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Session 4: Dynamics of the Peace Process

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Nationalism in the Southern Polity and the 2002-2005 Peace Process¹

Introduction:

This presentation is written from an understanding of nationalism and its role currently in the peace process and the politics of Sri Lanka. What must be understood about nationalism wherever it is found is that it is always an attempt to homogenise the fissiparous social stratifications that are at work in any social body. Yet underneath this homogenisation lies a myriad of social pressures that are always heterogeneous. My contention is that in Sri Lanka a relatively novel political ascendancy of ‘subaltern nationalism’ represented by the politics of the JVP (and to a lesser extent the JHU) has emerged because of such dynamics. This development is acting as a significant engine to the reproduction of Sinhala nationalism as it draws the mainstream parties back into Sinhala nationalist platforms and mobilisations despite the consensus that exists between the mainstream parties on the necessity for constitutional reform, an issue I will deal with first.

The Need for Constitutional Reform:

Although an account of the background to Sri Lanka’s political present and current impasse is beyond the scope of this paper and is nonetheless no doubt familiar to all present, one core issue can be identified and this has been a recognition amongst elements of the mainstream political actors that breaking the deadlock of Sri Lanka’s current conflicts will require an overhaul of the constitutional system.

This in itself is recognition of the colonial legacy of an over-centralised state exacerbated by the post-colonial constitutional changes of both the two mainstream parties in 1972 and 1978. And whilst the period of UNP rule from 1977-1993 was ironically a point at which this constitutional need was first recognized, the measures for constitutional change fell far short of meaningful devolution and many of the mechanisms that have benefited minority parties politically such as proportional representation were in fact instituted in order to buttress the political patronage of the UNP rather than to ameliorate the dynamics of conflict. The 13th Amendment/Provincial Councils Bill which was an insignificant devolution foisted upon the Sri Lankan polity in the late 1980s did nothing to devolve power meaningfully and has, if anything, added another layer of bureaucratic inertia to the chains that run vertically from the state centre to an increasingly dependent and eviscerated local government sphere.

However, since the 1994-5 period there has been more meaningful intent on the part of political leaders in attempts at either drawing up devolution proposals or to implement ceasefires as a prelude to doing so. Such was the logic behind the PA devolution proposals of the late 1990s to 2000 (albeit that this was one track in the disastrous dual track, war-for peace strategy) and the UNF’s CFA in 2002. This has marked a hypothetical but not practical consensus on the part of elements of both the mainstream parties towards implementing meaningful reform to this postcolonial legacy of an over-

¹ This presentation draws from and builds upon a previous paper by David Rampton and Asanga Welikala – *The Politics Of The South: A Thematic Study Towards The Strategic Conflict Assessment: “Aid, Conflict And Peacebuilding In Sri Lanka”* (The Asia Foundation, 2005).

centralised state historically hegemonised by Sinhala nationalist dynamics.

However, rather than accepting that this groping towards a common position on the need for reform emerged out of some altruistic desire to reform the polity for the sake of minority rights, it has emerged from a myriad of pressures:

- 1) The increasing realisation that federalism/devolution is no longer simply a theory but that *de facto* autonomy is already in place because of the increasing stalemate that exists militarily between the LTTE and the GoSL (which very much came to the fore at the end of President Kumaratunga's disastrous war-for-peace strategy in 2000-2001). It has also become clearer to many since the introduction of the CFA, if not earlier, that this military stalemate and the period of peace that has succeeded the CFA has given the LTTE the space for further forms of state-building operative since the 1990s. This has seen the LTTE move well beyond military and revenue-collecting functions, into judicial, developmental and welfare services. It is in the context of this emergent (and potentially strong) state formation that it has dawned on many but not all political actors that Sri Lanka's political present no longer presents possibilities for preserving a 'unitary' state but of finding a way to preserve a 'united' Sri Lanka through devolution.²
- 2) Additionally, although it has been clear that a military-driven war economy itself has had winners and itself acted as an obstacle for peace,³ a realisation has emerged, and this was especially apparent in the UNF's initiation and implementation of the CFA between 2001 and 2004, that a negotiated peace settlement remained the only way for Sri Lanka's further integration into the global capitalist economy in a context in which the economy was declining due to the Katunayake Airport bombings, the subsequent insurance rises, the fall in Foreign Investment and a series of droughts.
- 3) Thirdly, there are also obvious external pressures that have been brought to bear in the form of aid conditionalities tied to the peace process, diplomatic pressures from the leading donor states and the offers of mediation flowing from Norway. All of these factors have of course led to the increasing internationalisation of the peace process, a tendency that has also produced negative reactions often represented by the actors that vocalise them most strongly as transgressive of Sri Lankan sovereignty.

The Political Ascendancy of Subaltern Sinhala Nationalist Actors:

Yet despite the fact that a pressing consensus on the need for peace has been created out of these historical developments, this has not eradicated the tendency for Sri Lanka's main southern parties to engage in processes of 'ethnic outbidding' through the undermining of each other's attempts at peace negotiations. 'Ethnic outbidding' occurs when the party in opposition, seeking electoral and political legitimacy, seeks to undermine and destabilize the peace efforts of the ruling party.⁴ The derailing of the PA's draft constitutional bill of 2000 is a classic example. These dynamics continue to create serious obstacles to the likelihood of constitutional reform and it is for this reason that the politics of the South has been considered key for developing both a viable peace process and sustainable frameworks for peace. A central recommendation has been for a bipartisan agreement on the development of peace negotiations or even a bipartisan political alliance that could outmanoeuvre those forces that are considered inimical to peace.

² E.g. See K Stokke - 'Building the Tamil Eelam State: Emerging State Institutions and Forms of Governance in LTTE -controlled Areas in Sri Lanka' (2006) www.tamilnet.com

³ See D Winslow and Michael D Woost - 'Articulations of Economy and Ethnic Conflict in Sri Lanka' in D Winslow and Michael D Woost (eds.) - *Economy, Culture and Civil War in Sri Lanka* (Indiana University Press, 2004), pp. 1-30.

⁴ See K Bush - *The Intra-Group Dimensions of Ethnic Conflict in Sri Lanka: Learning to Read between the Lines* (Palgrave Macmillan, 2003).

However, whilst the mainstream parties have recognized the need for constitutional reform, Sri Lanka has also witnessed the ascendancy of parties like the JVP and the SU/JHU who have very much taken up the baton of Sinhala nationalism in a forceful and vocal manner. We can't, of course, explain the rise of these parties solely through this recourse to Sinhala nationalism itself. The JVP, especially, finds its constituency and support in a myriad of molecular sites of marginalisation economically, socially, culturally and politically. Key sites of marginalisation that are operative through regional disparities, caste inequalities, the mismatch between vernacular education and the employment provision in the economy, cultural and linguistic subordination, urban poverty, rural-urban developmental imbalance, disillusionment with clientelistic based politics, the absence of effective, local government, corruption, political violence etc. However, whilst an overview of these factors is beyond the scope of this paper,⁵ the key point in relation to the peace process is that Sinhala nationalism has become one of the key vehicles for the articulation of the force of these discontents.

This Sinhala nationalism combined with the vestiges of the JVP's Marxist heritage reinforces conceptions of the state as munificent, bounded, protecting and unitary and, through this ideology, seeks to recover Sri Lanka's sovereignty in a move towards re-establishing the state's redistributive and centre-led welfare and developmental power. The JVP have therefore opposed (apart from a break between 1977-83 and in the 1994-5 period, when self-determination was discussed) federalism as a solution, for fear of the fragmentary impact that federal devolution may have on the centre-oriented redistributive state, opting instead to propose a form of decentralization to the local level, something that the JHU also professes.⁶

The Internationalisation of Aid, Development and the Peace Process:

Such nationalist dynamics have also produced and recycled profound reactions against the internationalisation of the peace process, and Aid distribution. Both the JVP and the JHU opposed a federal solution and the role of Norway as mediator in their conditions for a presidential election pact with Mahinda Rajapakse. The JHU and the JVP also successfully mobilized for an injunction against PTOMS in 2005, a joint aid mechanism which could have heralded a major breakthrough in both much needed Aid distribution to the North-East and a platform for revitalizing the peace process. So, although it can be argued that the JVP perspective is relevant to the broader debate about the extent to which donor states, international actors and NGOs should continue to contravene traditional notions of sovereignty and the extent to which aid should remain harnessed to conditionalities like 'good governance' or in the Sri Lankan context to progress in the peace process, there is little doubt that the JVP remain resistant to a federal solution and to a settlement which would be meaningful to the LTTE.

The Reproduction of Sinhala Nationalist Political Agendas and Cycles of 'Ethnic Outbidding':

Accordingly, what we should note is that although we can say that the JHU and the JVP have taken up the slack in the mainstream parties' Sinhala nationalist mobilizations, we are not for an instant saying that this means that the UNP or the SLFP have effaced Sinhala nationalist mobilization from their political agendas, far from it, as the Presidential election of 2005 demonstrates. However, what I am saying is that the JVP and the JHU have taken the lead in the regeneration of the 'magnetic attractor' for discontent that is Sinhala nationalist mobilization. An example is the Patriotic National Movement - a JVP-dominated machine that draws mainstream political activists back into vocal nationalist mobilization especially when in opposition and in the run-up to elections (2002-4). Mobilizations such as this are capable of shifting the whole political discourse in a more overt nationalist direction.

⁵ For a more developed account, see David Rampton and Asanga Welikala – *The Politics Of The South: A Thematic Study Towards The Strategic Conflict Assessment: "Aid, Conflict And Peacebuilding In Sri Lanka"* (The Asia Foundation, 2005), pp.29-33 and/or D Rampton – 'Sri Lanka's 'Many-Headed Hydra': The JVP, Nationalism and the Politics of Poverty' in *Poverty Issues in Sri Lanka* (CEPA, IMCAP, SLAAS eds., 2003).

⁶ Ibid., pp.33-39 & pp. 43-52.

This was apparent in the run-up to the UPFA's victory in 2004 when many SLFP stalwarts like Mangala Samaraweera, Anura Bandaranaike, Dilan Perera and Arjuna Ranatunga, for instance, took to the PNM platform. So for both the JVP and the JHU, this is a major part of their political strategies - simply to shift everything in a nationalist direction – a dynamic also clearly apparent in both the recourse to the *Mahinda Chintanaya* platform in both the 2005 presidential election and the recent local elections.

As the current political context remains one in which the JVP are continuing to feed upon these dynamics and to try to disembowel the SLFP constituency-base in the process, it remains clear that with the harnessing of such dynamics to mainstream platforms as we find with *Mahinda Chintanaya* (that Rajapakse has felt compelled to pursue for the short-term survival of the SLFP machinery), it also remains doubtful whether the renewed tendency for 'ethnic outbidding' will abate. As such, without a more profound shift in the polarities of Sri Lanka's political culture, it very much remains to be seen whether the renewed negotiations can produce anything substantial towards ending Sri Lanka's conflict as, with the continuing rise of the JVP, the functioning of the peace process is now more complex than it was 2 years ago despite the current overall consensus on the fruitlessness of a return to conflict.

One argument has been that it is better to have an inclusive framework in which the voice of the JHU and the JVP are articulated through their loose political alliance with the UPFA. However, the question then becomes one of asking whether such a pact can hold when meaningful and substantial negotiations are taken forward in a manner that is acceptable to the LTTE.

'Inclusivity' is not endlessly elastic and there may well come a point where the chord that links the current dominant political forces at the centre comes to breaking point; either that or the talks will stagnate and a 'no peace, no war' scenario might result in a re-escalation of violence. It is also perhaps a little too hasty to argue that the local elections were a sign that the Sinhala nationalist mandate has been outmanoeuvred for a number of reasons that indicate that this poll is not a good test-bed for current political developments.⁷

Firstly, it is clear that due to the exigencies of the patron-clientage that dominates mainstream political culture, the party in power would meet with overwhelming success the closer it held the local polls to the back of the Presidential election. This was as apparent with the UNF's landslide at the poll in 2002 as it was in March 2006. The thriving nature of this patron clientelism is also evidenced by the numerous incidents of side-switching that has occurred at the local level.

Secondly, the JVP increased its number of local authority seats despite failing to secure control of any more councils. The fact that it failed to do the latter may also have something to do with the constraints on the JVP's capacity to sell Tissamaharama Pradeshiya Sabha as a local government flagship at a wider level than Tissamaharama itself in a political environment where local government is seen as eviscerated⁸ and even marginal to the judgement of political behaviour.

Lastly, it is clear that *Mahinda Chintanaya* is an ideology that is still very much dominating the political ether and is furthermore a platform that neither the President's party nor the JVP have sought to distance themselves from, despite the fact that the JVP chose to go it alone. Once again we can see that the dynamic engine of Sinhala nationalism continues to be significant and only time will tell whether the UPFA can juggle both these dynamics and the pressing need for peace talks to proceed. We therefore need to ask whether this is really 'inclusivity' or merely a means of containing 'unlike-minded' forces whose impact on the polity is considerable, a factor which could in itself threaten the long-term prospects for peace.

⁷ See Dave Rampton - 'JVP, SLFP and Mahinda Chintanaya', *Tamil Guardian*, April 5 2006.

⁸ See the '*Commission of Inquiry into Local Government Reform*' (Govt. of Sri Lanka, 1999).

