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## Politics and governance in post-independence Sri Lanka

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Sri Lanka was long considered a model colony, and when Britain granted the island independence in February 1948 many believed it was the post-colonial state with “the best chance of making a successful transition to modern statehood.”<sup>1</sup> The optimism was well founded: universal franchise preceded independence in 1931, just three years after being instituted in Britain; the country ranked relatively high on various socioeconomic indices, especially when compared to other Asian and African states undergoing decolonization; and, most important, ethnic tension between the majority Sinhalese and minority Tamils notwithstanding, the country’s poly-ethnic and multi-religious elites had agreed to the transfer of power and the constitutional structure the British left behind.<sup>2</sup> Yet within eight years of independence the island adopted a trajectory that led to ethnocentrism, illiberal governance, and a gruesome civil war.<sup>3</sup>

### **Post-independence politics**

From 1931 to 1946 the Donoughmore Constitution, with its unitary structure, governed Sri Lanka (then called Ceylon). Communal electorates that preceded Donoughmore and parity of representation with the Sinhalese

allowed the Tamils to operate as a second “majority” community, despite Tamils being about 12 percent of the population (in comparison to nearly 70 percent Sinhalese).<sup>4</sup> The Donoughmore Constitution, however, discarded communal electorates and introduced universal franchise; both measures vitiated the political influence of Tamils and encouraged attempts to minimize Sinhalese domination and majoritarian politics. Strong camaraderie between Sinhalese and Tamil elites, however, enabled the 1946 Soulbury Constitution, which lacked stringent minority guarantees: Article 29(2) merely required the government to treat all ethnoreligious communities dispassionately. The article and minority input were disregarded when Sinhalese elites crafted the 1972 and 1978 constitutions that consolidated the unitary state structure.

Sri Lanka’s transition from colonialism to independence was a tepid affair that contrasted with the pre-independence mobilization and ruckus in neighboring India. Indeed, the transfer of power was so seamless that people in rural areas hardly realized a major political change had taken place. The country’s mainly western-educated elite was well versed in parliamentary traditions and practice, which partly ensured that the two main political parties would respect subsequent

electoral verdicts. Indeed, between 1948 and 1977, power was transferred six times between the United National Party (UNP) and Sri Lanka Freedom Party (SLFP). If two turn-overs between opposition parties mark the consolidation of democracy,<sup>5</sup> Sri Lanka achieved such vaunted status in March 1960. But, in a true liberal democracy, the rules, laws, norms, and conventions governing formal democratic processes are scrupulously and consistently observed; in this sense Sri Lanka represents a classic illiberal democracy.

The most revolutionary post-independence event took place in 1956, when Solomon West Ridgeway Dias Bandaranaike and his SLFP-led coalition championed a “Sinhala-only” policy to win parliamentary elections. English had operated as the national language despite the fact that only around 10 percent of the population spoke it fluently. Initially the SLFP, UNP, Tamil elites within the UNP, and the main Tamil parties supported the replacement of English by Sinhala and Tamil as national languages. But when a grassroots movement began clamoring for Sinhala only, Bandaranaike—who had left the UNP in July 1951 on realizing that Prime Minister D. S. Senanayake was grooming his son, Dudley, to assume the party’s leadership—recognized that he could use the issue to capture the premiership. When the UNP, led by the abrasive and hyper-westernized Sir John Kotelawala, belatedly acknowledged that the party could not win elections by championing linguistic parity, it too embraced a Sinhala-only policy. The UNP and SLFP thereafter resorted to “ethnic outbidding,” trying to outdo each other on who best could promote Sinhalese preferences.<sup>6</sup> Bandaranaike won the contest, but the Sinhala Only Bill of 1956 led to Tamil protests and the first ever anti-Tamil riots. These riots were followed by more severe Sinhalese–Tamil riots in 1958.<sup>7</sup>

The Sinhala-only movement was not merely about defending language and culture; it also had to do with socioeconomic realities and perceived opportunities. For instance, northern Tamils had utilized missionary

schools to excel in English and become overrepresented in the civil service, military, and universities. Sinhalese were goaded into believing that Sinhala only would expeditiously and radically transform their fortunes. This did not happen and it led to disenchantment with Bandaranaike. The prime minister’s attempts to accommodate the Tamil language also upset Sinhalese Buddhist extremists, and in September 1959 a Buddhist monk assassinated him.

Bandaranaike’s wife, Sirimavo, soon thereafter took over the SLFP and became the first ever elected woman head of state in the world, in July 1960. Her first government (July 1960–March 1965) claimed it was furthering the revolution her husband had begun, but the numerous anti-Tamil practices it embraced further marginalized the Tamil minority.<sup>8</sup> The Dudley Senanayake-led UNP government that followed (March 1965–May 1970) failed to alleviate Tamil grievances, although neither did it aggravate them.

Sirimavo Bandaranaike returned to power in May 1970. In 1971 disgruntled Sinhalese Marxist students belonging to the Janatha Vimukthi Peramuna (People’s Liberation Front—JVP) unleashed an insurgency that nearly toppled the government. The insurgency was violently suppressed, but it spurred the government toward an even more radical pro-Sinhalese Buddhist and anti-Tamil agenda. Tamils were required to score higher than Sinhalese to get into university and they were more or less blocked from entering government service; furthermore, a new constitution was introduced in 1972 that gave Buddhism “foremost status,” thereby relegating Hinduism, Christianity, and Islam to second-class status. In relation to the economy, the government embraced *dirigisme* and autarky. This led to the most basic goods becoming scarce and rationed. The government also nationalized mostly foreign-owned plantations and corporations, insurance companies, and banks. Furthermore, the government refused to hold scheduled elections in 1975 and extended its rule until 1977.

The SLFP became so discredited that not only did the J. R. Jayewardene-led UNP win the July 1977 elections with a five-sixths majority, but the Tamil United Liberation Front (TULF), comprising several Tamil parties, won more seats than the SLFP to become the country's principal opposition. Sri Lankans vote in high numbers during parliamentary and presidential elections, and voter turnout for the 1977 elections was a stratospheric 86.7 percent, the highest thus far. The TULF, citing widespread discrimination against Tamils, had issued a resolution in 1976 (the so-called Vaddukoddai Resolution) calling for the predominantly Tamil northeast to secede from the rest of Sri Lanka. The resolution was likely designed to appease increasingly militaristic Tamil youth mobilizing against the Sri Lankan state, but many Sinhalese considered the party a separatist entity and treated it with hostility. This partly contributed to the August 1977 anti-Tamil riots.

Given the majority he commanded in parliament, Jayewardene was best equipped to accommodate legitimate Tamil grievances; instead, he sought to use the ethnic problem to consolidate his position. The increased restiveness in the northeast caused the government to institute the draconian Prevention of Terrorism Act of 1979, which allowed security forces to arrest, imprison, and leave incommunicado for 18 months without trial anyone deemed threatening to the state. Hundreds of innocent Tamils were caught in its dragnet and the torture and humiliation encountered radicalized them further. The worsening ethnic problem stymied the government's development plans, marginalized moderate Tamil leaders, emboldened extremist radical Tamil youth and their Sinhalese Buddhist counterparts, and contributed to the 1981 and 1983 anti-Tamil riots.<sup>9</sup>

J. R. Jayewardene used the massive UNP majority in parliament to introduce the 1978 constitution. It created an all-powerful executive president.<sup>10</sup> To deal with the discrepancy between the percentage of votes parties polled and the number of seats won,<sup>11</sup> it jettisoned

the first-past-the-post electoral system for a complicated proportional representation-cum-preferential voting system. It was believed the latter would increase the weight of the votes of minorities.<sup>12</sup> Other features—such as a high qualifying threshold and a bonus vote for the party that won a district—seemed designed to ensure that the UNP stayed dominant and to limit the proliferation of parties, which proportional representation typically facilitates.<sup>13</sup> The constitution continued with the unitary state structure, ensured Buddhism's special status, and made Tamil a national language although little was done to eradicate the entrenched linguistic discrimination. Such discrimination continued even after the Thirteenth Amendment, passed in November 1987, made Tamil an official language and the Sixteenth Amendment, passed in December 1988, consolidated this status.<sup>14</sup>

Jayewardene bragged that the only thing he could not do under the new constitution was change a man into a woman and vice versa whereas his prime minister lamented he was nothing more than a peon under the new setup. In this spirit, Jayewardene amended the constitution 16 times between 1978 and 1988, often in a partisan and whimsical fashion, and ruled in an autocratic manner. In 1980 he vindictively stripped Mrs Bandaranaike of her civic rights for seven years (in retaliation for her previous extension of SLFP rule by two years until 1977) and expelled her from parliament, thereby ensuring that his most effective opponent could not challenge him for reelection in 1982. Jayewardene thus set a precedent for presidential rule that his successors emulated.

The new constitution's electoral provisions were not tested until the October 1982 presidential elections, which Jayewardene won. This election evidenced voting irregularities: the most glaring was when the SLFP candidate for president went to the polls and found that someone had already cast his vote! The government also used its majority in parliament to pass the fourth amendment, through which it justified holding the first and only

national referendum in place of scheduled parliamentary elections. This allowed the regime to use a simple electoral majority to extend the party's nearly five-sixths parliamentary majority for another term. The December 1982 referendum saw rigging on a grand scale, with UNP supporters—especially those in the party's trade union—resorting to ballot stuffing, intimidation, and violence to ensure a UNP victory.

The same forces harassed and beat up Buddhist monks, Catholic clergy, civil society activists, academics, opposition supporters, and supreme court justices who dared speak out or protest against government policies. They were also mostly responsible for the 1983 pogrom targeting Tamils.

Proclaiming “let the robber barons in,” Jayewardene collaborated with the IMF, World Bank, and western governments to introduce structural adjustment policies. Sri Lanka thus embraced open market reforms two years before China and 14 years before India. The policies led to the creation of a class of *nouveau riche*; but they also contributed to economic disparity and disgruntlement. Overall, the Jayewardene years saw more development than under any previous Sri Lankan leader, and the open market economy and 1978 constitution remain his most important legacies. But he also instituted a political culture smacking of illiberal governance that was exacerbated under his successors.

In December 1988 Ranasinghe Premadasa, Jayewardene's prime minister, became president. Premadasa remains the first and only Sri Lankan leader not from the dominant *govigama* (cultivator) caste. Caste politics among Sinhalese was more pronounced in pre-independence times. However, there were some senior UNP politicians who begrudged and resented Premadasa for his low-caste status, and this was one reason they sought to impeach him in August 1991. Premadasa stripped these detractors of membership in the UNP and inducted many parliamentarians into his cabinet, thereby buying their loyalty. Thus it was under Premadasa that the so-called

“jumbo cabinet,” whereby most members of the ruling party end up with ministerial or deputy ministerial portfolios, took hold and it has only magnified inefficiency, malpractice, and corruption.

A second murderous uprising by the JVP between 1988 and 1990 forced Premadasa to retaliate in brutal fashion. Estimates suggest that over 40,000 Sinhalese were disappeared as state-sponsored paramilitary forces eradicated the JVP leadership and suspected sympathizers.<sup>15</sup> Prime Minister Premadasa was responsible for a popular program called *gam udawa* (village reawakening), which centered on rural development and the building of thousands of homes. He continued doing so as president and was quite popular among the masses. The crackdown against the JVP, however, led to his being vilified, so much so that many Sinhalese celebrated by lighting firecrackers when a Liberation Tigers of Tamil Eelam (LTTE) suicide bomber killed Premadasa in May 1993 and the location of his death was referred to as “*balla marapu thanna*” (the place where the dog was killed).

The lackluster but dignified Dingiribanda Wijetunga succeeded Premadasa as president, but the electorate was ready for political change after 17 years of UNP rule. Chandrika Bandaranaike Kumaratunga, daughter of S. W. R. D. and Sirimavo Bandaranaike who had become prime minister in August 1994, became president in November 1994. Kumaratunga was supported enthusiastically by civil society groups and Tamils who saw her as the best bet to end the country's civil war, and she captured 62.3 percent of the votes cast. She survived an LTTE assassination attempt and was reelected in December 1999. A solution to the country's ethnic conflict, however, eluded her partly because of the LTTE's intransigence as well as her belief that no peace was possible unless the LTTE's leader, Vellupillai Prabhakaran, was killed and the LTTE militarily defeated. The upshot was a dubious “War for Peace” campaign that saw thousands killed and the military suffer humiliating reversals.

President Kumaratunga failed most where she could have succeeded rather easily: crafting a common peace agenda with an opposition that was, in the main, prepared to work with her. But hostility toward UNP leader Ranil Wickremasinghe precluded consensus politics, and her tenure was marked by moderate economic growth, corruption, favoritism, political legerdemain, and further institutional decay.

The SLFP under Kumaratunga also resorted to vote rigging and violence to win elections. The January 1999 Northwestern Provincial Council elections saw her supporters resort to blatant and even depraved electoral malpractices, making it the most violent election in Sri Lanka's history. For instance, SLFP cadres "not only assaulted UNP supporters but stripped men and women naked and paraded them on public roads!"<sup>16</sup> The October 2000 and December 2001 parliamentary elections were also conducted amidst widespread electoral malpractice, mostly perpetrated by Kumaratunga's party members and supporters.<sup>17</sup> The October 2000 election was the most violent parliamentary election hitherto conducted. The Elections Commissioner apologetically noted that "the allegations of vote-rigging have to be seen in the context of electoral systems in the developing world in general and the subcontinent in particular," thereby inadvertently highlighting how Sri Lanka is more an "electoral" as opposed to a "liberal" democracy.<sup>18</sup>

The UNP-led United National Front (UNF) coalition won the December 2001 parliamentary elections; its biggest achievement was the ceasefire agreement reached with the LTTE in February 2002. But "cohabitation" between president and parliament failed to take hold, and President Kumaratunga used her powers to dissolve the legislature and conduct new elections in April 2004. The SLFP-led United People's Freedom Alliance (UPFA) coalition won the elections, the fourth national election conducted in five years.

In November 2005 the SLFP's Mahinda Rajapaksa became Sri Lanka's fifth president.

The vast majority of Tamils now do not vote for the SLFP, and Rajapaksa may have bribed the LTTE to prevent Tamils in rebel-controlled areas from voting in the presidential elections.<sup>19</sup> This likely disenfranchisement led to the defeat of the UNP's Ranil Wickremasinghe. Within a year of coming to power Rajapaksa's government began a new war against the LTTE, although the latter's repeated aggression provided the president ample reason to justify renewed hostilities.<sup>20</sup> The government unilaterally abandoned the ceasefire in January 2008, with the president claiming the LTTE had to be destroyed for peace and development to take root. In January 2009, with the LTTE close to being defeated, the government also proscribed the group, thereby signaling that it was averse to holding any discussions with the rebels.

Sri Lanka has been plagued with extremist ethnic ideologues: the LTTE refused to settle for anything short of a separate state, while Sinhalese Buddhist nationalists refused to acknowledge legitimate Tamil grievances. Their maximalist demands are responsible for the carnage experienced in the past quarter century. Mahinda Rajapaksa is the first president to subscribe wholeheartedly to the Sinhalese Buddhist nationalist ideology, which is rooted in the belief that Sri Lanka is *Sihadipa* and *Dhammadipa* (island of the Sinhalese ennobled to preserve and propagate Theravada Buddhism) and that all minorities live there thanks to Sinhalese Buddhist sufferance.<sup>21</sup> Indeed, Rajapaksa even claims that he must embrace Sinhalese Buddhist preferences since Sinhalese Buddhists were the ones who mostly voted for him. With defeating the LTTE taking precedence, Rajapaksa's government tolerated manifold human rights violations, especially against Tamils, including murder, rape, arson, torture, kidnapping, extortion, and disappearances.<sup>22</sup> No one has been charged for any of the violations committed.

President Mahinda Rajapaksa has also resorted to blatant nepotism, appointing his three brothers to highly influential positions in government and nearly 130 relatives to

other prominent governmental positions. Sri Lankans complain that the Rajapaksa brothers control over 80 percent of the country's budget through their ministerial portfolios; although the president's relative success in waging war against the LTTE has made him popular. His government, however, has taken to new heights the culture of impunity prevalent in Sri Lanka and has become adept at branding detractors "traitors." Furthermore, Rajapaksa has refused to install the Constitutional Council, which was created by the seventeenth amendment in October 2001 to ensure independent commissions to oversee the police, elections, bribery and corruption, human rights, and judiciary. This has allowed the president to appoint his supporters and favorites to these commissions. All evidence suggests that the Rajapaksas plan to rule the country for the foreseeable future by hook or by crook.

The ethnic politics that began to take shape in the late 1950s gradually marginalized minorities, seeking only to accommodate Sinhalese, especially Sinhalese Buddhists. Thus, Sinhalese, despite comprising around 75 percent of the population, now control over 95 percent of government jobs. Likewise, over 98 percent of military personnel are Sinhalese. Over time, competence and merit were discarded, and appointments to both low and high government positions were based on nepotism and favoritism. The attendant mediocrity and corruption led to shambolic governance that was tolerated at the highest levels. A culture of violence also took root. The majority Sinhalese initially tolerated illiberalism and violence insofar as they were directed toward Tamils; it became even easier to do so when the LTTE resorted to terrorism to attain its separatist goal. But illiberal governance cannot be compartmentalized, and over time the gangsterism and other malpractices accompanying such governance spread to the entire island. Today, a deadly nexus has taken shape among politicians, security personnel, and criminal elements.<sup>23</sup> In short, Sri Lanka's post-Independence ethnocentric politics has led not only to institutional decay and illiberal

democracy, but could well also lead to dictatorship.

## Parties and politics

Under the Donoughmore Constitution, legislators were divided among seven executive committees in the state council and committee chairmen, who together formed the board of ministers, oversaw certain government functions. It was a structure designed for independents and discouraged the formation of political parties. Nevertheless, leftists motivated by trade union politicking created the Trotskyist Lanka Sama Samaja Party (Lanka Equal Society Party—LSSP) in 1935 and the pro-Moscow Communist Party (CP) in 1943. Sri Lanka's conservative electorate never fully warmed up to either the LSSP or the CP, which reached their apogee in the early 1970s when they joined Mrs. Bandaranaike's second government.

The United National Party was created only in April 1946 in anticipation of independence. A two-party system took effect when S. W. R. D. Bandaranaike joined the opposition and soon thereafter formed the Sri Lanka Freedom Party. The SLFP has consistently appealed to Sinhalese Buddhists and drawn support mainly from rural areas, while the UNP has enjoyed a more urban base, appealing to those with western proclivities, and still draws strong support among minorities during presidential elections. Minorities also supported the party in large numbers during parliamentary elections until minority parties took hold.

The SLFP has operated as a dynasty, with three family members—Mr and Mrs Bandaranaike and their daughter, Chandrika Kumaratunga—serving as the country's leaders. Mahinda Rajapaksa's takeover of the SLFP heralds an end to the Bandaranaike's dominance. Indeed, some in the Rajapaksa camp now confidently talk about a Rajapaksa dynasty.

The UNP, by way of contrast, has been labeled the "Uncle-Nephew Party," given that

four of the party's six leaders have been related to its founder (and Sri Lanka's first prime minister) D. S. Senanayake: Dudley Senanayake took over from his father D. S., and Dudley's cousin, Sir John Kotelawala, succeeded him; J. R. Jayewardene was closely related to D. S. Senanayake, and the UNP's present leader, Ranil Wickremasinghe, is Jayewardene's nephew.

During the post-Second World War period many western European countries, including the United Kingdom, adopted socialist policies. This no doubt influenced newly independent states like Sri Lanka. Consequently, while the UNP is considered right of center and has traditionally embraced pro-western and pro-market policies and the SLFP has preferred a left-of-center platform that embraced state centrism, both resorted to populist, socialist practices until 1977. Socialist rhetoric notwithstanding, both Chandrika Kumaratunga and Mahinda Rajapaksa have continued Jayewardene's open market policies.

Ethnic outbidding between the UNP and SLFP caused Sri Lanka to miss numerous windows of opportunity to solve its ethnic imbroglio. As the ethnic conflict intensified, finding a solution became more difficult. During the late 1980s and 1990s, the JVP and other nationalist parties adopted a more uncompromising ethnic stance. However, with Mahinda Rajapaksa's election, the SLFP is now as nationalist and uncompromising as any other pro-Sinhalese Buddhist party.

The mainly Sinhalese Buddhist JVP first gained prominence through the 1971 insurgency. J. R. Jayewardene released the party's leadership from prison and tolerated its reentry into politics, believing correctly that the JVP would draw support away from the SLFP. However, seeking to absolve UNP cadres involved in the 1983 anti-Tamil pogrom, Jayewardene, adopting the Indian term for radical, violent formations, claimed there was a "Naxalite" connection to the riots and banned the JVP. The party went underground, only to resurface violently after Jayewardene, in July 1987, signed the Indo-Lanka Peace

Accord, which stationed the Indian Peace Keeping Force (IPKF) in the northeast.

The JVP began as a Maoist organization in the 1960s. In its early years it sympathized with the plight of the Tamils and even acknowledged the community's right to self-determination; but post-IPKF, it morphed into a rabid nationalist party. The Premadasa government killed all in the JVP's politburo except Somawansa Amarasinghe, who fled to London and now heads the party. The JVP reentered the political mainstream in 1994 and has allied with the SLFP in recent years. It clamored for a military solution to the ethnic conflict and opposes devolution. The party won ten seats in the October 2000 parliamentary elections and 16 seats in the December 2001 elections. In the April 2004 elections it campaigned as part of the SLFP-led United People's Freedom Alliance and won 39 seats. The JVP draws most of its support from the Sinhalese Buddhist lower classes in the south and is unlikely on its own to fare better than it did in April 2004. The April 2008 split within the party is also bound to weaken it. But the JVP enjoys strong support among lower ranks in the military, and this can have adverse ramifications down the road.

In recent years the JVP has had to compete for the nationalist vote with the Sinhala Urumaya (Sinhala Heritage Party—SU) and the Jathika Hela Urumaya (National Sinhalese Heritage Party—JHU), which succeeded the SU. The JHU is a party almost exclusively based on Buddhist monks, and its formation caused Buddhists to debate whether the *vinaya* (monastic law code) permitted monks to participate directly in politics and how doing so may tarnish the clergy's image.<sup>24</sup> The party stunned most observers by winning nine seats in the April 2004 elections. The JHU supports the Mahinda Rajapaksa government and, like the JVP, called for a military solution to the ethnic conflict and a strong unitary state. It opposed vociferously the ceasefire agreement with the LTTE and Norwegian involvement in the peace process. The party thus applauded when the Rajapaksa government

unilaterally abrogated the ceasefire and terminated Scandinavian involvement in the peace process.

The country's Muslims used to vote for the UNP and SLFP, but many now vote for the Sri Lanka Muslim Congress (SLMC), which began contesting elections in 1989. The SLMC originated in the Eastern Province but gradually spread its influence to the south. The party has fared well over the years, winning four, seven, eleven, and ten parliamentary seats in 1989, 1994, 2001, and 2004, respectively. With the UNP and SLFP increasingly dependent on coalitions to govern, the SLMC and other ethnic parties wield influence disproportionate to their small parliamentary representations. The SLMC split after its founder, M. H. M. Ashraff, died in a helicopter crash in September 2000. The new faction, called the National Unity Alliance, is led by Ashraff's wife, and it has allied with the SLFP. The rural Muslims of the Eastern Province have different preferences from those in urban areas like Colombo, and this dictates party loyalty. However, during presidential elections the vast majority of Muslims vote for the UNP candidate.<sup>25</sup>

The Ceylon Worker's Congress represents the interests of the Indian Tamils, and their leaders have usually allied with the governing party. The Sri Lankan Tamils mostly voted for the Ceylon Tamil Congress and the Federal Party. These moderate parties became marginalized as they achieved little by engaging with Sinhalese politicians. Anti-LTTE Tamil militant groups like the Eelam People's Democratic Party now operate as part of government coalitions. The March 2004 split in the LTTE has led to the *Tamileela Makkal Viduthalaip Pulikal* (*Tamileela People's Liberation Tigers—TMVP*), which operates as a state-sponsored paramilitary group and political party, dominating (often via intimidation and force) Tamil areas in the Eastern Province. With the loss of the territories controlled by the LTTE, the TMVP and other anti-LTTE parties will certainly undermine the pro-LTTE Tamil National Alliance (TNA). The TNA, with 22

seats in parliament, is presently the largest Tamil party because the LTTE ensured that Tamils in the northeast voted for it.

Tamil party leaders are often targeted by their Tamil rivals. In the TNA's case, government forces may have also colluded in assassinating its members. With anti-LTTE forces targeting TNA parliamentarians and the LTTE targeting Sinhalese and pro-government Tamil legislators, it is not surprising that as of April 2008 seven parliamentarians elected in the 2004 elections were assassinated (with four killed in the first three-and-a-half months of 2008).

As of January 2008 there were 53 registered parties in Sri Lanka. With fewer than a dozen having a fair chance of winning even a single seat in parliament, most have apparently been organized to try to make money by selling television and radio time allotted to them.<sup>26</sup> For example, 52 parties/coalitions contested the April 2004 parliamentary elections, yet only seven won at least a single seat.

A sense of noblesse oblige once influenced some Sri Lankan politicians, who forfeited personal fortunes to run for office. With ministerial portfolios akin to sinecures full of perks sweetened by commissions and kick-backs, it is the venal and predatory who, in the main, seek political office today. This has also affected the quality of candidates standing for election. Furthermore, the quest for acquiring wealth, prestige, and power via politics has undermined party loyalty as opposition politicians eagerly cross over to the governing party provided they are afforded ministerial portfolios. Some have done so four and five times. Indeed, one irony in Sri Lankan politics is that voters are more loyal to parties than are the party candidates. For instance, soon after Mahinda Rajapaksa became president, 11 UNP parliamentarians (including some senior party members) crossed over to the government, claiming they wanted to ensure good governance. All were provided ministerial portfolios. Indeed, as of April 2008, 24 UNP members elected through the April 2004 parliamentary elections had crossed over to the



government while nearly 50 parliamentarians had bolted their parties to join the government or operate independently. Thus, as of February 2008 the Mahinda Rajapaksa government comprised 51 ministers, 35 non-cabinet ministers, and 21 deputy ministers. Frustrated Sri Lankans bemoan how an island with 21 million people is saddled with 51 cabinet ministers while nearby India with 1.1 billion people manages relatively well with 32 cabinet ministers. Indeed, the Rajapaksa government had to postpone its first cabinet meeting since it could not find a room large enough to accommodate the ministers, and newspaper editorials suggested derisively that the government rent a hotel ballroom.

The island's unicameral legislature has 225 members. Of these, 196 are elected in multimember districts, while 29 are reserved for National List (NL) members. A party's national vote determines the number of NL members it may have, thereby allowing a party to nominate prominent supporters and highly skilled and qualified citizens to parliament. Yet most NL appointees have been as opportunistic as elected parliamentarians and have crossed over eagerly to government ranks when provided portfolios. For instance, the opposition UNP had 11 NL members, but ten had crossed over to government ranks as of February 2008. In fact, only four NL members currently sit with the opposition; the rest belong to the government.

Violence and deadly weapons are part and parcel of Sri Lankan politics, and there are three main reasons for their proliferation. The civil war forced the government to recruit Sinhalese home guards from villagers bordering LTTE-controlled areas, and the arms provided them have been used to settle personal and political scores. When the second JVP insurgency targeted politicians, the UNP distributed nearly 15,000 weapons among political parties. Very few of these were returned; politicians and their supporters now use them to perpetrate violence. Finally, in the past two decades, nearly 60,000 personnel have deserted the military. Many absconded with their arms

and ammunition and some now work for politicians as bodyguards and storm troopers.

Elections won by corrupt practices are rarely overturned in Sri Lanka, which discourages free and fair polls. Furthermore, preferential voting forces politicians to compete against party colleagues in their districts, adding intraparty violence to the existing interparty violence. Some student unions in the universities are affiliated with political parties; the JVP's Inter-University Student Federation is especially notorious for its politically influenced gangsterism on campuses. The upshot is that parties and their candidates now increasingly rely on violence to influence politics and win elections.

## **Devolution and state and local politics**

Sri Lanka has nine provinces and 25 districts. In July 1981 J. R. Jayewardene and the UNP discarded the existing village and town councils and instituted a district development council (DDC) scheme, hoping to palliate Tamil demands for broad devolution. Rather than promoting autonomy, the DDCs reiterated the state's predilection for centralization. The DDCs that operated between 1981 and 1987 are thought to have played a minor role facilitating economic development,<sup>27</sup> but these and subsequent local/regional institutions have hardly come close to satisfying Tamil demands for autonomy. As of 1978 the president had appointed as district ministers parliamentarians whose constituencies fell outside the district. While district ministers are not included in the cabinet, the position generates the same perks as does a cabinet portfolio.

Most Tamils consider the Northern and Eastern Provinces to be their homeland, and it is here that the LTTE wanted to create the state of Eelam. The Indo-Lanka Peace Accord of 1987 recognized the historical presence of the Tamils in the northeast and necessitated the Thirteenth Amendment to the constitu-

tion, which merged the two provinces. That same year, the supreme court upheld the thirteenth amendment. Sri Lanka thus consisted of eight provinces between 1987 and 2006, when a different Supreme Court ruled that the merger was invalid. The decision was hailed by Sinhalese nationalists who viewed the merger and any devolution as precursors to the island's dismemberment.

Provincial Council elections were first held in 1987 throughout the island and have since been conducted with regularity outside the northeast; but the state's embedded paternalistic and centripetal tendencies have prevented the sharing of power between the central government and the regions.<sup>28</sup> Currently, the provincial councils are white elephants beloved by party leaders desperate to accommodate loyal supporters within the government echelon. Thus, today national party leaders, not provincial leaders, mostly choose provincial councilors; and the country currently has over 4,000 representatives of the people at local, provincial, and national levels. A further irony is that a system that was primarily passed off as one to ensure some Tamil autonomy has, in the main, functioned throughout the island *except* in the predominantly Tamil northeast.

Currently there are 18 municipal councils, 42 urban councils, and 270 *pradeshiya sabhas* (local councils incorporating several old village councils) overseeing local public health, beautification, voter registration lists, and postal services. Unsurprisingly, some units function more efficiently than others. Overall, however, lack of funding, widespread corruption, ambitious provincial councilors, and overbearing parliamentarians combine to undermine the responsibilities and effectiveness of these units.<sup>29</sup>

In 1949 S. J. V. Chelvanayakam and others left the Tamil Congress (TC) and formed the Federal Party (FP) because of concerns over government-sanctioned Sinhalese colonization of historically Tamil areas and disagreement concerning the entry of the TC leader, G. G. Ponnambalam, into the UNP Cabinet. As its

name indicates, the FP mainly clamored for a federal structure, but Sinhalese nationalists opposed federalism, claiming it would be the first step toward separatism. The FP won ten seats in the April 1956 elections to become the largest Tamil party. This, combined with Tamil protests over the Sinhala Only Act, led S. W. R. D. Bandaranaike to meet with Chelvanayakam to try and accommodate Tamil grievances. The result was the July 1957 Bandaranaike-Chelvanayakam (B-C) Pact, under which the FP agreed to drop its demand for linguistic parity and the government agreed to permit the use of Tamil for all administrative purposes in the northeast and to create regional councils to deal with education, agriculture, and Sinhalese colonization of Tamil areas. The B-C Pact provided Tamil leaders a way out of their demands for devolution, but it was vilified by Sinhalese Buddhist nationalists and the UNP. Under pressure, Bandaranaike abrogated the pact in April 1958. After Bandaranaike's assassination, his wife worked to consolidate the unitary state structure.

The FP provided support in parliament to Dudley Senanayake's UNP government during March 1965 and May 1970. The two parties had agreed to the Senanayake-Chelvanayakam Pact of 1965, under which the UNP promised to recognize the Northern and Eastern Provinces as Tamil speaking, amend the previous government's Language of the Court's Act of 1961 so that both Sinhala and Tamil could be used in the courts system, and provide Tamils first preference when colonizing Tamil areas while placing district governments under national authority. Yet the UNP failed to honor the pact. Thus for the second time a Sri Lankan government discarded an agreement reached with Tamils and provided a fillip to the budding separatist tendencies among disenfranchised Tamil youth.

Constitutional change and devolution are related issues, with which Sri Lanka has grappled especially since the mid-1990s. Presidents typically eschew relinquishing presidential powers whenever constitutional engineering is contemplated. The devolution

debate, contrariwise, has ranged between perpetuating the unitary state and introducing a federal structure, with further debates on whether devolution should only be extended to the northeast or all nine provinces, and, if the latter, whether devolution ought to be symmetrical or asymmetrical. Chandrika Kumaratunga's People's Alliance (PA) government released a draft constitution in October 1997 that sought to do away with the executive presidency and devolve power to the regions. The attempt failed. In July 2000 the PA and UNP agreed to a watered-down version of the 1997 draft constitution only to have the UNP back off amidst stiff opposition from Buddhist clergy and Sinhalese nationalist forces. The possibility that the Northern and Eastern Provinces may not remain merged caused Tamil parties also to oppose the parliamentary bill to amend the constitution. Kumaratunga's insistence that she should be allowed to complete her presidential term irrespective of when the new constitution took effect did not help.

Chandrika Kumaratunga's malpractices notwithstanding, she promoted a federal solution to the ethnic conflict and even castigated those Sinhalese opposing devolution as "racists." Mahinda Rajapaksa's government, however, contemptuously abandoned any discourse on federalism. This suits the nationalist mindset of the Rajapaksa regime, which ardently believed in a military solution to the ethnic conflict and opposed meaningful devolution. For instance, the regime's first devolution proposals mooted in April 2007 called for creating 30 districts from the extant 25 districts and devolving power to these miniaturized units. Under international pressure, the government thereafter embraced the Thirteenth Amendment to the constitution as a potential solution, notwithstanding that the provincial council system created by the amendment had failed to meet even basic expectations. The Rajapaksa regime was merely posturing, while adhering to its belief the LTTE could be defeated militarily; for when this eventuates, the government knows

minorities will have no choice but tolerate the existing unitary state and Sinhalese Buddhist dominance.

## Conclusion

If relative consensus and compromise between Sri Lanka's two principal ethnic groups facilitated a peaceful transition to independence, the island's opportunistic and ethnocentric post-Independence politics promoted institutional decay and ethnonational extremism. Consequently, a country once renowned for its tea and beaches is now just as famous for suicide bombings and civil war: over 70,000 people were killed, nearly 600,000 were internally displaced, and between 800,000 and one million Tamils had fled the island during the past 25 years. The United Nations, western governments, and rights groups consider the country to be a serial human rights abuser. In 2006 and 2007 paramilitary forces and government soldiers were responsible for disappearing more people in Sri Lanka than anywhere else in the world. In its Global Press Freedom report for 2007, Freedom House branded the country "not free" and ranked it below Pakistan, Angola, and Egypt, although it ranked higher in the combined average rating on all measures, a rank of 4, whereas Pakistan, Angola, and Egypt are ranked far below at 5.5. When combined with the anomie, corruption, and predatory politics outlined in this chapter, Sri Lanka has by almost any measure regressed radically from the polyethnic and liberal democratic promise evidenced in 1948.<sup>30</sup>

## Notes

- 1 Howard W. Wriggins, "Impediments to Unity in New Nations: The Case of Ceylon," *American Political Science Review*, Vol. 55, No. 2 (June 1961), p. 316.
- 2 For an account of politics leading to independence, see Nira Wickramasinghe, *Ethnic Politics of Colonial Sri Lanka, 1927-47* (New Delhi: Vikas, 1995).

- 3 Neil DeVotta, "Illiberalism and Ethnic Conflict in Sri Lanka," *Journal of Democracy*, Vol. 13, No. 1 (January 2002), pp. 84–98.
- 4 There are two principal Tamil communities in the island: the Sri Lankan (Ceylon) Tamils and Indian Tamils. The British transplanted the latter to work on plantations starting in the 1830s. Just prior to independence the Indian Tamils outnumbered the Sri Lankan Tamils (11.73 percent to 11.01 percent of the total population of the island), but disenfranchisement and a repatriation treaty with India have reduced their numbers to just over 5 percent. The Indian Tamils are not involved in Sri Lanka's separatist conflict.
- 5 Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century*. (Norman, OK: University of Oklahoma Press, 1991), pp. 266–67.
- 6 Neil DeVotta, *Blowback: Linguistic Nationalism, Institutional Decay, and Ethnic Conflict in Sri Lanka* (Stanford, CA: University Press, 2004).
- 7 For a good account of these riots see Tarzie Vittachi, *Emergency '58: The Story of the Ceylon Race Riots* (London: André Deutsch, 1958).
- 8 For details, see DeVotta, *Blowback*, pp. 122–30.
- 9 The latter was one of the most violent ethnic riots in South Asia and marks the beginning of the ongoing civil war. It also created the vast Tamil diaspora that now supports the Liberation Tigers of Tamil Eelam, which seeks to create a Tamil state in the northeast and is branded a terrorist outfit by many countries.
- 10 For details of the 1978 constitution, see A. Jeyaratnam Wilson, *The Gaullist System in Asia: The Constitution of Sri Lanka (1978)* (London: Macmillan, 1980).
- 11 For instance, in the 1970 elections, the UNP received 37.9 percent of votes cast but won just 17 seats, while the SLFP captured 36.9 percent of votes and won 91 seats. Similarly, in the 1977 elections, the UNP received 50.9 percent of votes cast and won 140 seats, while the SLFP received 29.7 percent of votes, yet garnered just eight seats.
- 12 The effect has been insignificant. See Amita Shastri, "Channelling Ethnicity through Electoral Reform in Sri Lanka," *Journal of Commonwealth and Comparative Politics*, Vol. 43, No. 1 (March 2005), pp. 34–60.
- 13 This has not prevented parties from proliferating, although the country, in the main, may be characterized as a two-party system, in which each of the two main parties is assisted by coalition partners. See Matthew Shugart and John Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics* (Cambridge: University Press, 1992), p. 67; Robert C. Oberst, "Proportional Representation and Electoral System Change in Sri Lanka," in James Manor (ed.), *Sri Lanka in Change and Crisis* (London: Croom Helm, 1984), pp. 118–33.
- 14 For instance, Tamils dealing with state bureaucracies are forced to operate in Sinhala and most southern police stations have no personnel fluent in Tamil, causing Tamils who seek redress at such stations to authorize entries written in a language they do not read. Likewise, Tamils living in the south have their birth, marriage, and death certificates registered in Sinhala even though the vast majority does not read the language.
- 15 Mick Moore, "Thoroughly Modern Revolutionaries: The JVP in Sri Lanka," *Modern Asian Studies*, Vol. 27, No. 3 (July 1993), p. 593, fn. 2.
- 16 See *The Island*, "When Political Pots and Kettles Disparage One Another . . ." 13 March, 2008.
- 17 See Neil DeVotta, "Sri Lanka's Political Decay: Analysing the October 2000 and December 2001 Parliamentary Elections," *Journal of Commonwealth and Comparative Politics*, Vol. 41, No. 2 (July 2003), pp. 115–42.
- 18 For a distinction between the two, see Larry Diamond, "The Democratic Rollback: The Resurgence of the Predatory State," *Foreign Affairs*, Vol. 87, No. 2 (March–April 2008), pp. 36–48.
- 19 The likely reason that the LTTE consented to this ploy is because Ranil Wickremasinghe deftly internationalized the peace process to the point where the LTTE felt trapped. The group believes that the Sinhalese Buddhists cannot be trusted. It also believed correctly that a jingoistic Mahinda Rajapaksa regime would highlight Sinhalese Buddhist intransigence more than would a Wickremasinghe-led UNP regime.
- 20 The LTTE used the ceasefire to target anti-LTTE Tamils allied with the government, military intelligence officers and soldiers. It also violated the ceasefire agreement by continuing to tax Tamils and Muslims in the northeast and smuggling in weapons. The Rajapaksa regime began full scale military action against the LTTE after the group shut down the Mavil Aru anicut in July 2006 and thereby deprived villagers of water, although President Rajapaksa and his advisors had in any case come into power

- believing that military victory, as opposed to a political solution, was the best way to end the civil war.
- 21 See Neil DeVotta, *Sinhalese Buddhist Nationalist Ideology: Implications for Politics and Conflict Resolution in Sri Lanka*, Policy Studies 40 (Washington, DC: East West Center, 2007).
  - 22 See Human Rights Watch, *Recurring Nightmare: State Responsibility for "Disappearances" and Abductions in Sri Lanka*, <http://hrw.org/reports/2008/srilanka0308/> (accessed 8 March, 2008); U.S. Department of State, *Sri Lanka: Country Reports on Human Rights Practices—2007*, Bureau of Democracy, Human Rights, and Labor, 11 March, 2008, at <http://www.state.gov/g/drl/rls/hrrpt/2007/100620.htm> (accessed 12 March, 2008).
  - 23 Neil DeVotta, "Explaining Political and Societal Violence in Sri Lanka," in Laksiri Fernando and Shermal Wijewardene (eds), *Sri Lanka's Ethnic Conflict in the Global Context* (Colombo: University of Colombo Faculty of Graduate Studies, 2006). pp. 113–26.
  - 24 See Neil DeVotta and Jason Stone, "Jathika Hela Urumaya and Ethno-Religious Politics in Sri Lanka," *Pacific Affairs*, Vol. 81, No. 1 (April 2008), pp. 31–51.
  - 25 For details on Muslim politics see, Dennis B. McGilvray and Mirak Raheem, *Muslim Perspectives on the Sri Lankan Conflict*, Policy Studies 41 (Washington, DC: East West Center, 2007).
  - 26 See *The Island*, "Beggar Woman's Quintuplets and the Multitude as Kings," 24 January, 2008.
  - 27 For details on the DDCs, see Bruce Matthews, "District Development Councils in Sri Lanka," *Asian Survey*, Vol. 22, No. 11 (November 1982), pp. 1,117–34.
  - 28 For details on the provincial council system, see Amita Shastri, "Sri Lanka's Provincial Council System: A Solution to the Ethnic Problem?" *Asian Survey*, Vol. 32, No. 8 (August 1992), pp. 723–43.
  - 29 This negative appraisal contrasts with Robert C. Oberst, "Government Structure," in Craig Baxter *et al.* (eds), *Government and Politics in South Asia*, 5th edn (Boulder, CO: Westview Press, 2002).
  - 30 For further details in this regard, see Neil DeVotta, "Sri Lanka at Sixty: A Legacy of Ethnocentrism and Degeneration," *Economic and Political Weekly*, Vol. 44, No. 5 (31 January–6 February, 2009), pp. 46–53.