

Chapter 03

Conflict and Conflict Resolution in Sri Lanka: 1971-2020

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Introduction

Sri Lanka's social, political and economic history has been shaped by its geo-physical positioning in the Indian Ocean. As an island nation situated close to the southern tip of India, it is not only an important strategic point in the ancient and modern sea routes of the 21st century, it is also an opus for reflecting the cultural diversity of the region. Since the 16th century, Sri Lanka has been exposed to European colonialism starting with colonization by the Portuguese (1505-1667) and the Dutch (1667-1796), and ending with 150 years of British colonialism (1796-1948). Sri Lanka's independence movement was a relatively peaceful constitutional struggle in comparison to that of India and the process was broadly defined as 'the transfer of power, occurring, as it did, in two stages (1931 and 1948) within the institutional framework of a dominion' (Wickramasinghe, 2010: 41). The British transferred power to a multi-ethnic and multi-religious elite English educated that shared the values and norms of British culture and emulated their life style. On gaining independence, the concept of nation and nation building, though not overtly articulated, became a newly emergent trajectory that evolved around a three pronged process of: (1) defining the nature of the state as democratic or socialist, unitary or federal and an identity based on ethnicity and religion or secularism, (2) economic development and a strong emphasis on social welfare, although Sri Lanka had social indicators that were exceptional in

comparison to other South Asian and South-east Asian countries,¹ and (3) responding to impacts of regional politics.

This trajectory of events gave rise to new social, economic and political structures and systems, the most noteworthy being the emergence of new social classes. The elite to whom power was transitioned, was not positioned to embark on an inclusive process of nation building which included the mobilization of a large group of people who spoke the Sinhala and Tamil languages and had a shared culture and economic life that was deeply rooted in the ideologies of religion, indigeneity, and caste. The exclusion of these newly emerging social classes from democratic processes, as well as the social and economic exclusion led to the emergence of insurrectionary movements that manifest as the left-wing insurrection and the ethnic or separatist insurrection.

The first left-wing insurrection manifest in April 1971 led by the Janatha Vimukthi Peramuna (JVP) or the People's Liberation Front (PLF), and the second insurrection of the JVP from (1987 to 1989) a more violent and virulent form was a manifestation of integral social violence. The two left-wing insurrections, aimed to establish socialism were short-lived compared to the ethnicity based separatist or secessionist insurrection. This second form of separatist insurrection was initially waged by five major Tamil youth organizations namely; the Liberation Tigers of Tamil Eelam (LTTE), Eelam People's Revolutionary Liberation Front (EPRLF), People's Liberation Organization of Tamil Eelam (PLOTE), Tamil Eelam Liberation Organization (TELO) and the Eelam Revolutionary Organizations of Students (EROS). The internecine conflicts between the rebel groups and interventions by India in the form of a Peace Accord with the Sri Lankan government in July 1987, which deployed a peace keeping force in Sri Lanka led to the decimation of some groups, while others surrendered their arms and entered mainstream politics. However, the LTTE did not adhere to the Peace Accord and continued its separatist insurrection until government forces defeated it in May 2009.

1. Literacy was 21.7 percent in the late nineteenth century, the malaria-eradication policy of 1946 was largely responsible for reducing the death rate from 20 per thousand in 1946 to 14 per thousand in 1947, life expectancy at birth secondary of a Sri Lankan in 1948 was 54 years. In 1950 the unadjusted school enrollment ratio of primary and school enrollments as a percentage of the population aged 5-19 years was 54%, and in 1950, infant mortality was 82 deaths per thousand live births. (Bhalla Surjit S. and Glewwe Paul, 1986, p.40)

Rationale and Objective

The article therefore, contends that Sri Lanka's conflict is not confined to an ethnic conflict but is a social conflict which falls into the purview of a protracted social conflict. According to Edward Azar, such deep-seated racial, ethnic, religious and cultural differences that have persisted over a long period of time are protracted in nature, and outbreaks of violence are inevitable when the group feels it is threatened. Such deep seated conflicts therefore, may not be resolved through constitutional changes unless accompanied by economic development (Azar, 1990). Based on this theoretical observation, this article argues, that constitutional changes in the form of political reforms do not address such deep-seated conflicts that are defined by both internal and external factors. The writer therefore, contends that inclusive economic development combined with social change needs to take place in order to address the deep-seated issues of youth unemployment, economic growth without equitable distribution and the lack of broad-based political participation for such protracted conflicts to be addressed. Based on this rationale the main objective of this article is to examine the context of violence, the nature and pattern of this dual armed conflict, review measures taken by successive governments, and analyze the effectiveness of counter insurgency/terrorism strategy.

This argument is elucidated and supported by a desk review of secondary research on political violence in Sri Lanka, and the authors own research over a span of nearly 30 years. The author also draws on experiential insights. The first part of the article analyses the social, economic and political processes since independence and how these processes gave rise to underground organizations which engaged in armed conflicts. The second part examines the nature and patterns of armed conflicts while the third part deals with measures taken by successive governments to prevent and respond to armed conflict. The final analysis is of the prospects of conflict resolution and how valid the premise of the article is, as a means of conflict resolution in Sri Lanka.

Socio-economic and Political Context of the Conflict

Sri Lanka's population constitutes of a people identified by ethnicity, religion and social class and to a lesser degree by caste. The Sinhala majority constitute 74.9% of the population, the Sri Lankan Tamils 11%, the Moors 9% and the Indian Tamils who are descendants of indentured labour brought from South India by the British in the mid-19th century constitute 5% of the population. The population when classified by religion shows that Buddhists comprise of 70.2%, Hindus 12.6%, Muslims 9.7%, Roman Catholic 6.1%, other Christian 1.3%, and other 0.05% (Department of Census and Statistics, 2012). The use of an official language is a contentious issue but the Constitution of 1978, states that Sinhala and Tamil are recognized as official national languages, while English is recognized as the link language. Apart from the distinctions by; ethnicity, religion and language, Sri Lankan society is stratified by social class and caste, both of which are economic stratifications that have social implications.

This context of identities based on ethnicity, religion and language is deeply rooted in Sri Lanka's colonial history and the state formation processes after independence in 1948. The constitution, system of government and common identity for functional democracy was of priority for post independent Sri Lanka. However, the process was contentious and divisive. The British transferred power in 1948, through a constitution that emulated the British type of Parliamentary Government. The Sinhalese-Buddhist nationalist forces that had no political participation and voice during the colonial period, and not represented even in the government formed after independence, gained power in 1956. These forces that came to power were supported by left-wing parties including the Marxist, Lanka Sama Samaja Party (LSSP) formed in 1935 and the Communist Party (CP) formed in 1943. For them, forging an identity and a unitary system of government was of priority. However, they failed to make significant changes in the system of government, mainly due to lack of consensus over power sharing with the Sri Lankan Tamil minority. After several failed attempts of arriving at viable power sharing mechanisms, constitutional reforms were first made; in 1972 and in 1978 and 20 amendments have since been made. The system

of government that exists is a Presidential cum Parliamentary system similar to the Fifth Republic of France. During, the 73 years of post-independence, power has been transferred between two main national political parties through elections. Consequently, scholars have cited Sri Lanka as a model of parliamentary democracy in the third world. (Jupp, 1978). However, the alternating transfer of power between two political parties was not without contention, as the power struggle between the majority Sinhalese and the largest minority- the Sri Lankan Tamils continued and so did the clamour for greater political participation and recognition of a common identity derived from a common ideology.

A structural factor associated with changes to the constitution reflected the discourse of the nature of the state that would ensure robust and inclusive democratic participation. For the major moderate political parties that have their primary vote banks among the majority Sinhala community, the issue at hand was the inclusion of emerging social classes in political processes. Therefore, their priority was, to maintain the existing unitary character of the state, while consolidating power at the center. The priority for the Federal Party that depends on the vote banks of the Sri Lankan Tamil community, especially in the Northern and Eastern Provinces, was for sharing of power and decision making through a federal state. The conflict of objectives were evident from the time of transitioning of power by the British and accelerated from 1949 onwards.

The demand for a federal government was strengthened by the policies of successive governments on citizenship, land settlement in the Northern and the Eastern Provinces, making Sinhala as the official language instead of the English language in 1956, employment in the state sector on the basis of the ratio of the ethnic population, and standardization of University admission since 1973 (Samaranayake, 1998, 159-190). Of the afore mentioned factors some were more potent than others. One such factor was the pursuit to define citizenship by introducing the Ceylon Citizenship Act of 1948 and the Indian and Pakistani residence (Citizenship) Act of 1949, followed by other agreements with the Government of India to end in-migration and finalize expatriation. The issue of official language also became an issue of identity

associated with the dichotomous debate of the nature of the state. The new citizenship acts, franchise laws and decisions related to the official language altered the balance of power between the various communities and helped consolidate a majority within the polity. The Vadukkudai resolution which was passed at the convention of the Tamil United Liberation Front (TULF) in 1976, shows the cumulative impact of these factors as the demand for a federal state had evolved to a demand for a separate state.

Another important process of state formation was economic development and social welfare. With the granting of universal franchise in 1931, social welfare was of priority for the elected members to the State Council. The Minister of Education in the State Council (1931-1947), C.W.W Kannangara introduced extensive reforms to the education system of Sri Lanka, throughout the 1940s, culminating in the implementation of the Education Act of 1943. The education act combined with the establishment of the department of social services in 1948, forged the pathway for equal access to education for all (Ministry of Education, 2007) free health services, land alienation for the landless peasantry and other measures followed, addressing fundamental social and economic issues of the population. The period between 1945 and 1970 saw an escalation of primary and secondary enrolments from about 867,000 to 2,71,6000. However, until 1959, this expansion was not accompanied by a simultaneous expansion of University education. During the period from 1942 to 1959, there was only one University in the country while the number of Universities expanded to five by 1977. The number of students seeking admission increased from 1,612 in 1948 to about 14,000 in 1970. In 1987, there were about 20,000 students in nine universities in the country. Approximately, nine students out of every 100 who started primary school eventually entered one of the Sri Lankan Universities. The limitations in employment opportunities in the public as well as the private sectors and widespread unemployment and under-employment eroded the real value of higher education as well as the concept of free education. Consequently, University education became a source of frustration rather than an entry to upward mobility. With this trend came politicization and radicalism among youth particularly the rural educated youth from 1965 onwards. Social modernization and lack of concomitant economic development contributed

to the origin and the development of underground organizations with a propensity for armed conflict.

The ripple effect of regional politics too has influenced the politically violent movements in Sri Lanka. The creation of East Pakistan as Bangladesh separating from the government of Pakistan, with assistance from the Government of India, was an example for the Tamil secessionist groups. The incident indicated the significance of intervention of the Government of India in creating a separate state in the region of South Asia (Phadnis ,1972). Moreover, Tamil Nadu in South India provides sympathy and cooperation for separatist groups due to ethnic, cultural, and religious affiliation between the Tamils in Sri Lanka and South Indian Tamils. These sympathies and affiliations between Tamil Nadu and the Sri Lankan Tamils created a conducive environment to establish a “safe haven” in South India for Tamil rebel groups and to indirectly influence the central government of India.

What is evident from the analysis of the context of insurrectionary violence in Sri Lanka is that: it is entrenched in the country’s state formation processes and cannot be analyzed as separate manifestations. There is a body of research on the causes of social and ethnic conflict, but very few have researched on what has contributed to transform social and political conflict into armed conflict that uses the approach and strategy of rural guerrilla warfare-cum-terrorism. The Tamil youth unrest similar to their counterparts among the Sinhalese youth was led by unemployed youth drawn from a specific social class. High aspirations generated by free education, lack of concomitant opportunities in employment, and exclusion from mainstream political processes were key factors, which transformed social and ethnic conflicts into a protracted armed conflict since the mid-seventies.

Nature and Pattern of Conflict

The conflict in Sri Lanka therefore, has two-distinctive patterns: the social or left-wing insurrection and separatist insurrection. The two insurrections waged by the Janatha Vimukthi Peramuna (JVP) or the People’s Liberation Movement represented the left-wing insurrection, while the ethnic

or separatist insurrection waged by the Liberation Tigers of Tamil Eelam (LTTE) manifests the Tamil ethnic factor.² Many researchers have written on the subject, analyzing the conflicts separately but few have drawn on the commonalities and the comparability. There are three interesting features in these two insurrections. The first is that both insurrections were pre-planned. The second was that violence has been spearheaded by organizations predominantly composed of youth. The JVP is based predominantly among the Sinhala-Buddhist rural youth while the LTTE represented the Sri Lankan Tamil Hindu as well as Christian youth. Finally, these incidents of political violence have seriously challenged the existing political authority and socio-economic structure of the country.

Left-wing Insurrection

The insurrection in 1971 was led by a breakaway group from the pro Mao Communist Party (CP). The main objective was to capture government power through the strategy of a one-day armed struggle and convert the country to an egalitarian socialist country. The insurrection began with widespread armed attacks on nearly 100 police stations on the 5th of April 1971. These armed attacks resulted in the capture or abandonment of 49 rural police stations, which comprised of one fourth of the police divisions in Sri Lanka. The significant guerrilla action which took place in the countryside, did not infringe on the urban areas. The insurrection in 1971 marked the defeat of the JVP. The official statistics of the number of deaths according to the then Prime Minister was 1200. It is generally believed that at least 5000 were killed including many in the Kegalle District in the Sabaragamuwa Province of the country (Jupp, 1978: 19). After the insurrection was defeated, 18,000 were in custody by August 1971. The Criminal Justice Commission (CJC) was created to try and punish the leaders of the movement (Alles, 1976: 208-255).

The second insurgency of the JVP manifested itself from 1987 to 1989. The proscription of the JVP after the ethnic riots in July 1983 and

2 The JVP was popularly known as the Che Guevara Movement and the LTTE as the Tiger Movement since its inception.

the presence of the Indian Peace Keeping Force (IPKF) as a result of the Indo-Sri Lanka Accord in 1987, paved the way as precipitating factors to the second insurgency of the JVP. The long-term objective of the insurrection was to capture political power by means of political violence. The short-term demands of the JVP were as follows: the immediate departure of the IPKF from the island, abrogation of the Indo-Sri Lanka Accord of 1987, abolition of the Provincial Council system established through the 13th amendment of the 1978 Constitution of Sri Lanka, fresh Presidential and parliamentary elections, and the dismantling of paramilitary forces (Samaranayake, 1997: 99-119).

In order to achieve its objective, the JVP in collaboration of the Deshapreme Janatha Viyaparaya (DJV) or Patriotic People's Movement used its campaign of violence against the politicians of the government party, the police and other armed personnel and their family members, civilians, officials of the state, and politicians from opposition parties and their supporters. This is a strategy of urban guerrilla warfare based on the use of terror and assassination as a means of paralyzing the state apparatus. The JVP enforced the strategy by carrying out planned and selected sporadic armed attacks on police stations and military bases. Furthermore, the JVP raided rural banks and co-operative stores, government administrative offices, post offices and sub-post offices, destroyed government vehicles, by using either explosives or arson in various parts of the country.

An added strategy was the general strikes (industrial action) and public demonstrations. During 1988 to 1989, public school students were mobilized by the JVP in their protest demonstrations against the government. The insurrection prevailed mainly in the Southern, Central, North Central and Western parts of the country. According to government figures, the JVP murdered 6,517 people including over 1,700 activists of the ruling party, 480 administrative officers of the government, 339 police officers, and 198 persons in the armed services from the beginning of 1986 to the end of 1989 (Peiris, 2013: 236).

The armed struggle from 1987-90 was much more widespread and better organized than the first insurrection in 1971. However, the pattern of the

second insurgency of the JVP and the counter-insurgency of the government was very different from the ethnic insurgency of the Liberation of Tamil Tigers of Eelam. It was carried out in the form of assassinations and counter-assassination, torture, abduction, demonstrations by school children, killings and counter killings.

The second insurgency of the JVP was defeated by the government forces by using brutal measures of counter-insurgency. It resulted in well over 65,000 deaths and the imprisonment of 10,000 members. The leader of the JVP and almost the entire political and central committee members were killed by the government security forces. The security forces resorted to extralegal actions including at least condoning the use of death squads, torture and terror against JVP sympathizers (Oberst, 1992: 128). In terms of the cost of the damage to public property, it is estimated to be 3,000 million Sri Lankan rupees. The human cost was unparalleled and unimaginable (Alles, 1990: 289-321).

Ethnic or Separatist Insurrection

Armed conflict in Sri Lanka was also manifested in ethnic separatism led by the Tamil guerrilla movement which comprised of Tamil youth known as the “Tigers”. Of the five groups that started insurrectionary violence, the Liberation Tigers of Tamil Eelam (LTTE) achieved dominance over the other major four guerrilla groups.³ The ultimate objective of the LTTE was to establish an independent, socialist Tamil or Eelam state by means of an armed struggle. The state of Eelam was to comprise of the Northern and Eastern Provinces of Sri Lanka. The Tamil guerrilla movement introduced a new dimension to political violence in Sri Lanka. The development of political violence in the mid-1970s will be viewed in four phases commonly known as: the first Eelam war from the mid 1970s to 1987, the second from the 1990s to 1994, the third Eelam war from 1995 to 2005, and the final phase was the undeclared fourth Eelam war from 2005 to 2009.

3. The four guerrilla groups are as follows: The Tamil Eelam Liberation Front (TELO), the People’s Liberation Organization of Tamil Eelam (PLOTE), the Eelam Revolutionary Organization of Students (EROS), and the Eelam People’s Revolutionary liberation Front (EPRLF).

The first phase, which is from the mid-1970s to 1991 initially concentrated on assassinating Tamil politicians and executing police informers. The assassination of the mayor of Jaffna in 1975, marked an important step in escalating political violence. The LTTE targeted the Tamil politicians who did not comply with its objective of achieving a separate Tamil state and who cast their vote in Parliament in favour of the first Republican Constitution of 1972. From 1977, they targeted armed attacks on the police and armed forces in the Northern and Eastern Provinces which are predominantly Tamil areas. The LTTE attained the peak of publicity with the murder of several police officers in Vavunia in 1978. From 1984, Sinhala civilians residing in settlements and villages within the Northern and Eastern Provinces became targets. During the first Eelam war, the LTTE, the TELO, the PLOT, the EROS, and the EPRLF resorted to violence. After the Indo-Sri Lanka Accord was signed by the Prime Minister of India and the President of Sri Lanka in 1987, the other four major violence groups gave up violence and entered mainstream politics. However, the LTTE continued its warfare with the Indian Peace Keeping Force (IPKF) stationed in the Northern and Eastern Provinces. The LTTE continued their guerrilla warfare until the IPKF withdrew at the end of March 1990.

The LTTE renewed its armed struggle against the security forces of the country soon after the withdrawal of the IPKF. Initially the police stations and army camps within the Eastern Province were targets of the LTTE's armed attacks. The following are the major attacks launched by the LTTE: an armed attack on the Jaffna Port in 1990, the attack on an isolated army camp at Mankulam in 1991, and the attack against the army camp at Elephant Pass in July 1991. A series of political assassinations was carried out by the LTTE. Of these, the assassination of Rajiv Gandhi the ex-Prime Minister of India in July 1990, Ranjan Wijerathne, the deputy Defense Minister of Sri Lanka in March 1991, and, Ranasinghe Premadasa the President of Sri Lanka in 1993 are noteworthy. In the second phase of the Eelam war, the LTTE claimed more than 11,000 lives from among the security forces and civilians and its cadres (Daily News, 1993: 1).

The third Eelam war in 1995 went on until the ceasefire in 2001. During this period the forces of the government were able to recapture Jaffna city, the capital of the Northern Province, and confine the LTTE to remote areas of the Vanni District in the Northern Province of Sri Lanka. The LTTE attacked the Central Bank, in Colombo in 1996, and the Temple of the Tooth Relic in Kandy in 1998.

The final Eelam war named as an undeclared, separatist war started in 2006. The closure of the Mavilaru Dam in the Eastern Province depriving farmers of irrigation water and the killing of 68 civilians including 15 children in Kebitigollawa in the North Central Province (NPC) by the LTTE triggered the final phase, which resulted in a well-planned operation that ended with the defeat of the LTTE in May 2009. It is estimated that 80,000 combatants and civilians died and many were displaced. The loss in infrastructure was high and 30,000 members of the government forces died while many were maimed and disabled (Chandraprema, 2012).

Government Response

Conflict resolution became a key agenda of successive governments since 1971. Governments have made socio-economic and political reforms to address conflict while formulating and implementing counter insurgency strategy. The main social and economic reforms were: the land reforms in 1972, education reforms in the same year, and most importantly, reforms in University admission to the science-oriented faculties based on a district quota system and the population distribution in 1973. Systemic problems in education were identified as the key causal factors and education reforms were seen as an important intervention to address insurrectionary violence. However, the planned reforms were not fully implemented and there was no structural shift in the education system. Lack of equity and equality in education services continued and children living in underserved districts such as Monaragala and Anuradhapura and those from the estate sector continued to receive an education that was not on par with well-resourced urban schools.

The number of schools classified as IAB⁴ which offer education in Science and Commerce are weighted to the Western and Southern Provinces and youth from the rural and estate sectors continued to access poor education services with lack of equality and equity in services.

After the second insurrection of 1987-89, a Youth Commission was appointed in 1990 to inquire into the causes of youth unrest. Several important recommendations were made by the commission and the National Education Commission (NEC) was appointed in 1991 as an apex body to oversee Education policy. The politicization of services for youth participation and a lack of change in the economic structure diminished the value of the implementation of these recommendations. Sri Lanka's first Commission of Inquiry into "involuntary removals of persons" was appointed in January 1991 with a limited mandate, to deal with new enforced disappearances that occurred after the peak of the violence between 1988 and 1990. However, the Government of the People's Alliance (PA), that came to power in 1994, appointed five commissions to inquire into cases of disappearances during the counter-insurgency from 1987 to 1989 and introduced a system of compensation. It offered an opportunity for healing and vindication for the families of the young people who disappeared or died of violent deaths but the structural factors remained relatively intact (Samaranayake, 1999: 41-52).

The government introduced reforms in Basic Education (Grades 1-5 and 6-9) in 1997, "as a political response to widespread youth unrest in the late 1980s". Although, effective implementation of education reforms were propelled by the drivers of education reform they were stalled by inhibitors, namely; a lack of will by education administrators and teachers to make fundamental changes to the system and inconsistent funding. The momentum of the reforms was lost due to these factors and so was its efficacy in addressing the structural causes of insurrection" (Little, 2011: 499-512). The expansion of higher education institutions from three to five and up to 15 and the increased intake of students were some of the other education measures.

4 Schools in Sri Lanka are classified as: IAB, IC, Type 2 and Type 3 based on the number of grades available, facilities and availability of study streams for the GCE Advanced Level.

The government of this period, however, was fighting a violent conflict in the Northern and Eastern Provinces, which escalated the defense budget and eroded investment in vital services such as health and education. The political and security instability and economic stagnation compounded the lack of structural reforms resulting in a stalemate in overall conflict resolution.

The complexity of the ethnic insurrection lies in its external interests, especially from India, which requires multiple responses. The United National Party Government introduced decentralization through District Development Councils (DDC) in 1981. This Act was intended to decentralize administration and power to the 25 administrative districts in Sri Lanka. These measures appeared to take the edge off the ethnic conflict at least temporarily. However, within two years the implementation of the DDC model proved to be a failure due to lack of financing and genuine devolution of power. The moderate Tamil political parties were not able to participate with the model of decentralization due to violent opposition of the Tamil guerrilla organizations who were waging terrorism and guerrilla warfare.

The failure of political reforms compelled the UNP government to rely heavily on military options. Military options that were seen as a viable response to ethnic insurrection, however, became an immediate cause for the ethnic violence in 1983. The ethnic riots of 1977 and 1983 were the turning point of conflict and conflict resolution in Sri Lanka. It also paved the way for the end of a unilateral approach to seeking solutions to conflict and the beginning of a bilateral approach via the Government of India as a third-party mediator. Third party involvement by the Government of India was initially, confined to facilitation of a dialogue with the armed groups in Thimpu, Bhutan in 1985. The Government of Sri Lanka however, was only in a position to negotiate but not offer greater devolution of power as a settlement to conflict.

In 1987 the government of Sri Lanka, was supported by the Government of India to introduce a systems model for the devolution of power. The Provincial Council System was legalized by the 13th amendment by the Second Republican Constitution of Sri Lanka in 1978. However, the LTTE did not accept the Provincial Council System and continued the armed struggle. The direct involvement of the Government of India as a third party concluded with

the assassination of Rajeev Gandhi in 1990. The positive impact of third-party mediation by India was the implementation of devolution of power and the acceptance of Tamil and English Languages as official languages on par with Sinhala.

From 1994 to 2005, the government relied on third party mediation by Norway backed by the United Kingdom, the United States and other European countries to negotiate a peaceful settlement with the LTTE (Samaranayake, 2006: 163-196). A major weakness of the policy during this period was the recourse to constitutional reforms and piecemeal reconciliation processes, rather than a holistic approach to insurrection which addresses seminal issues that arise from the process of state formation.

The United People's Freedom Alliance (UPFA) government in power from 2005-2015 recognized the importance of three factors. The first was that Sri Lanka, unlike other countries that have undergone protracted conflict, sustained welfare policies as well as economic growth throughout the conflict. Consequently, the country has the highest Human Development Index rank in South Asia (UNDP, 2020). During this period of conflict, the government therefore, moved a significant population out of poverty in non-conflict areas to the lower middle class and middle classes who have high aspirations of economic and social advancement.⁵ The second was the changing demographic structure; the elderly population (60+ years) is increasing (12.4 in 2012 and estimated to be 24.8 by 2041) with a declining child population. The absolute child population between 0-17 years of age was 5.9 million in 2012 and is expected to increase to around 7.0 million by 2021, before declining, leaving the country with an important youth cohort that will have to cope with an increasing adult dependency ratio.(De Silva, 2014) The third factor was that the end of the armed conflict would require heavy investments in reconstruction, rehabilitation and resettlement in the areas affected by conflict as well as sustained economic growth.

5. Significant poverty reduction evident across all sectors with a large decline in the estate sector poverty between 2006/07 – 2009/10. The proportion of population living below the official poverty line – referred to as the poverty headcount ratio (PHCR) dropped from 26.1 per cent to 6.7 per cent over the period 1991 to 2013 (a reduction of 74 per cent)

Economic growth therefore, was a critical strategy in the counter insurgency policy of the 21st century as it was envisaged that growth and distribution of the benefits of economic development would result in a shift in the economic structure from a stagnant agricultural base to a service hub and create jobs for young people while doubling the per capita income. Some of the key outcomes expected of the accelerated economic growth were: the provision of systems and incentives for skilling the labour force for a knowledge-based economy, encouraging competitiveness in the labour market, modernizing infrastructure to integrate the disparate parts of the country and providing services and facilities to an increasingly urban population (World Bank, 2012). For this shift in the economic structure, Sri Lanka depended on economic backflows from countries that attract Foreign Direct Investment in Asia. China as the main economic player in Asia became a vital and powerful ally. In order to attract investment, the government of Sri Lanka harnessed the benefits of its strategic location in the Indian Ocean especially, the port of Colombo that links the Silk Route, and other strategic assets. to attract investment. During this period, China became Sri Lanka's leading government lender and the largest investor.

Some of the key strategic investments were: the development of the Hambantota port as a service hub, development of the Colombo port projected to reach the 10th rank from the 20th, the Colombo South Container Terminal, Norochaholai Coal Power Plant, Colombo-Katunayake expressway, the Southern Express way and the Nelum Pokuna (Lotus Pond) Theatre. The Hambantota port officially known as the Magampura Mahinda Rajapakse Port was opened in November 2010 when the first phase of development was completed at a cost of US\$ 361 million.⁶ The investment in the Colombo Port City Project was to be US \$ 1.5 billion making it the largest ever foreign-funded investment built on reclaimed land covering nearly 600 acres or 359 hectares. It projected an investment of US \$ 15 billion within 15 years and local employment for 85,000. The Colombo port city construction started in September 2014 after a state visit made by the president of the People's Republic Government of China Xi Jinping who laid the foundation stone.

6. Hambantota is close to the world's main shipping lanes where more than 30,000 vessels per year transport fuel and material from the Middle East to East Asia.

It is a Direct Foreign Investment (DFI) (Shapard, 2016). Many of China's other investments came in the form of loans. The Lotus Tower is the highest edifice in South Asia and the nineteenth tallest building in the World with an investment of US \$ 100 million. As a country that was promoted from low income to lower middle-income status in 1997, Sri Lanka maintained an economic growth of 5.3% from 2010-2015, aspiring to become a middle, middle income country which was achieved in 2019 but retracted in 2020.

After the end of the armed conflict in the Eastern Province in 2007 and in the Northern Province in 2009, the government of Sri Lanka classified the process of recovery as the four "D" concept of demilitarization, development, democratization, and devolution. The Eastern and Northern Provinces were the centre of conflict for nearly three decades due to the separatist armed conflict. The conflict in the East was of a dual nature. The first was between government forces and the LTTE and the second was the internecine conflict between the LTTE and the breakaway faction of the Eastern Military Command of the LTTE from March 2004. The Tsunami of December 2004 also affected the Eastern Province killing an estimated 10,000 and destroyed infrastructure displacing nearly 12,796 families. A tsunami financing needs assessment showed that the Eastern Province was the most heavily affected area accounting for over 40% of the financing needs. In 2006, it was estimated that there were almost 200,000 civilians displaced internally. By December 2010, all of the displaced families were resettled in the Eastern Province.

The restoration of democracy through elections for local government institutions, the establishment of the Eastern and Northern Provincial Councils under a Chief Minister and Parliamentary Elections in 2010 demonstrated the state's capacity to revitalize democratic processes and facilitate the transition to civil administration from a military administration. The enabling factors for recovery and transition were the stability and capacity of the state, and the economic recovery. The economic recovery of the province was driven by indigenous factors as well as macroeconomic policies. The economies of both Provinces were based on agriculture, fisheries, livestock farming, tourism, the service sector and small and medium enterprise. The communities themselves revitalized the economy and restored livelihoods

with substantial support from the state, donors and the private sector. The macroeconomic policies created this conducive environment for recovery and development (International Centre for Ethnic Studies and World Bank, 2018: 1-18).

During this period of government, three important Presidential Commissions were appointed to investigate deaths and disappearances due to conflict and to make recommendations that would address both reparation and causal factors. The Commissions appointed by the President were quasi-judicial in nature. The Mahanama Thilakaratne Commission appointed in 2006, was mandated to investigate into the deaths and disappearances between September 2006 and February 2007. The second Commission was appointed to investigate allegations at the end of the ethnic insurrection and the Lessons Learnt and Reconciliation Commission (LLRC), presented its report to the Sri Lankan parliament on 16 December 2011. The recommendations and observations of the commission focused mainly on the casual factors for civil strife and the “governance, devolution, human rights, international humanitarian law, socio economic development, and livelihood issues, that need to be addressed. The Lessons Learnt and Reconciliation Commission of 2011 however, recognized that women, children, IDP’s and the disabled, had suffered considerably, and long-and short-term solutions are needed for inclusive reconciliation (The Lessons Learnt and Reconciliation Commission Report, 2011: 347).

The third Commission, the Maxwell Paranagama Commission was appointed in 2013, to investigate claims of missing persons in the Northern and Eastern Provinces from June 10, 1990 to May 19, 2009. Furthermore, a Parliamentary select committee was appointed to open dialogue for a political solution through by-party approval. However, these efforts to address the causal factors of conflict were thwarted by international lobbying by the Tamil diaspora, lack of political will by the opposition within the Parliament or the National State Assembly and the inability to mobilize citizens for broad based consensus on addressing causal factors of political violence.

After 2015

The change of government after the Presidential Election on the 9th of January 2015 and the parliamentary Election in August 2015 saw a concomitant policy change towards conflict resolution, in managing the economy and political ideology. During the campaign leading up to the Presidential Election of January 2015, against the incumbent President, the opposition parties were critical of the economic role of China, particularly the Colombo Port City project which comes under the New Maritime Silk Road Project. During the early stages, the newly elected President and the caretaker government of the country abandoned the Colombo Port City Project and the functions of the Mathtala International Air Port. This stance was continued after the Parliamentary Election in August 2015. The pro-China foreign policy was abandoned in lieu of a pro-western stand with economic ties favouring India. It was also evident that economic development was no longer seen as a strategy to address conflict but constitutional reforms and the structure of government was perceived as a more viable strategy, ignoring the factors that give rise to social conflict in the southern part of the country.

The government that came into power in 2015 took several measures to address the demands for constitutional change and power sharing by the Tamil National Alliance (TNA). These measures were also in response to Resolutions number 30/1, 34/1 and 40/1, of the Human Rights Council (HRC) which called for a process of transitional justice in promoting reconciliation, accountability and human rights, co-sponsored by the government and unanimously adopted by HRC members in October 2015. Some of the key actions were as follows: (a) establishing two Ministries to promote national integration and reconciliation, and national dialogue, co-existence and official languages, (b) a Secretariat for Coordinating Reconciliation Mechanisms and the Office of National Unity and Reconciliation to coordinate transitional justice and reconciliation initiatives. (c) developing a National Human Rights Action Plan for the Protection and Promotion of Human Rights (2017-2021), (d) the Office on Missing Persons (OMP), the Office for Reparations and the return of some of the military-occupied private land to its owners, (f) reopening investigations into past attacks on journalists; and recognizing

access to information as a fundamental right in the 19th Amendment to the constitution in April 2015 and passing the Right to Information Act in June 2016. Additional, measures included the replacing of the annual commemoration of the personnel of the armed forces who died during the ethnic insurrection, with a Remembrance Day for all ethnicities, and release of political prisoners who were former members of the LTTE. Processes were set in motion to enact a new constitution that would change the system of government with features of a near federal or con-federal state.

These two types of insurrections that lasted for nearly four decades from 1971 to 2009 challenges both the country's geographical integrity and the established social and political order. The LTTE continued to be a banned organization in Sri Lanka and other countries including the United States of America (USA), the United Kingdom (UK), and India. However, the indications are, that the LTTE operated within the country and outside, through its front organizations. It has mobilized the Sri Lankan Tamil population domiciled outside the country to lobby western governments to exert pressure on Sri Lanka to introduce a federal system of government, merging the Northern and Eastern Provinces of the country.

The phenomenon of youth unrest and social conflict in the south of the country and the Tamil ethnicity based separatist conflict concentrated in the Northern and Eastern Provinces have contributed to a dual political conflict in Sri Lanka. The structural causes of conflict are attributed to the processes of state formation after independence in 1948, but can be traced back to the social and economic changes set in motion by colonialism. The conflict led by Tamil youth however, has become a power struggle on the nature of state, namely unitary or federalist, with a polarization of citizens on ethnic lines. The Sinhala majority subscribe to the concept of a unitary state and the Tamil minority to a federal state. The conflict in the south, based among the Sinhalese youth is a movement for a socialist state instead of the existing capitalist state. These contradictions in determining the nature of state, however, is only a manifestation of a dual conflict arising from common structural causes. Therefore, a conflict deeply rooted in structural factors, cannot be addressed by constitutional changes that accommodate the

demands of the Tamil minority. This argument is best exemplified, by the second insurgency of 1987 to 1989, which was a response to the peace accord and devolution of power which supposedly addressed the ethnic insurrection ignoring the larger social conflict. Therefore, the challenge lies in economic development with equity and inclusive social and political participation of all ethnicities and social classes.

Discussion of Salient Findings

Conflict resolution processes in Sri Lanka depends on the ability of conflict actors to understand the nature and core problem of the conflict. The two left-wing insurrections were led by Rohana Wijeweera, an ex-medical student from the University of Lumumba. He introduced the Latin American model of insurrection to Sri Lanka. Government forces were able to put down both insurrections in the south of the country through violent militarily strategies. These insurrections were followed by Presidential Commissions, tasked with reparation and a diagnostic mandate to make recommendations for more lasting solutions. The recommendations made by the Youth Commission were partially implemented as there was no bi-partisan agreement between the two main political parties on the processes of conflict resolution. Therefore, recommendations of successive Commissions were either partially implemented or never implemented.

The JVP's trajectory is at a juncture, where it functions as a parliamentary political party, drawing its vote banks from among the Sinhalese-Buddhist rural youth and students from Higher Educational Institutions. It has three members in the current parliament, while the National Independent Front (NIF) a break away party from the JVP has seven members in Parliament. The Frontline Socialist Front is another break-away group from the JVP which has much leverage among university students and unemployed graduates. The JVP no longer postulates an armed struggle but its claims of socialism as an equalizing factor that addresses social and political conflict remains.

The ethnic insurrection ended with a long and violent confrontation between the LTTE and government security forces first in the Eastern Province

in 2007 and in the Northern Province in 2009. Systems changes through the amendments to the Constitution, namely the decentralization introduced in 1981 was not effective and devolution of power in 1987, proved to be an ineffective response to conflict. The devolution of power was never fully implemented and the Tamil National Alliance (TNA) that controlled power in the second Northern Provincial Council did not demonstrate a “political will” to make the system a viable solution. The Tamil National Alliance, that represents the aspirations of the separatists, aims at self-rule under a federal system of government. The most contentious aspect of this claim is the merging of the Northern and Eastern Provinces which comprise almost one fourth of Sri Lanka’s land area and more than one third of the 1700 km long coastline. The TNA uses non-violent but coercive strategies, via India and Western countries that have a Sri Lankan Tamil population domiciled in these countries with a recognizable vote bank and lobbying power to achieve the same objectives as the Liberation Tigers of Tamil Elam.

The objectives of the Tamil nationalist parties are supported by the international community supported by India. What is advocated is a quasi-federal government with a merger of the Northern and Eastern provinces through the enactment of a new constitution. This process is technically and diplomatically led by India, influenced by the Tamil population domiciled outside the country who are organized into a powerful lobby to gain the support of western countries, mainly the USA and the UK. The coalition of the United National Party (UNP) and the Sri Lanka Freedom Party (SLFP) that came to power in 2015, had an 80% share of the vote bank in the country, and it was expected that this government could be pressured into gaining an endorsement of these proposals at a referendum.

However, the government failed to mass mobilize the majority community for such constitutional change. The Sinhala majority continues to be wary of such systems changes in a country that is strategically located in the Indian Ocean with the added complications of the geo politics of South Asia. The failure of mass mobilization and the uneasy alliance between the coalition parties namely; the UNP and the SLFP disintegrated, and this disintegration not only stymied attempts at constitutional change but also

resulted in the SLFP losing its electoral base among the Sinhalese-Buddhist majority. A new political party emerged, representing nationalist sentiments, called the Sri Lanka People's Party (SLPP) which became a political force at the local government election in 2018. This new political party led by the former President (2005-2015), won the Presidential election in 2019 as well as the general election of 2020. This re-grouping of power, based on ethnicity was a reaction by the Sinhala Buddhists to proposed constitutional changes that accommodates a federal government. However, this was not a phenomenon confined to the Sinhala Buddhist majority but a similar realignment was seen among the Sri Lankan Tamil political parties. The Tamil National Alliance (TNA) that had 16 parliamentary seats in 2015, won only 10 parliamentary seats in 2020. A schism in the UNP resulted in the formation of a new political party named as the United People's Force (Samagi Jana Balavegaya-SJB) and won 54 parliamentary seats. The United National Party that had 106 parliamentary seats in 2015 was decimated at the General Election of August 2020. What is evident from this analysis is that constitutional changes that ignore the state formation processes and the polarization of power based on ethnicity and religion are challenged either through violence or electoral means.

The concept of a federal government however, has a long history first mooted during the latter part of British rule. The first federal government was proposed by S.W.R.de Bandaranaike in the mid-1920s, emulating a model practiced in Switzerland.⁷ However, it was the Kandyan National Assembly (Udarata Sangamaya) that first submitted the proposal for a federal state before the Donoughmore Commission (Warnapala, 1994). These proposals however, were not accepted by the political elite in the country as well as the British colonial rulers.

7. He has written six articles to the Ceylon Morning Leader from 19th May to S.W.R.de Bandaranaike, "Federalism as the only solution to our political problem", The Morning Leader, 19h of May to 30th June, 1926. These are reprinted by the following source: ICES Occasional Papers, Devolution in Sri Lanka: S.W.R.de Bandaranaike and the Debate on Power Sharing, International Centre for Ethnic Studies, Kandy, 1996, pp.21-41.

The Federal Party (F.P.) of Sri Lanka mooted the demand for federalism as a solution to the ethnic conflict from 1949 up to 1976. At this stage the aim of the FP was to merge with a larger Dravidian Sovereign State in South India, thereby federating with India (Wilson, 1966: 119). The Sinhalese-Buddhist majority perceived such demands as part of a wider strategy to form a Dravidian State comprised of South India and Northern Sri Lanka. These strategies however, were not only opposed by the Sinhalese majority but by India as well and the Federal Party was forced to change its demand of federalism within unitary principles (Wilson, 1996: 119). The Federal Party tabled its proposals of federalism to the Constitutional Assembly in 1971 to be included in its deliberations. However, the proposals were dismissed by the Sinhala majority.

The demand for a federal system of government resurfaced after the military defeat of the LTTE in May 2009. A merger of the Northern and Eastern Provinces and a federal system of government was once again presented as a solution by the Tamil National Alliance (TNA). This solution is supported by a majority of Tamil politicians, selected left wing parties and some Civil Society Organizations.

Apart from the opposition by the Sinhala Buddhist majority, the merger of the Northern and Eastern Provinces is opposed by the Muslim minority who reside in the Eastern Province. The Muslim community is the most affected by the power struggles between the majority Sinhalese and the minority Tamils, as they speak Tamil but have a distinct identity based on religion and are scattered throughout the country. The most affected were those who reside in the North and East of the country and monopolize trade in these provinces. In October 1990, the entire Muslim population of 75,000 was evicted from the Northern Districts of Jaffna, Mannar, Millaitivu and Kilinochchi within one day by the LTTE. About 15,000 of such families continued to live in camps in the Puttlam District. At present, their dilemma is whether they should return to their original villages or remain assimilated to their host communities. Muslims in the Eastern Province were subject to similar violent attacks by the LTTE in the 1990s. Consequent to this violence, the Muslim population, retreated to ethnic enclaves in the Eastern Province

with segregated schools, polarized power and representation in parliament on ethnic identity and developed a distinct identity, based on religion and the cultures of the Middle East. The Muslims have opposed the merger of the Northern and Eastern Provinces on the premise that they would be a dual minority nationally and regionally (Samaranayake, 2006: 187-188).

A merger of the North and the East would also result in a scenario of two unitary states within the geographical entity of Sri Lanka. Based on experiences in South Asia, such divided and opposing entities in the country could result in forced outmigration of the Sinhalese, who reside in the North and the East and more than one third of the Tamils who reside outside the Northern and Eastern Provinces will be compelled to migrate to the Northern and Eastern Provinces. This scenario resonates with the experiences of the partition of India and Pakistan (Wilson, 1993: 159). Such divisive solutions would be particularly detrimental in a context where youth led violence groups have staged two insurrections and the issues that gave rise to these conflicts remain unresolved.

An added dimension is that Sri Lanka's geographical proximity to Tamil Nadu, not only poses a challenge to Sri Lanka but would also pose an equally potent challenge to India. Therefore, any constitutional proposal of a federal model, merging the Northern and Eastern Provinces would be an accelerator of another regional conflict than a peaceful settlement. As Marshall Singer argues, one of the tragedies of Sri Lanka is that the Sinhalese have never been able to accept the concept of federalism to them it meant creating a separate country on the island (Singer, 1996: 1148). The main reason is that the conflict in Sri Lanka is beyond a conventional ethnic conflict. According to Edward Azar the conflict in Sri Lanka comes under the category of "protracted social conflict" and such conflict cannot be addressed in the absence of viable economic development and distribution (Azar 1990).

Persistent social inequity due to a lack of broader economic development would be an impetus for youth though only 25% of the population, for either armed conflict or agitation. Peace achieved through the defeat of left-wing and ethnic insurrections have to be converted to economic and social development through strategies that address structural causes of conflict. It is

the contention of the author that the lack of a holistic and bi-partisan approach to understanding the nature of conflict and conflict resolution has resulted in protracted conflict that moves from armed conflict to other less overt forms of conflict.

Conclusion

A vast body of research exists on the ethnic conflict in Sri Lanka and its causal factors. However, very few studies have made a comparative analysis of the left wing insurrections led by Sinhala youth and the separatist violence led by Tamil youth. This article has analyzed the state formation process after independence in Sri Lanka and contends that the conflict in Sri Lanka is a dual conflict, with two manifestations: ethnic and social. Therefore, it falls into the purview of a protracted social conflict. Based on secondary sources and building on the author's own extensive research the article argues, that constitutional changes in the form of political reforms and federalism do not address such deep seated dual conflicts that are defined by both internal and external factors. The polarized politics of ethnic identity, regime changes and shifts of policies and approaches after general elections, confrontational politics and the lack of political maturity have resulted in a concomitant lack of understanding of the process of state formation and how it has created the structural causes of conflict. Such a political environment that is divisive, polarized and myopic is not conducive for bi-partisan dialogue of a political solution, and solutions that are presented are, unviable and inept. Therefore, retaining the current system of government and accelerated economic development that is equitable and inclusive remains the only solution to the existing dual conflict.

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