

ONLY SOLUTION TO ETHNIC CONFLICT

Merger of North and East

by Bernard Soysa, General Secretary, LSSP

The devolution of power to a territory in which Tamils are in a majority can be the only basis for a satisfactory solution to the prevailing ethnic crisis in Sri Lanka. Chauvinistic forces within the governing United National Party itself have opposed such a solution and President Ranasinghe Premadasa has shown no readiness or willingness to combat these forces. He has resorted to various measures to buy time for the purpose of getting over the ethnic hurdle each year the Aid Donors meet regarding their aid to Sri Lanka. The Opposition, which is predominantly the SLFP, far from showing up the President's opportunism, has taken up uncompromising chauvinistic stands on the ethnic question.

Chauvinism, whether Sinhala or Tamil, strengthens and reinforces each other's most reactionary and regressive drives. It establishes the situation in which fascist forces take the upper hand and proceed with impunity to liquidate all dissent. The fascist roles of the LTTE and the JVP within their respective communalism need no special mention. What is of even greater significance is that the UNP government itself has exploited the situation to arm itself through Emergency Regulations with the most reactionary and undemocratic powers relying mainly on the support of Sinhala chauvinism.

Bloody Civil War

The ten years of bloody civil war which we have gone through has proved that neither the armed forces

of the state nor the LTTE's guerrilla forces are capable of wiping out the military potential of the other side. This has been the invariable characteristic of all ethnic conflicts in recent times. Superior military power has not enabled a state to pacify territory in which ethnic insurgency has taken place. Nor do the fighting efficiency and commitment of guerrillas suffice to expel occupying armies from the territory fought for, despite the support they may get from a rebellious people.

Devolution of power to ethnic minorities was placed on the political agenda in Sri Lanka with the formation of the Federal Party, following the deprivation of people of recent Indian origin of their citizenship rights in 1948. On two occasions, in 1958 and 1966, the Government in power concluded written agreements with the Federal Party to implement measures of limited devolution and went back on its undertaking in the face of opposition from the forces of Sinhala chauvinism. On a third occasion, in 1977, the Jayawardena Government went back on its election pledge to summon an all-parties conference on the ethnic question and embarked on a course of intimidation of the Tamil people through race riots and military suppression. The Government put forward the District Development Councils system and the TULF accepted it despite its being completely unworkable. This cost the TULF its credibility among the Tamil people. The Government in which the present President, Mr. Ranasinghe Premadasa, was Minister of Local Government, starved the DDCs of finances and encouraged the centrally appointed District Ministers to take control of the Councils. It is only with the widening of the military activities of the Tamil militants and with Indian mediation, that the Government started taking any meaningful steps towards a political solution of the ethnic problem.

Indian Concern

Indian concern in Sri Lanka's ethnic problem was officially registered as far back as 1981 when, following upon the anti-Tamil riots here, an all-party delegation from Tamil Nadu visited New Delhi and persuaded Prime Minister Indira Gandhi to officially announce India's active concern in the welfare

and security of all Tamils in Sri Lanka. This was an important announcement and it indicated the nature of the political pressures on any Indian central government in respect of an escalating ethnic problem in Sri Lanka. J.R. Jayawardena however gave in to the dark forces of Sinhala chauvinism and engaged in his own sabre-rattling, without making any effort to win the sympathy and co-operation of the Indian government on the matter. This was inexcusable for by then it should have been clear to him that, without India's active co-operation in denying to the separatists facilities in India as are necessary for a guerrilla struggle, there was absolutely no hope or possibility of coping with the political and military problem posed in Sri Lanka. This attitude of J.R. Jayawardena and his government led to the events of July 1983, after which India had the problem of a growing exodus of refugees across the Palk Strait.

In the absence of the necessary political understanding between the two countries it was to be expected that India would resort to other devices as have been attributed to its intelligence machinery, the RAW. Political reality thereafter forced the Jayawardena government at the Delhi Summit of June 1985 to recognise, amongst other matters, the Indian interest in Sri Lanka's ethnic crisis, and the necessity for India's involvement in seeking a political solution acceptable to the contending parties.

North-East Merger

The consequent discussions between the two countries, India's mediation with the Tamil militant groups as well as with the TULF, and the work of the Political Parties Conference which sat in Colombo contributed to the drafts that were made of the Amendments to the Constitution and the Provincial Councils Act, which later came to be part of the Indo-Sri Lanka Agreement of 1987. As far as the institutional arrangements for devolution are concerned, the Indo-Sri Lanka Agreement itself added nothing more to what had thus been already drafted and even agreed upon by the governments of both countries. The Agreement however was decisive on the question of implementation. In furtherance of this it provided for a conditional merger of the Northern and Eastern Provincial Councils, and India recognised as its obligation the disarming of the LTTE. That appeared to satisfy the LTTE and the other Tamil groupings that wanted, as the basis of settlement, the clear provision of a single territorial unit as the unit of devolu-

tion. It also won the confidence of those who quite correctly felt that the continuance of an armed LTTE in these provinces would prevent, obstruct and stultify the democratic process.

There is no doubt that had the Provincial Councils system been put into effect on the basis of the conditions provided for in the Indo-Sri Lanka Agreement the country would have had an essentially democratic system in which the ethnic problem could have been laid to rest. Indeed the Provincial Councils system that was provided for constitutes the most progressive step in nearly forty years of history in the democratisation of the national state. In this regard the LSSP, in a statement which it issued in August 1987, examined the provisions of the Indo-Sri Lanka Agreement and the relevance of its provisions to the problem at hand, and pointed to the basically Sri Lankan contribution to the evolution and shaping of this system when it pin-pointed its own role in the matter. It said:-

LSSP Position

'The LSSP, consistent with its position of seeking to achieve a self-managing socialist society, put forward and pressed for the acceptance of the devolution of power from the Centre to the Provisional Councils. The LSSP in the All Parties' Conference and the Political Parties Conference maintained the position that envisaged the devolution of powers that would enable the people to exercise larger democratic rights both at the Provincial and the Local Government level.'

The Indo-Sri Lanka Agreement had reference not only to the ethnic problem in Sri Lanka. Fears and difficulties India had in regard to the UNP Government's subservience to the interests of the United States of America brought into the Agreement positions which the LSSP's statement summarised thus:-

'Further in the latter section of the agreement, which includes an important annexure, there would seem to be established a special relationship between Sri Lanka and India which in certain matters gives India a hand in Sri Lanka's affairs. There is provision for this role in the agreement to set up "a joint consultative mechanism" to continuously review these matters of common concern:

i) ensuring that the presence in Sri Lanka of foreign military and intelligence personnel will not prejudice Indo-Sri Lanka relations;

ii) ensuring that Trincomalee and other ports will not be made available for military use by any country in a manner prejudicial to India's interests;

iii) the restoration and operation of the Trincomalee oil tanks farm be undertaken as a joint venture between India and Sri Lanka;

iv) ensuring that any facilities set up by foreign broadcasting organisations in Sri Lanka are not used for any military or intelligence purposes.'

Sabotage

This meant a withdrawal on the part of the Jayawardene Government from concessions freely given to the USA since 1977, and what happened thereafter was recognisably the backlash of American imperialism. There was orchestrated in the South and West of Sri Lanka a virulent anti-Indian and racist movement which destabilised the J.R. Jayawardena regime and projected Ranasinghe Premadasa for UNP leadership. After the election of Premadasa as President of the country, his official anti-Indian stance was supported from the outside by Sinhala racism spearheaded by the JVP, and the LTTE which had its own need to get the IPKF off its back. With this, American imperialism succeeded in sabotaging the Indo-Sri Lanka Agreement at the Sri Lanka end.

With the sabotaging of the Indo-Sri Lanka Agreement, the racists in the South of the country were free to deny to the North and the East even the benefits of the 13th Amendment to the Constitution and the Provincial Councils Act. The LTTE too was free to get back to its fascistic pursuits both in the North and the East. With this the Provincial Councils were denied the opportunity to contribute what they could to the solution of the ethnic problem. President Premadasa's unimaginative attitude to the Provincial Councils system, his lack of appreciation of its potentialities, his refusal to provide the councils with adequate finances and his usurpation of their functions have in no way helped this system to commend itself to the Tamil people as a solution to their problem.

Despite the lapse of four years, no real transfer of powers to the Provincial Councils as provided for in the 13th Amendment has taken place. Administratively, he has used his powers to undercut the Provincial Councils in areas of activity in which the Centre has concurrent powers with the Provincial Councils. The recent appointment of Divisional Secretaries under his direct and exclusive authority and the subjection of the Pradeshiya Sabha

activity to them is, for instance, a direct violation of the provision that all local government should come exclusively under the purview of the Provincial Councils. The disruption of the North-East merged Provincial Council and the wholly subservient provincial administrations elsewhere have been helpful to President Premadasa in this exercise. It should be mentioned, further, that, side by side with devolution, reform of the Parliamentary and Ministerial system is essential to avoid the duplication of functions and, more important, the duplication of expenditure. This has not even been thought of during the past four years.

Tamil Aspirations

The present reality is that any progress in meeting the aspirations of the Tamil minority can be achieved only through a willingness to adhere to the scheme of devolution of power provided by the 13th Amendment, with concomitant efforts to improve it. To this must be added the recognition of the need of the Tamils of the Northern and Eastern Provinces to administer on their own a single territorial unit as the unit of devolution. The Indo-Sri Lanka Accord met this need through the stipulation that, subject to its affirmation through a referendum, the Northern and Eastern Provinces shall constitute a single PC. It was on the acceptance by the UNP of this stipulation that the first PC elections were held with the Northern and Eastern Provinces being regarded as a single administrative unit.

The Government of President Ranasinghe Premadasa, backed by the darkest forces of Sinhala communalism, provided the LTTE with facilities to destroy the EPRLF administration of the North-East PC and drove the EPRLF leadership itself to desperate and untenable political positions.

Since then the Premadasa government has back-slided on the condition of merger of the two provinces and has failed to offer a viable solution. The continuance of this attitude of attempting to forget the package contained in the Indo-Sri Lanka Agreement for the settlement of the ethnic problem can take the country nowhere close to a solution. It must not be forgotten that what was contained in the Agreement with regard to a solution to the ethnic problem was a reaching down to rock-bottom. A solution cannot be arrived at with less being offered to either side.

The solution proposed by the majority of members of the Parliamentary Select Committee which sat on this subject suffers from a failure to

appreciate this reality. It has reference to the question of the extent of devolution of powers but has sheepishly avoided any thought about the fact that the Indo-Sri Lanka Agreement had provided tentatively a merger of the Northern and Eastern Provincial Councils. Basically what was provided in the Agreement was that the two Councils be merged ultimately only if the will of the people of the Eastern Province to do so could be ascertained in a referendum. The immediate merger stipulated there was conditional and on it depended the disarming of the LTTE. The LSSP is of the view that the only solution that can at present be acceptable to the Tamil people is an acceptance of such merger subject to those very same conditions.

An Impossible War

If it is impossible to accept that contiguous territory inhabited by a majority of Tamil-speaking people should constitute a unit for the devolution of regional power, it must be regarded that no possibility exists of peaceful negotiation of a solution to the Sinhala-Tamil problem in the country. There would then be no

alternative but to seek to impose a solution by one side on the other through the gathering of superior military force.

Ten years of searching for such a solution have today served to demonstrate its complete absurdity. In the first place, neither side has the ability to mobilise sufficient human and material resources to inflict a devastating military victory on the other. Any attempt to do so will result in the common ruin of both contending sides. In the second place, both Sinhala and Tamil chauvinists are heavily dependent on foreign sources for military supplies and financial assistance to pursue their military endeavour. Both sides have already reached a point when these supplies are likely to be withheld from them if no kind of peace is immediately established. Thirdly, the common people on both sides have reached the point of total disillusion with this war which nobody understands and only a self-seeking few desire. Large-scale desertions from the Sinhala armed forces and a virtual drying up of recruitment to the armed forces have become a significant phenomenon. In other words, even if peace is impossible, it is equally impossible to continue the war.

The Government of Sri Lanka must, therefore, be compelled to realise that it has an obligation to confront Sinhala chauvinism in order to serve the country's true interests. **The right to a contiguous Tamil territory as a unit of power-devolution is both a right demand, an irresistible demand and a demand that serves also the true interests of the people of the whole of Sri Lanka.** There is no alternative to it. At the same time, the sharing of power between centre and periphery detailed in the 13th Amendment and the Provincial Councils Act must not be curtailed in any way. If at all it must be improved. Land and responsibility for law and order necessarily belong to the Provincial Councils.

The LTTE may not appear to endorse this approach to peace at this juncture. In any case, there cannot be any opening of negotiations with them unless they first undertake to surrender their arms and participate in a multi-party political system. If the peace-makers can reach out to the masses of all parts of the country and construct an extensive front to bring about the stoppage of this war, it won't be long before even the LTTE cadres begin to think more critically of their present ways.

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