

Political Challenges of the Peace Process

S.A.JOTHILINGAM

Publication



Research Centre for Inter Racial Peace



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Speech delivered at the Seminar held on
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Hall, Organized by the Institute of Social
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Foreword

DEDICATION



Dedicated to
Charles Abeysekera

Publisher's Notes

Today, when the peace processes are in a stalemate social analyst S.A.Jothilingham has written this book titled "Political challenges of the peace processes".

This book presents a lucid picture of the contemporary political situation from the all angles.

The Research Centre for Inter- Racial Peace (RECIPE) is very pleased to to pioneer this publication. Normalcy should return to this country which has been devastated by the 20 year long war.

All the communities inhabiting this land should live with understanding and goodwill. One community should respect the political culture and traditions of the other. RECIPE will do its best to create the atmosphere to reliaise these objectives.

Nadarajah Janagan

Joint Secretary

Research Centre for Inter- Racial Peace (RECIPE)

Foreword

I believe this is the shortest out of the books written by my student friend, S.A. Jothilingam, but in it one can find depth of content, intellectual honesty and a penchant for intellectual excellence that is so manifest in this booklet.

The book really contains a comprehensive speech delivered by him in Trincomalee. In this preface I wish to refer to two matters, viz.,

1. Mr. Jothilingam's dedication and depth of knowledge,
2. The Southern political balance of forces not highlighted in the in the book.

Let us dwell on the second matter first. The peace processes initiated in 2002 for a solution to the problem almost reached a stalemate in 2003. Neither the Govt. nor the LTTE has opted for a return to the war. Certain traits that surfaced in the peace process have caused the stalemate. Even though some realities that both the Govt. and the LTTE have had to face up to now, end of September, drove the country to the brink of war, there has been some significant pressure exerted on both sides to desist from going back to war. The restraint on the part of the LTTE, as the foremost representatives of the Tamils, has been chiefly due to international rather than national factors.

The Govt. in office from 1994 to 2001 projected the LTTE as well as the Tamil liberation struggle as abominations, at the international level, virulently campaigning mainly to castigate the LTTE as autocratic sans any vision for a peaceful settlement of the national question. This gave rise to the

development, in the West , to a mindset of indifference to the political discriminations that the Tamils in Sri Lanka have had to suffer.. Not only as the only organization that sustained the liberation struggle of the Tamils, but also the way it handled what turned into a conventional warfare destabilizing the Sinhala Govt. on occasions, the LTTE triumphed ,and that is what gave it a silent approval. Its territorial control within Sri Lanka is significant in this regard, and such strength alone brought the ceasefire into being, And thus the LTTE didn't opt for a return to war, chiefly because that would be detrimental to the Tamil liberation struggle in the international political arena. Moreover, having emerged as the only political force, the ceasefire provides a political opportunity for the LTTE to demonstrate their real stance to the international community.

Govt was also under pressure from another angle to accept the ceasefire: firstly, local capitalists came together for the first time, to admit that ceasefire was essential for economic survival. Besides, dearth of manpower also gradually proved to be a serious problem. There was patent anger in the Sinhala villages over growing numbers of dead or injured soldiers. Also, there were other problems like running camps , defence lines etc.

In this scenario returning to war is just not possible, That the ceasefire meant their (soldiers') sustained survival was a strong expectation and even reality that constituted another important reason. Since the positions of the PA regime had dissipated, the UNP perceived that the ceasefire would give space for their activities.

The ceasefire thus became a political reality. But did it mean there was a change of heart , quite apart from the security and economic factors referred to? Certainly not. What transpired in the South was the diametrical opposite of

consensual politics. There was no change whatever on the part of the two major parties as regards the seeds of racism sown during their respective stewardship. Neither did they appeal to the Sinhala masses to change that position.

Moreover, influential Buddhist organizations carried on a relentless anti-Dravidian campaign. What is more, Buddhism, the State religion, and some State institutions campaigned that Tamils, in tandem with foreign forces, were dividing this a Sinhala Buddhist country. This campaign continues to this day.

The Sinhala people avidly believe this, thanks to the kind of the education system and the distorted way that history has been presented to them.. The apparent urgency shown to resolve the Tamil problem is due to pressure at the Govt. administrative as well as international levels, But the prevailing general opinion is that it s better not to grant anything to the Tamils, and that is a natural attitude, given today's socio-political ambience.

This attitude has been strongly propagated among the Sinhalese from the time the question of ethnic identity arose. What was started at the Privena education level has since been extended to the national level.

During the late 19th century and first quarter of the 20th , Buddhist upsurge triggered by Anagarika Dharmapala militated against foreigners in urban centres especially in Colombo. Also targeted then were the Muslims and Malayalis. Against this background did the Sinhala-Muslim riots break out in 1914, and Hindu Tamil leader , Sir Ponnambalam Ramanathan went to London to defend the Buddhists against the Muslims.

Embedded in Sinhala Buddhist nationalism itself was an anti-nationalist phenomenon, which wended its way through

anti-Muslim, anti-Malayali, anti-Indian sentiments, and finally to anti-Tamil positions. The concomitant argument is that Sri Lanka is an entirely Sinhala-Buddhist country, and the Tamils, since ancient times, strove to destroy Buddhist regimes, which they persist in to this day, and so they deserve nothing more than mere survival. At official levels, absolutely nothing is spoken of the basic Sinhala-Tamil cultural affinity, of the contribution that Tamils made to Buddhism or of the Hindu-Buddhist relations.

It is now history that political parties seeking to destabilize an incumbent regime would rouse parochial ethnic feelings in their urge to secure their vote banks

During the heyday of the left movement (1930-1954) this tendency was under control to a certain extent. In fact it did not emerge as a political slogan. The 1956 changes are significant in left politics because of the cold war and Russian influence on Communist parties in post colonial countries to support progressive regimes, and the ignorance of national cultural trends, left parties gradually abandoned their language policy and supported SLFP's anti-UNP line and, finally, in 1964, the two main left parties dropped the two language policy in favour of Sinhala only. Language is a key symbol of culture in local political ambience and the somersault by the leftists made for sharp Sinhala Tamil polarizations. So what is significant is that, in the 1970s, when Tamil liberation campaign took the form of armed struggle, left influence in Sinhala areas had totally disappeared, and so, pure ethnic consciousness received a shot in the arm.

The Sinhala media have presented a biased picture of the war to the Sinhala masses. In the history of Sinhala print media Sinhala Buddhist nationalism has a permanent

abode. Concomitantly, during the last 30 years, the Sinhala masses never got the correct picture of either the horrendous

nature of the war or of the justness and legitimacy of the demands of the Tamils. On the contrary, a fallacy that this was a heroic war was fostered at the highest levels between 1996 2000.

Apart from the pros and cons these developments, apart from whether these are true or false, our concern is that the Sinhala people have not been psychologically moulded to accept Tamils demands. Hence, no party in Sri Lanka is in a position to project this political reality. Thus, this has been the chief stumbling block to a peaceful settlement. There is a perceived fear among the Sinhalese and , two factors have surfaced as the culmination of protracted anti-Tamil and anti-Muslim trends. One is the emergence of the Sihala Urumaya and its transformation as Hela Urumaya. Also, significantly, the rise of the JVP - a phenomenon that is not easy to comprehend.

Post 1948 class formations in the Sinhala areas, the ethnic perceptions within them, Sinhala only Act, denial of Governmental concessions to grass-roots people , opposition to alien forces, distorted Marxist ideological orientation are the factors that have combined to constitute the JVP. The JVP shouldn't be seen through UNP or SLFP lens. From the politics of its beginnings, the JVP which has metamorphosed through leadership rivalries to its present position, hesitates to even speak of the minorities. At the same time, however, it has a substantial base in the urban as well as the plantation sectors, And they greatly desire to wield their influence among the rank and file of the armed forces. The y would want to leave behind the forces they encountered in 1989 and go forward. Thus, it would be wrong to misjudge or underestimate them..

What has to be noted here is that the JVP is opposed to peace negotiations in order to maintain their popularity. The LTTE is anathema to the JVP, thanks to the latter's perception that it could not do in the South what the former has done in

the North. So the JVP would just not forgive the LTTE . Since the JVP is opposed to a peaceful solution, given the peculiarity of its stance. How should one face up to this? The Govt. can neither resist nor welcome such hardened Sinhala positions.

What remains to be seen is how the JVP is going to change its present stand. During the last 2 weeks it has proved to be a force in Asia, being a member of the Indian Left union, It has granted an interview to the Hindu, having participated in the opening ceremony of the Mani Mandapam for Tamilnadu Thevar of the Forward Bloc. It has also met with the Chinese leader. The tragedy herein is that nobody speaks of the need to rein in the JVP, while talking ad infinitum of the LTTE., human rights etc. They just fear to speak. JVP is averse to Tamil unity. They've openly stated that the Government has not handled the Karuna factor properly. So it clearly shows that they abhor Tamil unification. Their sole target is defeat of the LTTE. There can be no possibility of peace without grasping this reality. Few try to come to grips with the tendencies in the south that are opposed to the peace process being taken forward. Even if they do so they do it for their own political gains. And therefore this aspect had to be dwelt at some length in this foreword. Another matter concerning the structure of this booklet is the parties that should be involved in the peace negotiations.

Since Jothilingam has already referred to the Muslims, I do not intend to do so. The demand for inclusivity from the Tamils side is seen by Tamils as an attempt to weaken the Tigers.. There is a touch stone that could clear this. That is to say, whether there is any organization other than the LTTE that has presented any demand to the Govt. concerning a peaceful settlement? Are there any conditions in their relations with the Govt? Looking at the actions of Governments concerning the peace processes, one can see great deal of hesitation shown

by the parties in expressing the extent of political rights that should be granted to the Tamils. Hence the parties hesitate to present a consensual blueprint.

I would next venture to make a small remark on Jothilingam. Today he has emerged as an expert analyst on the Sri Lankan Tamils. He specializes in analyzing constitutions of the 20th century as to how the national question has been treated. An Honours Graduate in political science from the Jaffna University, he holds Masters degree from the Madurai Kamraj University, and is also a Law Student. He is above the normal criticism that Tamil scholars do not share their research opinions. He counts a special place in local displaced radio stations for political discussions and political programmes. The great culture that I see in Jothi is his predilection for learning more and more. It is scholarly enthusiasm that could propel the search for such knowledge. No research student will, or should, at any stage or age say that he has done enough research. I wish Jothilingam every success

Professor K. Shivatthamby

28.09.2004

Preface

At a time when the peace negotiations remain stalemated and doubts are raised about a possible resumption of war, it is the paramount duty of all those committed to peace to play a pro-active role to sustain the peace process.

The stalemate is mainly due to lack of understanding between the communities. In this scenario it is the prime task of all peace loving people to build up understanding between the communities. For this purpose the political aspirations of a community have to be adequately explained among the other communities; whether the other communities should accept them is the second stage.

In the first place, the political aspirations should become the topic of discussion. When such a process is set in motion there could hopefully be a change of heart on the part of the people. They will begin to see realities as they are. When the truth is brought to the surface and people come forward to accept it, it is not hard to resolve any contradictions.

This is the underlying objective for the publication of this book. This is being published in Sinhala and English as well since this question has to be taken across the entire spectrum of society.

This book is written from the standpoint of someone affected by the conflict. It is really an account of (a) the way one affected looks at the history of the national question, (b) how he looks at the peace processes and (c) what should be done to take the peace processes forward with honesty of purpose.

Since this book is written by one affected by the conflict there could be differences of opinion on the matters dwelt on in the book. I don't deny that. I welcome such opinions infact I have mentioned this at the end of the book. It is when differences of opinion clash that the truth will emerge and that is the realm of dialectics. No analyst can refute this.

I sincerely thank all those who have extended their co-operation to bring out this book, particurlaly my friends Jatheenthira and Kamalanathan of the Trincomalee Social Development Research Institute, Janagan and Nadarajah of the Research Centre for Inter- racial Peace (RECIPE) and, last but not least, the RECIPE for publishing this book.

Prof. Karthigesu Shivathamby has adorned this book with his foreword. A good Leader, a good Father, a good friend, a multi – faceted guide- my thanks are due to him too.

Mr. Charles Abeysekara is one who devoted his entire life for the cause of establishing Justice and Peace between communities. As a long- time President of the Movement for Inter-racial Justice and Equality (MIRJE), he was a tower of strenth to all those who stood for racial harmony.

I have known him from the days I was working for the "Sarinigar" Journal. He was deeply concerned with our security as journalists.

He never spoke even one word to offend others. When ever I look at him, it is Thanthai Chelva's figure that would come to my mind. I participated in Charly's funeral from beginning to end because of my deep affection for him.

He is the only one, other than a politician, in whose funeral people of all communities and walks of life turned

out in large numbers. He was a beacon light to all those who wished to build up inter-racial understanding and good will.

I am extremely pleased to dedicate this book to that my ever loving Charly.

Finally, this is my fifth book, and it is unique, because for one thing, this book contains my speech at a Seminar. Secondly, it is being published in all three languages.

I am sure the public will extend the measure of support that was given to my earlier books.

S.A.Jothilingam

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Honorable Chairman Dear friend Mr. Yatheenthdra,
My Colleague and Colombo University Lecturer Mr.
Udaya Thennakoon, officials of the Social Development
Research Institute and Ladies and Gentlemen. First, I
wish to welcome all of you here.

I

Today we are conducting this seminar in an effort
to review the current situation whether a war would erupt
again after all peace efforts had been stalled for a long
time.

In fact, war has affected all people in Sri Lanka.
Tamils, Singhalese, Muslims and hill country people
have been become victims of this war. Though different
in the degree of effect we cannot say that other
communities were affected as much as the Tamil people.
This is of course unavoidable as they are the one leading
the liberation struggle.

Since all Sri Lankans suffered in the war they all
needed peace. However there are different
interpretations to the word peace and its contents.

Especially for communities which engaged in war, the Sinhala community considers, peace as only a no-war situation but for Tamil community, it was a no-war situation, return to normal life and finding a paramagnet solution all are included. According to this, Sinhala people enjoy peace but Tamils are yet to find it. However we cannot ignore the concerns presented by Tamils that they are not reached at peace yet as annalists.

I think the major challenge that peace face today is that translating peace, as Tamils require it. To achieve peace in Sri Lanka in its real form it is not sufficient to bring peace among Tamils and Singhalese only to include Muslims and hill country people as well. This is the second challenge to peace.

All these are related to transforming Sri Lanka's state structure into a plural one. This plurality should be bringing into not only in central level but also at hill country regional level.

In short, I think the foremost challenge that peace face is to bring plurality into state structure in central level and regional level.

It is not only bringing plurality but also a continuous protection for plurality essential.

We should find ways to build formal and non-formal systems for the pluralism and its protection measures.

Although my speech is mainly based on the above concept, it will focus in Tamil –Sinhala conflict mush. I hope audience would understand this well.

It is essential to understand the history of the political struggle of Tamil people when it comes to transform the peace appropriate to the people of Tamil.

II

Political struggle of the Tamil people evolved through four major phases.

Transfer of power from the British to Sri Lankans took place through a gradual constitutional process. The concept of plurality was not accommodated even after the independence. Political activities were carried out constitutionally with rigidity under unitary system.

I have divided the periods on the basis of constitutions. There may be several different opinions about this division among various other groups. I don't deny those opinions as well.

First Stage –1833 – 1921

Formation of a modern State in Sri Lanka started with the introduction of Colebrook political reforms. The British brought the regions, which had unique traditionally and customary forms of government under one administration for convenience of administration. Thus the northeast provinces were brought under one administration with other provinces. When I say this I do not mean that the entire northeast was one administrative system throughout the history. But a major portion of the NE was under one rule traditionally identical. If we draw a line between Katpity and

Trincomalee, its upper part was entirely under the Jaffna kingdom. There are researches that combined the history of Batticaloa community with Chola rule of Polonnaruwa era. Thus I did not deny the historical fact that some parts of the East were under the kingdom of Kandy for some periods.

There are historical researches that say the whole NE had been under one king's rule in the first stage of the history. It's tradition that under king's rule areas of governance changed off and on. So is not surprising issue the change of areas of the East often.

By saying this I do not argue that tradition rule is essential by applicable pluralism. Pluralism is necessary where a communal group is barred from State system for being belonged to a particular ethnic community.

The issue, which I reiterate here, is that there had been particular communities and regions, in Sri Lanka when the Colebrook reforms were introduced. When we formulate a State structure that includes with these characteristics that State structure also should have been created with characteristics of pluralism. But the British rulers had introduced a unitary system ignoring all these factors. This unitary system is considered the fountain of ethnic issue.

The British rulers did not adopt the approach that they followed in India regarding this issue. They admitted pluralism in India when combining more than five hundred regions of rule to bring them all under one administration. India's post independence rulers

developed this pluralism further. They adopted a constitution accordingly with more flexibility. As a result today we see in India 28 States, 6 Union regions and one Capital city. Besides this there are instances in some States where they have created internal autonomy system maintaining pluralism in such areas particularly.

Internal autonomy arrangements have been made for aborigines too in States of Assam, Mohalaya, Meeseram and Bengal.

I do not say that this plurality in India is sufficient to fulfill the political aspirations of the people. But I wish to point out that there is a culture of pluralism even at a small scale in India.

Tamil politics in the island of Sri Lanka begins with the commencement of Colebrook political reforms. This was started when Tamils were given a nominal representation in the legislature. However, the unitary system of rule was not a problem for Tamils when the powers of that unitary system were in the hands of British rulers. The only problem was how the natives would derive powers. Tamils too fought along with the Singhalese to gain power. Tamil leaders were at the forefront in the fight against British rule. Sir Muththukkumaraswamy, Sir. Pon Ramanathan, and Sir. Pon Arunachalam were the key leaders in that struggle. Sir. Pon Arunachalam was the pioneer among these leaders in socio – political transformation. Leaders such as A E Gunasinghe entered politics of social transformation following his footsteps.

Eminent scholar Ananda Kumaraswamy initiated activities against British in cultural level. In religious level Arumuganawalar's mission was in the front. Renaissance of native religions in southern Sri Lanka was initiated following the path of Arumuganawalar.

Thus the Tamil politics of this period's had maintained both Tamil identity and Sri Lankan identity as well. While the Tamils maintained their identity on Tamil cultural base, they maintained Sri Lankan identity in political base. Equal level ratio representation too helped to maintain this. There was another reason for this as K M D Silva points out. During this period Tamils did not consider themselves as a minority. Instead they considered that Tamils and Singhalese were majorities of Sri Lanka and others were minorities.

The Manning political reforms introduced in 1921 disrupted all these arrangements. Tamils forced were to move towards a separate racial politics. The second stage of Tamil politics started with these political reforms.

Second Stage 1921- 1949

The Manning political reforms introduced in 1921 had brought about regional representative system. As Sri Lanka mostly consisted of Sinhala regions, this benefited Sinhala community ending former equal representative system. There were only 3 Tamil representatives elected while 13 Sinhala representatives were elected to the Legislative Council. This was due to number based democratic system. Numeral democracy only takes the human heads into

consideration not the uniqueness of the communities. When we take democracy of communities into consideration we can maintain pluralism in decision-making process.

We could have handed over even the protective powers to the communities, which were numerically less when it is affected due this democratic system. For this in several countries double voting is followed. Double system means when issues arise affecting minority communities beyond the total voting strength of the house it was necessary conduct a vote for the representatives of the particular community as well.

But, contrary to this, ion powers to object these laws were given to governors who were under political pressures. This did not give protection to those affected communities.

These are the lessons we get from pre-independence political reforms. After the independence the new Soulbury Constitution was vested with powers with courts. We did not get sufficient protection from these courts since they too were machineries of established chauvinism. Kodeswaran case on language issue is a good example for this.

The important point to be noted here is that the rulers oppressed Tamil people by utilizing the powers granted by the constitution. Oppression against Tamils increased due powers given for the Soulbury Constitution. Planned Sinhala colonies were created to destroy land coordination of Tamil areas and to reduce

ethnic ratio of Tamil districts fraudulently. Tamils' place in the National flag was ignored. Sinhala language was made the only Official Language. Medium standardization was introduced in the Higher Education system.

They have also adopted ultra constitutional measures as well to oppress Tamils. They ignored constitutional provisions, which gave protection to the Tamil people. 1956 Sinhala only Act and 1978 Official Language Act of Tamil Language, 16th Amendment to the Constitution are good examples for this.

Sinhala Only Act was drafted violating section 29 of the Soulbury Constitution. 16th Amendment did not come to practice sufficiently. State machineries were also communal oriented in implementing these laws.

The Republic Constitutions followed by the Soulbury Constitution also omitted these namesake nominal protection measures too. In addition they took the advantage of the rigidity of unitary structure of the State to further their discriminatory activities. First Republic Constitution introduced in 1972 was utilized for this purpose totally. Its obvious from the statement that the National State Council elected on the basis of number representatives was considered as 'supreme body of state hierarchy.' Although the Second Republican Constitution introduced in 1978 had been more aware of reiterating a unitary structure, the Presidential system and the Proportional electoral system have helped to develop pluralism at the centre at least to a small extent.

Now I am returning to second the stage again.

Tamil representatives requested to that earlier equal representative system be retained in order to avoid disruption of representative equality created by Manning political reforms. They put forward a demand for 2/3 representations of the Singhalese. At this moment they demanded representation of in the Western province, as pledged when forming the Ceylon National Congress. But the Sinhala leadership reneged on their pledge. This is the first time that the Tamil side suffered a set back by violation of a pledge. No Sinhala political leader from James Peiris to Rohana Vijeweera is exempted of this blame. JVP Leader Rohana Vijeweera admitted self-determination rights of the Tamil people in 1982 presidential election. But today JVP is not ready even for a small degree of devolution of power.

Sir Pon Arunachalam, who was the mediator when this pledge was made, was affected by this turn around. He left the Ceylon National Congress and formed the organization called "Tamilar Mahajana Sabai" in 1921. Tamil communal politics had been started with inception of this organization. History forced a great leader who served for the social revolution of Sri Lanka and elected to Ceylon National Congress as the first leader of it, to move towards communal politics.

The Manning- Devonshire political reforms introduced in 1924 too had not provided any considerable improvement on this matter. The Manning- Devonshire political reforms completed its duty only by

giving a representation to Tamils in the western province. The Donoughmore Constitution introduced in 1931 was the third step of unitary development. This Constitution gave Sri Lankans limited ruling powers. As the power of rule had been given to the institutions that were created by numeral democracy it automatically transferred to the majority community. Other communities were sidelined by this act. The unitary system further strengthened. The formation of 1936 Cabinet as a absolute Sinhala Cabinet witnessed this at top level.

At this juncture, the leadership of G.G. Ponnambalam and all Ceylon Tamil Congress party came to forefront. The fifty-fifty demand was put forward by the Ceylon Tamil Congress at centre level

So this phase of Tamil politics had been demanding equal power sharing at centre. The Soulbury Constitution introduced in 1947 gave complete power to Sinhala people to rule the island. However, this State structure was given a complete unitary face. The majority community acquired the full power of rule in its hand. Other communities were thrown out from the State structure.

When the power hierarchy centres were raised to this level Tamil politics also elevated to counter level. They realized that the central level equal demand would not work further. Since this was the fact Tamil politics jumped to the next stage.

Third Stage 1949 – 1968

This phase of Tamil politics was the demand for a federal model, which includes a Tamil homeland and powers of that homeland. The federal party was the political movement of this stage and 'Thandai' Chelva was the leader who took forward this stage. At this stage the ethnic politics came to be known as Tamil national politics. Tamil politics, which was limited only to Jaffna peninsula and Colombo, has expanded to the northeast. Tamil political approaches such as demands, sending petitions and participating in Legislative debates evolved as approaches of political struggle linked with the public. Tamil nation developed beyond religious, caste and regional differences. Struggles of the Tamil public such as 1956 Galle face Sathyagraha, 1957 Trincomalee March and 1961 Northeast wide Sathyagraha struggles were continued.

On the other hand Bandaranaike – Chelvanayakam pact (1957), Dudley – Chelva pact (1965) were signed under pressure as it was expected that these pacts would bring a pluralistic mobilization to the State structure. But southern politics was not prepared for a plurality and the Pact was scratched into pieces. Another pact was shelved.

The failure of the pacts and the suppression of struggles brutally led the Tamil people to lose confidence in searching a solution within Sri Lanka's unitary State structure. They begin to initiate a Tamil Eelam struggle, which completely sidelines Sri Lanka

State structure. From this initiative Tamil politics has taken a long stride to fourth stage.

Fourth Stage – After 1968

Once the fourth stage was entirely targeted at catching the power, its approach of fight was also led to an all-round political struggle abandoning parliamentary politics. The First Republican Constitution introduced in 1972 precipitated this struggle. This Constitution completely alienated the Tamil people. Section 29 of the Soulbury Constitution, which gave a nominal protection to the Tamils, was dropped and some secondary protection provisions such as law redefining powers, right to complain to the British Ombudsman were also deleted from the Constitution. Meanwhile to make more rigid of unitary system of structure it was become further pro racist one. The racist identity of Sinhala community was given constitutional status and the Buddhism was made the foremost religion of the country. Thus it was revealed that those communities outside these identities were not recognized by the structure of State.

1972 Constitution has caused to weaken the confidence of the Tamil people over Sri Lankan govt. Therefore struggle of Tamil Ealam continued to strengthen.

Second Republican Constitution of 1978 made attempts to thwart this rising struggle. Sixth Amendment was in forefront in spoiling this. In addition to this the Prevention of Terrorism Act helped to impose a joint

punishment to the Tamil people. And provisions to pluralistic change was further tightened by amendment Acts. For such a pluralistic change it is argued that it needs a two-thirds majority and a Referendum.

On the other hand armed struggle initiated by the liberation Tigers was ruthlessly executed. Through that struggle, the politics of Tamil reached international level surpassing national, and regional levels. During this period as a solution to the problem District Development Councils and, Provincial Councils were proposed but they were not sufficient to meet aspirations of the Tamil people.

District Development Councils had rejected the joint rights of Tamil people called political status. Provincial councils did not take care of interests of affected people and without getting their support only aimed at interests of the Indo – Sri Lanka governments

Since the Tamil politics was taken forward to the international level and due to an international pressure a ceasefire agreement was put in place. This laid a foundation to peace process. Efforts were begun to transform unitary structure of the state towards pluralism. While these activities came into existence challenges also surfaced.

To study this process it is essential to look into the gradual steps of the peace efforts

III

Peace processes are aimed at stopping war, restoring places of disaster and preventing a future possible war. To achieve these goals at international level three stages are followed, namely a ceasefire, laying foundation for peace, creating a normal life and finding a permanent solution.

At the first stage of stopping war and laying foundation for peace, cease-fire is signed accepting and recognizing true strength of both parties involved in war.

In fact a continual failure in war has led international community to interfere in our problem. Due to the war situation interests of international community is also affected.

When international community interfere in an internal problem, although it maintains interests of internationally dominated factors the peace efforts would be initiated in terms of internationally accepted norms.

International community does not interfere in ethnic liberation struggles such as Sri Lanka's at its initial stages. However it involves when the party fought for liberation reach a strong position able to form a government. Thus it creates an opportunity fighting faction to participate reasonably in the government. So that it gives equal status to both parties in a cease-fire recognizing their strengths. Thus the party that fought also gets a half- government status internationally. Ceasefire conditions are created

recognizing both parties' strengths. First stage is concluded by stopping war, creating ceasefire conditions, creating machineries to monitor these conditions and expressing agreement for second and third stages nominally.

At the second stage plans are formulated to carry out restoration activities in war waged areas. The party that fought for liberation would have experienced more destruction. By restoring those areas to normalcy, people would cultivate faith in peace. The reconstruction activities will be entrusted to the representatives of those people recognized by the Liberation fighters. This approach makes it possible for those people to rule themselves temporarily. This is called an interim administration set up.

Therefore the main task of the second stage is to set up an interim administration for the victims to reconstruct their ruins of war.

At the third stage action will be taken to find a permanent solution. Through this an opportunity is created for the party fought for liberation to enjoy devolved power constitutionally. If devolution of power takes place within the framework of one state, federal structure is recommended as ideal. The Federal Government's devolution of power is decided on the basis of the nature of the conflict and the strength of the party that led the struggle.

We cannot deny that the internationally dominant forces would be concerned about safeguarding their interests through this process of devolution.

As for Sri Lanka's peace process the first stage is completed. Beginning from a ceasefire, via a memorandum of understanding first stage was concluded by accepting a Federal structure in Oslo.

Moving towards the second stage is a challenging one. Liberation Tigers has submitted a proposal for an interim self-governance authority with the intension of moving towards the second stage. The International community has accepted this proposal as a basis for negotiations. But all peace efforts are now in question since the southern politics is not ready for conditions. As we are not in a position to move toward second stage, we face difficulties in maintaining achievements of the first stage. International community is carrying out this task amid severe difficulties. If we don't have the support of the international community all peace activities would have been disturbed today.

Tamils are the total victims of this second stage. Because peace efforts did not bring normalcy in their life. They could not return to their homes and lands. They are still prevented from going to seas and their Kovils.

This situation was created as a result of looking at all the above as political problems not as humanitarian issues. We cannot accept the opinion that humanitarian issues should not be resolved until the political problem is solved.

Therefore, at this situation we cannot even image the third stage of entering towards a permanent solution.

In fact the challenge today we face is taking the second stage ahead. In short how to create an environment to establish an interim administration. Peace-lovers should find ways and means to identify major challenge and sub challenges to overcome this challenge.

IV

The major challenge to peace is the southern politics. To understand this political structure very clearly we must understand social formation of the Sinhala community and the Sri Lankan state structure that stand on this Sinhala community.

Sinhala community is built on the basis of Sinhala Buddhist concepts. The central point of these concepts is that this country belongs only to the Sinhala Buddhists. Accordingly, the ruling body of Sri Lanka is only the Sinhala Buddhist people. Other communities can merely live in this country but they can't participate in the state structure of administration

Politicians did not build these concepts merely to achieve their electoral, political needs. But these were established through historical perceptions and religious faiths. Traditionally historical books too have been written on the basis of these. Sri Lanka had a long history, which was written by the sponsorship of the supreme body of the Buddhism. Buddhist monks, Sinhala authors, Sinhala journalists and Sinhala Ayurveda Doctors are considered to give protection to these

concepts among the people. The only thing Sinhala politicians do is sit over these concepts.

But on the other hand war and international pressure created by this conflict and the necessity for an open economic system have forced politicians to opt for a peace agenda. This creates a dilemma for the politicians. If they want to secure their powers they must opt for peace activity. If they want to protect their political existence they should go against peace agenda. Since the politicians are amid this dilemma and they are being the victims of Sinhala Buddhist concept they are not in a position to handle the peace efforts sincerely. But they focus their attention on weakening the opposition.

In brief, Sinhala politicians utilize chauvinism for their political existence. The two major political parties are not exempted from this. There might be differences in degrees. As apparent act of this, UNF focused its attention on creating an international security network against the Tigers. The UPFA focused its attention in crafting a crack in the east by weakening the Tigers. This short-cut agenda will never help the peace initiatives

Actually the two major political parties' major task should be to divert the Sinhala people in favour of peace initiatives. For this purpose they should establish concept of pluralism instead of Sinhala Buddhist supreme image that is deeply rooted in Sinhala people. Through this process they could have saved the Sinhala Buddhist from that concepts.

We could have achieved some victories, if we initiated peace campaign among Sinhala people institutionally. And we could have gone further by following those steps.

But both political parties were not ready to confront with concepts of the Buddhism. However, UNF completed the first stage of peace process by surpassing this juncture. The price UNF paid for their bypass is the big defeat, which they suffered, in the last election. The UNF has not yet redeemed from that shock. Although the UPFA would go ahead with peace efforts, the Govt is in a dilemma not being able to secure power for its existence. Its coalition party JVP puts further blocks to this as well.

Above are the current situations of the southern politics.

The foremost task of peace lovers is to take out Sinhala politicians from this vicious situation.

In the first instance for this action there should be a stable government at the centre. We can form a stable Govt by bringing about a consensus between the two major Sinhala parties into. International community can bring pressure upon the two parties to achieve this end. However there are fears among Tamil, Sinhala and upcountry people over a consensus of these two parties. The fears would be that these two parties might oppress them. So it is the duty of international community to assure without evolving these fears. I think it is better to put off all elections for a considerable period for the

purpose of this agreement. Elections and politics would create difficulties for both parties to reach at a consensus.

After this consensus both parties should initiate peace campaigns among Sinhala mind-set institutionally. That is to say they should try to transform Sinhala people from unitary concept to pluralism.

On the other hand we must involve Sinhala civil society as well in this matter. Through this process we should try to take forward the peace movement as a peoples' movement among the Sinhalese people.

I think at this juncture, responsibility falls upon the Tamil side too, especially the liberation Tigers of Tamil Ealam, which is the leading movement of the Tamil people. They should also engage in activities to divert Sinhala people in favour of peace. This is essential even on the side of Tamil politics. They should clarify justifications of Tamil politics to the Sinhala people. They should tell them that the liberation struggle of the Tamil people would never be a threat to the Sinhala people. They should take this as a part of Tamil politics. They should build links with Sinhala intellectuals and civil society to do this task. The non-governmental organisations can play a big role in establishing these links. Their constructive ties would play a major role in peace initiatives. In fact this type of mutual links would help eradicate misunderstandings and doubts about each community.

As for Sinhala people, especially grass root level Sinhala people living in villages, we cannot say that they are aware of political justifications of Tamil people, Because, Tigers media are not extended to Sinhala villages.

Therefore Tigers should come forward to present the just political demands of the Tamil people in Sinhala language. Tigers should initiate this task through their own media apart from state and private media.

At this situation neither the Tigers nor the Tamil people should think the entire Sinhala community as enemies of Peace. There are people among Sinhala community who accept political justification of the Tamil people.

We should take into consideration another issue while handling the major challenges. It is to maintain the truce agreement in place continually. If we cannot maintain this truce entire situation will return to the former point.

The main reason, which helps protect the truce, is power balance between the two parties. This power balance should be maintained continually. Both parties should not attempt to disrupt that. The war started by the intelligence unit of the Govt is not acceptable. Govt should stop this immediately.

No one can undermine the threat to the power balance in the east, which has created a war atmosphere. Besides the war of intelligence unit, Sinhala

settlements carried out in the peacetime should be considered as a threat the power balance.

There are reports that several settlements if this type were carried out in Trincomalee district those must be stopped immediately.

We cannot ignore the secondary challenges apart from the major one. The major challenge 'among' them is the stance of the Muslim faction regarding the peace initiatives. This is entirely linked to bringing about pluralism in the northeast region. The communities, which are in the region, should be prepared to share power among them reasonably. Tamil faction has a big responsibility on this regard, as it is the community bigger in numbers. They should kick start efforts to create understanding with the Muslims.

This task would be a little difficult in practice. It is difficult to initiate this process because here we have on one side a unified Liberation Movement while on the other hand rival Muslim political parties, which face traditional elections. But history has forced us to initiate this task. The Memorandum of Understanding signed between the leader of Sri Lanka Muslim Congress Mr. Rauf Hakeem and the Leader of the Liberation Tigers of Tamil Ealam Mr. Veluppillai Prabhakaran would be a foundation for this process.

In addition to this, Tamil side should not hesitate to give due place to the Sinhala people who live in the Northeast when we transform the Northeast region into pluralism.

India is considered as the second secondary challenge. I believe that if we find solutions for those challenges it won't be difficult to face the challenge from India. We can overcome this challenge by giving a collective guarantee from Sri Lanka to the Indian security and its oneness. India should also give up its one-sided self-interests in this matter. It should be prepared to assure mutual interests. International community can pressure India for this purpose.

V

Finally, I have presented in my speech few opinions to the best of my ability. Since I have presented most of my views in favour of victims, there might be opinions contrary to these ideas. Some may think that this is a biased speech. I think that is inevitable.

Views on peace should be presented from Sinhala side and Muslim side too. International community also should present its comments on this regard.

If such diverse opinions were presented we can ascertain the truth about peace. These 'common truths' would be more helpful to find solutions. It will give opportunities to reflect pluralism in the solutions.

I have taken a long time for my speech. Please excuse me for that. I sincerely thank my friends Mr. Yathindra and Kamalakandan and the Institute of Social Development & Research for giving me an opportunity to address you.

I was not in a position to come here and address you due to my physical condition and workload. However, I came here because of my inability to reject my friends' request.

I once again thank all of you for giving your ear to my speech attentively for a long time.

Thank you very much.

Research Center for Inter-Racial Peace

Introduction

The present period is one of intensified inter-racial conflicts, misconception, leading to the polarization of the different nationalities inhabiting Sri Lanka. Each nationality functions under conditions of isolation, and so prospects of forging unity are becoming increasingly diminished.

The political forces are fast losing their ability to unite all people on a national basis. This phenomenon has penetrated the civil society, the media and the intellectual landscape, each of which now vows maintain a sort of racial identity.

Such a scenario paves the way for the setting aside of the legitimacy of the political aspiration of the oppressed nationalities. This is because the aspirations of a given nationality are not properly expounded among the other nationalities.

For instance, the legitimate political aspirations of the Tamils are not properly presented among the Sinhala polity, and so are political aspirations of the Muslims among the Tamil polity.

Hence, it is all the more imperative that the just aspirations of every nationality, particularly those of

the oppressed nationalities, should be discussed among the other nationalities, more so, at a time like the present when steps are being taken to find a solution to the national question with the support of the international community. The final solution to be arrived at should be such that would address concerns of all of the nationalities. Hence the necessity for, and urgency of, this task.

This is possible only through an all inclusive intellectual endeavour

The RECIPE will strive to the best of its ability to carry out the se tasks.

(1). Objectives

I. Main objective

To generate inter-racial peace through sustained discussion of the legitimate political aspirations of the oppressed nationalities.

I. Other objective

1. To take forward the legitimate political aspirations of the oppressed nationalities among the other nationalities.
2. To identify the root cause of the inter-racial conflicts and to find ways and means of resolving them.
3. To create a positive mindset among the other nationalities to accept the legitimate aspirations of the oppressed nationalities.
4. To offer a conceptual / practical orientation towards acceptance of the principle of equality.
5. To use the benefit of international experience in conflict resolution.
6. To seek ways and means to overcome interferences on part of India.
7. To seek ways and means to overcome the interference on the part of global forces.

(2). Strategic Tasks

I. To conducts Study Circles.

1. To introduce conceptual questions on resolution of racial conflicts.

2. To identify the legitimate political aspirations of the Tamils and to find a way out.
3. To seek to remove misconceptions prevailing among the Sinhala polity, on Tamil national politics.
4. To seek to remove the misconceptions among the Tamil polity concerning the legitimate political aspirations of the Muslims.
5. To recognise the legitimate political aspirations of the upcountry Tamils and to seek ways and means of resolving them.

II. To bring out publications in Sinhala language for the edification of all concerned people.

1. To explain the legitimate political aspirations of oppressed nationalities.
2. To record speeches and discussions at the study circle.

III. Conducting of Seminars and Training Camps.

1. A Sinhala area
2. A Muslim area
3. A Tamil area
4. An Upcountry Tamil area
5. A Muslim area other than the North East or Upcountry Tamil area
6. A Tamil area other than the North East or Upcountry Tamil area

IV. Assesment of Ground situation.

1. A Sinhala area with many contradictions
2. A Tamil area with many contradictions
3. A Muslim area with many contradictions
4. A Tamil area other then a North-East, Upcountry Tamil area with many of contradictions.
5. A Muslim area other than a North-East, Upcountry Muslim area with many contradictions

V. Goodwill visits to multi-ethnic villeges

1. Vanni District
2. Ampara District
3. Trincomalee District (Mudur Division)
4. Jaffna District
5. Nuwara-Eliya District
6. Hambantota District
7. Udappu - Mundal Division - in Puttalam District

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He has published books on Constitutions of Sri Lanka, Ethnic Politics of Sri Lanka, Party System, the National Question of Sri Lanka and proposals for its solution.

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