

AFTER DEVOLUTION: PROTECTING LOCAL MINORITIES AND MIXED SETTLEMENTS

Darini Rajasingham-Senanayake

Political wisdom has long said that Sinhals are the majority; and Tamils, Muslims and all others, mere minorities in Sri Lanka. Yet in the war-torn Jaffna peninsula as well as in most parts of the East of Sri Lanka, the Sinhalese constitute a minority community. In Muslim dominated parts of the South East coast both Sinhals and Tamils are minorities. Clearly majorities, minorities and indeed reality shifts in relation to time, place and perspective.

Now with the (im)possibility of partition hanging over Sri Lanka like the sword of Damocles, and the debate over the unit of devolution in full swing, it seems appropriate to move away from Colombo-centric unitary State to consider devolution's implications for the regions and their local minorities. This is particularly necessary as it is local minorities who have suffered disproportionately during the conflict, with many being displaced along the border areas, while others live constantly in fear for their security and lives.

For, fifteen years of armed conflict is now threatening to destroy Sri Lanka's long and proud history of culturally, religiously, ethnically diverse and mixed urban and rural settlement. The war has not only established a culture of suspicion where neighbours and friends mistrust each other if they speak different languages, dress differently or moved recently.

The armed conflict has also established an unofficial partition or border which splits the island in two, dividing land controlled by the Sri Lanka government in the south from the no man's land run by the Liberation Tigers of Tamil Eelam in the north central Vanni regions. Villages on this unofficial partition are today called "border villages". It is this border or *de facto* partition which the troops fighting operation Jaya Sikuru (which might have been better termed Pyrrhic victory given the enormous losses on both sides) are attempting to cross and erase, just as the LTTE is attempting to consolidate it by intimidating and destroying ethnically mixed villages and urban centres in the border areas.

For devolution to work the magic of peace, it will have to turn back the clock on the unmixing of populations as well as the culture of mistrust, insecurity and suspicion which has built up over the past 15 years of armed conflict which now threatens to destroy an ancient fabric of cultural mixing, tolerance and cosmopolitanism in the island.

Cultural Mixing and Migrations

Of the many historical and anthropological studies of Sri Lanka which speak of cultural syncretism, mixing, and hybridity, John Still's **Jungle Tide** is classic. Still was a British

colonial officer, member of the Archaeological Commission of Ceylon under H.C.P Bell, officer of the Land Settlement Department (1908) and Colonial Labor officer (1911) who spent many years in Sri Lanka. Thus he wrote of the Vanni in a Chapter titled "borderlands":

The northern frontier where the Tamils and Sinhalese join hands, ran through a region known as the Wannu, a word whose close kin to the Sinhala adjective "wal" meaning wild or woodland, and perhaps to the western "wald" "weald", wold and probably wild. And the Wannu is very wild. Along its southern fringe the people are Sinhalese, for the most part though a few Veddhas still linger there whose own language is lost, and who speak Tamil and Sinhalese so impartially that they change from one tongue to another in the middle of a conversation without effort or any preference either way. North of these and throughout the rest of the Wannu, the people are Tamils of various castes who unite but in calling each other Wanniyar" (1930: 123)

Its (Wannu) jungles are rich in ruins of shrines once holy, both Buddhist and Hindu, but curiously enough its most holy place where active worship still persists belongs to neither of these creeds, though it is approached by the followers of both. The old temples are forgotten and Islam has never had a foothold there. The wood-god cult is wholly unorganized, and remains a matter of private and personal converse with god. But in the very middle of the forest, hidden further from cities than any other church in Ceylon, there is an old Roman Catholic mission, so Catholic indeed that men and women of all creeds flock there on pilgrimage, and I have even known a strict Mahomedan to go there from Anuradhapura, carrying with him his sick baby son in full faith that he would be healed there. As on the summit of Adams's Peak, where all religions meet without rancor, so at Madhu in the Wannu do men and women of many creeds find some common denominator which reduces their divergent faiths to hopes possessed by all: and in the wilderness of this old border land of many wars they find a place of truce (1930: 150)

As Still's account shows the border area has been one of ethnic and religious mixing and co-existence. Conflict was usually local, and more likely of a caste nature rather than religious or ethnic kind. In fact, in this region, those who were upwardly mobile, often switched religion, language and/or ethnicity particularly to avoid caste hierarchies and classification. Thus religious conversion often had a sociological dimension and served as a means of caste mobility as did out-migration from caste identified villages. As a close reading of the "Manual of the Vanni District" indicates, historically neither ethnic nor religious identities were as clearly defined as they have

come to be today on the borderline, often people thought of themselves as both Sinhala and Tamil, Hindu and Buddhist at the same time.

Migration and Ethnic Assimilation

Historically Sinhala-speaking peoples from the South have migrated north and lived and worked among Tamil speaking communities, while Tamil speaking peoples from the north migrated south to live and work among the Sinhals. The migrants often changed their ethnicities, languages, religion and caste while merging with the locally dominant populations. The pattern of cultural mixing or hybridization was documented in 1951 by the Harvard anthropologist Nur Yalman in his study of Panama on the south East coast, which was titled "Under the Bo Tree". This pattern of switching ethnicity and religion, sometimes as a means of upward social mobility against caste hierarchies is still evident among certain coastal communities and in the border areas. Among migrant fishing communities which used to circulate between Negombo, Matara, Pothuvil, Trincomallee and Jaffna switching ethnicity is not uncommon.

The migrants often changed their accents, language and ethnicities in the process of assimilating with the locally dominant linguistic communities, while other migrants kept their identities and became bi-cultural. Hence, the pattern of ethno-religious co-existence and hybridity in much of Sri Lanka's coastal communities. This pattern of cultural mixing is most clear in the overlap between Buddhist and Hindu culture and the incorporation of Hindu deities in the Buddhist pantheon and vice versa. Yet, ironically, today it is regions where the pattern of mixed settlements is most obvious, as in the east coast, which are now being earmarked to be Tamil and Muslim enclaves.

Our post-independence fixation on riots and ethnic competition has obscured the fact that for much of the island's history ethnic and religious identity was a fluid, shifting and migratory practice, and that migration and the movement of people occurred with little conflict when it was not a large scale-state or LTTE orchestrated transfer of populations whether in the name of colonization for development or national security.

Such cultural mixing is still evident in patterns of co-existence among Sinhala, Tamil and Muslim villages in the border areas, but is slowly being eroded due to the war and the security situation in the border regions. When I visited some border villages east of Vavuniya recently, interviews with elderly Sinhala and Tamil villagers confirmed the story of ethnic-co-existence among Sinhala and Tamil speakers as well as Muslims who had lived in adjacent villages for a few generations. Thus an elderly Sinhala villager described his relationship with adjacent Tamil villagers: "in the old days we used to go to their wedding feasts and funerals and they used to come to ours: when it was time to sow the fields we used their cattle and they would borrow ours; some of us used to play cards together; we still go to the same Veda mahattaya but now with all this war and army camps it is difficult to us to travel and we don't visit anymore".

Common Sacred Spaces

Today, Sinhala villages in the cleared areas of Vavuniya are "protected" by army camps and check points. This effectively prevents Tamil and Muslim traffic from and to adjacent Sinhala villages, since travellers are searched and questioned at check points. The militarization of the area, the coming of army camps to "protect Sinhala villagers against LTTE infiltration and attack (some Tamil villages are "protected" by the Tamil militant of PLOTE which works with the Sri Lanka army in Vavuniya) and the pass system, has effectively destroyed the pattern of traffic and co-existence between Sinhala, Tamil and Muslim villages in the Vanni and other border areas.

Yet the fifteen years of bitter conflict has not completely eroded this local border history of ethnic co-existence and hybridity. Ever since the conflict between the armed forces and the LTTE the church at Madhu, which John Still described at the turn of the century as a place where people of all faiths meet, has received refugees. To this day it remains a place of truce, respected by the Sri Lanka Army and the LTTE alike. Respect for certain multi-religious centers is part of local success stories of ethno-religious co-existence in the midst of national failure and conflict. It is indeed noteworthy that a study of the situation of refugees and internally displaced people in Sri Lanka deemed the Sri Lanka relief program one of the more successful refugee relief operations in ethnic conflict situations in the world. The US Committee for Refugees in its 1991 report on "Sri Lanka: Island of Refugees" comments: "humanitarian assistance to internally displaced people in Sri Lanka can fairly be described as something of a model program... Relief and to obviously varying degrees, protection — for displaced people is provided by a number of different players..." This success story in relief is partly explained by the history of local co-existence.

The fact that relief has happened as a model is testimony of the power of sacred places of worship which are revered by all communities demonstrates that communal polarization due to the war has not been deep enough to entirely transmute a common history of co-existence and worship. Even the LTTE seems to have felt obliged to respect local sacred space, even where they have not hesitated to destroy whole Sinhala border villages. Likewise the army which has been known to exterminate whole Tamil border villages has respected these sacred spaces.

Displacement, the Unmixing of Peoples, and the Making of Ethnic Enclaves

Since the armed conflict began in 1983 the social demography of the north and east where the fighting has been concentrated and to a lesser extent in the South has been transformed by forced migrations and the de-linking of inter-communal ties. Yet this process began much earlier. While the LTTE has practised ethnic cleansing by ordering the exodus of Muslim and Sinhala people from the peninsula in 1990, a slow but ever increasing exodus of Tamils from the Sinhala dominated South occurred gradually in the post/colonial period due to discriminatory policies

against the non-Sinhala communities and periodic anti-Tamil riots condoned by segments of the increasingly Sinhala dominated State.

Since 1983 approximately 5% of Sri Lanka's population has been in a steady state of displacement, mostly in refugee camps in the ethnically-mixed border areas of the north east province and the east and west coasts of the island. The Human Rights Report estimated that 78% of the internally displaced are ethnically Tamils, 13% are Muslims, and 8% are Sinhalas (Gomez, 1994). Many have sought refuge overseas.

While figures of displaced persons are controversial because the decennial census of Sri Lanka scheduled for 1991 was not taken due to the conflict, and displaced populations have been used as buffers as well as pawns by both the Sri Lanka government and the LTTE in their propaganda wars to gain international support and humanitarian assistance for their respective causes, it is possible to construct a scenario of human displacement due to the conflict.

At the end of December 1995 the Ministry of Rehabilitation and Reconstruction estimated that there were 1,017,181 internally displaced people in Sri Lanka while 140,000 were displaced overseas; some of the latter have sought asylum status. The University Teachers for Human Rights (1993) estimates that half a million Tamils have become refugees overseas. While displaced people, Tamils, Muslims and Sinhalas, have fled Sri Lanka Army and LTTE brutalities, alike, the Tamil-speaking peoples in the north and east have clearly borne the brunt of the war.

The population of displaced people has fluctuated from a million to half a million at various points in the conflict. Most of them are concentrated in the border areas or just south of the border in Mannar, Vanthavilluwa and Puttalam on the East coast, Vavuniya in the centre and along the east coast from Trincomalee to Batticaloa and Amparai. The displaced cannot move north or south due to the conflict, and many remain in what are effective detention centres since they are perceived as security threats by the armed forces.

In the south, ethnic un-mixing has been a gradual process with Tamils moving northward or overseas since the first anti-Tamil riots in 1958 ten years after Sri Lanka became independent. Ethnic un-mixing in the north has been more recent, dramatic and systematic, beginning in 1983 and culminating with the LTTE's policy of ethnic cleansing when Sinhalese and Muslims who constituted minorities in the Tamil dominated north were asked to leave their homes in 1990. With characteristic brutality the LTTE warned the departing Sinhalese and Muslim "do not even dream of coming back", as a Muslim refugee in Puttalam told me when I visited a refugee camp there. The result is that today the Jaffna peninsula which is ravaged by war between the LTTE and Sri Lanka military is denuded of non-Tamils, and contains a depleted Tamil population traumatized by war and repeated displacements. The only non-Tamils in the north are Sri Lanka military personnel who effectively constitute an occupying force, while many Tamils in the South live under close surveillance by the military and fear of arbitrary search and arrest. Caught between the violence of the armed forces and the

LTTE the Tamil civilian search for routes of migration overseas continues despite the tightened refugee regime.

Partition to Protect Local Minorities?

The idea of "local minorities" and "local majorities" confounds the likes of the Sinhala Commission which believes in the tyranny of the majority, the LTTE which confuses Eelam with paradise, and liberals who equate devolution with Utopia. The notion of local minorities defeats the logic of ethno-nationalist chauvinism and forces us to think empirically through other failed partitions, through other blue prints for peace turned recipes for war.

For the history of the impossibility of partition in Sri Lanka is written in other failed South Asian partitions; in the region's cultural geography of religiously, linguistically, ethnically mixed settlements, in its absence of homogenous ethnic, religious, caste or other territorial enclaves and homelands. It is the pattern of mixed settlement which is the reason why the 1947 partition of the sub-continent which was to quell Hindu-Muslim conflict only resulted in the destruction and displacement of millions of lives. While today, Kashmir, not to mention the cyclical anti-Mohajir riots in Karachi, the anti-Muslim riots in Bombay, or the displaced Bihari Muslims caught between Pakistan and Bangladesh in India since 1971, still remain partitions' unfinished business. In short, another South Asian partition will entail the massive transfer of populations amounting to de facto ethnic cleansing which violates a long history of cultural mixing and co-existence.

But perhaps the scenario of cultural unmixing and ethnic cleansing in Sri Lanka is not so far off. For, it is just such an eventuality that the proposals to merge the north and east to create a Tamil homeland or ethnic enclave, and then carve out a Muslim enclave out of Samanthurai, Pothuvil and Kalmunai on the south east coast by some politicians envisage.

The solution to the (im)possibility of partition in Sri Lanka is not a fictitious unitary state advocated by the likes of the Sinhala Commission, nor yet is it the devolution of power to ethnic enclaves as proposed by the Tamil United Liberation Front and the Muslim Congress politicians intent on shoring up their vote banks at the expense of historically mixed and multi-cultural local communities.

A New Political Culture with Devolution

Unless there is a change in Sri Lanka's political culture, the most perfectly drafted devolution package will not ensure a just peace and security for all communities in the country. Creating a new political culture is the responsibility of political party leadership.

Rather than demanding local majority ethnic enclaves, Sinhala, Tamil and Muslims politicians should seek to foster security and respect for vulnerable groups and local minority communities.

They should guard against majoritarian chauvinism and the tyranny of the (local) majority, whether Sinhala, Tamil or Muslim. Rather than seeking to swell their vote banks by creating hostilities between various religious, ethnic or caste groups who have shared a common public space for centuries, they should prioritise the protection of local minorities.

The proposed devolution package concedes the freedom to move as well as autonomy to local communities while holding on to the possibility of multi-cultural, ethnic coexistence. It recognizes the long felt need for local communities, whether, Sinhala, Tamil or Muslim or Vedda to gain control of their lives. Yet it should not succumb to the ethnic enclave mentality whose logical end is ethnic cleansing and absolutism.

The danger with devolving on the basis of ethnic demographics alone is that it reproduces the logic of the ethnic chauvinists, Sinhala, Tamil, Muslim alike. It turns the idea of regional self determination into an ethnic homeland or ethnic enclave. Devolution on the basis of ethnicity as conceived by Colombo based politicians who have been schooled to believe that the tyranny of the majority whether local or national is just, only officialises the ethnic enclave mentality and fear and suspicion of cultural difference which has built up during the years of war. It will destroy the historically multicultural fabric of Sri Lankan society.

It is hence that devolution should

- 1) be based on regional rather than ethnic identities.
- 2) guarantee the safety and security of local minorities, whether Sinhala and Muslims in Jaffna and the north of Sri Lanka, minority Muslims and Tamils in Galle and the South of Sri Lanka, and minority Sinhala and Tamils in Muslim dominated areas in the East coast areas of Pothuvil and Samanthurai. And this cannot be achieved by the creation of Sinhala, Tamil, or Muslim ethnic enclaves.
- 3) entail a positive commitment to multiculturalism
- 4) place a negative or preventive indictment against the incitement to racial, ethnic, religious, caste or class hatreds.
- 5) create an environment to foster the return of displaced persons in safety and security.

Concretely and currently, this translates into recognition of the east coast's uniquely hybrid and mixed culture and pattern of Tamil-Muslim and more recent Sinhala settlement which is distinct from

the Jaffna-Tamil identity of the north, and a commitment to protect that diversity by fostering a multicultural political platform. Of course, if a free and fair referendum proves support of the merger of the north and East provinces, then the rights of Sinhala and Muslim minorities in the region will have to receive high priority. Likewise, in Sinhala majority areas protection of the rights, lives and property of minorities should receive highest priority.

Here, Bosnia might serve as a negative example; For since the crisis in the former Yugoslavia where unprecedented ethnic cleansing was practised for all the world to see, the international community has been concerned to define the right of civilian minorities to remain in situations of conflict as a fundamental human right. This concern was reflected in the thrust of the UN High Commissioner for Refugees. Sadako Ogata's address to the Human Rights Commission in 1993, which was in turn spurred by the on-going conflict in Bosnia as well as the situation in Palestine/Israel.

In the former Yugoslavia, the Bosnian Serbs undertook the war to ethnically cleanse territory which like much of Sri Lanka and the Indian sub-continent was culturally mixed. The excessive violence of genocide and ethnic cleansing practised in that war reflect ironically the depths of the roots and history of friendship and co-existence between many Croats, Serbs and Muslims in places like Sarajevo. In Sri Lanka thus far in the South of the country we have been spared ethnic cleansing by armed factions or the state's military apparatus, but this is an ever increasing possibility as a culture of suspicion and mis-trust of neighbors, friends and even relatives who may be ethnically mixed, develop due to the war and the national security situation.

It is hence that the measure of the success of devolution will finally be the preservation of mixed settlements and the return of displaced persons.

For devolution to work there will have to be clear provision of protection for regional minorities as well as recognition of the fact that historically group identities have been porous and migratory in nature - that as more than one anthropologist has noted Sinhala and Tamils have historically been both one another's enemies and affines, or preferred marriage partners.

Fifteen years of war has not only resulted in the militarization of the state and civil society but placed restrictions on people's mobility from north to South or vice versa, and seen the development of an ethnic enclave mentality, whereby local minorities are viewed by local majorities as security threats. It has also obscured the island's history of tolerance, accommodation, mixing and co-existence. ■