

# NEELAN TIRUCHELVAM: A POLITICAL TRIBUTE

Jayadeva Uyangoda

**D**r. Neelan Tiruchelvam, a politician with formidable intellectual power and personal charm, was assassinated on July 29 at a relatively young age of fifty-five. It is a cruel irony in Sri Lanka that many politicians, particularly Sinhalese and Tamil, live with an acute awareness of the fact that they are less likely to die a natural death. Dr. Tiruchelvam was not unaware of the threat to his life; but he did not expect a suicide-bomber to be "wasted" on him. On that count, this consummate politician and political strategist proved himself wrong.

The culpability of the Liberation Tigers of Tamil Eelam (LTTE) in this brutal act of political violence is not in doubt. It is a sad stroke of fate that the life of this noble man of non-violence and peace was snatched away in the most gruesome manner. Neelan may have felt the pain of his death, perhaps, for a flash of a second. But, Sri Lanka is certain to suffer, for years to come, the severe pain of his departure from the political and intellectual world. Neelan was the most active person in Sri Lanka in a range of spheres - constitutional and legal reform, peace, conflict resolution, and democratic institution-building, civil society and legal and social science scholarship. He was the main political link between Sri Lanka's Sinhala, Tamil and Muslim communities; the bond that held together Sri Lanka's human rights community and a key link between Sri Lanka and the international community. He was also the only parliamentarian who could initiate an all party-dialogue for a political consensus to settle the ethnic conflict. In that sense, he had more than the necessary minimum credentials to be on the LTTE hit-list.

The week in which Neelan was assassinated also marked the sixteenth anniversary of Sri Lanka's 'Black July'. The anti-Tamil riots of 1983, which began on July 23 of that year, peaked on July 29. Those who made and executed the decision to kill Neelan on July 29, 1999 may or may not have been aware of this coincidence. Nevertheless, it provides some answer as to why Neelan was assassinated on that particular day..

There is another development that completes the political context against which this killing occurred. Speculation was ripe in Colombo that the Chandrika Kumaratunga administration was planning to place before Parliament its draft constitutional proposals in mid-August. The devolution proposals, which form part of the draft constitution, address the core political issues of the ethnic conflict within a semi-federalist framework. By presenting them in Parliament, the Kumaratunga administration was obviously seeking to gain a new political momentum over two of its rivals - the United National Party (UNP) in Parliament and the LTTE in the battlefield. It is no secret that Dr. Tiruchelvam has been the most active Tamil politician involved in the framing of the draft-constitution, specifically, its devolution proposals. He was also perceived as the key political actor who could effectively mediate a consensus for a

negotiated settlement to the ethnic conflict. And indeed, this quiet man had transcended narrow ethno-nationalist politics to such an extent that he, and he alone, symbolized in his person the possibility, however distant it may have been, for a national consensus on conflict resolution and peace.

Therein, indeed, lies the uniqueness of Neelan, the politician. Therein lies the real meaning of that cliché when applied to someone after death: 'He is irreplaceable.' It is difficult to fill the void created by the assassination of Neelan Tiruchelvam, not merely because of his formidable intellect, his capacity to strategize political maneuvers, or his powerful inspiration to colleagues and friends. Neelan is irreplaceable because, to my knowledge, he is the only contemporary Sri Lankan Tamil politician who had the capacity and commitment to re-conceptualize Tamil politics in democratic emancipatory terms within the framework of a pluralist Sri Lanka. Perhaps, most of Neelan's friends were unaware of this. But his enemies knew it. While his enemies in extreme Sinhala nationalism pilloried him in the press, his enemies in extreme Tamil nationalism cut his life short.

Neelan's intellectual and political life was intertwined with the path of post-colonial Sinhala and Tamil nationalisms in Sri Lanka. Although Neelan was six years older to me, we belonged to the same generation of Sri Lankans whose biographies were shaped by the idiosyncrasies of Sri Lanka's postcolonial state. I come from a rural Sinhalese-Buddhist family of the socially marginalized and Neelan belonged to an urbane family of Colombo's elite - the contradictions of which are so vividly captured in Shyam Selvadurai's recent novel, *Cinnamon Gardens*. But, our biographies intersected at the site of Sri Lanka's post-colonial nation-state. I was beneficiary of the Sri Lankan state's social welfarism and a victim of its blindness to aspirations for political emancipation among social margins. Neelan was a beneficiary of the Sri Lankan state's liberalism and a victim of its blindness to emancipatory desires among ethnic minorities. When we met as intellectual colleagues in the late eighties, we had a lot of notes to compare. I had grown up - away from the politics of radical agrarian authoritarianism and he had transcended the politics of ethno-nationalist exclusivism. We were searching for an intellectual framework within which equality, social justice and ethnic as well as social pluralism could be inscribed as emancipatory impulses in a democratizing project. Neelan was the first Tamil politician I met who had developed a conceptual apparatus to critique not only Sinhala nationalism for its majoritarian hegemonism, but also Tamil nationalism for the limits of its emancipatory politics. He believed that the discourse of ethnic victimology, so central to all streams of Tamil nationalism, could not offer an emancipatory future for Sri Lanka's Tamil community. Tamil nationalism, as he thought, had to be re-inscribed through a new framework of ethnic inclusivism and pluralism. He anticipated Sinhalese nationalism too

to find this auto-critical politics of reflection. I am not sure whether Sinhalese and Tamil nationalisms are yet ready for such an excruciatingly painful exercise in critical self-reflection. In that I find some meaning in the rationally inexplicable killing of Neelan.

It is in this context that one has to understand and assess his intellectual and political practice. He maintained a live dialogue with the democratic forces of all ethnic communities and the democratic community abroad, because he was not a nationalist in the sense of Tamil nationalism with which we are so familiar. He created and nurtured the International Center for Ethnic Studies and the Law and Society Trust primarily to set in motion an intellectual dialogue so that the Sri Lankan intelligentsia, through research, reflection and debate, would re-define the terms of their political debate. He actively took part in the exercises of drafting constitutions and laws, because he believed that political structures and institutions were necessary to facilitate the social and political practices of democracy and pluralism ensuring diversity as a fundamental reality in the modern nation-state. He wanted to make the state accountable to its own citizenry. That is why he devoted a considerable share of his intellectual energy and resources of his legal knowledge to create and strengthen institutions such as the Human Rights Task Force, the Human Rights Commission, the Office of the Ombudsman and the Official Languages Commission.

At the time of his death, he was actively involved in drafting legislation for equal opportunity and non-discrimination. All these efforts of Neelan reflect his intellectual realization that nationalism, whether Sinhalese or Tamil, had only a dated and limited agenda. If I were to paraphrase Neelan's political thinking, he held the view, which I shared with him, that contemporary ethno-nationalism, whether majoritarian or minoritarian, can only highlight the felt grievances of a community; it cannot provide political emancipation to the community it represents.

In life as in death, Neelan has been described as a 'moderate Tamil politician.' Knowing Neelan for a few years, I find this expression most insulting to the foremost democratic political thinker who the Sri Lankan Tamil society has ever produced. In a way, it is a pity that he had neither the time nor leisure to write a book on political and constitutional theory in the way Roberto Unger, his colleague at Harvard did. But, Neelan, the busy lawyer and active politician, knew his Roberto Unger, Benedict Anderson, John Rawls, Amartya Sen, Norberto Bobbio, Avishai Margalit and to mention an old name, Hannah Arendt well. He also knew his Marx and Foucault. That is precisely why he was not a nationalist, but a citizen of the world. And Sri Lanka's extreme nationalism, whether Sinhalese or Tamil, can hardly tolerate a citizen of the world. In Neelan's tragic death, I find the mirror image of my intellectual friends and myself.

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