forces, accompanied by the lack of a single prosecution of the perpetrators of these crimes have further increased the insecurity and fear felt by this significant minority. They

feel that the state has pandered to extremist Sinhala sentiments.

- The resurgence of militant political Buddhism, represented by Buddhist monks, demonstrates a critique of their own hierarchies, their sense of alienation from modernity and an enhanced sentiment of insecurity and fear of Christian, Muslim and Tamil domination. The political manifestation of this through the Hela Urumaya will tend to push the JVP and the SLFP into more hard-line positions.
- A crisis in the Muslim polity is also visible in the pull towards regionalism and continued internal fragmentation.
- The contention and divisive politics between the Northern Command and the Eastern command of the LTTE, where the Eastern Tamils complain about Northern hegemony and domination, is likely to further fragment the Tamil polity, encourage internecine fighting and possibly provoke an inadvertent war.

### Southern Political Crisis

**B**oth consequence and manifestation of the Southern political crisis is the inability of the ruling class to address the Tamil National Question. The elections of December 2002 provided a basis for a serious co-habitation between the Executive President and the Prime Minister to address and resolve the Tamil National Question. Both the President and the Prime Minister had received separate and distinct mandates from the people to pursue a negotiated solution with the LTTE. Both the parties in their own way had recognized the need for adequate power-sharing arrangements with the Northeast. In March 2002 I argued that the President and the P.A. agree to a Memorandum of Understanding and work together to resolve the profound and debilitating crisis which has beset the country during the last 50 years. In that article I warned that a failure to reach a bi-partisan agreement would lead to a resumption of war and the further balkanization of the country. It is now clear that President and Prime Minister both failed to transcend their narrow interests and each, in maximizing their own positions, jeopardized the sustainability of the negotiation process.

During the crisis created by the takeover of the three Ministries, the appointment of the Malik-Mano committee, composed of

representatives of both the President and the Prime Minister, provided hope that an agreement could be reached. It is a tribute to this committee that it covered a lot of ground and had reached agreement even on the vexed question of the Defense Ministry. The committee should have been given a little more time to reach full consensus. But unfortunately political pressure and other conditions prevailed.

The consequence of all this is an election that the people never wanted. The decision was taken without adequate consultations with Parliament, and ignored the appeals of the international community, the business community and representatives of civil society. It did not matter if the country would lose billions in electoral expenses and experience further polarization of the already deeply divided Southern polity.

It is clear that the elections will produce a hung parliament. There will be no winners. The current constitution and the numbers game will ensure that no party or coalition will obtain a two thirds majority. It is also likely that post-election violence will be propelled by politics of revenge. Nobody can be certain of the numbers game. If the UNF is returned to power with a slender majority then it will face a hostile President and a raucous Parliament. This situation may tempt the Government to impeach the President. Further the UNF will have to depend on the Tamil National Alliance which acts as a proxy to the LTTE. This coalition will excite Sinhalese fears and will be a breeding ground for xenophobia and agitation. On the other hand if the PA-JVP Alliance comes to power it would have difficulties in obtaining minority support. Although the President has claimed that she is interested in providing the LTTE with substantive powers there will be great contention within her alliance where the JVP will be opposed to such an arrangement. Whilst it should be welcomed that the JVP has been drawn into the mainstream and is committed to negotiate with the LTTE there is still a long way to go to reach consensus between the two parties. There is no agreement on economic policy and the peace process. The manifesto of the alliance hides deep differences which have already come to the surface. Efforts to resolve these conflicts by attempting to tamper with the constitution through extra-legal means will have major consequences to an already fractured political society.

It is in this climate that we have to consider the proposal by the PA-JVP alliance to create a constitutional revolution. A constitutional revolution conceived to degrade the current constitution by extra-constitutional means. They argue that the current constitution is a fetter to the further development of the country and to the resolution of the National Question. By invoking the Doctrine of Necessity alliance lawyers and propagandists argue that the current elections will constitute a referendum to change the constitution. It is argued that when they come to power a constituent assembly will be convened and a constitutional court established so that they could change the constitution even by a

simple majority. It is a bid to mould the constitution in one's own image. This proposition is not only dangerous but irresponsible because it will provoke opposition by the UNF, the minorities and the LTTE. Once again the demands of political expediency will be given priority over consensus-building. Changes in the Constitution must abide by the law and any attempt to tamper with the constitution through illegal means will further fragment the polity and deny the legitimacy of the government. The consequences of such a step are far reaching in a number of ways. Minorities in the country will be naturally concerned and worried that the safeguards entrenched in the constitution will be lost to them. The LTTE will be averse to trust a negotiations process where agreements reached will be worthless since another government can revoke decisions taken. There will also be significant opposition in the South. If the constitution is to be amended then an interim constitution should be created to abolish the executive Presidency and with provisions for a Federal constitution, However this must be achieved by obtaining consensus in Parliament.

It is also of some consideration that the elections were announced when the LTTE had submitted a proposal to the Government pertaining to the North-East. It has been noted that the announcement of the elections was only two weeks after the LTTE submitted their proposals. The LTTE has argued in international fora that ignoring these proposals and diverting attention to the usual internecine conflict in the South is another example of the lack of interest of the Southern polity to resolve the National Question. Such enormous resources and energy are being spent on the elections whilst the Tamil National Question remains in the doldrums. They have also indicated that they do not wish to be drawn into a vortex where each party competes to be in favor with the LTTE.

Another cause for serious concern is the religious conflicts which surfaced in the last few months. Opposition to so-called forced conversions has been manifested by armed attacks on not only Evangelical churches, but also Catholic and Anglican Churches. The numbers of attacks on Christian Churches escalated considerably since the funeral of Soma Thera. It is to the credit of the police that they were able to apprehend some of the perpetrators but further action is necessary. The essence of a democracy is that perpetrators be prosecuted and minorities assured that the rule of law prevails. The recent by the IGP that a special task has been appointed to investigate and report on the recent attacks is to be welcomed. A noteworthy feature of the attacks is that files of converts and church-goers were taken away and entered into a database. Furthermore leaflets are distributed with open invitations to the public to attack Christian Churches. These manifestations remind us of similar efforts at the time of the planned pogroms against the Tamil Community in 1983. The same forces which initiated the pogroms by making lists of Tamils in Colombo and their business houses seem to be back to work again.

## Crisis in the North East

**A**nother serious manifestation of the crisis is the events leading up to the conflict in the North and the East. In a paper I produced in September 2002 I wrote that: "Although the LTTE command and control structure appears monolithic, there are some grounds to believe that there are tensions between the High Command in the North and the Eastern Command. The LTTE is in a transitional phase between a tightly controlled military command structures to a broad political structure. There seems to be growing divisions within the organization brought about by the peace process where the organization is divided between the military and the political."

The withdrawal of the Eastern Command led by Karuna Amman and the subsequent expulsion of Karuna from the LTTE has and will continue to have serious consequences for the peace process. Karuna's grievances that the LTTE Northern Command exercised overall hegemony over the people of the East, that none of their people were represented in the high echelons of the political and administrative structures, and that efforts were made by the LTTE Intelligence Wing and other departments to isolate the Eastern Command demonstrate the problems faced by a monolithic party and the problems it faces in peace time. The structures which were maintained during a period of war encounter serious problems if transitional mechanisms are not developed for peacetime. Some have argued that efforts to create such a transition between civilian and military control as the basis of the current conflict.

There are several scenarios which are likely to unfold in the not too distant future. Since Karuna has been expelled from the LTTE the possibilities of mediation is no longer possible. Currently what we are witnessing is covert operations by both sides with intensive psychological warfare and the battle for the mind of the Tamil people. This communications war has already begun. It is likely that the LTTE will use covert operations to dispose of Karuna and his colleagues but this will be a difficult and complex operation. A failure of covert operations will then propel an outright military confrontation between the two sides. Such a military confrontation will have far-reaching consequences and help to draw the Sri Lankan Army into the fray. This confrontation must be avoided at all costs.

Like any conflict when it comes into the open there will be a temptation for outsiders to interfere and try to influence the direction of the conflict. Outside interference will add further complications and even if there was no outside interference before it will now take a different form.

In terms of military balance the Northern command still has an edge over the forces in the East in terms of military hardware, strategic direction and a continuous flow of funds from the Diaspora. Further the Tamil people in the Northeast would not wish to see division when the armed struggle of over 25 years has brought such suffering and destruction. They would like to see continuity

and ensure that their negotiations are based on strength and that their rights as a people are recognized. On the other hand Karuna has under his command a large number of troops, with large quantities of light weapons and a geographical advantage over the Northern forces. However the Eastern command does not have Diaspora support and it would be interesting to see how they procure finance and arms for a sustained campaign.

The relative weakness of the LTTE may also provide temptations to those in the South to engage in a military adventure. Such a move will not only be misguided but have enormous consequences to the country. Unlike in armed conflicts in Africa where there is a proliferation of warlords Sri Lanka has been free of warlords and had only one armed group to deal with. The fracture with the East could tempt other to follow the same course leading to warlords dominating the territory. Warlords will compete with each other to tax the population and plunder and pillage will be the order of the day. The proliferation of warlords will make it difficult to negotiate. Further any notion that military adventures to weaken the LTTE by gaining strategic advantage would have the consequence of a return to suicide bombings, and open warfare on all fronts. This danger looks high under the current situation.

An interesting aspect of the conflict between North and East is the question as to what would follow if the Eastern Command were to pursue separate representation and recognition. They could argue that they control a substantial army, control territory, and have popular support. On the other hand the LTTE Northern Command would argue that the Eastern problem is purely an internal affair and should be dealt with as a disciplinary issue. They have maintained that Karuna does not represent the aspirations of the Eastern people. The Southern polity, the SLMM, the Norwegians and the international community will have to confront these vexed issues. Further the rebellion puts into question the unity of the North and East and politicians in the South will be tempted to argue that there is no basis for a merger. Such a position will make negotiations impossible and lead to confrontation. It is not likely that the rebellion in the East can be wished away.

### Hope?

**T**he multiple crises in the country demonstrate once again the lack of an internal actor strong enough to mediate the multiple conflicts engulfing Sri Lanka. Each stakeholder is pulling in different directions towards a zero-sum again. At some point in the absence of a framework for mediating these multiple conflicts, violence and war will become the obvious outcome. The question is whether there are internal actors capable of preventing the balkanization of the country.

It is important to raise questions regarding the architecture and design of the peace process as it was conceived during the first phase. Then the negotiating parties were defined as the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam. This strategy was flawed and was based on the politics of exclusion. It is very



clear that bilateral negotiations between two parties are redefined under the conditions of multi-polarity. Multi-polarity means that there are multiple centers of power and influence which needs to be recognized. This requires a different framework where stakeholders are involved and consulted.

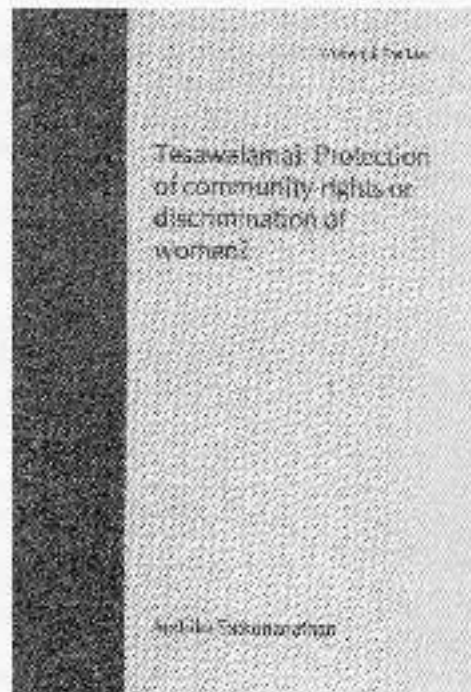
All the parties to the conflict have continued to request Norway to continue to play a facilitating role in the negotiations process. But it is only a big powers, primarily India and the USA, who can apply leverage and impose discipline amongst the parties. In the absence of leverage mediation the multiple levels of conflict will tend to escalate to new rounds of violence. The Dayton Accords was one such framework where all the actors were compelled to accept the discipline of the Single Super Power. In that case, though, Bosnia was in Europe and the global powers had a physical military presence in the country. For India or the USA to consider this as an option in the short term is highly unlikely. India is anxious to maintain its stance that it seeks a negotiated solution and that it is left to the parties to make peace with each other. I cannot see India willing and wanting to play a role except to maintain equidistance. On the other the USA is too distant a power and with its beleaguered position in Iraq may not wish to entertain any other military adventures.

In the absence of strong mediation one possible solution should be to create a framework agreement between all the parties and stakeholders but no one party will use force or violence in the resolution of their specific conflicts. Such an agreement should involve the conflict in the North and East as well as the conflict in the South. Such a framework agreement requires that the parties in the North and East agree not to engage in military hostilities. In the South it means a commitment by the parties not to use violence either during the elections but also after the violence. Post-election violence should be rejected and political leaders should already in their campaigns discourage such behaviors. Such acts of reconciliation could provide the basis for a bi-partisan solution after the elections.

In the present context and circumstances we are left alone. There are moments when our rationality loses its anchor and we are not able to explain with sufficient analytical clarity the future course of events. The collective karma of peoples is playing its own historical role, visiting upon us the sins and omissions of our fathers who should have known better but didn't. Sri Lanka is not yet a failed state, but the signs show that if we do not, collectively, get our act together then we will join the ranks of failed states such as in Africa, where continued cycles of violence dominate and destroy the very basis of democratic values and civilization. ■

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