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'JAW JAW' IN GENEVA

The compromise which the Norwegians facilitated between the Sri Lankan government and the LTTE to hold talks in Geneva is an important step in the direction of resuming the stalled peace process. The proposed talks which are likely to be held in mid-February might be confined exclusively to the full implementation of the ceasefire agreement. Even then, to use the famous Churchillian phrase, 'jaw jaw is better than war war.' There has not been any political engagement whatsoever between the two sides ever since the P-TOMs agreement collapsed last year. Moreover, the escalating violence in December and January had all the potential to push the government and the LTTE back to war. At least, the catastrophe that was in the making has now been postponed.

This provides some breathing space for Sri Lanka's peace process. The intense diplomatic activity, or pressure, by the international community and the Norwegian facilitator has once again demonstrated the extent to which the external factor has been crucial to rescue the peace process. Earlier the LTTE insisted on Oslo as the venue of talks. The government wanted an Asian country, possibly Japan, as the venue. When the bitter debate between the two sides went on over this question, a great deal of pessimism emerged about their willingness to return to talks at all. The concession made by the government and the LTTE to the Norwegian proposal for Geneva as the venue for talks also indicated that both sides did

not consider large-scale war as an early option.

The road to Geneva is now cleared. But the trajectories after Geneva are not very clear though. The notion of 'strengthening the implementation of CFA' is a difficult and complex one. At the centre of the Geneva agenda would be the question of violence, that mostly includes the recent killings. During December and January, over 200 killings of government soldiers, LTTE combatants, paramilitary cadres and civilians have occurred. These killings constituted a specific phase of Sri Lanka's conflict, the transition of the no-war no-peace situation into an undeclared war. Thus, the proposed Geneva talks on the CFA would essentially be an exercise in stopping the undeclared war and preventing it from escalating into a full-scale, open war. If the talks fail, a return to the undeclared war, with all its risks of developing itself into the next stage of the civil war, would be a possibility. In a sense, the Geneva talks can make or break Sri Lanka's fragile peace process.

In de-escalating violence, both sides will be hard-pressed to manage their respective paramilitaries. It is an open secret that both the government and the LTTE have been using paramilitaries in their recent strategy of using violence as a political weapon. If the success of Geneva talks is likely to depend on the ability of the two sides to disband, dissolve or control the paramilitaries, a commitment to such a joint initiative

before the actual talks begins will certainly be propitious. At least, a joint appeal by the government and the LTTE to refrain from violence will create conditions conducive for an eventual agreement to strengthen the CFA. It will also erase the political space for spoiler elements to resume violence. **P**

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SRI LANKA'S CRISIS: THE PEACE PROCESS WEARS THIN

Jayadeva Uyangoda

Introduction

Sri Lanka's peace process, which began in early 2002, has escaped another major crisis. The possibility of all-out war breaking out between the Sri Lankan state and the Liberation Tigers of Tamil Eelam (LTTE) has dominated political speculation since mid-December 2005. The continuing escalation of violence between the two sides has placed the Ceasefire Agreement signed in February 2002 under unprecedented strain. An all-out war will certainly have exceedingly devastating consequences not only for the state and the LTTE, but also the Sinhalese, Tamil and Muslim communities who inhabit Sri Lanka. The people in general appear at the moment to be resigned to the inevitability of renewed civil war. The tragedy of the current crisis in Sri Lanka is that there is no independent force having the capacity to preventing the war from breaking out. Domestic civil society has no influence over either the government or the LTTE. The international community, the so-called international custodians of Sri Lanka's peace process, has found its leverage the country in limited. Only strategic considerations by both the government and the LTTE – avoiding full-scale hostilities as the best path to serve their own self-interest—can prevent them sliding back to war.

Sri Lanka's faltering peace process is only four years old. The United National Front (UNF) regime and the LTTE signed a Cease-fire Agreement (CFA) in February 2002, and they subsequently held six rounds of internationally facilitated negotiations. These negotiations did not lead to a settlement agreement. The LTTE citing reasons of 'process imbalance' withdrew from negotiations in early 2003. Since April 2003, Sri Lanka's peace-making process has been on hold pending the resumption of negotiations and a settlement agreement. In the absence of direct political engagement between the two sides, the CFA has repeatedly come under much pressure because of the micro cycles of violence. The government's military intelligence, the LTTE's military intelligence and Tamil paramilitaries opposed to the LTTE have been engaged in a shadow war that has generated most of the violence. The LTTE is accused of the largest share of

ceasefire violations including the killing of political opponents and the high-profile political assassination of Sri Lanka's Foreign Minister in August, last year. A few dozen government soldiers have been killed in December and January in the Northern province, allegedly by the paramilitaries of the LTTE. More recently, Joseph Pararajasingham, a Tamil parliamentarian allied to the LTTE, was gunned down on Christmas day inside church, soon after he received holy communion. Anti-LTTE para-military groups are suspected to have carried out this political assassination. Thus, an undeclared war is slowly shaping up in Sri Lanka.

Necessity of War

Quite interestingly, there are arguments that rationalize the need for war in Sri Lanka at the present conjuncture. Some sections of the government, of the armed forces as well as the Sinhalese nationalist intelligentsia appear to believe that return to war is the only effective way to deal with the LTTE. Their reading of the 2002-2004 peace process is that the LTTE had once again demonstrated its unwillingness to pursue the negotiation option leading to a settlement. They also believe that the peace process caused irrevocable harm to Sri Lanka's national security and sovereignty. In their reading, the LTTE's internal split occurring in 2004, and the losses suffered by the LTTE's naval wing in the tsunami of December 26, have weakened the LTTE's offensive capacity. They argue that a highly concentrated war against the LTTE, backed by the its breakaway faction in the Eastern province, is both possible and winnable. The argument from LTTE side is not very dissimilar. The LTTE believes that the 2002-2004 peace process did not produce any tangible and positive outcome. Although the LTTE made a major concession by agreeing to explore a federal solution, there was no quid pro quo from the government. They did not get the much-anticipated interim administration either. Instead, the no war-no peace situation weakened the movement through a major split. It also blurred the contradictions between the Tamil polity and the Sri Lankan state. The best way to return to negotiations is through the restoration of strategic parity and re-sharpening

contradictions between the Tamil polity and the Sri Lankan state. In this reasoning, return to war is a political necessity. Sri Lanka's parties to the conflict appear to be quite Clausewitzian: war is the conduct of politics by other means.

Three developments, which occurred after the suspension of negotiations in early 2003, have redefined the dynamics of conflict and peace processes in Sri Lanka. The electoral defeat in April 2004 of the United National Front (UNF) government, which had started the peace process with the LTTE, gave way to a regime change. The UNF's electoral defeat also marked a significant erosion of public support for the peace process. Negotiation stalemate continued under the new regime after April 2004. Meanwhile, the LTTE suffered a major split in early 2004 when its military commander in the Eastern province left the movement in rebellion. This break-up has weakened the LTTE militarily and politically. Violence in the Eastern province is largely due to the shadow war for supremacy between the two LTTE factions. Thirdly, another regime change occurred in mid-November, last year. A new President, who won the election with the support of extremist Sinhalese nationalist forces, assumed office for a term of six years on November 19, 2005. Quite interestingly, the LTTE indirectly helped the new President, Mahinda Rajapakse, to win the election with a narrow margin when they forced a large numbers of Tamil voters in the Northern province to boycott the election. There seems to be a strategic calculation behind this unusual move by the LTTE. A President backed by the Sinhalese nationalist hardliners and committed to a unitary state, would serve their agenda which does not seem to include in its priorities an early return to the negotiation table.

2002-2003 Peace Process: Opportunities and Limits

A midst setbacks, there are some important and historic gains in the peace process of 2002-2003. The suspension of the war between the Sri Lankan state and the LTTE for nearly four years is a vital achievement. The Ceasefire Agreement, despite its many shortcomings, has demonstrated that it is possible to de-link Sri Lanka's ethnic conflict from war and violence between the state and Tamil political actors. Similarly, the commitment made by the UNP government and the LTTE in Oslo in December 2002 to explore a federal solution provides the basis for the historic compromise necessary to transform Sri Lanka's civil war into peace. It is a pity that the negotiations were suspended soon after the two parties made this significant political commitment.

The role of the international community is a major dimension in the 2002-2003 peace process. The facilitation of the CFA as well as peace talks, and the promise of economic assistance for peace-making and peace-building are the key contributions made by the international actors. Even after the suspension of talks, their engagement have continued. The maintenance of the Ceasefire Agreement, particularly after the peace talks reached a stalemate, is largely due to their presence in the peace process.

The 2002-2003 peace initiative has also shown its limitations as a process. The parties failed to sign even an interim settlement agreement. When they signed an agreement to set up a joint mechanism for post-tsunami reconstruction, it met with insurmountable political and legal obstacles. In the absence of both a political agreement and political engagement, the relationship between the government and the LTTE is governed entirely by the fragile CFA. Moreover, the role of the international actors in the peace process as well as development efforts has come under severe public scrutiny and criticism. The paradox in Sri Lanka is that without international pressure, the government and the LTTE are not likely to remain politically engaged. The restoration of public confidence in international involvement in Sri Lanka's peace-making efforts is a difficult, yet necessary task.

The basis for the CFA and the negotiations was the preservation of the parties' strategic interests through a condition of no-war. This produced a limited framework of 'strategic peace' in Sri Lanka. It defined the behavior of the government and the LTTE in such a way that during negotiations, contentious issues were assessed primarily on their impact on the strategic objectives and goals. Consequently, the problem-solving and conflict-transformation approach became entirely absent. Eventually, a dynamic of unsustainability took over the negotiation process.

From a policy perspective, the role of the international community in strengthening the peace process is a relative failure. In their agenda, there was a heavy emphasis on short-term success. They approached negotiations as an exercise that should produce an early peace deal. They viewed their economic assistance programme as an instrument of persuading the government and the LTTE to reach an early compromise. This focus on short-term conflict management goals ignored the need to develop long-term conflict-sensitive strategies to address structural issues such as poverty, governance and economic development.

The liberal, free-market economic reconstruction programme, promoted by the international actors and incorporated by the UNF regime in its peace-building efforts, became an obstacle to the peace and political reform process. Instead of providing a stable and democratic peace dividend, it led to a gradual alienation of the masses of the people from the peace process. The absence of a political consensus among the main parliamentary political parties led to the erosion of political conditions favourable to advance the peace process. The return of the politics of 'ethnic outbidding' was a major political setback during the peace process. Excessive politicization of the peace process has been a negative experience in Sri Lanka's recent peace-making efforts. Politicization has occurred on partisan and electoral considerations. The two main political parties, instead of forging a coalition for peace, have engaged in an exercise in 'ethnic outbidding.' When the party in power initiated the peace process with the LTTE, the party out of power mobilized the nationalist opposition against it. Consensus within the political is an essential pre-requisite for a peace initiative to succeed in Sri Lanka.

Challenges and Opportunities

In Sri Lanka, the overall political context in the country keeps changing fast. In a rapidly changing political environment, there is no easy formula for the government and the LTTE to return to the negotiation table. The ground conditions on which the peace process was launched in 2002 have changed considerably. The condition of strategic parity on which the LTTE joined and stayed on the peace process has been altered. The trust between the government and the LTTE has eroded to a great measure. Changes in the political alignments at the level of government in Colombo have made the government's commitment to advancing the peace process quite unclear and shaky. The 'shadow war' that threatened the CFA in 2004 and 2005 has now progressed into an 'undeclared war' between the Sri Lankan state and the LTTE. Resuming the peace process in a context of an undeclared war is crucial, yet enormously difficult.

As mentioned above, Sri Lanka's incomplete and faltering peace process has repeatedly exposed the limitations of the state, the LTTE, the international community and civil society in advancing peace in Sri Lanka. It revealed the Sri Lankan government's incapacity to take the peace process forward politically, beyond the Ceasefire Agreement. The inability of the government to forge a broad political consensus for peace through a compromise with the LTTE and for

constitutional reform has frequently paralysed the regime's capacity to take forward the political process for peace. As for the LTTE, its relative inability to move in the direction of democratic transformation became regularly visible. In their desire to behave like a state, the LTTE also demonstrated a behaviour of inflexibility and paranoia. For its part, the international community could not break the negotiation deadlock after March 2003. The international actors also over-estimated their role and capacity in persuading the government and LTTE towards a peace deal. Their strategy of a two-party dialogue for peace was totally ill-conceived. Civil society, too, proved itself ineffective in building an independent social movement for peace. Learning necessary lessons from these and other failures is crucial to avoid setbacks in the next phase of Sri Lanka's peace process. In this backdrop, the 'actually existing peace' has not only remained fraught with instability and uncertainty; it is now poised to produce another phase of war.

The international community, particularly the four Co-Chairs – the USA, the EU, Norway and Japan – have been making frantic efforts to restart negotiations in order to strengthen the CFA which is being violated with impunity. Since December, there has been heightened international diplomacy in this regard. Yet, the policy options of the international community are limited by two factors. Firstly, both the Sri Lankan government and the LTTE, the two principal parties to the peace process, have learned to ignore international pressure and persuasion, whenever they perceive that their strategic interests are at risk. Secondly, the international community cannot impose peace from outside in a situation where the principal as well as secondary domestic actors are reluctant to take the peace process forward. In a context of undeclared war, the task of the international community has become doubly difficult.

Concerns

There are two types of major concerns in Sri Lanka's peace process. The first group relates to the immediate tasks of consolidating the Ceasefire Agreement and resuming of negotiations. We may call them 'peace-making' issues. The second type of concern is about long-term transformation of the conflict, in the sense of 'peace-building.'

Key among the peace-making concerns is the protection of the CFA from collapse. As demonstrated in the experience of incomplete peace-making during the past four years, Sri Lanka represents a case study of an exceedingly difficult transition from civil war to peace. The future of the peace

process will entirely depend on the stability of the ceasefire. Its protection from collapse is the most immediate challenge in preserving Sri Lanka's fragile peace process. Despite limited capacity to prevail upon the parties, the international community should redouble their efforts to bring the parties back to political engagement.

When the negotiations resume, moving forward from a somewhat unstable ceasefire to a stable settlement agreement will be at the heart of a sustainable peace-building process. Meanwhile, broadening the process while pluralizing the participation has emerged as a major aspect of re-designing Sri Lanka's current peace process. The two-party dialogue process between the government and the LTTE has exhausted its capacity to take the peace process forward. The way in which the ethnic conflict has evolved in Sri Lanka during the past two decades of war has highlighted the fact that the Muslim community in the Northern and Eastern provinces is party to the conflict as well as to a settlement. Even for de-escalating violence, the inclusion of Muslim representatives in the new talks on the CFA is quite important. Similarly, the inclusion of other parties, political and civil society actors in the process is a necessary policy challenge. It is up to the international community to make a case repeatedly and tirelessly with the government and the LTTE for an inclusive, multi-party process leading to the resumption of the peace process.

De-escalation of violence and peace within the Tamil polity has become a necessary precondition for advancing the peace process, as well as democracy and human rights in the North

and East. At present, peace, democracy and human rights in the conflict areas are threatened by the shadow war that is being fought between the LTTE and their Tamil rivals. While strengthening the CFA, constructive engagement with non-LTTE political-military groups by the government and the international community will help to restore peace in Tamil society.

Sustainable peace-building in Sri Lanka requires a vision for state reforms in the direction of advanced federalism. The present Sri Lankan President's stand for 'maximum devolution within a unitary state' is woefully inadequate even to address the Tamil national question from the perspective of an interim solution. Federalization of the state is the key to effective civil-war transition in Sri Lanka. However, to transform a federalist vision into a tangible package of constitutional reform, a broad political consensus, backed by domestic and international coalitions for peace, is essential.

Finally, the resumption of the peace process in Sri Lanka needs to be grounded on the recognition of the fact that it is not possible to mechanically resurrect the peace process which began in 2002. The CFA and the six rounds of negotiations, the achievements as well as the setbacks of that peace initiative, political and regime changes, the LTTE's split and the resultant shadow war in the Eastern province, the sharpening of contradictions between the Tamil and Muslim communities – all these have led to the re-defining of Sri Lanka's conflict and its dynamics on the peace front. A fresh breakthrough is required. And that is precisely what seems to be hard to come by. ■

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THE RAJAPAKSE PRESIDENCY: CONSEQUENCES FOR THE PEACE PROCESS

Kumar Rupesinghe

Mahinda Rajapakse is the fifth President of Sri Lanka. Those of us who have followed his career for the last 35 years would be happy for him, for his extraordinary endurance, his people-friendly skills and his great tendency for consensus politics, which will be tested to the maximum during his challenging six-years Presidency.

There are specific characteristics of the Mahinda Rajapakse victory, which will have major consequences for the peace process. His victory characterizes a paradigm shift in the thinking and articulation of key policy changes with regard to federalism, the role of Norway as facilitator, the Ceasefire Agreement, and the question of pluralism and democracy in the Northeast.

Mahinda received an overwhelming majority of the Sinhalese Buddhist vote. Further analysis goes to show that the large majorities that he received in the deep South was a confirmation of returning as President “a son of the soil,” a man from Ruhuna as a man of their own to be the first President from the South.

In the other districts where the Sinhalese vote was predominant, Mahinda received smaller but effective majorities. Another interesting feature of his victory is that he did not rely on the outgoing President or her brother Anura, the Prime Minister designate, for his success. Throughout his political career Mahinda was patient and cultivated his constituency with great diligence, in spite of the many obstacles placed before him. His resilience and sustainable and endearing personal qualities is a mark of his leadership qualities.

Although the previous President had rightly claimed as her legacy that she had influenced her party's direction towards a federal solution with effective power-sharing to the minorities in the North-East, the Sinhalese Buddhists endorsed the Mahinda Chintanaya, which called for the defence of a unitary state with limited devolution of power. I see this as a fundamental shift in position of the SLFP. Some would argue that Mahinda restored the SLFP to its original paradigm, i.e., a Sinhalese majoritarian

consciousness as the dominant discourse in the country, with tolerance and respect for minorities.

Mahinda's victory also demonstrated that he did not rely on the support of the minorities, whether they are Tamils, Muslims or the Christians to deliver his Presidency. His total reliance on the Sinhalese-Buddhist vote provides for a new direction and focus throughout his six-year Presidency. He is the first President to have received over 60% of the Sinhalese-Buddhist vote. Through this vote bank he has demonstrated that a Presidency can be won without the support of the minorities.

Further he has demonstrated that his judgment in creating an alliance with the JVP was correct. The JVPs' organizational strengths coupled with the JHU's campaign amongst the Sinhalese Buddhists brought him rich dividends. The JVP demonstrated its organizational skills by the efficient grassroots campaign that it conducted with house-to-house campaigning and rigorous expansion of its vote bank as a result. The notion that the JHU vote bank would return to the UNP was erroneous.

The vote of the Sinhalese Buddhist population also endorses their serious concerns with regards the direction of the peace process and its uneasiness with regard to the role of the international community, the role of Norway for its alleged partiality and the status of the Ceasefire Agreement.

The JVP has called for a review of the role of the Norwegian facilitator; and the President has not mentioned Norway in his inaugural speech but instead stated that he would try to seek the support of India and the Asian neighbours. Further he has called for a review of the Ceasefire Agreement and a rejection of the Joint Mechanism (P-TOMs) signed by the Government of Sri Lanka and the LTTE.

Another important facet of the Mahinda Chintanaya is the commitment to a pluralist democracy in the Northeast. This means that whilst recognizing that the LTTE will be the principle party to the negotiations, it recognizes the role of other stakeholders, such as the Muslims who have promised representation at the high table, but also of other Tamil stakeholders such as the EPDP and the Karuna faction.

The Karuna faction has already endorsed their support for the new President. The President has stated that he would hold a round of discussions with other stakeholders before initiating talks with the LTTE. This roundtable-discussion approach was also pursued by President Jayewardene and President Premadasa, which only served to delay the negotiations but also minimize the concessions, that could be given to the Tamils.

On the other hand, it must be recognized that the majority of the Tamils in the Northeast did not vote during the current Presidential elections. The accounts by the election monitors are very clear and unanimous. In Jaffna and the Wanni there was an effective enforcement of a boycott by the LTTE. Despite assurances by the LTTE and the TNA that the people were free to vote, there was significant intimidation and fear instilled upon the Tamil people not to vote. This means that over 700,000 voters were deprived of their fundamental and inalienable right to vote for a candidate of their choice.

An examination of the election results in the previous Presidential elections show that the Tamils had not voted in large numbers in the 1994 or 1999 elections, showing less than 10% of the vote cast to the PA governments. A further examination of the votes in the Colombo district demonstrated that the Tamils did not vote in large numbers. This means that the Tamil people as a whole have not reposed their trust in either of the Presidential candidates.

Unlike in general elections where the Tamil National Alliance contested, the Tamils have not voted significantly for a Sinhalese President. The reasons, which the LTTE had provided in their many interviews and press statements, are that they did not trust either of the Presidential candidates. They had also criticized the lack lustre performance of the Ranil Wickremesinghe government with regard to delivering on the peace process, ignoring the fact that he was operating within a framework set by a hostile President. On the other hand, Ranil avoided any consultations or discussion with the LTTE so as not to prejudice his vote bank in the South.

What the LTTE decisions mean in the future is that it does not rely on the southern political entity to grant any concessions of substance on the Tamil national question and that negotiation with the South, if it does happen, will be acrimonious and positional bargaining all the way.

Given the circumstances, Ranil Wickremesinghe has not done badly. It is also clear that wherever there was a multiethnic composition in the South that Ranil received effective majorities except for Colombo. What this voting pattern

demonstrates is that the minorities wherever they voted endorsed a vote for a federal system, for continued negotiations and the implementation of the Ceasefire Agreement. It is also to be noted that Mahinda secured a wafer thin majority to gain the Presidency, i.e., 50.2%, whilst Ranil obtained 48.4%. The overall picture demonstrates that the Sri Lankan polity is deeply divided and polarized on ethnic and religious lines.

Consequences for the Peace Process

Mahinda in his acceptance speech stated commendably that, as President he will be the President of all the peoples in the country. He has called for peace in the mind and peace in action and called for reconciliation of all the divided entities produced by the election. Mahinda has still not made any gesture towards the opposition. Whilst Ranil had openly stated that bi-partisan consensus on the national question was sine qua non in the future negotiations, we have yet to see him demonstrate his position in action.

Ranil's absence at the meeting called by the Elections Commissioner, as well as his absence at the inaugural session of the President does not accord with his pronouncements during the election campaign. Mahinda's first challenge is how he would forge such a consensus. It is clear that gaining consensus through consultations with the parties of the opposition, i.e., the UNP, the SLMC and the CWC will be vital for his negotiations strategy. Further he would do well to expand his political base to invite the UNP, the SLMC and the CWC, to be co-partners in a grand coalition. Efforts to buy over votes and cross-overs will only lead to greater polarization.

Another challenge he will face is how to accommodate and recognize the Karuna faction as a stakeholder in the peace process. The Karuna faction did not do so well in the elections in the East.

The Ceasefire Agreement recognized two parties to the conflict i.e. the Government of Sri Lanka and the LTTE, and any formal recognition of any other armed faction would be to revoke the Ceasefire Agreement. The LTTE position has been that all armed factions in the North-East should be disarmed including the auxiliary forces.

To achieve these objectives, a review of the Ceasefire Agreement will be high on the agenda. Mahinda in his inaugural speech called for a review of the peace process and stated that he would not tolerate political killings and child abductions and called for a human rights framework.

However, judging by past experience, recognition of the Karuna faction would be seen as a declaration of war.

The President in his election speeches stated that he was prepared for bilateral talks with the leader of the LTTE. We have to wait and see if this call by the President will be reciprocated. All previous efforts to have face-to-face talks with the LTTE leader have failed. There is, however, great merit in face-to-face talks and this should be tried with utmost vigour.

Another vexed question he will face immediately is whether he will agree to a de-merger of the North-East since the date for the extension of the de-merger will fall on November 23. The JHU and the JVP have called for such a de-merger and this decision will be a litmus test for the new President. Accepting the de-merger would be another open declaration of war.

Another challenge facing the Mahinda Presidency is how to deal with the Norwegian role. It is one thing to demonize Norway in election platforms and another for a sober assessment of Norway's role. The President's agenda in the next few weeks will be an early visit to India, where he is likely to plead for a greater role for India.

Another assurance the President has given to the electorate is to expand the base of the international community's involvement, i.e., to India, China and Russia to share the burden of the peace process.

Expanding the Co-Chairs group to involve others is certainly a good idea, but whether India would agree to a prominent role in the negotiations process or will agree to widen the role of others is questionable. The hallmarks of India's policy towards Sri Lanka are to expand economic cooperation through loans and trade but not to be involved in the negotiations process. India is likely therefore to suggest that Norway continues its role. In any case the two parties have to agree on the role of the facilitator.

A formidable advantage that the new President will bring to the table is that he has the full and unequivocal backing of the Sinhalese-Buddhist majority for starting talks with the LTTE. It means that he will not have to face opposition from the South for restarting the negotiations, but also that he will have the legitimacy to deliver on whatever he can manage to give to the LTTE. From other international experiences, it could be said that those who represent the majority population are better able to negotiate and deliver, such as the recent concessions given to the Palestinians by Sharon in Israel.

On the other hand, the former President in 1994 received 62% of the vote but failed to deliver peace to the country.

Lessons from Previous Negotiations

There are many lessons that should be learnt in the 25-year-old protracted civil war in Sri Lanka. I do hope that these lessons are seriously considered and put into operation.

Leadership is of prime importance. The highest priority should be given to the negotiations process and an able team of people appointed to take the process forward. Those selected must be of the highest calibre, with a profound understanding of the conflict over the last 25 years.

There has to be a clear strategy, an architecture and design. Pragmatism, however attractive, should be discounted. A bi-partisan agreement in the South will be imperative, and all efforts should be made to include the UNP in the decision-making process. Further, the views of the SLMC and the CWC and their involvement would surely strengthen and consolidate the President's negotiations strategy. One of the major lessons from the last 25 years is not to only focus on the 'high table' i.e. negotiations between the principle parties. Whilst focusing on the 'high table,' efforts must be made to organize smaller tables to resolve many of the intractable issues.

The Muslim question will be high on the agenda. The Eastern province has always been a serious source of violence and instability. Efforts must be made to promote coexistence and reconciliation but also to provide security and protection to the minorities living in the East. Every effort must be made to have a clear communications strategy and keep the population informed.

Every effort must also be made to alleviate the fears of the minorities, and meaningful steps taken to ensure their human rights are taken seriously. The dismal performance of the non-implementation of the Tamil language as a national language must be addressed immediately.

The Tamil people in the North-East have no confidence in the Sinhalese governments, and therefore it is by actions that this perception has to be fundamentally changed.

Providing significant resources to the war-torn areas, addressing the suffering of the war refugees and tsunami refugees becomes a categorical imperative. The international community has played an important role in providing an

umbrella of support for the peace process and this support must be maintained whilst expanding the base of that support in Asia. The role of the facilitator becomes crucial, and any outstanding issues should be sorted out immediately.

Everybody will keenly await the Martyrs Day speech by the leader of the LTTE. His speech will indicate the parameters

upon which the peace process is to be resumed new leader with proven qualities of leadership and patience and remarkable ability to build consensus has been elected in the South. All peace-loving people of this country will wish him well and give their highest level of cooperation in taking the country through these stormy waters. ■

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THE SINHALA PEOPLE HAVE NOT REJECTED A FEDERAL SOLUTION

Lal Wijenayake

Resumption of hostilities between the LTTE and the government forces soon after the election of a new President has stunned the country. But it was expected as the logical outcome of the communal politics that took centre stage in the run-up to the election.

The extremely communal campaign that was spearheaded by the JVP and the JHU has deeply divided the masses on ethnic lines and has led to the clear polarization of the masses on the basis of ethnicity, as evidenced by the events following the election, such as the stand taken by the parties representing the plantation Tamil community.

In essence the campaign designed and executed by the JVP and the JHU was to challenge the minorities on questions of political power. The most prominent slogan, also the one that attracted even the otherwise non-communal Sinhala voter, was the call to the Sinhala people to show the minorities that it is possible to have a government at the centre without the support of the minorities, so that the government would be free to govern without submitting to the 'unreasonable demands of the minorities'.

The extremely divisive propaganda that was carried on in the state media, especially the electronic media, unnerved the minorities while it meant to touch the hearts of the Sinhala people.

The direct challenge to the political power of the minorities was welcome fodder to the LTTE being from their point of view entrapped in a fragile ceasefire and a stalled peace process.

Finding itself unable to reach out due to the pressure exerted by the international community, the LTTE made use of this opportunity to break its shackles and move out challenge the government on the basis that the Sinhala people had rejected a federal solution to the ethnic problem and the framework set out in the Oslo communiqué to explore a solution.

The pressure brought on the LTTE by the international community was a direct result of the government led by Ranil Wickremasinghe offering a federal solution with the right to internal self-determination.

The isolation of the LTTE internationally was the outcome of the offer of a federal solution by Chandrika Kumaratunga and Ranil Wickremasinghe and not solely due to the clever diplomacy of our much-respected late Lakshaman Kadrigamar, as popularly believed.

In this background it is necessary to see whether in fact the Sinhala people have rejected a federal solution. The stand of the two main political parties UNP and SLFP on a federal solution remains unchanged and the traditional left parties, the LSSP and CP have stood firmly for a federal solution. Therefore it is not correct to say that the Sinhala people have rejected a federal solution.

Further, an analysis of the election results itself shows that the need for a federal solution has received broad acceptance in the south and especially among Sinhala people.

The UNP, which during the Presidential election, campaigned directly on the basis of a federal solution to the ethnic problem has increased its vote in relation to the 2004 general election. The total UNP vote has increased from 35,04,200, i.e, 37.83% of the total votes polled, to 47,06,366 or, 48.43% of total. That is an increase of 10.60%.

What is more significant is that the UNP vote in the predominantly Sinhala districts of Gampaha, Kegalle, Polonnaruwa, Kalutara, Matara, Kurunegala, Moneragala, Ratnapura and Anuradhapura has increased by 7.2%, 3.55%, 5.41%, 5.42%, 1.81%, 3.78%, 4.66%, 3.78% and 3.68%, respectively.

Therefore it is clearly seen that there is no basis for the claim that the Sinhala people have rejected a federal solution and / or that the Sinhala people have voted against the Ceasefire Agreement (CFA) and the peace process.

It is in fact significant that, in spite of the extremely communal campaign carried on against a federal solution and the peace process, the Sri Lankan electorate and the Sinhala electorate in particular has voted for a federal solution and for the continuance of the CFA and the peace process.

A look at the voting at the presidential election in some of the predominantly Sinhala Buddhist electorates, where over 95% voters are Sinhala shows that the UNP significantly increased its vote when compared with the 2004 General election.

For example see in the increases below:

Kolonnawa: 11.57%
Kotte: 2.93%
Kaduwella: 10.13%

Avisawella: 5.34%
Homagama: 10.12%
Maharagama: 10.59%
Kesbewa: 12.81%
Moratuwa: 7.65%
Divulapitya: 7.24%
Mirigama: 7.70%
Minuwangoda: 6.93%
Attanagalla: 9.64%
Gampaha: 7.53%
Ja-Ela: 6.29%
Mahara: 8.38%
Dompe: 6.26%
Biyagama: 9.49%
Kelaniya: 9.65%
Polonnaruwa: 5.41%
Minneriya: 7.07%
Medirigiriya: 4.42%
Panadura: 9.01%
Senkadagala: 7.09%
Yatinuwara: 7.50%

This brings us to the most burning issue today, as to what should be done to save the CFA and the peace process, and most importantly to avoid another war.

The solution lies in the acceptance of the fact that the Sinhala people have not rejected a federal solution and on that basis to announce the willingness to continue the peace process from the point where it was stalled.

The government must be bold enough to announce this fact to the nation and the international community, so that the international community will be in a position to support the government's efforts to avoid a war and move towards peace.

Time is fast running out and this step has to be taken early. In this instance, if action is not taken immediately there may not be any stability. ■

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ELITE MOBILIZATION, SYMBOLIC POLITICS, AND PRESIDENTIAL ELECTIONS IN SRI LANKA

A.R.M. Imtiyaz

Democracy and Elite Mobilization

In democracy, the vote plays a key role. Politicians and leaders, either as individuals or in teams, sometimes both, fiercely compete for votes. While some of these politicians present rosy social and economic promises and policies during the election period, so-called nationalists employ the hostile—or what political science strategically calls symbolic politics—to maximize votes. Whatever policies/tactics politicians adopt as an election strategy, their aim is to win votes.

It is not an evil practice to offer promises or policies to the masses, because the system pushes politicians to plead to the masses, at least during the elections. The key question here is: do politicians honour their major promises? History proves, and political science researchers claim, that the only major aim of politicians and party leaders is power, and once they attain that goal, they merely forget the voters who voted them into office, and instead find ways to serve their real masters, namely those who have the ability to apply great leverage on the entire system and on the ruling leaders. This is a general trend in the world, whether in Western or non-Western countries.

Who then benefits from this so-called people's democracy? If not the masses, whom? The one word answer is the 'elite'! Though democracy proudly speaks of 'people power', the sad truth is that it does not offer real power to the people. As in non-democratic systems, democracy authorizes a tiny minority to taste power in the name of the people's sovereignty. Thus, the real winner of every election is the elite, not the so-called sovereign masses.

As influential political sociologist Joseph Schumpeter (*Capitalism, Socialism, and Democracy*, London: 1961) argued, "democracy is a political method and democracy means only that the people have the opportunity (at election time) of accepting or refusing the men who are to rule them." And political scientist Robert Dahl said that elites carefully plan and approve every single key decision of the state. Dahl (*Power, Pluralism, and Democracy*, Boston: 1967) in his

conference paper presented to the annual meeting of the American Political Science Association, in 1964 said that the key political, economic and social decisions" are made by "tiny minorities," and "it is difficult—nay, impossible—to see how it could be otherwise in large political systems." This helps explain how tiny minorities (elites) have an influential role in the process of state decision-making.

Another big target of elites is the bureaucracy which implements state decisions. Although the establishment of modern bureaucracy helped to discourage direct interference from the political class, it is still very vulnerable to the influence of ruling political leaders whose policies and decisions are formed by elites. In the form of political chiefs or ministers, bureaucracy comes under the control of politicians. These politicians generally control all the activities of the bureaucracy such as policies, recruitment and implementation. When the state allows politicians to interfere in the business of state institutions the bureaucracy loses its spirit of impartiality, and what follows is institutional decay and conflict.

In Sri Lanka, minorities, particularly the Tamils, think that state institutions discriminate against them in favour of the majority Sinhalese because state institutions are controlled by Sinhala politicians who formulate policies and influence the state institutions to win the Sinhalese votes. When politicians attempt to control state institutions, not only do the masses lose their liberty, but society itself will be destabilized if the marginalized lose trust in those institutions. This is the reason why, as early as 1861, J.S. Mill warned of the influential individual's role in the bureaucracy. According to Mill, liberty needs to be safeguarded against the tiny elites. But elite domination would prevail as long as the system fails to offer real authority and influence to the masses.

Literature points out that democracy offers sovereignty to the masses to elect the government they think best. This proves the classical democratic political formula that government is of the people, by the people, and for the people. Government in a democracy might be of the people, it might even be by the people, but, in my opinion, it seldom is for

the people because the major beneficiaries of state decision-making and implementation are elites, NOT the masses as democracy theoretically claims.

Elites, in my opinion, do not bother much about the form of government, i.e., democracy or illiberal regime. Elites would be comfortable if the system accepts their aspirations and delivers their needs. In other words, the more the state satisfies the elites, the stronger the elites support the state. This explanation suggests that elites do not believe in democracy. They pretend to be interested in the public and engage in deceptive patterns of behaviour in appealing for public support.

Understanding the Presidential Elections Economy: Reform or Revolution?

Let me bring Sri Lanka's major presidential candidates, Premier Mahinda Rajapakse from the UPFA and Opposition leader Ranil Wickremasinghe from the UNP, into this theoretical context. Both candidates maintain that they have different ideologies and approaches to liberate the country from the current political, social and economic instability, which is a dire product of the five-decades-old democratic experience and economic policies.

Mr Wickremasinghe openly identifies himself as a good friend of international elites, who recommend a neo-liberal recipe for the 'disease' brought about by the incumbent government. On the contrary, Mr Rajapakse, with his charismatic style, is vigorously attempting to show a picture to the people, particularly non-northeastern rural Sinhalese, that he is a member of the oppressed Sinhalese masses.

Mr Wickramasinghe's election manifesto attempts to comfort ordinary people with colourful promises. In Sri Lanka, many villagers and a strong section of the urban people do not have a decent life. This unhealthy situation is dire result has been the growth of southern-based Sinhala extremists, the Janatha Vimukthi Peramuna (JVP), with its two brutal rebellions (1971 and 1987-89) against the state, and the ethnic minority Tamils' violent mobilization led by the Liberation Tigers of Tamil Eelam (LTTE) against the state in the northeast.

In my opinion, both the radical JVP and militant LTTE are a revolutionary product of the political and economic policies and system Sri Lanka has been carrying since independence. Mr Wickremasinghe seems to have forgotten the roots of the current social instability. He thinks that his neo-liberal economic magic will give social justice to the millions of

poor people in the island. I do not have any evidence to believe that Ranil's neo-liberal economic policies would rescue these suffering poor people.

Does Mahinda have a real recipe for the crisis ordinary Sri Lankans face? Mahinda's economic policies are not clear. His manifesto attempts to prove the poor masses an optimistic future, but his so-called middle path approach, that is to say, a combination of a liberal and a nationalistic solution, is not convincing.

Studies point out that small and/or weak states will have to face tough international leverage, and will surrender their own policies to win international support. Also, a strategically located country like Sri Lanka will receive tough international pressure concerning domestic affairs because external forces have their own interests in the country. Rajapaksa is well aware this. He may simply be thinking that he can retract all his nationalistic economic approaches once he is voted into office, and will then be able to satisfy the real masters of the state. I would say, if Rajapakse has a crafty plea to win the votes of the poor masses, then the state will face more instability in months to come and will lose even more of its legitimacy. The more the ruling party faces crisis, the more it will lose legitimacy, and the deeper the country will sink into social instability.

Ethnic Question: liberal peace vs. hostile emotional politics

With respect to the resolution of the ethnic conflict, which is product of the five decades of democratic government in Sri Lanka, the candidates submit very different sets of proposals. Wickremasinghe, man of neo-liberal views, openly supports peace with the LTTE. His pro-peace stand should not be interpreted that he loves peace and he sincerely hates to see minorities suffering. In point of fact, his pro-market economic policies require peace. Literally, economic progress will not succeed in the absence of social stability.

What China's experiences confirm is that foreign (western) investors' main concern is a country's stability, because investors pour their hard-earned money into a particular country to make a profit. Thus, they need and require stability as a precondition before they invest. Civil war weakens country's stability and gives a dreadful signal to investors who are drawn to cheap labour with a high literacy rate. This is not a literal political-science explanation of how to understand the situation of post-colonial states, but it helps to understand Sri Lanka's precarious reality. Therefore,

Wickremasinghe pretends to be a friend of minorities who have been marginalized by the Sinhalese political elites, in order to help create social and political stability.

However, Wickremasinghe's eagerness to explore a political solution based on a federal state structure, through the concept of internal self-determination, is fascinating and a right step to restore minorities', particularly Tamil, trust. The more the state gives space for a political solution in the context of wider political autonomy, the less the country's chances of facing civil war. One may raise doubts over the real intention of Wickremasinghe's peace effort, but it would be a crime if the state denies peace with justice to the Tamils and other minorities who think they are victims of the Sinhala elite's mobilization to gain power.

Despite the fact that Wickremasinghe tried to extend his pleasant peace message; minorities, particularly the Tamils, seem still doubtful about his ability to deliver as he promises. They have very slim hope on Wickramasinghe because they think he needs a southern consensus to introduce a new constitution or to amend the current one in order to deliver a federal solution. Consequently, his current promises may face a fate similar fate to that of the Banda-Chelva Pact of 1956 or the Dudley-Chelva Pact of 1965 due to southern Sinhala opposition. Tamils think that the southern Sinhala polity, which denied the tsunami-rehabilitation mechanism or PTOMs this past June through the judiciary, will not do any justice to them; hence, Wickremasinghe is just pretending to be a peace messiah to win the presidential race.

Rajapaksa's election strategies showed that he employed what political scientists call symbolic politics to win votes, particularly the southern Sinhalese votes. Political researchers consider these tactics a central strategy of southern Sri Lanka political elites to maximize Sinhalese votes. Recent political studies on the Sri Lankan conflict argue that Sinhala politicians outbid their opponents on anti-minority issues to maximize the Sinhalese votes (A.R.M. Imtiyaz, "Conflict and Constitutional Solution," *Indian Journal of Asian Affairs*, January 2005; Neil DeVotta, *Blowback: Linguistic Nationalism, Institutional Decay, and Ethnic Conflict in Sri Lanka*, 2004). Rajapakse's anti-federal peace solution and radical Sinhala-Buddhist symbolic messages confirm that he tactfully applied symbolic politics to attract Sinhalese votes.

Rajapaksa may think he can retract his symbolic promises once he wins power. However, recent political studies on outbidding express that, when politicians employ symbolism

such as religion and/or ethnicity to maximize votes, those politicians or their successors find difficulties in withdrawing their promises. For example, in Sri Lanka, S.W.R.D. Bandaranaike, a man who introduced Sinhala chauvinism into Sri Lankan politics, found himself unable to control the emotions he had unleashed. In 1959, Bandaranaike was assassinated by an extremist monk who thought Bandaranaike had made the first step to compromise with the country's Tamil minority.

Furthermore, Rajapaksa's electoral alliances with the JHU and the JVP fundamentally scare and dishearten the minorities. Large sections of the Tamils, Muslims and Christians believe that the JVP and JHU are essentially anti-minority, and any government controlled by them would not proffer any political consensus on ethnic questions.

Sri Lankan minorities' concerns are very similar to that of minorities living in other ethnically divided societies. When the state and its institutions act in favour of particular ethnic group or majority ethnic group, minorities become more distrustful of the system and of politicians representing the majority ethnic group.

Conclusion: End of Instability?

Both Mr. Wickremasinghe and Mr. Rajapakse had the backing of some minorities and minor parties and have signed electoral pacts with them. The parties that entered into electoral pacts with the major presidential candidates declare that the purpose of entering an electoral pact is to ensure the rights and prosperity of their respective communities, and to end the prevailing social and political instability.

I would be glad if these electoral pacts were sealed in the best interests of the common masses. But world reality and literature on electoral pacts make one cautious about this sort of explanation. Political leaders and elites cite the interests of the masses for their every policy and action, including making electoral pacts with their counterparts. If that is the case, one may have valid reason to ask why the masses are still suffering and instability is still at large.

With respect to ending political instability, the famous political scientist Samuel Huntington (*Political Order in Changing Societies*, New Haven: 1968) warned that instability will occur if political reform lags behind socio-economic development. But Sri Lanka's current political and economic instability, in fact, is a result of political reforms

THE INTERNATIONAL AID ARCHITECTURE AND TSUNAMI RECOVERY: LESSONS FROM SRI LANKA AND INDIA

Darini Rajasingham Senanayake

The 26 December 2005 Earthquake and Tsunami in Asia generated an unprecedented humanitarian response in terms of funds and organizational efforts the world over. In the aftermath of the disaster, the affected countries took very different approaches and found different policy mechanisms to organize and coordinate the international response, including the flood of financial and human resources available from the international community. This paper compares India's and Sri Lanka's responses to the disaster, while reflecting on the strengths and weaknesses of the international humanitarian response to the Asia Earthquake and Tsunami disaster. The paper draws from analysis of the international aid architecture that has developed in response to the Tsunami, as well as field research among Tsunami- and conflict-affected populations in Sri Lanka and attempts to insert the voice of the affected community in ongoing policy debates.

Historically there are few instances of linear progress from relief to recovery, reconstruction and development. This is particularly true of countries or regions affected by long-term, low-intensity conflicts that may be struck by sudden natural disasters. Indonesia and Sri Lanka were the two most affected countries. In both countries the Tsunami impacted regions already affected by more than two decades of armed conflict and uncertain peace. The coincidence of natural and man-made (*sic*) disasters generated 'complex emergencies' and posed the need for holistic and integrated recovery programming for equitable and conflict-sensitive post-tsunami reconstruction at national and community level.

International aid delivered in a conflict situation may become part of the conflict unless conflict-sensitive programming is recognized as a priority.¹ The failure of the Post-Tsunami Operational Mechanisms (P-TOM), which was to enable sharing of the funds for reconstruction between the Government of Sri Lanka (GoSL) and the Liberation Tigers of Tamil Eelam (LTTE), controlling regions impacted by the Tsunami, has left a vacuum in this regard. Hence,

international organizations working in the country will need to ensure the balanced distribution of assistance across affected regions in order to support the three-year-old peace process that is becoming increasingly fragile. Currently there is a significant imbalance in aid distribution. Districts with deeper poverty and higher concentrations of vulnerable communities affected by the Tsunami and conflict (Jaffna and Vanni), have far fewer projects and organizations on the ground than some other Tsunami-affected districts in the south where reconstruction is slightly more advanced.

The governments of Indonesia and Sri Lanka have effectively sub-contracted the reconstruction process to international aid agencies and humanitarian actors. In India, the third-most affected country, the disaster was handled differently. The Government of India (GOI) refused most forms of assistance and mobilized the military as well as local non-governmental organizations (NGOs) in the relief and recovery effort. A few international agencies with large budgets for large-scale reconstruction have been permitted to work in India after the Tsunami under the supervision of the state governments. The Indian government's response to the international response to the Tsunami disaster was contoured by several factors: existence of in-country disaster preparedness, NGOs and civil-society capacity, the experience of the Gujarat floods episode where much of the funds did not meet the most needy, as well as the desire to be seen as a net donor rather than recipient nation, given its ambitions for a seat on the UN Security Council. Moreover, the impact of the disaster was very different on the Indian and Sri Lankan economies and very different policy responses were forthcoming.

Impact of Tsunami on India and Sri Lanka

In Sri Lanka, though Tsunami damage stretched from Jaffna in the north, down the entire eastern and southern coastal belt of the island, the waves affected a two-kilometre coastal strip, albeit a densely populated area characterized by extremities of poverty and wealth. Colombo,

the capital, was spared. It is estimated that 31,000 people died and many more were displaced. Livelihood sectors that were most impacted were fisheries and tourism. In India the Tsunami affected the Andaman and Nicobar Islands, Tamil Nadu, Andhra Pradesh and Kerala and Pondicherry, and estimates are that approximately 10,000 lives were lost.

The preliminary damage and needs assessment conducted by the World Bank (WB), along with the Asian Development Bank (ADB), and the Japan Bank for International Cooperation (JBIC) for Sri Lanka, estimated the country's Tsunami recovery/reconstruction needs at approximately US\$1.5 billion. Total damage was estimated to be less than 5 per cent of GDP. The Indian GDP was unaffected by the disaster, and the World Bank, ADB and UN assessment noted that the reconstruction would cost around US\$1.2 billion. The Indian response was coloured by the size and dynamism of the economy and the existence of strong in-country capacity as well as its powerful and proactive civil society.

Institutional Arrangements, Policy and Coordination of Rehabilitation and Development

Unlike the Government of India, the Government of Sri Lanka has effectively leased out reconstruction to relief and aid INGOs, hoping for quick delivery. The GoSL has sub-contracted the post-tsunami reconstruction process to INGOs that have raised funds for Tsunami relief and recovery, and has set up the Task Force to Rebuild the Nation (TAFREN) to coordinate the rehabilitation, reconstruction and development process. TAFREN replaced the Centre for National Operations (CNO) that successfully coordinated the relief effort in the first three months of the emergency.

While it is generally agreed that the national and international relief that arrived after the Tsunami contributed significantly and in timely fashion during the emergency relief phase, it is evident that these early gains have been and may be further eroded in the rehabilitation phase in Sri Lanka.² Project implementation and delivery of permanent housing and sustainable livelihoods—the most important needs of Tsunami survivors at the current phase of rehabilitation almost a year after the disaster—appears unsatisfactory. This is partly because there is no effective policy mechanism for post-tsunami recovery and reconstruction at this time in Sri Lanka. TAFREN is a coordinating body and lacks the necessary development expertise in-house, while the GoSL has sub-contracted the recovery process to external actors. This lacuna has significant implications for the recovery process in Sri

Lanka, not the least of which the delays in reconstruction, lack of local ownership of the recovery planning an implementation process, and lack of accountability to Tsunami survivors and beneficiaries.

This paper suggests the need for reconstruction that is owned by the communities affected by disasters, and makes a distinction between donor, national and community ownership of reconstruction policy. Local ownership of policy derives from analysis of disaster and conflict that is politically, culturally and historically located, and from social monitoring of the reconstruction process.

International Assistance and the Tsunami Aid Architecture

After the Asia Earthquake and Tsunami many INGOs launched the largest-ever emergency relief and recovery operation. The funds generated for reconstruction were unprecedented. The response to the Kashmir earthquake in Pakistan and India of October 2005 in no way compares to the response to the Tsunami disaster, and marks the exceptional nature of the response. Recent estimates are that over US\$7 billion were committed for the Tsunami response, of which over 60 per cent were from individuals and other private sources, routed through INGOs such as Oxfam, Care, or World Vision.³ The Red Cross movement alone received CHF2.4 billion or US\$2 billion.

The post-tsunami funds generated for reconstruction were unprecedented. Collectively, INGOs found themselves with nearly half a billion dollars to spend on the humanitarian response, and with more funds than some governments of the affected countries command for relief and recovery of the survivors.⁴ Contextualized along other available assistance and funds for relief and reconstruction, the overwhelming international response to the Asia Tsunami disaster, both in terms of funds and human resources, clearly required relief needs on the ground, and may even exceed reconstruction needs in some of the Tsunami-impacted countries and/or regions. There is intense competition among and within humanitarian agencies to secure projects and spend funds in Sri Lanka, particularly since India has restricted the access of many relief agencies in its territories.⁵ Many of the agencies have not disclosed how funds would be distributed among the affected countries, and voluntary disclosure of how funds are spent has not occurred.

An extensive international Tsunami aid architecture has evolved between New York, Geneva and London, following the Tsunami disaster in South and East Asia. The UN appointed Bill Clinton, rather than someone familiar with the South and East Asian region and its disaster and development challenges, such as Nobel Prize-winning economist Amartya Sen, to figure-head the Tsunami operation. Sen would have brought added value to the recovery operation. The International Federation of Red Cross and Red Crescent Societies in Geneva is working with Clinton's office, and the emphasis is on "building back better" and linking relief to development over a long period of time. The official evaluation of the Tsunami response is being carried out by the Tsunami Evaluation Coalition (TEC) at the Overseas Development Institute (ODI) in London, one year later. Local ownership of recovery policy and civil-society engagement in monitoring and evaluation of the recovery and reconstruction process has been disabled by the international aid architecture, with significant implications for timely and effective recovery.

The unprecedented funds that the Tsunami disaster generated, has in turn generated an international aid architecture that is rather skewed and distant in space and mentality from the needs, priorities and recovery timeframes of the affected communities and Tsunami survivors for whom the aid was committed. This has significant medium-term implication for security and development in the affected countries as well as the region. Delays in reconstruction and delivery of assistance to the survivors may become a cause for local and national-level conflicts, and may pose a security threat in the longer term, particularly in countries that have suffered-decades of low-intensity armed conflict and cycles of war and peace, with significant implications for regional security.

A related issue is the question of local ownership of the recovery and reconstruction policy, planning and implementation process, which is increasingly being raised in Sri Lanka, as a large number of people languished in temporary shelters as the monsoon rains arrived in November, almost one year later and the danger of aid dependency of people living displaced on aid handouts becomes apparent. The current operation needs to be streamlined, and transparency and accountability of the various agencies ensured, if the funds are to reach the people they were meant for.

Housing Sector: Are delays and displacement prolonging Psychosocial Trauma?

Permanent housing is the most pressing need and demand of beneficiaries at this time – along with sustainable livelihoods. A number of aid agencies are rehabilitating and normalizing the lives of affected communities by constructing houses and community facilities and continue to supply relief via cash or work programmes. A number of INGOs have signed Memoranda of Understanding (MoUs) with the GoSL's TAFREN (that has effectively sub-contracted the reconstruction process to INGOs), for large-scale, large- budget projects that sound and look good, but increasingly appear to amount to paper trails, given delays to implementing projects.

It is estimated that 70,000 houses were damaged by the Tsunami in Sri Lanka, and more units may be necessary, since some extended families living under one roof have subdivided into nuclear families after they were displaced. Some of these houses were within the 100-m buffer zone demarcated by the GoSL. 55,000 transitional shelter units have been built, but progress is slow on permanent housing, only partly due to problems with land availability.

As of December 2005, TAFREN reports that INGOs have constructed a mere 2,414 houses of the 49,000 allocated to be built. In Jaffna district, where 5,000 permanent homes are needed, only one permanent house had been completed and handed over to beneficiaries by the end of October 2005 (an additional 2000 were needed for conflict affected populations), while in Galle of the 5,080 needed, 271 permanent shelters have been built and 87 handed over to beneficiaries as of October 18, 2005.⁶

On the other hand, private individuals, businesses, members of the Sri Lankan diaspora and small INGOs that genuinely adhere to the humanitarian impulse have built and completed significant numbers of permanent houses and housing projects, and left the country.⁷ However, many of the large humanitarian relief organizations that received extensive funds, including Sri Lanka's largest donor of permanent shelters, that have signed MoUs for large-scale infrastructure projects with the GoSL, have failed to deliver, in some instances due to problems with some of the lands that were allocated and delays by the GoSL on providing beneficiary lists. In the north and east conflict-affected regions, difficulties of access and shortages of materials have slowed the process. However, the primary reason is a lack of prior sector and development expertise, experience, and

organizational capacity to link relief to reconstruction and development.

Many humanitarian INGOs that received large amounts of funds are delaying on construction of urgently needed houses or taking a long time in the planning process in order to “build back better,” even as they extend expensive ex-pat contracts in the absence of project deadlines and exit strategies. “Building back better” appears to have become a legitimacy clause for delaying projects despite pipeline pressures to disburse funds. Most of the funds appear to be disbursed on administrative costs, ex-pat salaries and overheads of the INGOs. There is practically no transparency and reporting on how funds are being spent by the agencies.

As the often fierce northeast monsoons set into the Tsunami-affected regions from October, many beneficiaries expressed concern about having to live in flimsy transitional shelters. The lack of permanent shelter has both psychological and material consequences. The two-room temporary shelters, built for six months, where families are housed, are overcrowded and too small for women to proceed with home based income-generation activities that they had engaged in prior to the Tsunamis (coir manufacture, textile and sewing), even if they have received the necessary equipment. The lack of proper housing also impacts on women’s livelihoods and the health of children. Some mothers mentioned that their children have weekly bouts of flu.

Other beneficiaries noted the lack of a permanent home, living in displacement and uncertainty about when they would be able to have a proper home and living in limbo, prolonged psychological trauma. Affected families lack basic information (e.g., when would a permanent home be provided?), necessary to plan their livelihood and recovery strategies. In short, the question arises: whether the aid industry that came to assist the victims may now be prolonging their trauma and generating aid dependency among those languishing in transitional shelters and still dependent on handouts?

The issue here is not one of inflated expectations regarding recovery, or adjusting recovery expectations downward with appropriate media spin, particularly given the excess of funds and human resources available. It is a matter of analysing the situation and learning from mistakes made. In the past, Sri Lanka President Premadasa built 10,000 houses a year under the Gam Udawa project, and the capacity exists in-country to do so, had the GOSL played a role in policy setting and implementation of recovery, rather than merely setting

up a coordinating body called TAFREN. The reasons for the delays rather lie with the aid system itself.

Recovery Challenges: Timeliness of Aid

Ensuring responsible and transparent programming and ensuing *timely* delivery of assistance to Tsunami survivors and the most vulnerable by the government and INGOs is a central issue, given the perception and fact that there is an excess of funds, and that contracts of the large numbers of expatriate staff of the international agencies involved in the reconstruction operation may be extended until the funds are spent over a long period of time.

In this context, the challenge is to develop a streamlined and rationalized Country Programme and Implementation Strategy for integrated rehabilitation and development, that centres on the needs, priorities and timeframes of affected communities and beneficiaries, rather than international aid industry, as well as an adequately participatory consultation and communication process with beneficiaries that respects their right to information.

It is not clear that the coordination efforts of TAFREN have yielded the anticipated results, whether in terms of efficiency, quality or timely implementation of Tsunami rehabilitation, or that there was proper identification of recovery programme priorities. There needs to be a balance between coordination to eliminate competition, conflicts and duplication, and the primary task of meeting the needs of survivors on the ground in a timely fashion. TAFREN appears to have lost this balance in its attempt to facilitate and coordinate so many actors wishing to spend funds on large-scale, high profile infrastructure projects, without an adequate feasibility study and assessment of the INGOs involved. The ‘advertising’ that accompanies this situation often misrepresents the reality on the ground.

Contextualizing Risks and Opportunities for Relief Organizations

The fluidity with which displaced populations move, the growing strains on host families, and the destruction of livelihoods due to the Tsunami has challenged the ability of national authorities and the international community to tailor responses to the different needs of various categories of Tsunami-affected populations.

Certain Government of Sri Lanka policies with regard to the 100-200-m coastal-reservation buffer zone (that have been

recently relaxed), as well as criteria for beneficiary identification for housing and reconstruction assistance that appear to overlook significant vulnerable communities have also complicated the resettlement and relocation process of those affected.

The recovery context in Sri Lanka presents challenges, opportunities as well as risks to the large number of humanitarian relief INGOs in terms of the need for timely, effective and equitable delivery of assistance to those affected by the Tsunami, as well as in terms of their operational capacity, experience and mandates.

The risk is compounded by an in-country critique of the government as well as INGOs and donors with regard to emergence of a large international Tsunami aid architecture in New York, Geneva and London that is quite distant in space and mentality from those who survived the disaster in Asia, and their need for timely access to permanent housing. Questions are also being raised regarding funds used by international aid agencies – including on salaries of expatriate staff, in a country where over 45% of the population lives on less than \$2 a day, and almost 24% below the official poverty line.

There are also valid concerns about the destruction of local capacity, as INGOs compete with local NGOs and poach their staff, rather than working with and through local NGOs and building their capacities in a sustainable manner.

While the public critique of INGOs and similar organizations working in Sri Lanka is informed by a current of nationalism it also raises fundamental issues regarding the ethics, politics, and practices of the international humanitarian industry given oversights and perceived lack of local and national ownership in the design, implementation and monitoring of Tsunami recovery and reconstruction programmes.

In mid-August the President of Sri Lanka and the Chairperson of (TAFREN) had taken to task several INGOs and agencies involved in construction for delays in the reconstruction, of permanent housing. The story made headline news in the national media, that is rightly performing the role of watchdog of international relief delivery in country.

Media Spin and the Right to Information

The Tsunami response of INGOs would need to rise to increased public scrutiny and demand for transparency, accountability and local ownership of

reconstruction policy and implementation (as opposed to national-level ownership) by affected communities in Sri Lanka. The recovery, reconstruction and development work of INGOs needs to be cognizant of the substance (as distinguished from the politics), of this critique and take appropriate measures to address it in order to maintain public trust and continued access, and ensure that the new funders who generously contributed to the Tsunami recovery operation will continue to support their interventions in other emergencies.

The country has almost 90% literacy rates and a large pool of under- and unemployed graduates that vitiate the need for large numbers of international staff, and “volunteers,” many of whom lack the requisite development expertise and in-country knowledge necessary at this stage of recovery and reconstruction. Participation of in-country reconstruction and development expertise that has been largely marginalized by TAFREN as well as the international agencies, particularly in the planning, policy making, and monitoring and evaluation process, will be vital to ensure that recovery programming considers the needs and capacities of affected people, while the assistance of the international community will be necessary to developing local capacities to cope with disasters.⁸

There is a growing gap between media and press releases of various INGOs that convey singular “human interest” stories to demonstrate project achievements, and the reality on the ground where little appears to have been accomplished in terms of integrated and sustainable recovery, particularly in the housing and livelihoods sectors. This situation could jeopardize the image of several INGOs that took on projects they could not deliver, on and may cause donors to rethink their willingness to contribute to these organizations in future emergencies.

Media spin and human-interest stories have trumped transparency and accountability, and INGOs and UN agencies have flown in large numbers of media, press and consultants but little has been accomplished on the ground. The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) is planning to spend US\$12 million on a Tsunami information system in Sri Lanka, even though very good information already exists in the Government Agent’s Offices in Tsunami-affected districts for anyone who cares to visit the district and find out what is happening on the ground. The result may be the creation of a very expensive and parallel information system, when the real issue and gap is the lack of *analysis and expertise to steer the recovery effort at*

national and district levels within the TAFREN system and the failure to access qualified in-country professionals, rather than lack of information to analyse the existing data for coherent recovery programming and implementation. This is part of a large problem of the neo-liberal development approach that effectively de-develops a county's policy-making processes and institutions, in the name of economic liberalization. The World Bank meanwhile has called on TAFREN to explain the Rs.125 million of IDA grant spent on media awareness campaigns.

If at all, accountability to donors has been given priority over accountability to beneficiaries, whose concerns for getting permanent shelter before the November monsoon rains in the region have been sidelined by overemphasis on taking lots of time to plan and "build back better." "Building back better" also includes "community development" by relief organizations that lack the requisite in-country knowledge and social-sector expertise to do so, and resulting in a few instances in endless beneficiary consultations. As a result not a lot has been built as the first commemoration of the disaster approaches, after the initial success in the relief phase, and there is little local ownership of reconstruction planning and implementation.

Conflict and Tsunami-affected Communities

When international assistance is given in a low-intensity conflict situation, it often becomes part of the conflict.⁹ There is a clear imbalance in coverage of the Tsunami disaster-affected districts. Districts with deeper poverty and higher concentrations of vulnerable communities affected by both the Tsunami and conflict (Jaffna and Vanni), have far fewer projects on the ground than in some other Tsunami-affected districts where recovery is making good progress. This is no doubt partly due to difficulties of access, for unlike in the rest of the country only a limited number of humanitarian and development agencies have access to these regions due to LTTE policies as well as donor reluctance.

At the outset of the Tsunami disaster, attention was rightly focused on meeting the immediate relief and recovery needs of Tsunami survivors. Nine months later, as long-term recovery planning is on-going there is a need to integrate programming for Tsunami-and-conflict affected populations to ensure conflict-sensitive implementation. A comprehensive country strategy and advocacy policy for holistic and conflict-sensitive programming and assistance for Tsunami and conflict-affected populations in the relevant districts at this

time to redress some of the imbalances in aid delivery, particularly the economic security programs, and stresses that more needs to be done.

Conflict-sensitive programming and equitable aid delivery is necessary at macro-and micro-community levels, since inequitable aid distribution may become a source of micro-community conflicts among beneficiaries, as well as, at the macro-or national level, given that the country has experienced almost two decades of war followed by uneasy peace, and the social context is politicized and ethnicized.

INGOs working with the GoSL would be well advised to reassess the policy approach to working with and through the GoSL and relevant ministries, and rather re-focus on community level programming. Playing a supplementary role to the government that is party to a conflict in the northeast may be counter-productive to working effectively to address the needs of the most vulnerable in those regions.

While many agencies talk about the need for equitable distribution of assistance according to need (also among conflict and tsunami IDPs) there is little actual implementation, and TAFREN does not track aid distribution in any systematic way. Unlike in India, the role of the state and national civil society in Sri Lanka has been minimized in a donor-driven neo-liberal approach to post Tsunami reconstruction that seems designed to increase inequality and conflict-in the long run.

A communication strategy for donors regarding the situation of "complex emergency" in Sri Lanka, and the concomitant requirement for holistic recovery programming for Tsunami-and conflict-affected population needs to be developed at this time.

Ensuring responsible and transparent programming and maximizing assistance to survivors and the most vulnerable is a central issue, given the spontaneous and large mobilization of public generosity. The situation imposes obligations to use the funds in support of the mission not only "to improve the lives of vulnerable groups by mobilizing the power of humanity," but also by contributing creatively to what is now called "Reconstruction Plus" – moving beyond the status quo ante, prior to the Tsunami, and addressing root causes of vulnerability in a conflict sensitive manner.

Local Ownership of Recovery: Monitoring and Evaluation by Civil Society

Participation of in-country reconstruction and development institutions (eg. Institute for Policy Studies, Centre for Policy Alternatives, Centre for Poverty Analysis), and expertise, as well as academics and civil society will all be vital to ensure effective monitoring and evaluation, and local ownership of recovery. Programming will need to consider the needs and capacities of affected people, while the assistance of the international community will be necessary in developing local capacities to cope with disasters.

Meeting the challenges, risks and opportunities of reconstruction in Sri Lanka will also require a conceptual, operational and programmatic understanding of the transition for relief to development in a complex emergency, for it is now well established that: “better ‘development’ can reduce the need for emergency relief; better ‘relief’ can contribute to development, and better ‘rehabilitation’ can ease the transition between the two”¹¹

Several humanitarian agencies that lack development expertise and country knowledge but have large funds appear to be in the throes of an identity crisis and mission and mandate enlargement, as they take on long-term term, large-scale infrastructure development projects in sectors where they have little prior experience. As a result the Tsunami operation lacks focus and coherence and is spread thin. The transition and transformation of humanitarian relief agencies to long-term reconstruction and development in a one-of-a kind situation may require review and a cost benefit analysis.

The on-going operational shift from emergency relief to addressing long-term reconstruction and development needs of those who survived the Tsunamis poses significant challenges to relief INGOs skills, capacities and experience. Some of the sectors that constitute long-term reconstruction have not traditionally been part of the mandates and capacity relief agencies. Strategic planning, policy-making and in-house social sector expertise and capacity to engage with and consult beneficiaries, conduct needs assessments to ensure that beneficiary needs and priorities are met in a timely fashion, and that the most vulnerable and needy are targeted, as well as impact monitoring of projects and development of base line data for such, will be necessary. This is particularly necessary as the (relief) phase of universal need passes and those who initially were dependent on emergency relief and supplies access other public and personal support networks

and systems, while the most vulnerable remain relief and aid dependent.

“Building Back Better”

The Expert Meeting on Corruption Prevention in Tsunami Relief, organized by the OECD Corruption Prevention Initiative, the ADB, and Transparency International in Jakarta noted in its Framework for Action, “Sudden flows of large amounts of money, goods and services, pressure to deliver aid quickly, as well as the substantial economic opportunities that arise from large scale reconstruction, all contribute to increased risk of corruption, waste and mismanagement...The active participation of affected communities in relief and reconstruction decisions, can minimize the risk of corruption in the delivery of aid. From the earliest stages of relief to the design, implementation and monitoring of long term projects, such communities should be enabled to articulate their needs, assist in devising reconstruction plans as well as evaluate end-results. The economic capacity and expertise of affected communities should be utilized wherever possible in delivering relief and reconstruction to reduce costs, to ensure appropriate solutions and assist in economic recovery.”

The funds available for recovery after the Tsunami suggest the ability to move beyond the status quo that prevailed prior to the disaster and address “root causes” of vulnerability, or “build back better.”¹² The notion of “building back better” links relief to long-term development. The danger with such an approach is that the urgent and immediate needs of those who were most affected and traumatized by the disaster, and for whom international civil society generously provided funds, may be elided given the long-term focus on big-budget, large infrastructure projects that require long-term development planning.

Communities vulnerable to disaster (for which prime indicators are poverty and conflict), are often not the primary beneficiary of large-scale infrastructure development projects planned by government authorities that may take advantage of donor ignorance to bring out large discredited infrastructure projects (e.g., large water sanitation schemes vs community rainwater harvesting).

The funds generated for Tsunami reconstruction are seen by the GoSL and IFIs as being able to take care of many of the country’s development needs in the next five years, hence the talk of planning and “building back better” over five years. This has led to a failure to focus on the more modest needs

and recovery priorities of the most vulnerable of the Tsunami-affected communities, including squatter communities in the coastal belt, who are excluded by TAFREN's policy of "replacing a house for a house."

The funds generated by the Tsunami disaster appear to have resulted in an over-internationalization of the recovery operation, long-term, large-budget development plans for large-scale infrastructure building that is detracting from local ownership (as opposed to national ownership) of recovery and reconstruction and timely delivery of assistance to the Tsunami survivors for whom funds were committed.

Humanitarian relief and aid agencies will have to get the balance right between quality and timely project implementation; spending big money on large infrastructure projects; and accessing pockets of vulnerable communities for sustainable community oriented and small-scale programmes. The current international intervention and programme structure and institutional culture, in the recovery and reconstruction phase in Sri Lanka appears to be top-down, with beneficiaries and vulnerable communities being seen, if at all, as end-users, rather than as partners in post-tsunami reconstruction. Their right to information and consultation is rarely respected.

Can Relief Agencies 'Do Development'? Implications for Linking Relief to Development

The attempt of humanitarian agencies that work primarily in relief to engage in long-term reconstruction and development projects that require different sorts of programming skills, effectively entails the risk of losing focus on mandates to serve vulnerable communities, as well as develop creative and flexible community-level approaches to disaster preparedness. Very little has been done one year later regarding community-level disaster preparedness and education, as highly technical early warning systems are anticipated from donors and the UNDP.

Doing long-term and large-scale infrastructure reconstruction and development work requires a different set of skills, analysis and programmes than doing relief and emergency preparedness at community level. It requires strategic and quality programming, planning, research and policy analysis based on solid in-country expertise with a macro- and long-term development perspective. Programme leadership, project integration, and in-country development expertise is a large lacuna in many of the relief agencies that have brought

in "volunteers" and are operational in Sri Lanka at this time, and is at the root of many of the problems and project delays. Policy analysis and advocacy for vulnerable communities remains a missing link in the recovery approach thus far, with significant implications for effective, efficient, timely and balanced delivery of assistance to beneficiaries.

A conscious attempt should be made by relief agencies that lack development expertise to pass on funds to more-experienced development agencies that have on-going collaborations with the GoSL in the relevant sectors and are involved in long-term reconstruction and development activities in the country (ADB—water and sanitation, WB—housing, etc.). Where there is inadequate capacity, funds may be disbursed directly to beneficiaries through already existing programmes such as these set up by the GoSL and WB for conflict IDPs to reconstruct their own homes.

In short, linking relief to development, and building back better" is contingent upon existence of development capacity within agencies and should not be advocated too easily for relief agencies. Doing development work requires a coherent country recovery strategy and is contingent upon accessing good country knowledge, in-country expertise and development and social-sector analysis that are crucial for long-term recovery and reconstruction programming.

Conclusion: Exit Strategy for International Aid Actors

Unlike other disasters such as that in Kashmir, the Tsunami disaster generated large amounts of funds. Ironically the excess of Tsunami funds among INGOs and UN agencies appears to have led to a failure to implement recovery in a timely fashion, or establish project deadlines and exit strategies. Rather, a pattern of undue extending of project time frames and ex-pat contracts, and a disproportionate emphasis on quality, "building back better" is apparent.

"Community consultation" (despite the lack of information sharing with affected communities most of whom do not know when they will receive permanent shelter), and "culturally sensitive" programming, given lack of social, analysis and expertise, increasingly features as a legitimacy clause for delays in project implementation.

It is hence relevant to recall that donors gave funds for Tsunami victims and survivors, and not for the operation costs of humanitarian and development INGOs and multilateral

agencies. Transparency and accountability of all agencies involved, with a breakdown on what funds have been received and how they have been spent (including on programmes, administrative and ex-pat salary costs, and how these have been calculated) are necessary. The issue of accountability to beneficiaries, as well as local and regional ownership of the recovery and development process, is a matter of concern, in the context of what Naomi Klein terms humanitarian “disaster capitalism” and the current international aid architecture after the Tsunami.

There is little transparency and accountability in the post-tsunami aid operations, including from donors regarding how funds are spent, and despite the fact that several reports have established that in Afghanistan a mere 15 per cent of the funds pledge for reconstruction reached those it was meant for. The practices of some INGOs as well as UN agencies that have spent large amounts on institutional overheads, media consultants and ex-pat salaries raise serious issues, including the possibility of systemic and corporate malfeasance in the face of gross inequity in the aid system, as well as projects delays and failures to implement given plight of those displaced in the Tsunamis.

The culture of and practice of the international aid architecture that has developed after the Tsunami, together with the over-centralized manner in which the GoSL and TAFREN with the support of IFIs and UN agencies have been coordinating the recovery operation, effectively disables accountability to beneficiaries and local ownership of reconstruction. Clearly, there is a need for “structural adjustment” of the international humanitarian and development industry and reform of the international aid architecture after the tsunami, to enable accountability to beneficiaries, and local ownership, adequate beneficiary targeting, as well as monitoring and evaluation of the Tsunami reconstruction process. Clear time frame and exit strategies for all projects, programmes, and INGO and UN “volunteers” in Sri Lanka is necessary. At least 80 per cent of required permanent shelters should be built by next October, when the northeast monsoon arrives again. This exit strategy would include, where necessary, substantive capacity-building of local programme staff to take over projects, as well as, regional capacity building.

The new agency that the new President of Sri Lanka sets up to replace TAFREN should review the work of the various INGOs at this time and suggest exit strategies for those that lack the capacities to deliver on projects, and are otherwise blocking recovery efforts by sitting on land allocated for housing, which could otherwise have been done by private

donors from the local business community who stepped aside after making a very significant contribution in the relief phase, for the INGOs to take over recovery. The GoSL should take its cue from the Government of India on this matter, and thin the log-jam of agencies and thus the coordination burden in the current reconstruction phase, since so many agencies are no longer necessary, unlike in the immediate aftermath of the disaster.

There is a striking absence of expertise and professionals from the region in the post-tsunami operation in Sri Lanka, despite the stated aim to develop regional disaster response capacity in the Asia Pacific Region by a number of agencies. The regional bodies ASEAN and SAARC need to develop regional institutions to address future humanitarian crises.

Finally, as the first anniversary of the Tsunami disaster comes around, the temptation to raise more funds for Tsunami victims and survivors is obvious, given that it was such a ‘photogenic’ Christmas disaster, unlike Kashmir. But unless there is a clear, principled and strategic rationale for further fundraising, and an improvement in project implementation, there should be a moratorium on the raising of funds for Tsunami survivors in Sri Lanka. International donors may be encouraged to give funds to other disasters in the region – since the world is not short of emergencies at this time.

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Abbreviations and Acronyms

ADB	Asian Development Bank
CHF	Swiss Franc
CNO	Centre for National Operations
GDP	Gross Domestic Product
GoSL	Government of Sri Lanka
IDA	International Development Association
INGO	International Non-governmental Organization
JBIC	Japan Bank for International Cooperation
LTTE	Liberation Tigers of Tamil Eelam
MoU	Memorandum of Understanding
NGO	Non-Governmental Organization
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
ODI	Overseas Development Institute
OECD	Organization for Economic Cooperation and Development

PCIA	Peace and Conflict Impact Assessment
P-TOM	Post-Tsunami Operational Mechanism
TAFREN	Task Force to Rebuild the Nation
WB	World Bank

5 While Sri Lanka and Indonesia have been relatively open and permitted access to the large number of NGOs and agencies interested in contributing to relief and recovery, India, has been more selective in permitting access only to aid agencies with proven capacity and skills to take on large-scale reconstruction after the acute emergency phase.

6 All figures from Government Agent offices and TAFREN officers in the districts.

7 Nelum Pokina, Induruwa, where 40 houses had been built by a member of the Sri Lankan diaspora and the Salzburg Village where 70 houses have been built by a small Austrian NGO. Both projects signed MoUs with TAFREN, and built on land that was once marshy in the Galle district.

8 The institutional frame for the Tsunami operation was designed by the US consultancy company Mackinsey, and directed and managed by business and finance specialists rather than development expertise.

10 This is captured in the slogan: "build back better".

11 Buchanan-Smith and Maxwell, cited in Margie Buchanan-Smith and Paula Fiebrich *Linking Relief, Rehabilitation and Development: A Preliminary Review of the Debate*.

12 This is captured in the slogan: "build back better," propagated by Bill Clinton's Office. ■

End Notes

1 There is extensive literature on this subject. See particularly, Mary D. Anderson, "Do No Harm: How Aid can support Peace or War", The Post-Tsunami Operational Mechanism (P-TOM) was an indicator of the fact that aid can become a source for conflict even when consciously linked to peace processes.

2 These sentiments were expressed both by GoSL authorities in the Tsunami-affected districts as well as the Planning and Development Secretariat of the LTTE.

3 The Asia Pacific Philanthropy Consortium (APPC). See the Conference Call for Papers on "Philanthropy and Disaster: The Tsunami and After."

4 The International Federation of the Red Cross estimates that the Red Cross movement received 2.4 billion CHF or US\$ 2 billion thus far. It is likely that about 25% will be allocated to Sri Lanka.

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Carters' Strike

On August 15th 1906, 5,000 carters in Colombo struck work against a Municipal Ordinance prohibiting them from sitting on the cart or yoke while driving through the streets. The carters resisted as it meant walking long distances. The strike paralysed the commercial life of Colombo which depended on bullock carts for the transport of goods. The three-day strike was supported in militant ways by other Colombo workers, and the Police was reported to be under siege of crowds. When the Ordinance was withdrawn the carters celebrated the first victory of the working class of Colombo. A letter in the *Ceylon Independent* on August, 19th 1906 said:

The carters' strike has surprised a general heart to all communities as the taste of unity. The carters are men of various tastes and creeds... but they left all religious and racial differences and united and acted bravely.

Centenary of the Carters' Strike of 1906



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TSUNAMI REHABILITATION – REFLECTIONS

Sunil Bastian

It is one year since the tsunami struck the shores of this island. There will be many debates and discussions on how our society and all those who came to help us have responded to this catastrophe. These debates will take place both here and abroad since the response to the tsunami took a globalized form. The purpose of this contribution is to add a few thoughts to this debate.

The starting point of this contribution is to question traditional responses to natural disasters which treat disasters as isolated ‘events’ rather than a process characterized by the interrelationship between a natural phenomenon and society. When a disaster is treated as an event, the focus is on restoring what was destroyed (infrastructure, livelihoods, etc.) and to do it as soon as possible. What dominates is a discourse of emergency and restoration of the conditions that existed before the event. Of course, to do this not only are funds necessary, but they also have to be spent as soon as possible. A cursory glance at the current reconstruction process in Sri Lanka shows that it is dominated by this discourse. Hence the debate is on how much we have achieved while criticism focuses on delays.

In contrast to this, the approach that focuses on the relationship between the natural phenomenon and society is much more interested in the links between conditions that existed in society prior to the natural event and disaster. It argues that the impact of the disaster is mediated through the structures of society that existed prior to disaster, and therefore there is a need to understand these conditions first if we are to embark on a successful disaster management programme.

In the literature that emphasizes the need to focus on the links between natural phenomena and society there is a differentiation between ‘hazards’ and ‘disasters.’ The term hazard is used to identify the natural phenomenon. When hazards mediate through society, we have disasters. Therefore the term disaster is reserved for the analysis of the interaction between natural phenomena and society.

In responding to disasters, the focus of the latter approach is both emergency restoration and long-term mitigation and

limitations of social costs. Even in the emergency phase these issues are taken into account. The fundamental objective is to improve the capacity of the society to take care of disasters on a long term basis. This will involve many things other than construction.

Land Use Pattern

If we apply a society-centred approach to disaster management, we will see that quite a few of disasters in Sri Lanka are linked to land-use and land-ownership patterns. Most of the disasters in Sri Lanka are floods, droughts and associated phenomena like landslides. Many people who live and survive in locations such as low-lying areas, non-irrigated land and steep hilly areas suffer due to disasters. Many of these areas are unsuitable for human habitation. But some people are found in these locations due to the land ownership patterns of our society. For many poor people these areas unsuitable for living are the only option they have. In fact, in urban areas one can see how market forces have literally pushed poor people closer to water. The greater demand for land by capital, the more likely it is that those who do not have capital will be pushed towards water. The plight of these people is well-known and has been highlighted through dramas such as ‘Kelani Palama.’ Hence the land use and land ownership patterns have a bearing on how a natural disaster mediates through social structures.

This analysis is relevant for understanding the social impact of the tsunami as well, although the scale of the phenomenon was such that it had an impact on the better-off sections of society as well. Quite a lot of people who were forced to live near the coastline were affected by the tsunami. But the impact as well as the capacity to recover depends on the class positions of the people. For example, in the case of the fishing community, it is the poorer sections of the community who lived close to the vulnerable locations. Those who benefit from the surplus in fishing such as fish *mudalalis* might not live right close to the sea, and even if they did they would have had much more permanent structures, which would have helped to minimize the effect at least to some extent. Poorer urban dwellers who crowd into our densely populated coastline in some parts of the country were also affected by the tsunami.

Land use and land ownership is only one, but a very key aspect for understanding disasters in Sri Lanka. This analysis can be expanded, bringing in many other dimensions of the society that existed prior to the moment when the natural phenomenon struck the society.

If we look at disasters in this manner, focusing on linkages with conditions of society, disaster management gets closely linked with normal development issues. If we take its link to land use and land ownership, disaster management steps can range from resettlement, improvements and introducing preventive measures for those who are forced to live in difficult areas, various forms of support to improve the coping mechanisms of the people, etc. In addition, since anything to do with alienation of land and land settlement in Sri Lanka has direct links with the conflict issues, the disaster management strategies have to take into account the link between land and conflict as well.

Tsunami Reconstruction

My impression is that what has been going on in Sri Lanka in the name of 'Tsunami Reconstruction' is dominated by the more traditional 'event focused' and 'emergency mode' responses. Unfortunately this is also backed by an unprecedented amount of funds, charity mentality and dominance of a large number of international agencies who might only be here for a short period, and will not be here to face some of the problems that this approach might create.

A combination of emergency mode and the large amount of funds is creating pressures to spend money as soon as possible. This is a formula for corruption, ill-gotten gains, destruction of carefully nurtured practices, organizations and values, and for even violence. Many development professionals have argued for years that spending money is not the most important thing in successful development interventions.

While the charity mentality has to be admired for the enormous amount of funds it has generated, one has to be aware of the more pernicious side of charity. For many years development professionals have argued against the dependency and the power relations that a charity mentality creates and recreates. The tsunami has brought out a new dimension of the charity mentality that can be called the 'blame game.' The essence of this is to blame the recipient society when those who have come to help us on the basis of charity face difficulties. Many who have come to help have

come from very different societies, different levels of development and ethos. Hence they are bound to see very different conditions in Sri Lanka. In development studies these are seen as challenges, and overcoming these difficulties is an essential part of development. In the case of those who come with a charity focus, the instinct is to blame the victims who are ungrateful and have not created the proper conditions so that the funds that are so generously given can be utilised. Therefore now one hears so many complains about the difficulties that these organisations who are engaged in tsunami reconstruction are facing.

My fear is the dominance of this 'event focused' and 'emergency mode' to tsunami reconstruction could easily leave Sri Lankan society much weaker than when these interventions began. This is not to argue that nothing positive will come of it. Some things will be constructed, livelihoods restored, and a certain degree of rehabilitation done. But unless we change the approach, new problems will be created, and most probably quite a few problems related to disaster management that we faced before the tsunami struck will remain.

Therefore the current situation poses many challenges to the agencies that have come to help Sri Lanka. The international NGOs who have been preaching values like accountability, local ownership and sustainability, all over the world, have a special responsibility to face these issues. They have to devise novel methods of impact assessment of their interventions. It is best this is done not as a ritual in the project implementation process, but after a lapse of at least one year after they have finished their work. This is the practice of some of the donor agencies and it gives a better opportunity to understand what Sri Lanka has received from these interventions in the long term. To end this note I shall enumerate some of the issues that have to be considered. This is done in the spirit of at least beginning a public discussion of the impact of these interventions.

Flow of funds and accountability

Going by all accounts, the global response to tsunami has generated an unprecedented amount of funds. Hence transparency and accountability of the use of funds is essential. This has already become a topic of discussion in the country.

There can be a number of aspects when it comes to the use of funds. Since tsunami reconstruction has also brought in a large number of international organizations and expatriate

personnel, the obvious question is how much is really used in Sri Lanka and how much is taken straight back out of the country. Secondly, the 'emergency mode' usually forces the participation of many actors and intermediaries in addition to the beneficiary. For example, when housing programmes were implemented on a self-help, one of the key objectives was to ensure the fund goes directly to the beneficiary and the beneficiary has the autonomy to decide on the construction process. The objective was to ensure that the funds benefited the beneficiary as much as possible. But the 'emergency mode' makes it difficult to implement such an approach. It is interesting to find out, how are such issues tackled in the tsunami reconstruction? Are there many intermediaries absorbing funds on the way so that a very small proportion ends up with the beneficiary? What is the scale of outflow? Finally there is the issue of cost effectiveness. The issue is, what are the unit costs of the rehabilitation process? If this is high it will not be a proper use of funds. It is quite possible that there are enough funds to tackle disaster management in Sri Lanka on a long term basis, but due to the approach adopted we will end up carrying out costly interventions.

Impact on markets

One of amusing stories I read in the newspapers was how an international NGO, who wanted to buy land for the purpose of constructing houses, was complaining about the increase in land prices due their intervention. Their argument was that they did not come to Sri Lanka to enrich landowners but to help poor people who have been affected by the tsunami. Obviously this organization has not heard of market forces. Development interventions, especially large scale construction, have an impact on various types of markets which in turn has an influence on many other aspects of social existence. These are the linkages with society one has to explore when planning construction activities. Proper development planning will take these factors into account so as to carry out the task as well as to minimize negative impacts.

Impact on local institutions

The entry of a large number of international organizations endowed with a significant amount of funds has an impact on the labour market. There are already complaints from local NGOs how this is creating an outflow from their organizations. Most probably this will happen to government institutions as well. One of the alarming stories that I have heard is how a principal of a rural school was

neglecting the school because he is spending so much of his time with an NGO involved in tsunami reconstruction. Hence the negative impact of local institutions and weakening of their capacity might be much wider than we think.

If the organizations involved in tsunami reconstruction include the concept of local ownership, strengthening and ensuring the sustainability, of local institutions right from the start, one can minimize such effects. There are many development projects that have left very little behind because they did not focus on this aspect right from the beginning. I hope tsunami reconstruction will not go one step further and leave local institutions weaker.

Choice of beneficiaries and power structures

Anybody who has been involved in development projects will tell you that choosing beneficiaries is one of the most important but difficult tasks. The issue is that existing power relations of society intervene to channel benefits to the influential and relatively powerful, while ignoring others. Development projects spend lot of time carrying out studies and developing methodologies to get this right. Even after all this, your objectives can get scuttled through structures of power. The choice of beneficiaries is a critical question that organizations involved in reconstruction have to consider carefully and be transparent about it. If not, they are sure to leave many problems behind which Sri Lanka will have to tackle later.

Impact on the conflict

The discussion on the methods of choosing beneficiaries takes an added importance because it has to take place in a country that has gone through a long drawn-out conflict and is tackling a very difficult peace process. The process of choosing beneficiaries, if not properly handled, can exacerbate existing conflicts and generate new ones. We already have a history of donor funding contributing to the conflict. We really do not need a repetition.

When we survey these questions, tsunami reconstruction does not look like a simple task. These complexities are nothing new to skilled development professionals. That is why they spend years studying a subject called development studies and take time to understand societies that they go into in all their complexity. Unfortunately those who work within the 'emergency mode' tend not to have the time or patience to do this. The end result of such an approach could be that you leave the society you came to help, much weaker than before.

DEEP-SEA POACHING IN SRI LANKAN WATERS, INDO-LANKA RELATIONS AND TAMIL NATIONALISM

S.I. Keethaponcalan

Introduction

Kachchativu, although handed over to Sri Lanka by an agreement between the governments of India and Sri Lanka in 1974, is an issue not fully resolved at least for some Indians. Once in a while, particularly the leaders of the state of Tamil Nadu in India raise their voice against what they call handing over of their land to Sri Lanka. So continues the debate over this tiny island, in the national news as well. What is not in the mainstream news is the continuing violent clashes between Indian fishermen and Sri Lankan fishermen resulting from fishing activities of Indian fishermen in Sri Lankan waters. Nevertheless, this is an issue that could have implications not only on Indo-Sri Lanka relations but also on national security and integration. Therefore, it is worth an investigation. In early 2004 the author visited about ten fishing villages in Mannar district and collected data from fishermen, community leaders and government officials in the region.¹ In addition was data from internet sources.

Deep-Sea Poaching

The Indian fishermen regularly enter into the Sri Lankan waters in large numbers for fishing, and those who enter are mostly from Ramanathapuram region. There are about 2,000 trawler vessels in Ramanadapuram district and it is possible that all of them venture into this illegal activity. According to fishing communities in Mannar districts, the Indian trawlers enter into the Sri Lankan waters in thousands at the same time. As one fisherman pointed out, the Indian vessels in Sri Lankan waters look like a “carnival at sea” at night. Since the Mannar fishermen’s Association is leading a protest campaign against what they call poaching in their waters, activities of the Indian fishermen have been well-documented and are available.

Indian authorities, however, maintain that the Indian fishermen stray into Sri Lankan waters by accident or due to mechanical failure or loss of direction, implying that the violations are indeed unintentional. They also maintain that these problems are only taking place adjoining the IBL,² and

not in the exclusive economic zone of Sri Lanka. People in Mannar, however, maintain that Indian Fishing boats could be seen from the shore itself and insist that the illegal activities take place not in the region adjoining the International Boundary Line but deep in Sri Lankan waters. Supporting the argument of the Mannar fishermen an Indian observer points out that that:

When this fact [closeness of the IBL] is combined with the lack of proper equipment on board the Indian vessels, one may believe that this explains the inevitability of accidental border crossing by the Indian fishermen. However, such a scenario only provides a partial picture. Fishing vessels crossing over by mistake cover only a small percentage of the cases. The vast majority of border crossing is intentional and involves travel deep into Sri Lankan waters. It is an open secret that Rameswaram fishing vessels, especially trawlers, find good fishing grounds only on the Sri Lankan side and, therefore, do most of their fishing on that side.³

Indian fishermen also do not hide the fact that they illegally fish in the Sri Lankan waters. For instance, an Indian fisherman who had been apprehended by fishermen in Mannar, in 2003 maintained “we crossed beyond Kachchativu, well into their waters, but that’s what we have been doing for a very long time.”⁴ The Indian fishermen every alternate day go into Sri Lankan waters in large groups of 500 to 1000 vessels at a time, confirmed many local fishermen in Mannar. There are two major reasons why Rameswaram fishermen venture into Sri Lankan waters: (1) depletion of resources on the Indian side of the sea, and (2) over-growth of the same resources in Sri Lankan waters.⁵ This state of affairs has been caused by the combined factors of fishing methods in India and the impact of the internal war on the fishing communities in northern Sri Lanka. First, the fishing methods in India, for instance, using large number of trawlers, led to the overexploitation of marine wealth in the Palk Bay and Gulf of Mannar regions. Therefore, currently the Indian fishermen find it difficult to have a decent catch in their seas. Meanwhile, following the growth of the LTTE as a

formidable military force, the seas adjoining the Northern and Eastern provinces became areas of concern for the armed forces of Sri Lanka. The LTTE not only smuggled contraband goods into Sri Lanka from Tamil Nadu, but also maintained illegal transport systems between Northern towns and Tamil Nadu even after the assassination of Rajiv Gandhi. Moreover, the Mullaitivu sea became the hub of the LTTE's activities related to supplies of arms and ammunition to sustain the war with the Sri Lankan armed forces. Hence, restricting LTTE activities in the waters surrounding the Northern and Eastern provinces formed a critical part of the Sri Lankan Army's strategy to contain the LTTE. One way to achieve this goal is to restrict all activities of the local fishermen in the area, regardless of the humanitarian consequences of such an act. Because the LTTE's maritime activities were almost always undertaken in the cover of fishing activities in the surrounding areas.

Sri Lanka, therefore, imposed restrictions on all activities related to fishing in the region. For instance, night fishing was not allowed, purchase of fuel was restricted (only 50 litres were allowed), they could not fish in deep sea (only 3 and half km from shore allowed), in some areas motors of fishing boats have to be returned to the police after every use, purchase of spare parts for fishing boats were restricted by a pass system, and the local fishermen could not engage in fishing activities in areas considered to be High Security Zones.⁶ These regulations obviously restricted adequate exploitation of available resources in Sri Lankan waters, which in turn lured the Indian fishermen into the Sri Lankan territories. Confirming this view, an Indian fishermen claimed "we have over-fished in our own waters, there is no fish catch on our side, now it is only here that we can get a profitable catch."⁷

Reaction of Local Fishermen

Although the Sri Lankan Tamil fishermen had been protesting fishing restrictions and Indian poaching in their waters for a long time, the relationship between the two sets of fishermen remained relatively peaceful until very recently. Some of the major reasons that underscored the nature of this relationship were the traditional links and ethnic affiliations of both groups as both are of Tamil origin. Moreover, until the mid-1990s the Sri Lankan Tamil struggle had been benefiting immensely from Tamil Nadu. In the past, activities of Indian fishermen in Sri Lankan waters were very limited. Hence the Tamil fishermen in Sri Lanka wanted to preserve the traditional relationship and thus largely ignored the Indian fishing activities in their backyard.

All this began to change during the last decade. First, Sri Lankan fishermen began to realize that the danger massive trawler fishing could pose to marine resources in the region, thus to the survival and well-being of their communities. Then they began to experience the impact of fishing restrictions and Indian fishing activities in their day-to-day life. For instance, many fishermen who were doing extremely well in the past have now given up their businesses as they could not compete with the Indian fishermen. Others have given up the profession and moved to other areas. According to the President of the Pessalai Fisheries Association, formally in a thriving fishing village in Mannar, the impact could be seen even on their children, as many of them were hit by malnutrition. Once allowed to fish unrestricted in very close to the shores, some of the Indian fishermen took the liberty of landing in some of the thinly populated fishing villages to take advantage of resources on the land as well, contributing to the increasing hostility.

Paradoxically, institutionalization of the Ceasefire Agreement between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam in February 2002 and the resulting easing of some of the restrictions on the fishing activities in the North East had triggered violent clashes between the poachers and fishermen of the North. Following the relaxation of some of the fishing restrictions on the Sri Lankan fishermen, they found that while they are not free to fish in their waters, there is stiff competition from the Indian fishermen, which angers them, frustrates them and makes them feel helpless. Sri Lankan fishermen have two major complaints against the Indians: (1) the large number of trawler fishing boats used by the Indian fishermen is obviously leading to depletion of marine resources in the region, and (2) the local fishermen could not compete with the Indians as the larger vessels of the Indians could and do destroy small boats that are used by Sri Lankan fishermen and their fishing instruments such as nets and so on.

On the other hand, Indian fishermen also did not like the changing scenario in Sri Lanka as they were used to fishing Sri Lankan waters with out too much competition from local fishermen during the war. Therefore, Indian fishermen purposely damaged fishing boats and nets of Sri Lankan fishermen in order to discourage competition. Interestingly Indian fishermen perceive the increasing activities of Sri Lankan fishermen in the region as a "problem." A problem that has led to tension and violence in the waters.

Why Not?

Determined to “completely stop” the Indian fishermen from poaching in Sri Lankan waters, the Sri Lankan fishermen characteristically turned to the Sri Lankan Navy. They expected the Navy to take necessary steps to prevent the incursion, only to be disappointed as the Navy apparently was adopting a soft approach to the whole issue. The Sri Lanka Navy, although it engaged in some sort of shooting and threatening tactics against Indian fishermen, according to local fishermen in Mannar, never took sincere and concrete measures to stop the violators, which is apparent from the fact that the Indian boats still enter Sri Lankan waters in Palk Bay and Gulf of Mannar on alternate days for fishing. This is why an observer called the Sri Lankan Navy “a silent observer.”⁸ And there is no hiding from the Sri Lankan side about the soft approach either. For instance, the state-run *Daily News* reported: “there are only a few cases of Indian fishermen taken into custody by the Sri Lankan Navy. However, there have been specific instances of the LTTE resorting to shooting at Indian fishermen in Sri Lankan waters to create a cause for tension between the two countries.”⁹ Moreover, some of the very prominent Sri Lankan Ministers in the past have proclaimed that it is the LTTE that is preventing Indian fishermen from fishing in Sri Lankan waters and not the Sri Lankan Navy.

The Navy on its part maintains that the problem over effective enforcement of maritime regulations is lack of resources. For instance, a Navy officer in the northern region maintained, “even if we arrest them and seize their craft, we do not have enough space to keep them,”¹⁰ which a local fisherman termed a lame excuse. Moreover, a small number of Indian fishermen who were had been arrested by the Navy released sooner than later because of the excellent relationship between the two countries. According to an Indian Foreign Ministry press release, “given the excellent relationship between India and Sri Lanka, apprehended Indian fishermen are released promptly by Sri Lanka on Indian request.”¹¹ This trend, the Sri Lankan fishermen believe, is part of the problem. They argue that since Indian fishermen are released “promptly” and “quickly,” the Indian fishermen have nothing to fear when they violate international borders with the Sri Lanka. This is exactly one of the theories that from Sri Lankan fishermen’s point of view, explains Navy inaction. They do not believe that Sri Lankan Navy’s activities are hampered by lack of resources but by lack of motivation. As some foreign policy observers point out, India - Sri Lanka relations are at peak like never before. Sri Lankan authorities do not

want to disturb this cordial situation by taking steps against the poaching Indian fishermen.

The other theory that is being floated, in the Mannar district in particular and among Tamil people in general, is that the Sri Lankan Navy is adopting the current ‘policy of inaction’ as a strategic manoeuvre with the larger national interest in mind. As aforementioned, Tamil Nadu was a hub of Tamil militant activities in the 1980s, but currently the dependence on Tamil Nadu and its value as a base for anti-state activities in Sri Lanka have been eroded for various reasons. But the fear of collaboration between the Tamils in Tamil Nadu and northern Sri Lanka is still fresh in the mind of Sinhala people. The fear of greater Tamil Eelam is not a fiction for them, and the threat is real. Moreover, support for the Tamil cause in Tamil Nadu had not eroded completely in spite of the criticisms leveled against the LTTE. This support base, at least in theory, could be revived in the future strengthening Tamil nationalism. Therefore, creating a schism between these two groups of Tamil fishermen could help diminish the support in Tamil Nadu for the Tamil cause and keep pan-Tamil nationalism under control.

For instance, Sri Lankan Tamil parliamentarian Selvam Adaikalanathan, who was elected from the Northern province, in a letter addressed to the Prime Minister of Sri Lanka reiterated: “I strongly condemn the SLN [Sri Lanka Navy] for purposely allowing Indian fishermen to fish in Sri Lankan waters as a ploy to create ill-feeling between fishermen of Mannar and India.”¹² In fact, the increasing presence of Indian fishermen and actions of Sri Lankan Tamil fishermen to prevent them, had resulted in violent clashes, which is of course creating animosities between Tamils in Tamil Nadu and Sri Lanka. The Sri Lankan government, it seems, rather than balancing the foreign policy concerns and well-being of a segment of its citizenry, adopted a soft approach in order not to antagonize the Indians. Some fishermen in Mannar also maintain that the Navy has been heavily bribed by the poaching fishermen with cash and other goods from India that are not easily available in Sri Lanka. Not being able to get the Navy and the government to act, the local fishermen in Sri Lanka have constantly organized protest campaigns including protest marches, demonstrations and letters to political leaders and relevant authorities, which so far has failed to bring results in their favour.

The LTTE

Of significance is the attempts by the local fishermen to get the LTTE to act in favour of their cause. In Mannar district and other Northern fishing villages, the LTTE has a very strong presence and the local activities have been to a large extent controlled and coordinated by the LTTE. Moreover, the LTTE have the capacity to prevent Indian fishermen from poaching, as they presumably possess a strong naval wing in the region. Therefore, the local fishermen in Mannar believe that the LTTE has a responsibility to address their grievances. Hence, they have complained to the LTTE about the hardships encountered by the fishing communities due to the poaching issue and requested them to take tangible measures to completely prevent Indian fishermen from entering into Sri Lankan waters. Although the LTTE promised action and pledged to take up this issue with the Government of Sri Lanka during the peace negotiations, the LTTE have not taken any direct actions to prevent the Indian fishermen from entering into Sri Lankan waters, the Tamil fishermen in Mannar claim.

It is interesting to note that this view is substantially different from the view of many Indian observers, who believe that the LTTE is even shooting at the Indian fishermen. For example, former Indian Foreign Secretary M.K. Rasgotra contended that India is deeply concerned about LTTE cadres capturing Indian fishermen in Sri Lankan waters. He warned the LTTE that: "India is concerned over Prabhakaran capturing Indian fishermen. We ask them to avoid provocation of this kind."¹³ Nevertheless, the Sri Lankan fishermen maintain that it is for the same reason, that is not to antagonize the Indians, that the LTTE is also not helping them in this regard. The LTTE is, in fact, currently reorienting its policies and strategies to improve its relations with India. The LTTE constantly maintain that they do not consider India as an enemy and urge India to forget the past and form new a strategic relationship with them. For example, in the press conference held in Kilinochchi in April 2002, the LTTE leader reiterated his desire to forge a new relationship with India.

From Fishermen to Policemen

Because of this general trend, the frustrated Sri Lankan Tamil fishermen took the law onto their own hands and organized campaigns against poaching fishermen that have often resulted in violent clashes. Their strategy was to go into seas in large numbers, round up the poaching fishermen and hand them over to local police. In other words, they were trying to do what they thought the Sri Lankan Navy

should be doing and obviously they were using violence. In February 2003, for example, 16 fishermen and 4 boats were captured.¹⁴ In March the same year an additional 23 boats and 73 fishermen were captured. After a brief detention, all of them were handed over to the local police.¹⁵ Obviously, these attempts result in violent clashes, as the Indian fishermen now come prepared to face any challenge from the local fishermen. As such, poaching in Sri Lankan waters, which is primarily a humanitarian problem for the people involved, has been transformed into a bilateral issue between India and Sri Lanka.

For Sri Lanka it could also be a national security and national integration issue as the local fishermen are looking at the Sri Lankan government's response to this question essentially through ethnic lenses. They believe, that the Sri Lankan government is ignoring this only because the people involved in this issue are Tamils; ramifications of which could be further polarization of ethnic sentimentalities and strengthening of a sense of discrimination among the Tamil people. They argue that, if the community involved in this problem were Sinhalese, the government response would have been completely different. For them it is essentially another example of unfair treatment from the government. Currently, some of the prominent Tamil community leaders are beginning to argue that, "only when we have self-government will we be able to safeguard our fishing resources and the lives of our fishermen."¹⁶

Meanwhile, it is imperative to note that Sri Lankan fishermen also poach in Indian waters, and more often than not these fishermen are from southern and western regions of Sri Lanka. Also it is the multi-day fishing boats that are engaged in violating international borders and mostly found in areas such as Gulf of Mannar, Arabian Sea, Bay of Bengal and near the Andaman Islands.¹⁷ After India modernized its surveillance capacities and stepped up coastguard activities, Sri Lankan fishermen in Indian waters are often arrested by the Indian coastguards. These fishermen are then produced in court of law and tried. At times, depending on the nature of pressure from Sri Lankan authorities, some of the cases are expedited rapidly and released. Nevertheless, there are a substantial number of Sri Lankans still in India, hence the Sri Lankan government is under pressure from the families of these fishermen to secure their release. Nevertheless, Sri Lanka finds it difficult to "force India to send them back because the fishermen have broken their laws."¹⁸ These rules however, are not implemented as far as Sri Lanka is concerned; so much for the partnership and cordial relationship.

Options

As far as a solution to this problem is concerned, there is hardly any discussion at the national level in Sri Lanka, as political leadership and mainstream media have chosen to ignore the problem. However, there is an ongoing debate about this issue and Kachchativu in India, as they see these two problems as intrinsically intertwined. The primary argument emanating from India is that this is essentially a humanitarian question, hence it deserves a humanitarian approach. The implication being, that the fishermen from both sides should be allowed mutual poaching. Others meanwhile propagate a licensing system, where the Sri Lankan government could collect levies from Indian fishermen who are allowed legally to fish in Sri Lankan waters. Both of these suggestions completely ignore the interests of local fishermen in Sri Lanka, who simply want to fish freely in their own waters. Mutual poaching for example, will only benefit the Indian fishermen, as there are no marine resources on the Indian side. This is precisely why the Indian fishermen are illegally entering into the Sri Lankan waters. The best option, at least in the short run, however, is to engage India on this question while strictly enforcing the maritime rules and bilateral agreements reached with India in the past.

End Notes

1 This field research was undertaken as part of a larger project on Maritime Cooperation between India and Sri Lanka, supported by the Regional Centre for Strategic Studies. The author would like to thank the RCSS for its financial support.

2 International Boundary Line.

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4 V.S. Sambandan, "Concerns in Mannar," *Frontline*, March 29 – April 11, 2003, Vol-20, Issue 07.

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THE NATION ON TORTURE

Catch-33

The weekly journal *The Nation* (New York) published a special issue entitled "The Torture Complex" (26 December 2005). Spurred by the information coming out on practices by US authorities at Guantánamo Bay, Abu Ghraib, Afghanistan, and other (some unknown) places, the journal devoted an editorial, Naomi Klein's weekly column and nine articles to the subject. These articles cover a range of aspects: responsibility within the Bush administration, problems with the investigations conducted by the military, the roles of the medical profession and of academia, the rule of law and the response of the legal profession, the role and use of culture in torture, and the example of one Army man convicted in regard to the abuse at Abu Ghraib. The issue also included a two-page centrespread entitled "The Torture Tree," which depicts a tree with its base of President Bush, Vice-President Cheney and Secretary of Defense Rumsfeld, and then branching up to depict medium and small players, with brief quotes or explanations as to their role.

To quote just a few people on the tree, going from top to bottom:

Charles Krauthammer (neoconservative columnist):
"We must all be prepared to torture."

Rush Limbaugh (national radio talkshow host): "Abu Ghraib was like a "Skull and Bones [Yale University exclusive, secret society] initiation. ... I'm talking about people having a good time. ... You ever heard of needing to blow some steam off?"

Kenneth Anderson (American University Law professor): "Waterboard Zarqawi? In a heartbeat."

Michael Ignatieff (Harvard Kennedy School professor): defined "acceptable degrees of coercive interrogation" including "forms of sleep deprivation ... disinformation and disorientation (like keeping prisoners in hoods)."

Senator John Warner: an investigation into detainee abuse is "simply unnecessary."

The issue's lead editorial is entitled "Conspiracy to Torture." It notes that the Nuremberg Tribunals had established the principle of "command responsibility."

Despite overwhelming evidence to the contrary, the Bush administration insists that detainee treatment does not constitute torture. But what is happening is not just occasional abuse in a "back room in Bagram [base in Afghanistan] or Baghdad," but systematic torture and extralegal imprisonment. "... it is a wide-ranging conspiracy to facilitate torture, in which many sectors of American society are now implicated." The new torture complex is centered in the executive branch, but it extends to sectors of the military, law, medicine, the media and academia. The editorial concludes that there is enough evidence to warrant a criminal investigation of renditions, secret prisons and interrogations; there is a conspiracy to violate federal statutes and constitutional procedures.

Naomi Klein, in her column entitled "'Never Before!' Our Amnesiac Torture Debate," refutes the idea that the present scandal represents a new phenomenon, and criticizes the anti-historicism of the current debate. She notes that in early November President Bush stated that, "We do not torture," while speaking in Panama City. The locale was just a one and a half hour drive from the former site of the US military's School of the Americas (1946-1984), which is now located at Fort Benning in Georgia. The roots of the present scandal are located in this school, where (foreign military) students were taught techniques of "coercive interrogation." These techniques included: early morning capture in order to maximize shock; immediate hooding and blindfolding; forced nudity; sensory deprivation; sensory overload; sleep and food "manipulation"; humiliation; extreme temperatures; isolation; and stress positions. In 1996 the Intelligence Oversight Board appointed by President Clinton stated that a US government-produced manual condoned the "execution of guerrillas, extortion, physical abuse, coercion and false imprisonment."

Klein notes that over the years a great volume of evidence has been amassed on the US connection with torture, and on the integral role of torture in foreign policy since the Vietnam War; much of this evidence is presented in a book by Alfred McCoy entitled *A Question of Torture*. From the 1950s the CIA conducted experiments on psychiatric patients and prisoners in "no-touch torture," i.e., torture that does not leave bodily marks. These experiments were field-tested by the CIA in Vietnam, as part of the Phoenix program, and in Latin

America and Asia via police training programs. The CIA ran forty interrogation centers in South Vietnam, and according to McCoy killing over 20,000 suspects.

While the use of torture has a history, says Klein, what is unprecedented is the present openness — which denies all involved the possibility of plausible deniability. In addition, while there is much talk about "outsourced torture," the "real innovation" is its in-sourcing — it is being conducted by US citizens, in US-run prisons, using US planes to transport detainees. Finally, Klein criticizes the amendment banning prisoner abuse that was passed by the Senate in October (the McCain amendment); its provisions protect detainees in the custody of the US government, but do not deal with training, or with the buying of information from private, for-profit interrogators. In Iraq, detainees are being handed over to Iraqi squads that have been trained by the US.

The lead article in the issue is by Anthony Lewis, former journalist at *The New York Times*, and is entitled "The Torture Administration." Lewis notes that the US public was outraged after seeing the Abu Ghraib photos that were published in April 2004; after that, however, the administration withheld the release of new photos, and public outrage has lessened. This is at the same time that new information had continued to come out, including documentation by the American Civil Liberties Union (ACLU) of the deaths of 44 prisoners in US custody, 21 of which were officially termed homicides.

Lewis notes that torture and humiliation are forbidden laws — by the Geneva Conventions, the UN Convention Against Torture, and the US Uniform Code of Military Justice. Right after September 11, 2001, however, the Justice Department, under Attorney General John Ashcroft, produced memos that narrowly defined torture as the production of pain equivalent to that from "serious physical injury, such as organ failure, impairment of bodily function, or even death." Memos also stated that the president had the power to order the use of torture, and that the Geneva Conventions do not apply to Guantánamo Bay. In addition, it was claimed that the UN Convention Against Torture does not apply to action taken against non-Americans outside the US (and in this connection Vice-President Cheney tried to have the CIA exempted from the McCain amendment). The purpose of the memos was to override any objections (such as those that came from military lawyers and from then Secretary of State Powell), and to provide immunity to those carrying out the torture.

Lewis notes that the memos were approved by then White House Counsel (and now Attorney General) Alberto Gonzales.

Another actor was John Yoo, a lawyer in the Justice Department from 2001 to 2003. Yoo is now a professor at the University of California/Berkeley law school, Boalt Hall, and is a visiting scholar at the American Enterprise Institute. He argues that the US constitution, and its framers, intended the president to have the war powers "of a king." Countering this is New York lawyer Scott Horton (of the firm Patterson, Belknap, Webb and Tyler), who likens Yoo's views to those of the German interwar legal expert Carl Schmitt, who held that when it came to the Soviet Union, Germany did not have to comply with international law. Lewis advocates the appointment of a special prosecutor. He adds that the Nuremberg Tribunals not only established command responsibility for abuse, but also punished those who wrote legal memos stating that officials could ignore conventions.

Tara McKelvey, a senior editor of *The American Prospect*, explores investigations conducted by the US military in her article entitled "Brass Tacks." Citing instances where evidence has been destroyed, lost or misdirected, she paraphrases the view held by Deborah Perlstein of Human Rights First: there has been a "pattern of disregard for the niceties of evidence collection, storage and processing — as well as the handling of witnesses — in dozens of cases in which detainees have died in US custody." There have been 12 large-scale internal military investigations, producing reports that are inadequate and flawed. Investigative arms of the military are understaffed; in 2004, for example, there was no pathologist authorized to do autopsies on detainees who died in US-run facilities in Iraq, so that remains were often held until there were enough to warrant the visit of a medical examiner from abroad. The Army Criminal Investigation Command had three agents to cover all of Iraq. As another example, if a case file was lost, the case was closed. Finally, complaints led to few changes.

The role of the medical profession is dealt with in an article entitled "The Silence of the Doctors," by Jonathan H. Marks, a barrister at Matrix Chambers, London. The military has formed Behavioral Science Consultation Teams (known as "Biscuits") made up of psychologists and/or psychiatrists. The former camp commander at Guantánamo Bay, Major General Geoffrey Miller, considered the Biscuits as essential to the interrogation process, and introduced them into the camp in late 2002. The presence of Biscuits has been acknowledged by the Department of Defense. Some team members have been sent to Fort Bragg in North Carolina, to the SERE school (Survival, Evasion, Resistance and Escape), which trains military personnel to resist capture and conditions of detention. The school teaches tactics that are designed to

break detainees and to obtain false confessions. Personnel at the SERE school would be exposed to techniques of hooding, prolonged isolation, stress positions, sleep deprivation, exposure to loud noise and temperature extremes. The idea is to produce extreme stress in order to erode established patterns of behavior; then, "stressors" can be tailored to fit the personality of a detainee. At Guantánamo Bay, Biscuits offer opinions on the character of detainees, interrogation plans and approaches, and feedback on interrogation techniques. At times they sit in on interrogations.

Marks notes that in 1982 the UN General Assembly unanimously passed a resolution stating that it contravenes medical ethics for health professionals to be complicit in torture or cruel, inhuman or degrading treatment. Medical personnel are also prohibited from using their knowledge and skills to assist in interrogation that adversely affects health or contravenes international law. The World Medical Association has stated that even in armed conflict it is unethical for doctors to weaken physical or mental health "without therapeutic justification." In addition, detainee medical records are confidential; this has been violated at Guantánamo Bay. Medical personnel are also prohibited from force-feeding hunger-strikers; this has also been violated at Guantánamo Bay. The president of the American Psychiatric Association, Dr. Steven Sharfstein, has stated that it is inappropriate for psychiatrists to serve on Biscuits. Two groups, Physicians for Human Rights and Physicians for Social Responsibility, have condemned medical participation. The American Medical Association, however, has only commissioned a report, which is due out in June 2006. The American Psychological Association formed a task force that issued guidelines; these guidelines prohibit the facilitation of torture or cruel, inhuman or degrading treatment, but "adopt as a "touchstone" US rules and regulations as "developed and refined" in the "war on terror.""

Tara McKelvey has a second article in the issue, on academia and entitled "Rogue Scholars." She notes the following people:

Alan Dershowitz, professor, Harvard Law School: Dershowitz has come out for the issuance of "torture warrants," that would be signed by the president or other high-level official, in cases involving the "ticking bomb" scenario — where information obtained via torture would at the last minute save lives.

Richard Parker, professor, Harvard Law School: Parker believes that torture cannot be absolutely forbidden.

Philip Heymann, professor, Harvard Law School, and Juliette Kayyem, lecturer, Harvard's Kennedy School of Government: believe harsh techniques can be used under certain conditions.

John Yoo, UC Berkeley: noted earlier, he studied at Harvard and obtained a law degree from Yale.

Richard Posner, senior lecturer, University of Chicago Law School, and judge on the US Court of Appeals, Seventh Circuit: he agrees with Dershowitz.

Arthur Caplan, chair of the Department of Medical Ethics at the University of Pennsylvania: can see instances for the use of torture.

Michael Levin, professor of philosophy, City University of New York: has argued the case for torture.

Fritz Allhoff, assistant professor of philosophy, Western Michigan University: has argued the case for torture.

Mirko Bagaric, head of Deakin University Law School, Australia: for the regulation of torture.

Kenneth Anderson, professor, American University's Washington College of Law: says waterboarding is alright.

Eric Posner, professor, University of Chicago Law School: says it is alright to use threats.

Opposing such views are Harold Hongju Koh, the dean of Yale Law School; Ruth Wedgwood, at Johns Hopkins School of Advanced International Studies; and Jeremy Waldron of Columbia University.

Karen J. Greenberg, the executor director of the Center on Law and Security at NYU School of Law, synthesizes the unfolding of the scandal in "Secrets and Lies." She notes that only in a few cases have individuals been charged in connection with torture. The exact number of detainees is still unknown, as is when, how and where detentions have been carried out. The present national-security paradigm disparages the courts, and the rule of law.

The growing number of people in the legal profession who are working to counter this is dealt with by Lisa Hajjar in

"An Army of Lawyers." She notes that in July 2005 a Judge Advocate General (JAG) of the Air Force read into the Congressional Record memos by JAG lawyers in all branches of the military opposing the Department of Defense policy on torture. There is growing and already extensive cooperation among various individuals and groups, including:

Human Rights Watch: monitors and reports on Iraq and Afghanistan; and tracks CIA "black sites."

ACLU: spearheads the campaign to obtain information via the Freedom of Information Act; and with Human Rights First is handling litigation on behalf of eight torture victims.

Human Rights First: has also brought in twelve former JAG lawyers.

Center for Constitutional Rights: coordinates legal representation, trains newcomers in filing habeas corpus petitions in federal court.

Tom Wilner, Shearman and Sterling.

Marty Lederman, constitutional law expert at Georgetown University: analyses key documents from the White House, Department of Defense and Justice Department; see his blog, balkin.blogspot.com.

Scott Horton, corporate lawyer and lecturer at Columbia University.

David Cole, Georgetown University.

Richard Wilson: runs the human rights law clinic at American University.

Two articles deal with connections between torture and culture. Richard Kim, in "Pop Torture," notes that the right wing in the US has blamed the doings at Abu Ghraib on pop culture and pornography. Pop culture and torture, however, have a history, being added to today via, for example, such television cop shows, crime dramas and spy thrillers as *Law and Order*, *NYPD Blue*, *24*, *Alias* and *CSI*. In such shows, torture is often used in instances where obtaining information is 'lifesaving.'

Moustafa Bayoumi deals with the use of loud music in torture in his article entitled "Disco Inferno." Detainees are often exposed to hours of loud music, by such bands as Eminem, Bruce Springsteen, Metallica, Britney Spears, Limp Bizkit and Rage Against the Machine. And the practice has been made fun of in the US press. In 1997, however, the UN Committee Against Torture, in consideration of the Israeli use of the technique, qualified this as torture, and called for its ban. In 1978 the European Court of Human Rights took up the matter. This was in regard to Britain's use loud noise (not music) in the early 1970s against Irish detainees. This was one of five techniques favored, the others being wall-standing, hooding, sleep deprivation and the withholding of food and drink. The Court labelled the use of loud noise as inhuman and degrading, and found all five to be breaches of the European Convention on Human Rights; Britain promised not to use them again.

Bayoumi notes that the use of loud music — the use of culture as a instrument of torture — has been approved by Secretary of Defense Rumsfeld and Lt. Gen. Ricardo Sanchez (military commander in Iraq until the Abu Ghraib scandal); they approved the use of auditory stimuli or music, and the varying of techniques depending on a detainee's culture. Bayoumi says that it is time for US musicians to protest such use of their music.

In the final article, "Seeds of Abu Ghraib," Sasha Abramsky (of the New York thinktank Demos) looks at the example of one of the Army men convicted in connection with Abu Ghraib. This is Charles Graner, Jr., who was found guilty of assault, conspiracy, dereliction of duty and indecent acts. Graner had served in the Marines, and then became a correctional officer at a super maximum security prison in western Pennsylvania, SCI Greene. Most of the guards at the prison had served in the military, as there is a preferred hiring scheme for veterans. Many of the guards have been activated into the National Guard or Army Reserves, serving in Iraq and Afghanistan. At the prison, guards deal with high populations of blacks, Hispanics and Muslims (many black Muslims), and there had been a prisoner abuse scandal there in 1998. Despite a record that included accusations of wife beating, stalking and threatening (with the ex-wife receiving three legal protection orders), Graner was seen as fit for duty in Iraq. ■

The Nation regularly covers issues related to the Iraq War; many articles are available at www.thenation.com

SOUTH ASIAN LITERATURE AND THE POLITICS OF LITERARY TRANSLATION

M. A. Nuhman

The topic I have chosen for this occasion is *South Asian Literature and the Politics of Literary Translation*. Translation is essential to understand our commonalities and to respect our differences. We come to know each other mainly through the available translations, and we are also denied access to each other because of the politics of translation.

I am a poet and a critic in Tamil language. Tamil is the only medium of my literary expression. I am more comfortable in Tamil than any other language that I know. But I have to choose English to address you because it is the only language we all understand at this conference. But, ironically it is not mine and not yours either. It came from outside with our colonial rulers only 200 years ago as a language of power and authority over us. However, in the course of time, it was nativized and has become the only language for literary expression for some of our writers like Mulkraj Anand, R. K. Narayanan and Raja Rao. For many of us it has become a common language for our literary and non-literary communication. It takes us beyond the borders of our native languages through translation.

We, the SAARC writers who write in our own local languages, dream to be translated. We dream that at least some of our writings will be translated into English, because of the increasing political dominance and privilege that English language enjoys. We think that, we can reach a wider reading public and the outside world if we are translated into English. It may be true and I am not against this line of thinking. English has the political advantage globally and locally, than any of our languages. But, the question is that, how many of our people in the SAARC region can read and understand English? I think it is less than 5% in the whole region. The vast majorities of our literates are illiterate in English.

Heritage

English could not replace our native languages as it did with French and Spanish in Africa and Latin America. Unlike the African and Latin American languages, most of our major South Asian languages had a long literary history and heritage before colonization; they were deeply rooted in our cultures and they were the primary tools for our socio-cultural existence. This does not mean that I underestimate the African and Latin American languages and cultures. We know well that they had a strong oral tradition and rich cultures. But, the native people were denied literacy in their own languages for a long time due to political and cultural imperialism. Only in the post-colonial context have some of the African and Latin American writers like Ngugi Wa Thiong'o been determined to write and promote writing in their native languages. Ngugi wrote his celebrated novel *Devil on the Cross* in his own language Kikuyu in 1978 when he was in jail, and published it 1979.

English could not uproot our South Asian languages during colonial rule, and I hope it won't be able to uproot or undermine our languages in the future, although there is an increasing tendency to globalization in our societies. The ruling upper class in our societies is still under the influence of cultural imperialism and tries to promote their anglicizing policy with their globalization agenda. I think the writers and their writing in our native languages have a vital role to play in this context.

The vast majority of our people are still monolinguals. They speak and understand only their mother tongue. Most of our SAARC writers too write only in their mother tongue. Very little of their writings have been translated into the other regional languages or into English. We are living in literary islands. Translation is the only bridge to cross over the linguistic borders and boundaries. However, we have not given adequate importance to translation between our regional languages. Instead we dream to be translated into English.

Regional Language

I think, South Asian literatures should be translated and read first in our own regional languages. I have reasons for this. Firstly, we can enrich our understanding of ourselves through the understanding of our neighbours through their literature than any other means. Secondly, true regional cooperation should emerge from the socio-political needs of our people instead of the superficial political link between our governments and states. Literary translation will be one of the effective mechanisms to build up people-to-people contact and relations. Thirdly, we feel at home when we read literature in our own language than in a second language. I have read U. R. Anandamoorthi's famous Kannada novel *Samskara* in English translation by one of our brilliant translators A. K. Ramanujan. I also read it in Tamil translation. I felt more at home in the Tamil than in the English. Since our socio-cultural conditions are similar, our languages are fully equipped to describe the other regional cultures effectively and more meaningfully to us.

However, the politics behind translation activities prevent us from translating extensively between our regional languages. Translation mostly depends on the socio-cultural and political needs of a given society, the operating political ideology and the political economy of the publishing industry. The dominant culture and ideology always dominate translation activities. I will give you a few examples from Tamil, one of the major languages of South Asia which is also my own language. I hope our experiences may be similar.

The history of translation is also a history of socio-cultural contact. When two different linguistic communities are engaged in cultural transaction, the necessity for translation automatically arises. If one of the communities is culturally or politically dominant, the language of the dominant community will be the main source language for translation. Some times both can be the source as well as target languages. The history of literary translation in Tamil illustrates this fact clearly.

Translation is one of the oldest intellectual and cultural activities in Tamil. The Tamil term *molipearppu* for translation is found in Tolkaappiyam, the earliest Tamil grammatical work written around 3rd century AD. Tolkaappiyam classifies texts into two major categories, namely primary (*muthalnool*) and secondary (*valinool*). The primary texts are written by geniuses who possess perfect knowledge and who are beyond any criticism. The secondary

texts are derived from the primary. Tolkaappiyam further classifies the secondary texts into four subgroups, namely, abridged version (*thokuththal*), enlarged version (*viriththal*), abridged and enlarged version (*thokai viri*), and translation (*molipearppu*).

Although, Tolkaappiyam provides a clear evidence for the existence of translation activities in Tamil during the classical period, no works of translation belonging to the period are now available. However, some monumental works of translation produced during the medieval period are still available to us. The sources for such works were the Ramayana and Mahabarada, both of Sanskrit origin, which were evidently adapted in Tamil by several poets from 6th 14th century AD., among which the greatest is *Kamparamayanam* written at the end of 12th century.

During the classical and medieval periods, Tamil had a close cultural contact only with Sanskrit and most of the works were translated from Sanskrit because Sanskrit was the language of the dominant culture in the Indian sub-continent during those periods and the Sanskrit influence was widening in Tamilnadu till the end of the medieval period. There is no evidence for translation from Tamil to Sanskrit during these periods. By translation here, I mean only the transaction between the written varieties of literary languages. However, at the people-to-people level the folk literature travelled from language to language smoothly without any hindrance.

English

After the arrival of the Europeans, especially the British, the scope for translation into Tamil was widened during the late 19th century and after. There was a significant shift in the source language from Sanskrit to English. English had also become a new target language for translation from Tamil. For instance G.U. Pope translated several classical and medieval Tamil literary works into English.

English had become the major source language for literary translation into Tamil in the early 20th century. A number of literary works – poetry, fictions and plays-from English were translated or adapted into Tamil. Shakespeare was one of the major sources for such translation.

During the 1930s and 1940s hundreds of English popular fictions were adapted or translated into Tamil to fulfill the increasing commercial demands of the printing media of that time. These were the formative years of popular readership

in Tamil. A number of popular and commercial writers were responsible for this type of commercial literary production in Tamil.

Apart from this popular commercial trend, there were two socio-political movements that made tremendous impact on serious literary translation into Tamil during the 1940s and after. The first was the Indian freedom movement and the second was the Marxist left movement. Both these movements brought different Indian societies and languages into close contact and created a need for cultural and political communication between these societies and languages. As a result, literary works from various Indian languages were translated into Tamil; especially from the major North Indian languages like Bengali, Hindi, Urdu, Punjabi and Marati and also from the South Indian languages like Malayalam, Kannada and Telugu. Many of the major Indian authors have been translated into Tamil. Comparatively more literary works from Bengali and Malayalam have been translated in to Tamil. The state-sponsored institutions like Indian Sahitya Academy and the National Book Trust, and several private publishers and individuals were involved in these translation activities in Tamil after the Indian independence.

Another development since the 1940s is the inflow of extensive translation of world literary works into Tamil. Apart from the British or English literature which was the main source for translation till the early 20th century, the field was opened to the whole world, from Russian to Spanish and from Japanese to Norwegian. Many of the major world authors have been translated into Tamil through English. English has become an intermediate source language for translation. Apart from the nationalist and Marxist movements, activists from feminist, modernist, post-modernist and Dalith movements are involved in translating various world literary works relevant to their ideologies into Tamil.

Sinhala-Tamil Translations

At this point I wish to give you some details of translation activities between Tamil and Sinhala, the two national languages of Sri Lanka. In spite of the present political conflict between the Tamils and Sinhalese in Sri Lanka, both the languages are mutually used by these communities for their day-to-day communication, at least in certain bilingual areas in this country.

Tamil and Sinhala have coexisted in Sri Lanka for more than a thousand years, and have a long literary history of their

own. However, only Tamil literature has greatly influenced Sinhala literature during the middle ages. Several Sinhala scholars have pointed out the impact of Tamil on Sinhala literature. There are some instances of translation from Tamil to Sinhala during the late medieval period. For example, translation of several verses from *Thirukkural* and *Naaladiyaar*, the two famous texts of the late classical period, are found in the Sinhala texts *Subashita* and *Lookoopakaaraya*, which were produced in the late medieval period, in the 17th and 18th centuries respectively. Tamil literature, however, did not in return get anything from Sinhala until very recently; this may be because of the political and literary dominance of the Tamil language in the South Indian region during the ancient and medieval periods.

The situation changed during the post-independence period in Sri Lanka. Despite the ethnic tension and violence which occurred from time to time in the recent past, the Tamil-speaking communities in Sri Lanka have shown their interest in learning Sinhala, in reading Sinhala literature and also in translating some into Tamil. They learned Sinhala mainly because it was made the only official language in the late 1950s and had become socially dominant, so that they were compelled to learn it for their official existence. Whatever their reasons for learning Sinhala, this opened the windows to the culture of the majority community.

A number of Tamil and Muslim writers who learned Sinhala have translated some of the contemporary creative pieces into Tamil. Most of these translations were done with the purpose of promoting inter-communal dialogue through literature in order to create an understanding between communities, and to create communal harmony in this country. This was a one-way effort until very recently. Only a few contemporary Tamil writings had been translated into Sinhala till the late 1970s. This means that, unlike in the medieval period, Tamil had lost its social and political importance in this country. Sinhala writers, intellectuals and the educated middle class did not have any motivation to learn Tamil as a second language.

Ethnic Conflict

However, from the late 1970s the situation has changed a little. Because of the intensification of ethnic conflict after the 1983 communal violence, the emergence of Tamil militancy, and the escalation of civil war some of the progressive Sinhala writers, journalists and intellectuals took positive steps to have a dialogue with the minority

communities through literature and started to translate contemporary Sri Lankan Tamil writings, mainly poetry, into Sinhala. Some Muslim and Tamil writers willingly collaborated with them in their meaningful efforts. Some of the progressive Sinhala tabloids made conscious efforts to promote the translating of Tamil literature into Sinhala during the last two decades. These are initial steps and we have far to go.

Motivating Factors

If we look back into the history of literary translation in Tamil, we can identify at least three main motivating factors behind this scene. One is religion. Hindus, Christians and Muslims were engaged in translating religious literary works into Tamil till the early modern period. The major portion of the literary works produced in adaptation or translation from Sanskrit, English and Arabic during this period is of this nature.

The second factor is literary modernism. The impact of literary modernism in Tamil can be seen from the mid-1930s till the end of 1960s or even in the 1970s. The modern Tamil writers who were actively involved in literary production till the end of the 1940s paved the way for translating modern European writers into Tamil.

The third motivating factor of literary translation in Tamil, as I mentioned earlier, was the various socio-political ideologies and movements such as Nationalism, Marxism, and Feminism. These ideologies are still motivating literary translation in Tamil. The ideology of the translators determines the selection for the translation.

From this brief account of literary translation in Tamil, you may think that, good work has been done in Tamil and the Tamil reader is fortunate to read a wide range of literary works from other languages in his/her own language. But this picture

is only partially true. It is true that a good variety of literary works have been translated into Tamil, but it is restrictively selective. It is selective, according to the popularity and marketability and the politics behind it. Among South Asian countries Indian literature of a few major languages dominates the Tamil translation; with very few from Pakistan and nothing from Bangladesh, Nepal, Bhutan and Maldives. Tamil and Sinhala have coexisted for more than a thousand years in Sri Lanka. But a few novels, not more than ten, a little over a hundred short stories and the same number of poems have been translated from Sinhala into Tamil, and even less than that from Tamil into Sinhala. Most of the writers translated from South Asian languages are from the older generation. We know very little of the younger generation and contemporary writings from these and other South Asian languages.

On the other hand, although Tamil has a rich literary tradition, it has been mainly a receiving language in the South Asian context for a long time. I think, a very insignificant amount of literary works have been translated from Tamil into other South Asian languages. How many Tamil writers and poets have been translated into Hindi, Urdu, Bengali or Punjabi? To my knowledge very few.

The literary translation in our languages largely depends on individual efforts. Some interested individuals take personal initiatives and translate out of interest, and struggle to find their publishers. Without collective efforts we can't make any progress in meaningful literary transaction between our languages. Therefore in this conference I would like to appeal to the South Asian writers who are gathered here and the Foundation of SAARC Writers and Literature to take the initiative to setup a Bureau of Literary Translation within South Asian Languages. It should be able to widen and enhance the translation activities between South Asian languages and should be able to create meaningful socio-cultural interaction between our people. ■

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THE ATMOSPHERIC HOLOCAUST

Osmund Jayaratne

Human inhumanity to Other Humans

The last century has witnessed tragedies caused by the cruelty of humans to humans. Apart from World Wars I and II, the world has witnessed spates of killings and mayhem. Most of the tragedies began many years ago in the Middle East. The clash between Israel and Palestine preceded and stood in the forefront of a violent struggle between the rich nations of the West and the suffering people of the Middle East. Minor wars and civil wars manifested themselves even outside the Middle East.

Belsan exemplifies the horrors of terrorism

One of the most horrific aspects of terrorism was manifested in the Republic of Russia. The incident I refer to is the deadly massacre of hundreds and hundreds of innocent school children in a school situated in the small township of Belsan, by the Chechnyan rebels about one year ago. The magnitude of this disaster, due not to the ravages of nature but to the cruelty of man himself, is one of the exceptions in this article. We in Sri Lanka learned about this horrifying murder of innocents only one year later when some helpless court proceedings have commenced against a few of the assailants. The lack of information and space does not permit me at this stage to go into the massacre of the Belsan children. However, the truth of, what I now do not hesitate to call, 'terrorism', will soon be manifest to the world where modern communication systems cannot keep such deadly events hidden.

The tragedy of Africa

Countries in the African continent have recently been fighting and destroying one another – all this in the context of poverty, destitution, disease and other forms of human suffering. Countries such as Sudan, the Congo, Rwanda and Algeria remain centres of war and destruction. Though conferences are held regarding the unheard of poverty of Africa, these conferences have thus far been limited to words. Action is still far away.

Nature's role in the destruction of the Earth

The purpose of our present article, however, is not to describe the global disasters caused by man against man. Whilst Homo Sapiens divided itself into the rich and the poor, with the former struggling to exploit for itself the riches of our planet, Nature, within the last year or more, has decided to play a role in the destructive tendencies of those who people the planet Earth. Natural disasters have swept through parts of our world. It is significant to note here that the greatest disasters have manifested themselves in the Earth's Northern Hemisphere where lie the largest land-masses and contain the greatest riches of the world. It is also worthwhile noting that within the last year or so, natural disasters have struck mainly the rich countries of this hemisphere. Another significant fact is that natural disasters, which occurred in the prosperous countries of the Far East like Japan and now China, have spread in a highly significant way to the more prosperous countries of the West. In the Far East, apart from atmospheric disturbances like tornados and typhoons, earthquakes became unusually common in Japan, which historically is situated on a dangerous earthquake belt. China itself experienced some earthquakes and several mine disasters leading to the deaths of thousands of its workers. Taiwan is currently in the grip of a devastating typhoon heading towards Mainland China.

Nature turns its deadly attention to the European continent

In the northern part of Europe, Paris and parts of Germany have experienced floodwaters of a magnitude unknown before. Other countries, such as Bulgaria, have also experienced floodwaters of a disastrous nature.

While the northern regions of Europe have been experiencing torrential rains and floods, other parts of Europe have been subject to an opposite fate. Drought has ravaged countries of the Iberian Peninsula like Portugal and Spain. Wildfires have been raging through the forests, and some habitations nearby, which even human efforts have found difficult to

control. From the Far East to the coastal regions of the Atlantic, man is experiencing the fury of nature as never before.

Nature spares not the rich and the mighty

The latest ravages of nature are now creating havoc and mayhem in the United States of America. One of the deadliest hurricanes in history attacked a nation that sought to dominate the earth and inflict its might and power upon other countries of the world, principally Iraq, Iran and in the Far East, even the poor nation of North Korea.

Hurricanes do occur in the American continents and its outlying islands. But late in August, hurricane Katrina ripped through several states of the USA causing death and destruction wherever it laid its impress. The worst-affected state was Mississippi, where fierce winds brought down sturdy buildings and the accompanying rainfall created floods that devastated the state. The worst-affected city without a doubt was New Orleans. This was till now, one of the showpieces of America. Beautiful in construction, with broad palm-lined highways and pleasure centres, which the rest of the US could never equal. New Orleans was, in fact, the pride of the United States of America. However, New Orleans lay below sea level and was protected from the waters outside by artificial barriers, and particularly by forms of instrumentation referred to as 'Levies.'

Katrina, however, destroyed almost completely the beauty of New Orleans, and its pleasure centres became a thing of the past. The city was virtually flattened. Almost miraculously, over a million people were successfully evacuated from New Orleans just before Katrina wrought its devastation. Television pictures have shown 20 to 25 motor vehicles heaped together and lying one on top of the other. 80% of the city was inundated by floodwaters that burst through the manmade barriers. People who remained behind climbed rooftops, but even this did not save many of those who were reluctant or unable to leave their homes. About 20,000 people, helpless and unable to leave this city, crowded into what was known as the Super-Dome. However, the fierce winds of Katrina broke down even parts of the roof of the Dome.

Thousands of evacuees were moved to the Astro Dome in Houston. However, thousands more were still left behind in New Orleans. Steeped in desperation, most of these people who could find no transport, waded through the floodwaters on foot. In many instances the waters reached up to their

waist. In Louisiana about 9 oil refineries were shut down. In the Gulf of Mexico 2 oil rigs broke away from their moorings. Therefore, oil prices in the rest of the USA skyrocketed, impacting oil prices in the rest of the world as well. Having devastated New Orleans and Louisiana along with the many islands off the coastline, Katrina moved eastwards, skirting and partially destroying Alabama and Atlanta and further away Kentucky and Pennsylvania, while skirting the edges of New York itself before it finally died away.

American people, like most of the rest of the human world, demonstrated the goodness, the generosity and the genuine feeling of most human beings. However, to a very large extent, particularly in New Orleans, the situation was at first very desperate. There are still many unanswered questions as to why it took so many days for rescue forces to reach the poor thousands stranded in a city virtually converted into a lake. Meanwhile, the USA has had the military might and wealth to dominate the rest of the world by force, murder and mayhem.

To describe adequately the present American tragedy, many books may have to be written in the years to come. However, with personal disabilities of my own, this task I am sure will be undertaken by historians in the near future.

How nature has protected Sri Lanka

Living and working as I do in the small island of Sri Lanka situated below the Indian subcontinent, I would like to end this article by referring to nature's attitude to our land.

It is a significant fact that disasters like earthquakes and atmospheric disturbances such as hurricanes, tornados, typhoons and the like have spared our island home for generations and centuries past. Questions may be asked by my readers about the impact of the Tsunami that devastated parts of the southern and eastern coastlines of Sri Lanka on 26 December last year. However, it must be noted that the Tsunami which destroyed parts of the coastlines of eleven to twelve countries bordering the Indian Ocean did not originate in any of these countries. It was the consequence of a seabed quake bordering the Island of Sumatra, which spread its waves of destruction to Sri Lanka many thousands of miles away.

However, Sri Lanka did experience one cyclonic disaster somewhere in the 1950s. It is worth describing even briefly at this state, the dynamics of a cyclone. In the atmosphere

that normally would flow from east to west around the globe, many disturbances are caused due to temperature differences and other factors. Due to various reasons, which space does not permit me to describe here, these always occur in random hot and cold patches for miles above the solid earth. Air tends to rise with various degrees of violence from the heated regions of the earth and descend to cooler regions. It is this complexity of atmospheric motions that are responsible for phenomena, which we have mentioned above such as hurricanes, tornados and even cyclones. Pressures in heated regions are low relative to pressures in the cooler regions of our atmosphere. Consequently, atmospheric air tends to rush from cooler regions to heated areas. However, atmospheric air does not normally rush directly from a cooler environment to the heated centres of the atmosphere. It tends to move in spiral fashion to the heated centre. It is such spiral motions that constitute what we know today as cyclones. Even though the atmospheric motions are spiral in nature, the accompanying wind systems associated with torrential rainfall can be of a high order of magnitude.

Two significant features of cyclones must be mentioned here even to understand the Batticaloa cyclone of the 1950s. Two cyclones in the same hemisphere of the earth tend to attract each other, while a cyclone in the northern hemisphere and another in the southern hemisphere tends to repel each other. These phenomena can be explained in turns of the rotation of the earth.

Cyclones often originate in the Bay of Bengal. Again, as a result of the earth's rotation, they tend to move from east to west. It might seem that, due to its location, Sri Lanka should be the target of many cyclones. However, cyclones on any speeding object or vehicles tend to veer rightwards in the northern hemisphere and leftwards in the southern hemisphere. These deflections are due to what physicists call the Corollas Effect. The result is that cyclones approaching Sri Lanka commonly take a rightward turn, avoiding Sri

Lanka and bashing the coastlines of South India and Bangladesh. These rightward and leftward turns are also associated with the Earth's rotation.

During the Batticaloa cyclone, however, a similar cyclone had developed westward in the Arabian Sea in the same hemisphere. The Arabian cyclone, being in the same hemisphere exerted a strong force of attraction on a cyclone moving towards Sri Lanka from the Bay of Bengal. Instead of turning as it usually would in a rightward direction and saving the island of Sri Lanka, this cyclone was naturally diverted towards our island itself. This is the cause of the cyclonic disaster, which hit the eastern coast of Sri Lanka. In the Batticaloa region particularly, massive coconut and palmyrah trees were uprooted. Dwelling houses of the poor residents of the area were flattened by the impact of the cyclonic winds. Even boats of significant magnitude in the Trincomalee harbour experienced the force of this cyclone. Many were destroyed in the process.

Apart from a few such rare disasters, our island home has been protected by nature. Referring to Sri Lanka, I would like to modify a line from Revd W.S. Senior, who was familiar with our island: "It is a land where every prospect pleases but only a few men are vile."

Time and space do not permit me to go into greater detail about the onslaughts of nature against its own creation, namely the earth. I myself cannot account for the natural tragedies that have been rampant in the last century and the beginning of the present. More competent people than myself I hope, will analyse these phenomena in the many years to come.

Note: Due to physical disabilities of my own I have been unable to write the above article by myself. I express my fervent thanks to my wife, Joyce, who patiently wrote down what I dictated from memory, and details provided by the media. ■

Osmund Jayaratne is Emeritus Professor of Physics, formerly of the University of Colombo.

A WOMAN AGAINST THE CURRENT: * EDITH LUDOWYK GYÖMRŐI

Anna Borgos

The article below written by Anna Borgos, a psychologist in Budapest, Hungary, gives a vivid account of the life and work of Edith Gyomroi Ludowyk, whose life spans many decades of the 20th century. Edith lived in the Communist republic in Hungary in the aftermath of the 1917 October Revolution. She grew disillusioned with the policies of Bela Kun who headed the new Republic. Edith's subsequent life in Hungary, her homeland, working with opposition communist groups is described in this article. With the rise of Hitler to power and the annexation of the Hungarian Republic, Edith could no longer continue the work she had devoted her life to.

By various means she escaped Nazi rule in Hungary, eventually to find a resting place in Sri Lanka. Here she married Professor Lyn Ludowyk of the University of Colombo, brilliant in his exposition to students of English literature. He was also the founder and live-wire of the university's English Dramatic Society (DramSoc), which produced regular plays for the English-speaking public of Colombo. It was here that I first came to know Edith Gyomroi Ludowyk. Apart from her tremendous contributions in stage management, the design of sets and costumes for Ludowyk's plays, her interests ranged in other directions as well. She joined the Lanka Sama Samaja Party (LSSP), Sri Lanka's first Left party, which by 1939 espoused the views of Leon Trotsky. She was an active participant in the Eksath Kantha Peramuna (United Women's Front). Through this organization she worked for the poor women of our land. Amongst the youth of the LSSP, she conducted regular weekly classes on the psychoanalysis of Sigmund Freud which was her passion in life. I myself, along with her husband and others, had the great privilege of being a member of these classes. Unfortunately, the humid climate of Sri Lanka was harmful to her health. Lyn Ludowyk, who loved and respected her greatly, thus decided to resign from his post. Lyn and Edith then very regretfully, as I recall it, left Sri Lanka for good and settled down in Hampstead, London, close to one of the International Centres of Psychoanalysis. Lyn Ludowyk himself earned a living by delivering regular lectures on English Literature at the University of London. It was there that I met them once again, when I spent three years of my life from 1961-64 preparing for a Ph.D. at the Imperial College in London.

Anna Borgos, in the article below, has dealt with the life and work of Edith Gyomroi Ludowyk until her demise in 1987. Sri Lanka must be proud of hosting, even for a short period, a woman of the calibre of Edith Gyomroi Ludowyk. Not many in the present generation would remember her. The life and work of a great left-wing intellectual and psychoanalyst, who graced our shores for at least a couple of decades, is well worth recalling.

Emeritus Professor Osmund Jayaratne

In Hungary, the name of 'Edit Gyömrői' is mostly known as one of the last therapists who treated the great Hungarian poet Attila József before his suicide, and to whom, in his "love transference" the poet addressed several love poems and a series of psychoanalytic notes. I have come to be interested in the life of this woman, apart from her encounter with the poet. In the course of my research, more and more fascinating layers of her knowledge and activities have opened up for me. Her life course was exuberant in

terms of names, places (Budapest, Vienna, Berlin, Prague, Paris, Colombo, London) and circumstances of living, languages and career; her manifold activities included psychoanalysis, literature, political activism, philosophy and art. Her individual life course, independent as it was, was also closely intertwined with her personal and intellectual relationships, and the (pressure of) social-political circumstances.

Edith (Gelb) Gyömrői was born in Budapest on 8 September 1896 in a middle-class Jewish family. Her father was Márk Gelb, a furniture manufacturer, her mother Ilona Pfeifer. At her father's request, she began studying interior design at a school of applied arts, but later dropped out. In 1914, she married chemical engineer Ervin Rényi, divorcing him in 1918. She had one son from this marriage. Through her uncle, psychoanalyst István Hollós, she began to learn about psychoanalysis as early as the 1910s and attended the 5th International Psychoanalytical Congress in Budapest in 1918. From 1918 onwards she participated in gatherings of the Sunday Circle, a group of left-wing intellectuals, and befriended poet and painter Anna Lesznai and psychoanalyst René Spitz among others. In 1919, a collection of her poetry was published as *Rényi Edit versei* (The Poems of Edit Rényi). During Hungary's short-lived Soviet Republic that same year, she worked for the Commissariat for Education. After the fall of Hungary's Commune, she emigrated to Vienna, where she managed to make her way under difficult circumstances. She was a worker at a parachute factory, and then a sales assistant at the Heller Verlag bookshop. Among her friends were Hermann Broch, who translated some of her poems into German, as well as composer Hans Eisler, Czech writer Egon Erwin Kisch, Austrian translator and Communist activist Ilona Duczynska, and Hungarian writers Béla Balázs and Ervin Sinkó. This was followed by brief sojourns in several Hungarian-speaking towns in both the former Czechoslovakia (Uzsgorod/Ungvár) and Romania (Timișoara/Temesvár and Cluj/Kolozsvár). After she was expelled from Romania for her Communist involvement, she moved to Berlin with her second husband László Tölgy (Glück), living there between 1923 and 1933. In the early years, she was a costume designer at the Neumann Produktion film studio (she designed costumes for the films of Elisabeth Bergner, an important and popular actress who would eventually flee Nazi Germany). She was also involved in translating, interpreting and photography, and worked on the staff of the *Rote Hilfe* Communist party newspaper for a time. Although she was thrown out of the German Communist party in 1934, she remained true to the principles of Communism.

As of 1923, she saw Otto Fenichel for psychotherapy, then went to him for training analysis between 1925 and 1929, and then opened her own practice. Officials of the German Psychoanalytical Association did not take to her political views. Her admission to the Psychoanalytical Institute in Berlin was therefore delayed; nevertheless she attended all the lectures and seminars there for three years. She was

eventually admitted to the institute. Her immediate circle of friends included Marxist and other leftist peers, such as Annie and Wilhelm Reich, Otto Fenichel, Edith Jacobson and Siegfried Bernfeld. She was part of the legendary 'child seminar' set up for younger psychoanalysts by Otto Fenichel and Harald Schultz-Hencke in 1924, in which psychoanalytic topics were elaborated and discussed outside any institutional framework. This discussion forum was maintained until 1933 when Hitler took power. In Berlin, Gyömrői also came into contact with the individual psychology group, where she met Annemarie Wolf. After half a year in Paris, Gyömrői organized Hungarian painter Lajos Tihanyi's first Paris exhibition.

After Hitler came to power, the fact that Gyömrői was Jewish along with her political views and activism placed her in jeopardy several times. In 1933 she and several female colleagues decided to emigrate to Prague. While there, they laid the groundwork for a psychoanalytic training institute and held seminars and lectures on psychoanalysis and pedagogy. She maintained contact with Fenichel and the Marxist psychoanalysts' group; she was among those, along with Edith Jacobson, Kate Friedländer, Annie Reich and Barbara Lantos, whom Fenichel was addressing his secret *Rundbriefe*, or circulars, after 1933.

In 1934 Gyömrői returned to Budapest, where she was made a special member of the Hungarian Psychoanalytical Society. Between 1936 and 1938, she held seminars and discussion evenings, organized by the Hungarian society, for mothers and educators on practical educational issues. She often attended discussion evenings in Vienna held by Anna Freud. In 1935 Gyömrői took over the treatment of Hungarian poet Attila József from psychoanalyst Samu Rapaport. The poet's symptoms grew stronger during analysis and his condition worsened; some blamed this on Gyömrői, but there is no clear evidence to support this. The poet wrote several love poems and the self-therapeutic and self-analytical "Szabadötletek jegyzéke két ülésben" (A catalogue of free ideas in two sessions) for his analyst. Psychiatrist and psychoanalyst Róbert Bak took over his therapy in late 1936.

When anti-Jewish legislation was passed in Hungary in 1938, Gyömrői, like so many other analysts, requested assistance in settling elsewhere. She received a measure of funding from London psychoanalyst John Rickman and then emigrated to Ceylon with her third husband, journalist László Újvári, who died in 1940. Unable to leave Hungary, her son would die in a labour camp.

In Ceylon (Sri Lanka), difficult as it was at the outset, Gyömrői tried to continue her psychoanalytic work. She held introductory lectures and seminars and gave radio talks on childhood education for mothers. She became a member of the Indian Psychoanalytical Society. In 1940, she met her fourth husband, Professor Evelyn Frederick Charles Ludowyk, Shakespeare researcher and head of the Department of English at the University of Colombo, and later Peradeniya, who became her lifelong companion. It was essential for her to get closer to the culture of the place that she lived in; she began to show an interest in Buddhist religious history and wrote a dissertation on the subject in 1944 entitled "Miracle and Faith in Early Buddhism." 1955 saw the publication of her ethno-psychoanalytic study entitled "Pubertätsriten der Mädchen in einer in Umwandlung begriffenen Gesellschaft" (Adolescent Rites among Girls in a Society in Flux). She also took up weaving. She founded a weaving school for women in the village of Menikdiwela in Kandy. She even won prizes for her tapestries at international exhibitions.

Edith and Ludowyk were members of the Trotskyist Lanka Sama Samaja Party. She joined the women's movement, as well. In 1947, together with several women of the three Marxist parties, she founded the Eksath Kantha Peramuna (United Women's Front), the first autonomous socialist women's association in Ceylon, which was primarily engaged in protecting the interests of women workers. This group was short-lived, as the various Left parties were at loggerheads and disapproved of the women's association, and of the women's section of the LSSP as well. In 1948 she published an article in the *Times of Ceylon*, entitled "Feminism or Socialism?". She also became famous in Ceylon for her collaboration with Ludowyk in a series of modern plays in English for the University Dramatic Society. Edith did the set and costumes.

In 1956, due to the humid climate affecting her health, the couple moved to London. Here Edith became a recognized analyst, and continued her practice until she was 80. She was part of the Anna Freud circle, joined the staff of the Hampstead Clinic trained analysts, attended international congresses, and published studies. The best known among these was the case study "Analysis of a Young Concentration Camp Victim," which was translated into numerous languages. She was a member of the British Psycho-analytical Society. She returned to Hungary several times in the 1970s. At the 1971 International Psychoanalytical Congress, in Vienna, she exchanged views with psychoanalyst György

Hidas on re-integrating the Hungarian psychoanalytic community into the International Psychoanalytical Society and was active in the committee set up for this purpose.

In her old age, Edith discovered a new passion: restoring derelict country homes to their original state. She lived in some of them with her husband after they moved from London, and sold others to friends for a small sum. After the death of her husband (in 1986), she moved into the London home of her colleagues and friends, Annemarie and Joseph Sandler. She died on 11 February 1987.

Edith had a strong affinity for writing, not so much in professional genres, but rather in autobiography and fiction. The loss of language was her constant problem and pain. She had lost her relationship with live Hungarian language, while she was not a native speaker of any of the languages of the places where she lived. She wrote two novels in German. One with a biblical theme is entitled *Versöhnung* (Atonement) (published in Hungarian in 1979). The other, an unpublished autobiographical novel, is aptly called *Gegen den Strom* (Against the Current) (1941).

Edith Gyömrői's diverse and colourful life, with her participation in areas just opening up to women, her passages and links between a variety of groups and places, her manifold personal and professional attachments, at the same time her autonomy – indeed, her swimming 'against the current' – is an example of the modern intellectual woman who refuses material, social as well as intellectual dependence, but who is capable of productively accepting human relationships and influences. Her femininity is just one layer of her varied identities. Her political and professional commitments, artistic skills and her changing Jewish identity, influenced by historical circumstances, belong equally or even more importantly to her personality. Although her adaptation to the changes in her lifestyle, profession and relationships was not without conflicts, her new beginnings did not fail or question her 'old' identities, but rather demonstrated her capacity for constant development, and the exploration of new experiences and knowledge.

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Edith Ludowyk Gyömrői in Sri Lanka

HOPE IN TSUNAMI RE-BUILDING

V.S. Sambandan

The past year has been one of mixed emotions for the tsunami survivors in Sri Lanka. The initial trauma and shock gave way to hope of a proper rehabilitation, which receded with each bout of political bickering and ended in dejection. However, at the end of the year, it is that unique Sri Lankan attribute to get on with life rather than wallow in distress that has stood out and made all the difference.

According to official estimates, 35,322 people died, 21,441 were injured, 1,500 children were orphaned and nearly a million persons were displaced when giant tidal waves struck two-thirds of the island's coastline. Fifty-two district secretariat divisions (equivalents of taluks in India) in 13 districts across the country's northern, eastern, southern and south-western coasts were affected.

However, different government agencies have put out different figures on the exact number of the dead. While the Task Force for Rebuilding the Nation (TAFREN) puts the number of dead at 35,322, the police estimate is 20,936, of whom 10,152 were buried in mass graves and 421 were missing. Adding another twist to the tangled figures is a recent report by the Registrar General, which states that just over 17,000 tsunami-related death certificates were issued.

It has also been a year of remarkable positives. Among them is the fact that the handling of the post-tsunami operations helped avoid additional deaths from pestilence. Part of the credit for this should go to the non-governmental organisations (NGOs), whose number has grown several-fold, and the inherent advantage of the island-nation's positive social indicators, which have created a broad platform from which the rebuilding effort can take off.

The Office of the Coordinator for Humanitarian Relief (OCHA), led by the former United States President, Bill Clinton, noted that "thanks to a quick combined response by the government, local authorities, local NGOs, private sector and the international community, the country recorded no additional deaths because of tsunami-related diseases or lack of delayed medical treatment".

While relief distribution, despite lacunae, has thrown up no major issues, the real challenge lies in the housing sector. Construction is set to grow at a high rate in the coming years,

provided the nation overcomes problems relating to labour and raw materials. "The cost of labour has risen sharply," said Piyal Ekanayake, a contractor from central Sri Lanka, working in the south-western coast. "Before the tsunami, I had to pay Rs.250 a day for a semi-skilled worker. Now it is difficult to get anyone for Rs.350 plus food," he says, overseeing the finishing touches to a housing project.

Promoters of housing units in the east have a more difficult time, confronted with a "massive shortage" of skilled labour, particularly masons. "I cannot get skilled labour, particularly masons, even if I pay more than Rs.800 a day. The best are going at Rs.1,000," said Jude Manoharan Joseph, director of a housing reconstruction project in Batticaloa district. Nearly 98,000 houses were damaged in the tsunami. The implementation of transitional housing projects is under way, as is the construction of the first permanent housing units. Of the targeted 60,000 transitional shelters, 54,102 have been completed and 1,948 are nearing completion. This would allow people to move out of the tents they are living in, the OCHA said.

"Now there is some hope," Saman Wickreme de Silva, a beneficiary of a housing scheme in southern Sri Lanka, told *Frontline* in early December. His hamlet near Peraliya, where a train full of passengers was washed away, had reason to celebrate a year after the tsunami. The new government is what brings De Silva hope, for the housing scheme is promoted by the Janatha Vimukthi Peramuna (JVP), a partner in the ruling alliance. He and his neighbours believe that the new government will set right the "lack of planning and absence of political coordination".

Gowthaman Balachandran, country representative, OXFAM-Australia, one of several international NGOs that have taken up reconstruction projects, foresees severe material shortages in the coming year. While there appear to be no problems in the availability of cement, shortages are imminent in roofing material, timber and sand. "These will come to a head next year," he said.

Balachandran does not subscribe to the view that not much has been done in the reconstruction phase. "Housing is a long-term investment," he said and added that Sri Lanka had managed it better than other tsunami-hit countries.

Joseph says that importing skilled labour is a way out, but political sensitivities are a concern. "In the short term, political sentiments may say that local jobs are lost. However, the inflow of tsunami funds and their full utilisation will prove that there are benefits to be gained by the multiplier effect in terms of additional jobs created, higher standards of living and opening up of new employment opportunities. By blocking off this one element, the entire tsunami aid absorption capacity is stunted." Officials in TAFREN say the Labour Ministry and the International Labour Organisation (ILO) have addressed the problem of shortage of skilled labour by conducting a training programme.

For the victims, however, these are the government's problems. "There have been shortcomings in the past, the new government will have to overcome them," JVP leader Somawanse Amarasinghe told *Frontline*.

Sayani Kusumalatha, who lost her father and an eight-year-old son, has moved into her new house with her husband and two surviving children. Her face radiates happiness and her main priority now is to re-create the family's lost home.

In the east, it is a case of double victimisation. "We are caught between several cross-fires," a Tamil resident at a relief camp in the eastern Amparai district said requesting anonymity. He was referring to the conflict within the Liberation Tigers of Tamil Eelam (LTTE) and its impact on their battle for survival.

On a visit to the camp on a rainy day in early December, this correspondent found the people huddled under a makeshift roof. Their main problem is simple but tragic. They do not know how much more the tension between the LTTE and the group led by its former military commander, V. Muralitharan ('Col.' Karuna), would disrupt their lives.

Some of the major human and social impacts of the tsunami

HUMAN

No. of people killed	35,322
No. of people injured	21,441
No. of internally displaced people (IDP)	516,150

ECONOMIC

Value of lost assets	\$900m
No. of lost livelihoods	150,000
No. of houses damaged	98,000
Proportion of fishing fleet destroyed	75%
Extent of salinated agricultural land acres	23,449
Damage to tourism infrastructure:	
Large hotels	53 out of 242
Small hotels	248
Related small enterprises	210

SOCIAL

Widowed, orphaned and affected	
Elderly and disabled	40,000
Health facilities damaged	97
Education facilities damaged:	
Schools	182
Universities	4
Vocational training centres	15
Schools used as camps for IDPs	446
Schoolchildren affected	200,000

Source: TAFREN, Central Bank, Mof, National Planning Department Sectoral Reports

However, according to people working in the eastern districts, the issue of reconstruction appears to have been kept out of the internecine fighting. According to an informed source, the two groups "have left us alone" but they are keen that "quality is maintained" and have a monitoring system in place.

While the homeless aspire for dwelling units, the plight of those who have lost their livelihoods is even more telling. According to official statistics, over 1.5 lakh people lost their livelihoods, spread across sectors such as tourism, fishing and agriculture. The fisheries sector accounted for more than 50 per cent of this number. Available figures indicate that about 70 per cent have regained their main source of income.

Shanta Samaraweera, a fisherman in southern Sri

Lanka, stands outside a wooden shack where his brick-and-mortar house once stood. The shack was donated by the local "temple authorities". He is back on the seas "thanks to a boat given by an American NGO". What then about the role of the government? "They give us food rations, but it has to be edible. At such a cost, what a waste of money!" he says. But he wants to move on in life and, like most of his fellow-countrymen, hopes to make good his losses one day. ■

BOOK REVIEWS

PAUL CASPERSZ' SELECTED WRITINGS

Charles Sarvan

Paul Caspersz, S. J. *A New Culture For A New Society: Selected Writings 1945-2005*, Kandy Satyodaya Centre, 2005.

Paul Caspersz went to school in Colombo, entered the Society of Jesus in 1942, and was ordained a priest ten years later. He read Politics and Economics at Oxford and, returning to the island, was a teacher till 1971. A year later, he co-founded the Satyodaya Centre for Social Research and Encounter, Kandy, where he is now based. *New Culture*, marking Paul Caspersz becoming an octogenarian, is a remarkable book, testifying to a remarkable man, and a remarkable life of quiet, sustained, service to the poor and the disadvantaged. The anthology is animated by the spirit of Decree IV of the 32nd General Congregation of the Society of Jesus: “the reconciliation of men and women among themselves, which their reconciliation with God demands, must be based on justice.”

Caspersz has a special sympathy for the upcountry (or plantation) Tamil people because they are among the most wretched of “the wretched of the earth” (Frantz Fanon), suffering along both the vertical and horizontal lines of ethnicity and class. Brought over from India in the 19th century by imperial Britain, they were virtual prisoners on the estates: “not only was the estate isolated from the village but, through a series of vicious and restrictive laws, regulations and customs, each estate was carefully sealed off from every other” (p.32). The surrounding Sinhalese villages deeply resented both the expropriation of their land and the importation of foreigners, but unfortunately their anger often found expression not against the real villains – British imperialism, the tea companies and their managers – but against the hapless victims. Callously exploited by estate management (motivated by profit and heedless of the human cost); resented by the Sinhalese; cynically betrayed by their own trade union leaders, theirs has been a most unfortunate fate. *New Culture* traces the sorry story, independence (1948) bringing the deprivation of citizenship, disenfranchisement and, in the case of thousands, expatriation (*not* repatriation) to India. Caspersz argues that, given the long passage of time,

these folk should no longer be seen as “Indian” Tamil. The “ethnic origins of the overwhelming majority of the people now living in the island are Indian, and it is highly probable that *the origins of the great majority are South Indian*” (p.1, emphasis added). Unafraid, wishing to provoke thought, Caspersz argues that if the plantation folk are “Indian Tamil,” then the Sinhalese are “Indian Sinhalese” (p.18). He acknowledges that he had welcomed the Land Reform Law of 1972, not anticipating that nationalization would lead to Tamil plantation workers being ordered out of the estates, often without notice, “hungry, homeless and helpless” (p. viii).

The Sinhalese are by nature one of the friendliest people in the world but [they] can be easily but diabolically misled by Sinhalese racialists, who stop at nothing and are stopped by nothing, not even by compassion, the kindness and the non-violence of Buddhism, in order to whip up hatred against the Tamils to a frenzy. ‘The estates are now ours,’ they shrieked. ‘Get out!’ And the Tamil workers on many estates close to the Sinhalese villagers left the estates where some of them had lived for generations defenceless, friendless, their hearts in the dust like a tea bush uprooted, to roam the streets of the cities and live off garbage bins. (p. 35)

Not surprisingly, there is collective amnesia: for example, a friend of mine, a Kandyan, retired planter, disclaims any knowledge of it. Caspersz is aware of the suffering of Sinhalese villagers, but cautions against a “dangerously divisive” competition of misery: “Both estate workers and poor peasants suffer oppression. To ask where the oppression is greater is much less important than to end it, both on the estate and in the village.” (p. 36).

Ethnicity is “the dominant problem in Sri Lanka” (p. 78), and Caspersz pleads for a united nation that permits and encourages diversity (p. 74). Unity does not mean uniformity; integration is not assimilation; pluralism should be welcomed

and celebrated. The ethnic conflict is totally unnecessary, and a tragic waste. After all, Sinhalese caste groups such as the *karavas*, the *salagamas* and the *duravas* were “originally South Indian immigrants who over a period of centuries assimilated so successfully with the local population as to make everyone, even themselves, oblivious of their origins” (p.80). The irony is that “the vast majority of the Tamils would not want separation if there was genuine redress of their grievances” (p.83). To support this argument, Caspersz quotes from the 1970 election manifesto of the Federal Party: “It is our firm conviction that division of the country in any form would be beneficial neither to the country nor to the Tamil-speaking people. Hence we appeal to the Tamil-speaking people not to lend their support to any political movement that advocates the bifurcation of our country” (p.83). The Sinhalese who exclude the option of secession are, for that very reason, all the more obliged to work for *genuine* pluralistic acceptance and equality (p.86). The nature and shape of politics is formed by people and parties: “Whenever one of the two main Sinhala parties tries to redress the legitimate grievances of the Tamils, the other accuses it of betrayal or surrender. The tragedy is that there is no question of principle but of sheer dishonest political gain” (p.28).

As I have written elsewhere, unfortunately religious teaching does not determine the nature of society; rather, it's the people who determine the nature of religion. The same religion – whether Buddhism, Christianity, Hinduism or Islam – at different times and places finds different expression: compassionate or cruel, gentle or harsh, tolerant or assertive. Christianity, born in the Middle East, was adopted by the West, and later exported to the non-Western world. It accompanied Western imperialism—and the exploitation and humiliation that imperialism visited upon the conquered. Secondly, it came dressed in the ‘clothes’ of Western culture and, rather than adapting Christianity to Sri Lankan culture, converts adapted Western ways. It is not surprising that many Sri Lankan Buddhists have looked upon Christianity with resentment. (Recently, the situation has been worsened by the methods and motives of certain USA-based evangelical groups.) Caspersz does not deny the complicit role the church played in the past. For instance, the church stressed law and order, but did not question the moral rightness of that externally imposed ‘order’. A good Christian was held to be one who went to church, was concerned with the sacrament and the holy spirit – not with “inter-human justice” (p.142). But since we are social beings, to be a good Christian is not only to do “social service” but also to be active in endeavouring to bring about social change. Rather than being kind within an unkind system, one must work towards

changing the unjust order of things. What is desired, and longed for, is not charity but justice. A good Christian life means a good social life – not only prayer, however pious and emotional. Rather than being spiritual preparation and prelude, prayer has become an easy substitute for action. Christ's famous Sermon on the Mount must be given a literal (not a conveniently figurative) interpretation. The beatitudes are the beatitudes of the poor and the oppressed (p.100). As Marx pointed out, for profit, we are willing to disregard human laws, and if “turbulence and strife” will result in material gain, so be it (see, p.192). Marx did not claim that “the economic element is the only determining one” (p.194). Indeed, it is this mechanically reductionist attitude that made Marx exclaim towards the end of his life, “Thank God that I am not a Marxist!” (ibid). Caspersz clarifies his position: “The God I believe in is the God of Justice, the God of Justice-Love. The God I believe in is the God who in Jesus became human, a colonized and anti-imperialist human, a worker, immensely concerned about the loss of human freedom and the oppression of the poor” (p. 195). And so a Christian priest quotes Che Guevara: “Let me say, with the risk of appearing ridiculous, that the true revolutionary is guided by strong feelings of love” (p.102); a Jesuit quotes Che Guevara citing Jesus in his last letter to his children: “Above all, always be capable of feeling deeply any injustice committed against anyone anywhere in the world. That is the most beautiful quality of a revolutionary. Jesus of Nazareth was guided above all by just such ardent love” (p.103). As for the role of Christians in the ethnic conflict, those described as “nationalists” are not inclusive but “racist” nationalists. However, while almost all Buddhists are Sinhalese, and all Hindus are Tamil, the Christian congregation consists of Sinhalese and Tamil. Therefore, Christians have a better opportunity, and a greater duty, to work for inter-ethnic understanding and harmony.

‘Development’ is a frequently encountered word, and countries like Sri Lanka are sometimes described as ‘developing’ nations. But what does development mean in practice? “Often and deliberately, the World Bank-IMF complex hides its real intentions behind difficult phrases” (p.256). When international organizations think, plan and carry out ‘development’ projects, the poor are peripheral (p.241); the centre is occupied by “economic growth which means the making of more and more money” (pp.241-2). It is assumed that the more material possessions and comforts a person or a nation **has**, “the more fulfilment is there of the capacity of that person or nation **to be**” (p.279). A distinction must be made between needs and wants. As Gandhi pointed out, there is enough in the world for everyone's needs but

not enough for everyone's good (p.250). Those active in 'development' should remember the Mulatna's words: "Recall the face of the poorest and the weakest man whom you have seen, and ask yourself if the step you contemplate is going to be of any use to him" (p.240). Marx wrote that religious distress is at the same time the expression of real distress and the protest against real distress. "Religion is the sigh of the oppressed creature, the heart of a heartless world, just as it is the spirit of a spiritless world" (p.299). Development, while having to do with the economy, the material, must also have the spiritual dimension of devotion to humanity, to truth, goodness, beauty, equity and justice (p. 247). In that sense, one can be spiritual without being religious. Caspersz concludes that the opposite of religion is not atheism but idolatry, the idolatry of material possession, status, snobbery, false values and power. Oscar Wilde observed that we know the price of everything, and the value of nothing. Marcus Aurelius asked himself (*Meditations*) how one could estimate the value of a person, and answered that a possible way was by the things to which that person gave value. It does not mean that one should not take (using

contemporary parallels) an interest in fashion or football—there is a difference between value, the things that are really important to a person, and his or her interests.

As Paul Caspersz observes, some books do not pulsate, do not bleed (p.19) but, moved by love, sympathy and indignation, he himself writes with power and passion about "this once happy, but now so tragic, land (p.19). Yeats ("The Second Coming") wrote that the best lack all conviction, while the worst are full of passionate intensity, but Caspersz, being among the best, is full of a passionate and selfless intensity. He is one of those to whom the miseries of the world *are* misery, and will not let them rest (Keats, "Fall of Hyperion"). Sri Lankans in particular should read *New Culture* and ponder: it will help to create a new culture (a new way of life) and so, a new society, a 'paradise isle' (tourist slogan) in far more important terms than landscape and scenery. A man who has rendered long and dedicated service, performs yet another in making this collection available to the public. "For good is the life ending faithfully" (Wyatt, 1503-1542). ■

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EXPLORING PSYCHIC SUFFERING AND HEALING

Malathi de Alwis

Masking Terror: How Women Contain Violence in Southern Sri Lanka. Alex Argenti-Pillen. Philadelphia: University of Pennsylvania Press, 2003. xv + 235pp.

Scarred Minds: The Psychological Impact of War on Sri Lankan Tamils. Daya Somasunderam. New Delhi: Sage, 1998. 353pp.

The Ocean of Stories: Children's Imagination, Creativity, and Reconciliation in Eastern Sri Lanka. Patricia Lawrence. Colombo: International Centre for Ethnic Studies, 2003. 94pp.

The resilience of individuals and communities, in the face of extraordinary violence, be it rape, torture or ethnocide, is a phenomenon that has continued to perplex as well as give us hope. The three texts I briefly discuss here seek in different ways to explore the fraught processes of such psychic suffering and healing.

Masking Terror

In *Masking Terror*, Alex Argenti-Pillen argues that Sinhala women in a “rural slum” (an ambiguous term left unexplained) in southern Sri Lanka who have experienced extraordinary violence, during a Sinhala youth uprising in 1988-1990, seek to “reconstruct their communicative worlds and interrupt the cycle of violence” through a variety of “traditional” and “culture-specific” narrative styles (p.xii) embedded in the belief of the wild (yakku).

Argenti-Pillen provides a sensitive analysis of a variety of Sinhala expressions used in everyday discourse that seek through euphemisms and other forms of veiled speech to converse about terror and violence in a non-provocative way. Drawing a parallel between women’s responses to perpetrators of domestic violence, who continue to live in their households, and perpetrators of non-domestic violence (those who accused, betrayed, threatened or killed family members during the uprising) who continue to live in their communities, she also suggests that verbal strategies of

dissociation (differentiating between ordinary and yaka-like people) averted a more widespread outbreak of violence, as it was only the punishment and indictment of the perpetrator that was sought, not of his entire family.

These strategies of “acoustic cleansing” (p.197) are used to substantiate Argenti-Pillen’s broader and supposedly anti-Foucauldian position that there are local discourses on violence which reference local social realities rather than the “institutionalized discourses of the national elite” (pp.13-14). The conceptual purchase of such a rigid dichotomization and the valorization of the local as “small scale, well-isolated social contexts” (p.197) is unclear to me. Previous anthropological research has demonstrated that local social realities play a crucial role in how national events are played out within local communities and how inextricably linked are the two (Pradeep Jeganathan, “All the Lord’s Men? Ethnicity and Inequality in the Space of a Riot,” in Michael Roberts (ed.) *Sri Lanka. Collective Identities Revisited*, Vol. 2. Colombo: Marga Institute, 1998). Indeed, can even a cursory understanding of nationalism ignore the complex articulation of ideological state apparatuses such as the school, media and family? What fuels statements (however satirical) such as the one made by Argenti-Pillen’s informant that “[t]o end the war we must reduce the production of Tamil people” (p.66)? Similarly, could verbal dissociations operate as seamlessly within a non-homogenous neighbourhood where the perpetrator could be of a different ethnicity from the victim?

Argenti-Pillen’s most noteworthy contribution lies in her efforts to provide a located and contingent reading of ‘fearfulness’ among Sinhala women. While this has enabled her to de-link the Sinhala belief in yakku from its more commonly relegated role as an exotic cultural manifestation of ecstatic religion (the discipline of anthropology being particularly culpable here), her unquestioning faith in ‘tradition’ has blinkered her ability to see how women can be constrained and disciplined through a system of beliefs and rituals that seeks to constitute them as perennially vulnerable to contamination. The containment of violence

seems to be produced at a great cost — to women. Additionally, the perpetrator seems to be left out of this analytical equation.

Even more surprising is Argenti-Pillen's censure of women who refuse to be interpellated as 'fearful' and express their scepticism regarding the efficacy of cleansing rituals. She not only faults trauma counselling NGOs for encouraging such "Western" and "modernizing" paradigms of thought and behaviour but "estimates" these 'fearless' women's contribution to the cycle of violence "to be substantial in the long term"(p.194). This is a troubling argument circumscribed by Argenti-Pillen's inability to provide a genealogy of 'fearfulness' and 'fearlessness'. An engagement with the extensive literature and vibrant debates on notions of femininity and masculinity in Sri Lanka would have made clear that not only are there normative and anti-normative discourses and practices of gendered embodiment—for example, the interpellatory categories of *chandiya* (thug) or *lajja-bhaya* (respectability)—that are not embedded in a belief in *yakku*, but that the category of the 'fearless' woman is not a new phenomenon arisen out of women's recent responses to violence, as Argenti-Pillen seeks to suggest and even make predictions based on such a false assumption.

Scarred Minds

Similarly, why introduce the tired oppositions of Western vs. non-Western, modernity vs. tradition to understand a society that has been colonized for over four centuries? While it is irrefutable that there has been a recent boom in mental-health NGOs, psychiatry has been practised on the island for at least half a century. Its importance in Sri Lankan life is particularly exemplified through an incident described in *Scarred Minds*: In 1988, a group of 487 Tamils who had been tortured while in Sri Lankan army custody took out a newspaper advertisement requesting medical help (p.264).

Scarred Minds by Daya Somasunderam is a psychiatric analysis of responses to chronic violence among Tamil civilians in northern Sri Lanka "written from the inside of the violence, as it were" (Veena Das, in Foreword, p.15). Both a witness to and survivor of violence, Somasunderam not only taught psychiatry and treated patients throughout the twenty-year civil war in the north but also co-founded a human rights documentation group that has worked under threat of death (another co-founder was murdered by Tamil

militants, in 1989). His comprehensive theoretical and clinical discussion of the psychological causes and effects of continuous violence is thus framed by a powerful critique of violence and an impassioned advocacy of non-violence as the most effective way of securing political justice. Working with mental illness in conditions of chronic violence, Somasunderam notes, makes us question our own notions of 'normality': It is the "so-called 'normal' individuals [those who incite others to violence by mobilizing notions of patriotism and nationalism] who may be more in need of treatment than those who come to be labelled as 'insane'" (p.20, emphasis author's).

It is unfortunate that Argenti-Pillen's critique of mental health discourses does not engage Somasunderam's work. While Somasunderam would be in agreement with Argenti-Pillen that narrow medical models are inadequate to express the full extent of people's mental agony, he believes in mobilizing Post Traumatic Stress Disorder diagnoses as "an internationally recognised means to draw attention to the plight of civilians and in the long term to create social awareness and mobilise support for affected populations" (p.169). His "descriptive narratives of psychological reactions... transcribed in the language of the mind and body," argues Somasunderam, provide what conventional accounts of war fail to do—a testimony to suffering (ibid).

However, Somasunderam's deep and politically located commitment to his community extends beyond merely documenting suffering, to trying to explain how a community's very scarring by violence perpetuates this vicious cycle: Peace can only be brought about through developing an awareness of the "unconscious psychic forces within us" and changing their direction by "an act of will" (p.331). His call for a "descent into the ordinary" (Veena Das in Foreword, p.17) and the recreation of a non-violent sociality is particularly poignant: "Too much importance has been given to politics" Let us turn our minds to other things in our lives—work, family, art, drama...let us laugh and cry over life's small problems and go to sleep without any fear" (p.311-2). This is the message from the local to the global, observes Veena Das, in a context where a Tamil diaspora sends money for "women and children to be recruited to the Tamil cause in Jaffna while their own children are happily going to school" (p.17).

The Ocean of Stories

It is children and their storytelling, in a region that has witnessed the massacre of entire villages, where

“political silencing had become endemic” (p.3), which is foregrounded in *The Ocean of Stories* by Patricia Lawrence. This slim volume is an ethnographic reflection on the Butterfly Peace Garden in Batticaloa, in eastern Sri Lanka, which was founded seven years ago to provide a space where Tamil and Muslim children who have endured devastating loss and psychic injury can learn to play and heal together. Lawrence, a cultural anthropologist who did her dissertation research in this region and has had a long relationship with the Garden, skilfully evokes the whimsical energy as well as transformative power of this exceptional space “where the effects of war made by adults are unmade” with gentleness, patience, imagination and laughter (p.14). Simultaneous with such healing is the slow and painful narrowing of a chasm of ethnic hatred and suspicion between Tamil and Muslim children and the similarly ethnically/religiously differentiated animators who work with them.

What makes the Butterfly Garden both so extraordinary and unique seems to be its constant interweaving of a variety of methodologies and rituals of healing. Within a framework indebted to Chong philosophy [an underground movement

popular in Canada in the sixties] based on the Taoist maxim —“doing the ordinary in a marvelous way, doing the marvelous in an ordinary way” (p.23), the Garden’s founder, Paul Hogan, and his co-director, Father Paul Satkunanayagam, have incorporated Tamil folk drama, medicine circles from First Nation’s peoples in Canada, Buddhist walking meditation, Jungian psychoanalysis, etc., to create “a transforming space that is always in transition...not really anywhere at all” (p.30). It is the very cultural non-recognisability of this space which is enabling, observes Lawrence, because “the usual rules do not apply there...it is a place so free and open even a grown up might be able to relax” (pp.30-1).

This statement is an interesting counterpoint to Argenti-Pillen’s assertion that ‘traditional’, culturally recognizable systems of healing are the most effective. What I have sought to suggest here is that we should not underestimate the resilience and resolve of wounded individuals and societies to seek solace in whatever rituals or systems of healing they may encounter—be they familiar or unfamiliar—and transform them in the process. ■

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Excluding Women: Struggle for Women’s Political Participation in Sri Lanka

Edited by

Morina Perera

&

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DOCUMENTS

Statement by Professor Phillip Alston, Special Rapporteur of the United Nations Commission on Human Rights on extrajudicial, summary or arbitrary executions.

Colombo, 6 December 2005

Permit me, first of all, to express my thanks to all those who met with me and provided me with information and insights in the course of my visit. The Government of Sri Lanka is to be commended for its positive response to my request to visit. I have received excellent cooperation from the government and this augurs well for its willingness to give careful attention to the issues that I will raise in my report.

In the course of a week and a half in Sri Lanka, I have had opportunity to visit and undertake extensive interviews in the south, the east and the north of the country. I have met with senior officials of government including the Minister of Foreign Affairs, the Attorney General, and Peace Secretariat; with Army Headquarters, the Inspector General of Police, and many of their commanders in the field; with representatives of political parties and civil society; with the Muslim Peace Secretariat and Muslim community leaders in Ampara; with senior representatives of the LTTE, both in Kilinochi and the East; with the Human Rights Commission of Sri Lanka, the Sri Lanka Monitoring Mission (SLMM) and members of the diplomatic community.

I recognized that my visit has come at an extraordinarily sensitive and critical time for the peace process. During the short period I have been here, there have been numerous killings in the north and east of the country, of both Tamil and Muslim civilians as well as members of the security forces and the LTTE. I condemn these attacks without reservation and urge all parties to take immediate step to de-escalate the situation and to prevent this tide of violence from rising further, with catastrophic results for the country and its hopes of finding peace. In my discussion with Mr Tamilchelvam, LTTE political wing, chief I stressed the difference between denying responsibility and denouncing such attacks, and called on the LTTE to signal unequivocally its rejection of such acts of violence.

I am an independent expert, appointed by and reporting to the UN Commission on Human Rights. My final report will be submitted in early 2006. I should emphasize that the comments included in this statement are only of a preliminary nature. My full and final report will be available within three months from now, on the website of the UN High Commissioner of Human rights. Before the report is made public, the government of Sri Lanka will be given an opportunity to make observations on the report. I will also ask for further input from the LTTE and other parties.

The principle theme of my report is that extrajudicial killings, if left unchecked, have the potential to fatally undermine the peace process and to plunge Sri Lanka back into the dark days of all-out war. This conclusion has tragically been borne out by the developments of the recent days.

Neither of the principle parties to the conflict seems to give adequate recognition to the deeply corrosive impact of the killings that have been steadily accumulating and then accelerating throughout the course of 2005. These killings should not be thought of only in the cold and detached language and statistics of 'ceasefire violations', although they clearly are that. Nor should they be thought of only in abstract terms as violations of the international legal obligations of the parties, although they that too. Most importantly, they are violating the right to life of a large number of Sri Lankans from all ethnic groups, and by undermining the peace process, putting at risk the lives of many more.

Both the government and the LTTE have signaled the need to review the implementation of the CFA and to strengthen international monitoring arrangements. But pending a resumption of contacts and talks on these issues, it is essential and urgent for all those involved to immediately adopt a range of confidence-building measures. These steps cannot wait until a major breakthrough is possible. But equally importantly, they will make it far more likely that such a development can occur.

In order to put an end to the killings, the key is to strengthen the accountability of those responsible. This involves a mix

of initiatives including: far more effective police investigations, a role for the SLMM that includes investigation as well as monitoring and unequivocal denunciation of killings by all parties. It is simply not enough for one party or another to throw up its hands and proclaim 'we didn't do it, and we can't really tell you who did'. Permit me to elaborate briefly.

The upsurge in extrajudicial killings has been accompanied by a vacuum of investigative responsibility. The Sri Lanka Police have lost much of their appetite for serious investigations. While the difficulties presented by the environment in which they work must be acknowledged, they have in too many cases simply become a recording agency. This deters witness from coming forward, and leaves the groups involved free to accuse one another regardless of the facts which might emerge from serious investigation.

The LTTE, for its part, issues frequent denials of killings and then contents itself with accusing the Karuna faction or other groups of acting in cahoots with the security forces to perpetrate most such killings. These denials do not appear credible to most observers and are contradicted by evidence collected during my visit that suggests the LTTE has either been directly involved or has given protection to the perpetrators in some cases. At the same time, the security forces find it convenient to downplay the significance of the Karuna faction by dismissing many incidents as being LTTE related and suggesting that it is irrelevant whether the LTTE or Karuna was responsible. This ambivalence toward the Karuna faction is reflected in the weak response of the government to the relevant killings, despite firm official instructions and denials of involvement.

The failure to effectively investigate the killings has resulted in many areas of the north and the east – whether controlled by the government or by the LTTE- becoming zones of impunity for killers with different motivations and affiliations. This in turn generates inflammatory and often contradictory rumors that risk giving way to cycles of retaliation.

A case in point is the attack last month on the Akkaraipattu mosque which killed 6 persons and seriously wounded 29 others. This was a particularly heinous act, involving the violation of a place of worship and an assault on innocent parties at prayer, and it has led to further convulsions of

violence between the Muslim and Tamil communities in the East. I was able to visit the mosque, meet with representative of the community and victims of the attack, and I do not exclude that there were many complex elements at play in the incident. But no such elements can excuse such an act. And unless crimes of this kind are properly investigated, and those responsible held to account, they will only fuel the cycle of retaliation and violence. With that in mind, I call on the Police to effectively investigate this attack. I must also note that, while the LTTE has denied its involvement in this attack, it has not taken the further step of unequivocally denouncing this act of killing.

The absence of effective investigation has placed considerable pressure on the SLMM to fill the vacuum. But its mandate has sometimes been interpreted excessively narrowly and in a way that makes it also appear to be mainly a recording agency. While it has made an invaluable contribution over its nearly four years in existence, it is time to reinforce its vital work. It should be accorded a stronger and better-equipped role to enable it to carry out more in-depth monitoring of killings and to publicly report its findings of the facts in different cases. The Minister of Foreign Affairs said the government had a long standing desire to strengthen the effectiveness of monitoring arrangements. And Mr. Thamilchelvam indicated to me that the SLMM's role should be upgraded and 'given teeth.' While the parties should continue to explore other, specialized models for human rights monitoring, strengthening the role of the SLMM on these issues would be an important first step in promoting respect for human rights and building confidence among the parties and the people.

I want to conclude by emphasizing that, while my mission has been designed primarily to ascertain the facts in relation to extrajudicial executions, I have seen many encouraging developments during my stay. In the tsunami-affected areas of Batticaloa, I saw fishermen back in their boats and some housing construction under way. Even in Killinochi, I saw new buildings and businesses, suggesting that ordinary people are investing in peace. I met people from all communities who reject the path of violence and demand higher standards from those that claim to represent them. I have no doubt that with the requisite political will and the appropriate international support, the current cycle of killings and violence can be ended. ■

SHANAATHANAN: 'LOCATING THE SELF'

(6-28 JANUARY 2006)

Anne Blackburn

On 6 January 2006, an exhibition of work by T. Shanaathanan, titled 'Locating the Self,' opened at Paradise Road Galleries. The artist's preface to the gallery catalogue introduces this show of mixed-media work on paper in relation to the themes of physical location, displacement, war, and personal identity. Shanaathanan writes: "There is an interdependency between the location and the ways in which one identifies and feels his/her own self. Self is a construction of its location, the location is an expanded reflection or projection of self. ... Through destruction, displacement and migration, the war destroyed, dismantled and disturbed the layers of physical and psychological connections, which one cultivated with his/her immediate surroundings over the period of time."¹ The works on display at Paradise Road Galleries form part of two series, 'High Security Zones in North-East' and 'Diaspora' (<http://shanaathanan.blogspot.com>).

These are visually demanding works, made so in part by the combinations of media used by the artist. Shanaathanan's paintings are constructed through paint on paper and canvas used in combination with pieces of metal and cloth attached to, and built into, these arresting pieces. This use of mixed media brings the works alive in three dimensions, as does the artist's choice to build up certain portions of the canvas with reinforced ridges and sutures, creating a topography upon the surface of the paintings. Moreover, the fragments of metal and cloth used within Shanaathanan's works evoke a series of powerful associations related to the personal experience of landscape and territory. Scraps of human memory, traces of land once known, and the signs of destructive technology are woven into Shanaathanan's paintings of human figures.

One of the striking features of many of these works is the mottled and paint-marked character of the paper on which the artist's cartographic meditations occur. By forcibly creating such a visual field, suggestive of antique maps marked by the natural spoilage of time, the very background of Shanaathanan's work communicates a painful irony about landscapes of a recent past too quickly rendered obsolete by the unnatural forces of war and migration. In two particularly

striking pieces (Kanthari 2005 & Untitled II 2005) female figures are composed within the cartographic lines, their bodies marked by the fissures and divisions of territory. Both figures signal the impact of war upon the generations. In 'Kanthari' the multi-breasted, many-armed, woman nurses a series of infants, her visage effaced by a striking metallic suturing, evocative also of rounds of ammunition. A woman of similar endowments inhabits 'Untitled II.' Her many breasts and marked skin suggest something like a goddess of fertility, yet we find skin jarringly overlaid by the word 'mines,' and by what appear to be signs of puncture, where we might expect the reassurance of auspicious symbols.

Men, too, exist in relation to Shanaathanan's fractured landscapes. 'Vamana' (2004) is framed by the figure of a man in motion, his body bisected by a strikingly raised and sutured boundary marker. The weighting of the body suggests his movement forward into another landscape, riven less by fissures and fragments. Despite his bifurcation, there are sufficient continuities between both the landscapes inhabited by this figure to understand him as, at least, a gesture towards the possibility of continued or renewed habitation within a land of familiarity. Other figures, however, offer no such consolation. In 'Migration' (2005), for instance, a man is depicted poised for flight, his wings a strikingly mixed evocation of organs and topography: does he draw breath from the land carried with(in) himself? The pair of paintings titled 'Inner Circuit I' and 'Inner Circuit II' (both 2005) offer further meditations on the problem of human functioning within the context of uprooting. 'Inner Circuit I' presents a physical organ, the heart, embedded within one of Shanaathanan's cartographic landscapes, its arteries and veins active within a field framed by barbed wire. 'Inner Circuit II,' however, offers an entire faceless male figure, detached from all landscape, his circuitry elaborate but abstract; separated from his vital organs with surround him externally. This man occupies a sea-like space, akin to that of 'Migration,' further suggesting the severance of man from the land.

Two of the artist's earlier male figures also address problems of loss, transition, and the role of place in memory. In both

'Dislocation I' (2003) and 'Entangled' (2004) human figures frame – and embrace -- fragments of landscape from which they are visually divided through horizontal lines within the compositions. 'Dislocation I' is particularly explicit: a man with arms in motion encompasses jigsaw pieces marked as damaged land. These pieces evoke the landscape depicted in the lower portion of the painting, from which the male figure is sharply separated by raised boundary markers constructed on the surface of the work. 'Dislocation I' and 'Entangled' are brutally explicit in their depiction of rupture and its aftermath. In 'Grandma's Courtyard II' (2004), however, separation and memory are elegiac. This is a haunting piece made so by careful use of color in the representation of remembrance. A darkly colored figure seated on a garden swing observes land portrayed in soft romantic colors. This sharply contrasted coloration conveys the remembrance of things past from the dark and painful position of the present. Of all the mixed-media paintings

displayed within this exhibit, only 'Grandma's Courtyard II' brings Shanaathanan's cartographic meditations to life in soft colours with the addition of unthreatening textures and fabrics. This gentle sensuality is undone, however, by the small yet powerfully dark figure that observes the scene.

Shanaathanan's work makes powerful use of varied surfaces, textures, and media to arrest the eye and provoke strong reactions in the viewer. These are unsettling, haunting paintings by an artist of great skill and complex vision, who is Lecturer in Art History in the Department of Fine Arts and the University of Jaffna. It is deeply saddening to see them now, as each day in the island brings further news of violence, the rupture of homes and families, and the need to grapple anew with the horrors of displacement and migration. ■

1 *'Locating the Self' Exhibition of Paintings: Shanaathanan. Colombo: Paradise Road Galleries 2006.*

Prof. Anne M. Blackburn teaches at Dept of Asian Studies, Cornell University, USA.

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