

SOUTH ASIA MONITOR

Number 130
July 1, 2009

Triumphalism and Uncertainty in Post-Prabhakaran Sri Lanka

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The decision of the Liberation Tigers of Tamil Eelam (LTTE) to lay down their arms and the May 19 death of their leader Velupillai Prabhakaran at the hands of the Sri Lankan army marked the end of 25 years of intermittent bloody conflict that had convulsed the island. President Mahinda Rajapaksa started his victory speech in Tamil promising the country's beleaguered minorities peace and assuring them that only the LTTE were considered enemies. The deep suspicions resulting from decades of conflict and the triumphalist atmosphere in Colombo, however, raise doubts about the prospects for conciliation. The government is not talking about constitutional change, much less about the federalism desired by the Tamil community. Rajapaksa is likely to use this moment of triumph to institutionalize his heroic status through new elections. The window of opportunity for creating a new political consensus extending to the country's non-Sinhalese communities could be fleeting.

Triumphalism and Suspicion: Colombo has marked this victory with unprecedented celebrations. President Mahinda Rajapaksa's victory speech before parliament was greeted with adulation. At his June 3 victory parade, he thanked his Arab, African, and Asian allies for their support during the decades-long "humanitarian operation," pointedly leaving Western nations out of his credits. The death of Prabhakaran, for so long the force behind a terrorist campaign that had robbed Sri Lanka of many of its leaders—both Sinhalese and Tamil—made the victory complete and dominated the news. At one level there is a near universal relief at the end of official conflict, along with hope and enthusiasm for future nation building in what Rajapaksa christened the new "Pride of Asia." Rajapaksa came to power in 2005 under a platform of military progress and anti-federalism. His administration can now boast the recovery of the territory controlled by the LTTE. For many young Sri Lankans, this brings the hope that their lives will not be dominated by concerns about violence.

Equally pervasive are the bitterness, suspicion, and fear that separate Sri Lanka's ethnic communities from one another. Rajapaksa's decision to begin his victory speech with several paragraphs in Tamil was intended as an important signal; the images from ancient Sinhalese royalty and Buddhist lore, on the other hand, emphasized the dominant role of the Sinhalese. The absence of 20 legislators from the Tamil National Alliance (TNA) during Rajapaksa's speech reflects their deep misgivings about prospects for reconciliation. Tamil communities in predominantly Sinhalese areas fear for their security; settling of scores is both common and to an extent unimpeded by local authorities. Organizations that had been carrying out relief operations or working unofficially to advance a negotiated peace have also been threatened, even if they were not identified with the Tamil community. Following this wave of celebratory and often ethnocentric nationalism, there appears to be an attitude that those who were not completely behind the government of Sri Lanka (GOSL) in its war effort are now seen as traitors. The bitterness among minorities is intensified by the intensity of the fighting in the last days of the war, when the Sri Lanka Army (SLA) was accused of bombarding civilian safe zones.

Dissenting journalists have gone missing. Podala Jayantha, general secretary of the Working Journalists Association in Sri Lanka, was found beaten in the head and legs some time after his abduction on June 1. When the opposition United National Party (UNP) called for a Select Committee to examine how investigations into the abductions of journalists were conducted, the media minister denied the request.

Doctors who aided injured Tamil civilians in the war zone are also being held in detention under suspicion of LTTE collaboration. Then in a sudden and ominous reversal of precedent, the Attorney General's Department announced on June 19 its intention to shield from prosecution four police officers accused of prisoner abuse.

The Humanitarian Crisis: The end of the war was a brutal affair, and the government bristled at international criticism of human rights abuses. In the last months of fighting, many Tamils were concentrated in a few "safe zones," where they were supposed to be protected from the worst of the fighting. Estimates of their numbers range as high as 300,000. These are the war's most beleaguered victims. The LTTE kept them in ill-equipped camps, using them as hostages and charging the government with responsibility for their lack of food and basic sanitation. The government, for its part, did little to alleviate the plight of those who managed to flee into government-controlled areas and provided little access for international organizations to bring medical supplies.

With the fighting over, these internally displaced persons (IDPs) remain in camps. The principal objective of the army is to separate potential terrorists from the rest of the population, an understandable concern after 25 years of war. In the process, however, the provision of even the basic necessities of life has been shockingly inadequate, especially when one considers that Sri Lanka is one of the developing world's leaders in human development. Both domestic and international nongovernmental organizations (NGOs) have complained of lack of access. The army regards the NGOs with suspicion, considering them soft on the LTTE. The government's decision not to renew the visas of foreign aid workers adds to the sense that they are being blamed for the sins of the LTTE.

Looking beyond short term questions of survival, resettlement will be difficult. Many of the displaced lost their land years ago. For others, their houses have been destroyed and their livelihoods, mostly farming and fishing, will be hard to reestablish. Chief Justice Sarath N. Silva, in a June 4 statement expressing grief and shock at the plight of the IDPs, lamented that "I cannot explain their suffering and grief in words." He went on, however, to charge that they "cannot expect justice from the law of the country." His clear meaning was that there was little substance behind the government's commitment to represent all Sri Lankans equally.

Xenophobia: Sri Lanka's war had been much criticized in the international community. Norway's effort to broker peace talks, popular at the outset in late 2002, had become tainted with accusations of being too close to the LTTE once the war resumed in 2005. During the final months of the war, the government refused Western calls for a cease-fire, and many Sinhalese found the international focus on human rights deeply unfair in light of the LTTE's history of terrorism. The government and the political mainstream are keenly conscious of having won a military victory on their own, indeed in spite of their foreign friends.

This has, perhaps inevitably, brought forth considerable xenophobia, broadcast clearly on June 3 when Rajapaksa said: "Having won our freedom in our motherland we must now establish our freedom and sovereignty internationally." UN secretary-general Ban Ki-moon's condemnation of the "unacceptably high" civilian death toll prompted denial and anger from the Sri Lankan government. Sri Lankan ambassador to the UN Dayan Jayatilleka pointedly said: "Sri Lanka as a sovereign country will decide on the degree of access that it grants anyone from outside." At the UN Human Rights Commission (UNHRC) in late May 2009, China and India, generally skeptical about pronouncements in the commission, along with a dozen other countries including Russia, Pakistan, and Egypt, came to the GOSL's defense against charges of human rights abuses.

Internal Policy and Political Reform: Rajapaksa will have three major issues on his domestic agenda: capitalizing on his present hero's popularity to strengthen his domination of the government; integrating the Tamil communities into the country's political structures; and reviving the economy. Politics is likely to come first.

Preparations are under way for the August 8 local elections in the overwhelmingly Tamil north of the country. The government is almost certain to see these as a vehicle for empowering the Tamils who had supported them, primarily government-funded paramilitary groups, some of whose leaders had left the

LTTE. From Rajapaksa's perspective, this would be the ideal vehicle for bringing the Tamils back into constitutional politics, but it may not be sufficient to engage the loyalty of Tamils still suspicious of the government.

Another strong possibility is an early parliamentary election. Under the constitution, the president can dissolve parliament and call for new elections after the parliament has sat for a year, a deadline that passed years ago. This will be a very attractive option for Rajapaksa. It might permit him to lessen the party's dependence on the Marxist Janatha Vimukthi Peramuna (JVP). The election system, in which the numbers each party wins are determined by proportional representation, will make it hard for him to win the two-thirds majority needed for constitutional change, but perhaps under today's extraordinary circumstances not impossible. A national election would also be an opportunity to reengage with the Tamil political parties that made up the Tamil National Alliance (TNA), which accepted LTTE primacy before the last parliamentary election. What role they play will depend on whether they believe that a better deal for Tamils is now on offer.

One option the ruling party seems to have rejected for the moment is a referendum extending the president's term. This kind of extra-constitutional move has been used before in Sri Lanka, however, and Rajapaksa may be considering other moves of this sort.



The kinds of constitutional change that had been considered during the government-LTTE talks in 2002 and 2003, involving a federal structure and expanded authority for the provinces, is clearly not on Rajapaksa's agenda, however. He has spoken of fully implementing the current constitution, including the provisions for provincial self-rule that were introduced in 1987, and has made oblique references to going beyond the 1987 provisions. His references to the need for an indigenous rather than "imported" solution are clearly intended to signal that he does not accept models that are derived from other, larger countries (principally India). A devolution model would have been completely inadequate during the negotiations earlier in the decade. In today's circumstances, whether it can serve as the vehicle for creating a polity all Sri Lanka's people can live with will depend on how well the rest of the political system reaches out with compassion and generosity to the Tamil community.

The window for integration of the island's ethnic groups is a small one. Senior Tamil Tiger survivor Selvarasa Pathmanathan's statement expressing his intention to continue fighting for a provisional Tamil government indicates that some members are trying to keep the hope of a separate state alive. Should Rajapaksa ride his popularity without significantly addressing the grievances of the island's Tamils, the country risks a resumption of terrorism.

India reengages: India had been largely sidelined from active involvement in Sri Lankan issues after the departure of the Indian Peace Keeping Force in 1990. After two decades, India is ready to reengage, and it appears the Sri Lankan government agrees. India's support for Sri Lanka at the UNHRC was welcomed, and Rajapaksa reciprocated later when he said in an interview that "Nothing is more important for me than what India thinks." India's Congress Party government has no love for the LTTE, which assassinated former prime minister Rajiv Gandhi, and greeted their defeat with satisfaction. However, the 60 million Tamils in southern India will be very sensitive to the welfare of Sri Lanka's Tamils, and the more pro-LTTE of the two Indian Tamil parties is a member of the national government coalition.

India also has its eye on China's strategic involvement in Sri Lanka. China is funding a port valued at U.S.\$1 billion in Hambantota, and it provided aid and weapons during the war. India wants to prevent Sri Lanka from providing any facilities to what their strategic analysts call the Chinese "string of pearls" in the Indian Ocean.

Implications for the United States: The United States is one of four major chairs of the Tokyo Donors—along with Norway, Japan, and the European Union—which linked financial aid to progress in

establishing peace. The Tokyo Donors withheld aid in the late stages of the war to protest human rights abuses. The United States and Japan, who respectively missed and abstained from voting at the UNHRC, will likely find it easier than the more outspoken European countries, like Norway, to reengage with Sri Lanka. Sri Lanka is currently negotiating a standby agreement with the IMF which may exceed U.S.\$2 billion. Such agreements often incorporate unpopular austerity measures. The U.S. Agency for International Development has announced grants of U.S.\$6 million for IDP assistance and several million more for food security. The United States has also urged the Sri Lankan government to expand accessibility to camps so the International Committee of the Red Cross and NGOs can help coordinate IDP relocation.

The United States has traditionally played a supporting role in Sri Lanka. As the emphasis shifts from war fighting to economic development, its profile will probably go up, but the United States is unlikely to seek or obtain a major role in whatever political negotiations now take place. The Obama administration will support peace and encourage Sri Lanka's stability, along with generous outreach to the island's minority communities.

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