

## Multi-Ethnicity: in Context of Srilanka

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### Abstract

The Sri Lankan Tamils consider their homeland to be the northern and eastern part of the island. A majority of them follow Hinduism with a sizeable part following Christianity. Apart from these two groups, we also have the Sri Lankan Moors i.e. the Tamil speaking Muslims located along the eastern coast and southwest coastal towns as Beruwala. Then, there are the other small ethnic groups such as the Burghers, descendants of Sri Lankans with Dutch or Portuguese ancestry, the aboriginal Veddas and Malay, the descendents of Malay traders. It is pertinent to distinguish them from the Indian Tamils. Sri Lankan Tamils is that ethnic group whose ancestors migrated from South India to Sri Lanka in around 300 B.C whereas Indian Tamils are the descendants of those who were brought to Sri Lanka by the Britishers during their colonial rule as tea and coffee plantation workers from around 1815. These two groups consider themselves to be ethnically and culturally distinct from each other. Since, Indian Tamils are relatively backward and are located in the centre of the Sinhalese area of the island, they don't play an important role in the ethnic conflict. All future references to Tamils, will be to Sri Lankan Tamils.

**KEYWORDS** – Tamil, Srilanka, Ethnic group, Context, Protect, Democracy

### INTRODUCTION

There are 7 billion people in the world. Scientifically, we are one species i.e. Homo sapiens, but socially are we one species, one tribe, one class of beings? Clearly, the answer is NO. There are many factors that apparently distinguish us from one another or, we may say, we think that they distinguish us. Religion, language, culture, geography etc play a very decisive role in asserting our identities and creating contours of our identity. A person usually associates himself with one group and distinguishes it from the others in various ways. This group can be said to be an ethnic group. "Ethnic group refers to the nominal members of an ascriptive category such as race, language, caste, tribe or religion."<sup>1</sup> In our study, Sri Lanka constituted many ethnic groups such as Sinhalese, Tamils, and Moors etc. Thus, if different ethnic groups together constitute a nation it is called multi-ethnicity. Longman defines it as "involving or including people of several different ETHNIC groups." This is closely related to the idea of multi-culturalism. The purpose of this project is to have a look at multiculturalism especially in the context of Sri Lanka, to study the ways in which it can be managed.

### MULTICULTURALISM

It is difficult to give this term a single definition. A vibrant and successful multi-cultural society is said to be one which celebrates the heterogeneity and rejects monoculture homogeneity. It is a celebration of Unity in Diversity. The liberal

<sup>1</sup>Why ethnic parties succeed, Patronage and ethnic Head counts In India, Kanchan Chandra, Cambridge University Press ,2004

concepts that accompany Multiculturalism are pluralism, protection of minority from the tyranny of the majority and tolerance.<sup>2</sup> “Mere toleration of group differences is said to fall short of treating members of minority groups as equal citizens; recognition and positive accommodation of group differences are required through “group-differentiated rights,”<sup>3</sup>

It becomes very important in a democracy to protect the minority from the majority. Multi-cultural and democratic societies are characterised by the formation of ethnic parties. These parties put themselves as the champion of one group`s cause, seeking to exclude others and makes such representation its main basis of mobilisation of people. It has three essential principles, ascriptiveness: the people it chooses to appeal are from a ethnic group, Exclusion: When it chooses to include people for its mobilisation, it excludes many others, Centrality: its central ideology is to represent themselves as the champions of one community. These groups are dangerous in a democracy. Voters don`t vote on the basis of ideology but on ethnic lines.<sup>4</sup> Thus, the majority is consolidated on such lines, and if it comes to power, will make policies on a line that benefits that ethnic group which is in power. This, leads to suppression, exclusion and domination of the minority which can in turn lead to conflict.

However, accommodation of multiculturalism has many benefits ranging from political stability, unity, security, economicy etc. Thus, it is important that a multicultural democratic nation has multi-ethnic and non-ethnic parties. A multiethnic party is defined as “a party that also makes an appeal related to ethnicity central to its mobilisation strategy but that assumes a position of neutrality or equidistance toward all relevant categories on the salient dimension(s) of ethnicity.” An ethnic party seeks to exclude but a multi-ethnic party seeks to include. A non-ethnic party however, is “a party that does not include or exclude categories namely on the basis of ethnic identity, or addresses ethnic demandsbut doesn`t make such demands central to its political platform.” Categorisation of such parties can be done on the basis of the message it sends to the electorate.<sup>5</sup> In Sri Lanka a number of ethnic parties can be identified such as the UNFP and SLFP that advocated ‘cultural nationalism’ on Sinhalese lines. We even had Tamil parties that fought for their group.

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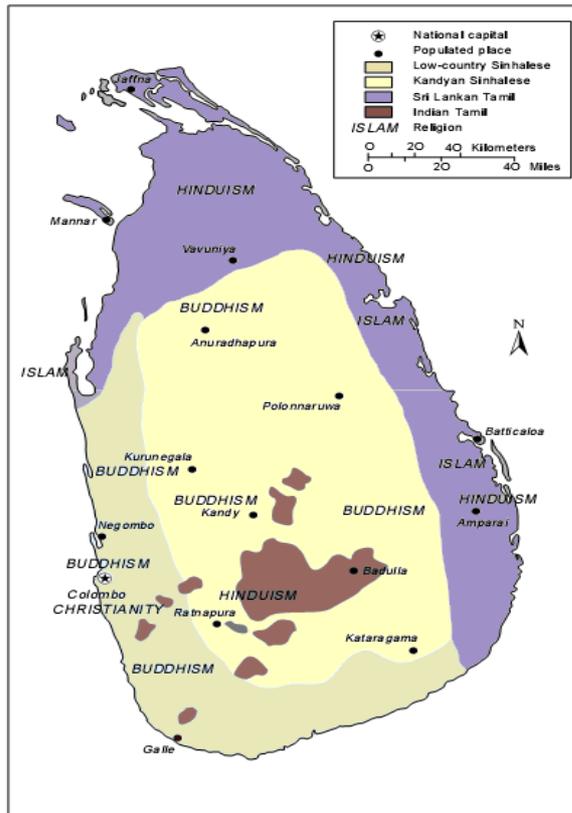
<sup>2</sup>The definitive guide to political Ideologies, Kevin Bloor

<sup>3</sup>Song, Sarah, "Multiculturalism", *The Stanford Encyclopedia of Philosophy (Winter 2010 Edition)*, Edward N. Zalta (ed.), URL = <<http://plato.stanford.edu/archives/win2010/entries/multiculturalism/>>.[last visited: 14/10/2012]

<sup>4</sup> Supra fn 1

<sup>5</sup>ibid

### SRI LANKA-ETHNIC COMPOSITION



This map<sup>6</sup> exhibits the pluralist nature of the Sri Lankan society and how it is distributed across geographical contours. A look at the population statistics<sup>7</sup> with respect to the ethnic composition will also help us to understand its diversity.

TOTAL POPULATION	20,263,723	100%
SINHALESE	15,173,820	74.9%
SRI LANKAN TAMIL	2,270,924	11.2%
INDIAN TAMIL	842,323	4.2%
SRI LANKAN MOORS	1,869,820	9.2%
BURGHER	37,061	0.2%
MALAY	40,189	0.2%
OTHER	21,828	0.1%

The majority of Sri Lankan population is composed of Sinhalese, many of which follow Buddhism as their religion, some Christianity and speak Sinhalese language, an ancient Indo-European language which their ancestors brought with them when they migrated from North India to Sri Lanka in around 500 B.C. Quite evident from the map, they are located in the southern and the western portion of the island. The next largest group is of Sri Lankan Tamils, the largest minority in the country. It is pertinent to distinguish them from the Indian Tamils. Sri Lankan Tamils is that ethnic group whose ancestors migrated from South India to Sri Lanka in around 300 B.C whereas Indian Tamils are the descendants of those who were brought to Sri Lanka by

<sup>6</sup><http://www.payer.de/mahavamsa/chronik0042.htm> [last visited 14/10/2012]

<sup>7</sup>Published by Department of Census and Statistics, Sri Lanka, 2011.

the Britishers during their colonial rule as tea and coffee plantation workers from around 1815. These two groups consider themselves to be ethnically and culturally distinct from each other. Since, Indian Tamils are relatively backward and are located in the centre of the Sinhalese area of the island, they don't play an important role in the ethnic conflict. All future references to Tamils, will be to Sri Lankan Tamils.

The Sri Lankan Tamils consider their homeland to be the northern and eastern part of the island. A majority of them follow Hinduism with a sizeable part following Christianity. Apart from these two groups, we also have the Sri Lankan Moors i.e. the Tamil speaking Muslims located along the eastern coast and southwest coastal towns as Beruwala. Then, there are the other small ethnic groups such as the Burghers, descendants of Sri Lankans with Dutch or Portuguese ancestry, the aboriginal Veddas and Malay, the descendents of Malay traders. As evident, the ethnic composition is supplemented by their respective geographical location as substantial portions of the ethnic groups have their own territorial boundaries.<sup>8</sup>

### **SRI LANKA-ETHNIC CONFLICT**

This ethnic conflict predates itself back to the pre-independence era. The Sinhala community was a "majority with a minority complex." It is this inferiority complex that they tried to eliminate by sticking to their cultural nationalism.<sup>9</sup> Since the arrival of the Portuguese in Colombo in around 1505<sup>10</sup>, they were in constant fear of erosion of their culture. During, the British colonial times, Tamils were given preference by the then imperial government due to their proficiency in English. Thus, given their large numbers in administrative bureaucracy, the Tamils held special positions in the government machinery, much to the discontent of the Sinhalese. The Britishers had kept Sri Lanka united politically and administratively. With their departure, important questions arose as to the relationship between these two communities and their representation in the legislative councils created by the colonial administration.<sup>11</sup> Each community was determined to fight for their ethnic symbol with which they were identified. The Tamils feared they will be subject to domination and possible assimilation by the Sinhala majority. The course of events showed that their fears were not baseless. The Sinhala majority aimed at retrieving their ethnic heritage and reasserting their position as the dominant majority.<sup>12</sup>

It makes one ponder as to why will a community exhibit such a feeling? Two notions have been put forth to explain this. "Some claim that today's Sinhalese cultural "patriotism" (and therefore "nationalism") is reflected in the various historical chronicles (vasmas) of antiquity." They suggest that this allegiance and loyalty to nationalism is not a new phenomenon but a mere continuation of an age-old wave uninterrupted from the past two millennia. However, I find this view problematic. If this view is agreed with then "the link between past and present becomes especially

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<sup>8</sup>**Federalism and Ethnic Conflict in Sri Lanka**, Robert C. Oberst, *Publius*, Vol. 18, No. 3, The State of American Federalism, 1987 (Summer, 1988), pp. 175-193, Published by: Oxford University Press

<sup>9</sup>Ibid pg. 180

<sup>10</sup><http://www.bbc.co.uk/news/world-south-asia-12004081> [last visited 10/10/2012]

<sup>11</sup>Supra fn 4 pg no. 181

<sup>12</sup>**Ethnic Conflict and the Tamil Separatist Movement in Sri Lanka**, Robert N. Kearney, *Asian Survey*, Vol. 25, No. 9 (Sep., 1985), pp. 898-917, Published by: University of California Press

hallowed, and the whole of Sinhalese history expresses a destiny that is currently being worked out in Sri Lanka.”

Another school of thought has a different answer to this. They put forth “the notion of "cultural nationalism," based as it is on an acceptance of a mytho history which has become antirational” The Sinhalese stance can be explained by the "Myth of Reconquest" by Donald E. Smith. Smith states that "the ideal society is not new but ancient. Sacred values cling to a particular territory, but these face extinction when the land is overrun by enemies. The great challenge is to reconquer the land and restore the pre-eminence of the sacred values." As a result of this myth, the Sinhalese have supported the enactment of legislative measures that would help to ensure the survival of their culture.”<sup>13</sup>

An eminent scholar, “Scott Newton maintains that the Sri Lankan “atavistic" response is an example of twentieth century nationalist/revivalist politics, deliberately engineered by postindependence Sinhala politicians revivalism in the 1950s.”<sup>14</sup>

An example of this would be how even Indian nationalists rewrote the Indian history to demonstrate its glorious past, so that nationalist and patriotic feelings are evoked.

Thus, Sinhalese had a very strong inclination towards exhibiting the domination of a Sinhala majority. And this was done in a way that threatened the survival and rights of the Tamils. Systematic and structural discrimination against Tamils were perpetuated by Sinhalese to benefit them and also to re-assert their identity as the dominant group whose culture and symbol is that of Sri Lanka as a whole, totally disregarding the identities of other ethnic groups. These discriminations would be explained at a later stage.

The ruling Sinhala dominated government played a very pivotal role in promulgating circumstances that led to the civil war. The Tamils didn't erupt in sudden violence, demanding their rights. A systematic response was given and demands were made to incorporate their community into the state system. In 1937 G. G. Ponnambalam, the founder of the Tamil Congress, proposed what is known as the fifty-fifty plan. This was a complicated set of proposals intended to prevent any single ethnic group from dominating the other group. However, this plan was rejected. At a later stage, a dominant Tamil party, the federal party demanded devolution of power, a change from the unitary government to federal form of government. These demands were also met with a cold-response. Seeing the reluctance of the government to change its stance, the federal party then united Tamil factions to form TULF i.e. Tamil United Liberation Front. A major TULF demand was a formation of a separate state, a Tamil Eelam. The government's response to these demands was not to redress the grievances but to add fuel to fire. They further strengthened the unitary form of government.<sup>15</sup> The Tamil youth, now were becoming impatient as no progress was being made. They lost faith in the Tamil parties' ability to bring about the desired

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<sup>13</sup> Supra fn 7

<sup>14</sup> **Sinhala Cultural and Buddhist Patriotic Organizations in Contemporary Sri Lanka**, Bruce Matthews, *Pacific Affairs*, Vol. 61, No. 4 (Winter, 1988-1989), pp. 620-632, Published by: Pacific Affairs, University of British Columbia

<sup>15</sup> Supra fn 7

change. With high unemployment rates and subsequent poverty rates, they felt frustrated in their present efforts to obtain concessions from the Sinhala government. They moved towards a more radical stance. Thus guerrilla units were formed which turned increasingly violent to press their demand for an independent Eelam, the most prominent one being LTTE i.e. Liberation Tigers of Tamil Eelam. The Government retaliated and as we all know, the civil war that followed was a black mark on the Sri Lankan history. A heavy price was paid by both sides with loss of civilian lives. Apart from this, the collateral damage also included economic losses, loss of face in the international forum evident by the UN resolution on Sri Lanka to probe War Crimes.<sup>16</sup> Let's have a look at how Sri Lanka failed at various levels to accommodate Multi-ethnicity and what are the possible alternatives to improve the situation.

### **FAILURE AT VARIOUS LEVELS**

With reference to the ethnic conflict between the majority Sinhalese and minority Tamils, Sri Lanka's president said, "We have failed in the essential task of nation building." "Indeed, Sri Lanka stands as a classic example of how state building can fail when one ethno national group (in this case the Sinhalese) attempts to build a religio,juridico and politico-economic society by excluding its minorities."<sup>17</sup>

The two major political power blocs in Sri Lanka are United National Party [UNP] and its various allies, and its left-wing rival, Sri Lanka Freedom Party [SLFP]. Both these parties are pro- Sinhalese parties and have been alternately in power.<sup>18</sup> Riding on the votes of the majority Sinhalese, these parties have failed to accommodate other ethnic groups, although it would be wrong to say that they didn't try to.

After gaining Independence from the Britishers, As mentioned above, G. G. Ponnambalam's 50-50 plan was rejected. Instead of that, the Soul bury Constitution, formulated at independence in 1948," created a system of single-member electoral constituencies with extra representation for large underpopulated districts. This system effectively created a majoritarian constitution that gave the Sinhalese, who held a numerical majority, the ability to dominate the political system. The Tamils would never be able to have enough support in the Parliament to block or alter legislation. The governmental arrangement could have been acceptable to the ethnic minorities in Sri Lanka as long as the majority-controlled government did not enact policies that specifically benefited its own ethnic group. This did not happen."<sup>19</sup> Government policies aimed at promoting Sinhalese interest at the cost of Tamil interests.

One of the first attempts to strengthen Sinhalese vote-bank numerically was the passage of Ceylon Citizenship Act. This Act denied citizenship to a large number of Indian Tamils. Because of this, they were disenfranchised and not allowed to vote in elections. Thus, Sinhalese votes determined the ruling party as Tamils were already a

<sup>16</sup> <http://www.bbc.co.uk/news/world-asia-17471300> [last visited: 10/10/2012]

<sup>17</sup> **Control Democracy, Institutional Decay, and the Quest for Eelam: Explaining Ethnic Conflict in Sri Lanka**, Neil DeVotta, *Pacific Affairs*, Vol. 73, No. 1 (Spring, 2000), pp. 55-76, Published by: Pacific Affairs, University of British Columbia

<sup>18</sup> Supra fn 5

<sup>19</sup> Supra fn 3

minority and lacked the numerical strength to have any effective participation in the decision-making process.

In 1956, another Act i.e. Sinhala Only Act was passed which excluded the Tamils. This is the first step taken by the then new Government of S.W.R.D. Bandaranaike. Elected on the Sinhalese votes, Bandaranaike led the passage of this Bill to fulfil one of his main campaign promises aimed at Sinhalese Nationalism. Under this act, Sinhala was declared to be the sole official language of the country.<sup>20</sup> The Tamils were frustrated by this Act. They clamoured for an equal status for Tamil. These protests turned violent which led to the loss of lives of almost 100 Tamils.<sup>21</sup> Apart from this, many were displaced.<sup>22</sup>

This Act created many practical hurdles in the lives of Tamils. Because of this, they had to face discrimination in public employment. Apart from that they encountered inconveniences and difficulties of corresponding with the government agencies in a language, they could not understand. "Consequently, they were forced to go to other persons for assistance in deciphering the message, often concerning matters of a personal nature such as income taxes or inheritances. Tamil citizens have argued that, due to the Sinhala-only policy, they are treated as aliens in their own land. Beyond the practical considerations of employment and communication with government agencies, the question of the official language vibrated with emotional and symbolic overtones."<sup>23</sup> "A threat to the existence of an ethnic group and those symbols by which it is defined can appear as a personal threat to the individual, who derives "a sense of personal survival in the historical continuity of the group."<sup>24</sup>

The event that followed sets an example that religious authorities need to be kept away from governance. Seeing the protests for a separate state Eelam that erupted after the passage of this bill, Bandaranaike made a pact with Chelvanayakam, leader of the Tamil federal Party allowing for the official use of Tamil in Tamil-speaking provinces in April 1958, Bandaranaike nullified this pact giving in to the Sinhalese extremists. This led to mass rioting which gave way to internal migration of many Tamils and Sinhalese. Finally in August 1958, 'The Tamil Language (Special Provisions) Act' was passed that conferred the Tamil the status of national language although it was not given the status of official language. This meant that although use of Tamil continued, people were required to have the knowledge of Sinhalese language.<sup>25</sup> This concession proved ineffective to calm the Tamils.

Then another step was taken by the ruling Sinhalese government of that time to further exclude the Tamils. Srimavo Bandarnaike, widow of S.W.R.D , returned to power and under her government, a new constitution was passed in 1972. This constitution changed the name of Ceylon to Sri Lanka. But, it infringed upon the

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<sup>20</sup>Sinhala Only Bill. 2012. *Encyclopædia Britannica Online*. Retrieved 11 October, 2012, from <http://www.britannica.com/EBchecked/topic/546059/Sinhala-Only-Bill>

<sup>21</sup><http://www.insightonconflict.org/conflicts/sri-lanka/conflict-profile/conflict-timeline/> [last visited 11/10/2012]

<sup>22</sup><http://www.bbc.co.uk/news/world-south-asia-12004081> [last visited 12/10/2012]

<sup>23</sup>**Language and the Rise of Tamil Separatism in Sri Lanka**, Robert N. Kearney, *Asian Survey* , Vol. 18, No. 5 (May, 1978), pp. 521-534, Published by: University of California Press

<sup>24</sup>Supra fn 7

<sup>25</sup>Section 3 of that act.

rights of the minorities. Buddhism was made the one and only official religion of the state. All this was done in order to please the Buddhist clergy or the Sangha.

"The Bandaranaike government had directed that unless a Tamil public servant passed proficiency test in Sinhala in stages over three years, his annual increment would be suspended and he would eventually be dismissed. Mr.Kodiswaran, a Tamil in the executive clerical service, declined to sit for the exam and in 1962 his increment was stayed. He sued the government on the ground that the regulation was unreasonable and illegal as the Official Language Act of 1956 transgressed the prohibition against discrimination provided for in section 29 of the (Sri Lanka) Constitution...The Sri Lanka government thereupon abolished appeals to the Privy Council, thereby disposing of Kodiswaran's case. And the Republican Constitution of 1972 did away with the safeguards for minorities enshrined in the original section 29." - Walter Schwarz: Tamils of Sri Lanka - Minority Rights Group Report 198326

The government continued its pro-Sinhalese policies which were in fact anti-Tamil. It instituted a so-called standardization of examination scores. This policy stated that persons taking the examination in the Tamil language were required to achieve a higher score than those taking the examination in Sinhala in order to gain admission to the university. The proportion of Tamil students in many fields of study at the university dropped dramatically. This, apart from many other factors led to a huge drop in the employment rates among Tamils. A survey in 1969/1970, found that among persons aged 15-19 years who had passed the General Certificate of Education (Ordinary Level) examination, taken after the tenth year of school, the rate of unemployment was 80.2%. Among those in the same age group who had passed the General Certificate of Education (Advanced Level) examination, taken after the twelfth year of schooling, or had reached a higher level of educational attainment, the unemployment rate climbed to 96.3%. In addition to the general paucity of employment opportunities, the Sinhala-only policy and more indirect forms of discrimination seemed to make the problem of finding suitable employment particularly difficult for Tamil youths. Education in neither English nor Tamil promised reasonable employment opportunities. 27

This made the Tamil minority quasi-aliens in their own country. Insecure and frustrated, a new political Tamil faction was formed i.e. TULF which replaced its demand of federalism with an independent Eelam.

Instead of pacifying the Tamils, the government took steps that further exacerbated the situation. The 1978 constitution was passed that further strengthened the unitary system of the governance by changing the system from parliamentary to presidential system. Federalism was not even considered by the government.

Another failure of the government was to understand the conflict. Efforts to develop the Tamil area were kept to the minimum. "Resource allocation and government-sponsored Sinhalese resettlement in areas Tamils considered part of their traditional homeland were two other

issues that contributed toward Tamil distrust. The government's selectivity, however, could be viewed as highly rational, for to develop the Tamil areas would bring them

<sup>26</sup><http://tamilnation.co/srilankalaws/72constitution.htm> [last visited 12/10/2012]

<sup>27</sup>Supra fn 19

closer to self-sufficiency and perhaps inadvertently promote future designs toward secession. On the other hand, such policies clearly smacked of discrimination and the Tamils justifiably construed it as yet another governmental attempt to keep them dependent on their ethnic nemesis.”<sup>28</sup>

What the Government failed to understand here is that if they had developed the Tamil area, the voice for secession would have lowered down. This is because; people would have developed some amount of trust in the government. If a government doesn't develop an area on such self-fish and irrational reasons, it violates the social contract with the people and hence loses the right to govern. These efforts, which were taken to keep the country 'intact', had actually torn the country.

Coming back to the question of federalism, in 1978 Presidential form of government was enacted and no measures were taken to increase the minority representation in the country. Any move towards federalism created ripples in the Sinhalese majority, for they viewed any such attempt as a threat to their culture. This reasoning is highly flawed and they should broaden their horizons and take lessons from other pluralist countries that have managed to keep their country intact through federalism. The biggest example is of Belgium and Switzerland. A note on this will be discussed later.

After years of violence and riots on both sides of the majority and the minority, in 1987 a federal structure was adopted. Constitution was amended and power was devolved to provincial councils. But then there were structural impediments. “The legislation establishes a five-year term for the provincial councils. In addition, a governor for each province is to be appointed by the president for five years. However, the president has the power to remove the governor at any time. The governor is to have the power to dissolve the council, and if the provincial councils are allowed to exercise their own authority, the new system will operate as a federal system. However, the president's extensive power over the councils may restrict the ability of the councils to operate independently of the national government. In addition, there is a serious question about whether the provincial governments will be able to raise adequate revenue to carry out their actions or be required to rely on the national government for revenue.”<sup>29</sup>

The government's exclusionary measures was accompanied by the rise of militant Tamil secessionists.

The 1983 riots were initiated by Tamil rebels killing soldiers which continues to remain a black mark in the Sinhalese—Tamil relations. One article however correlates these riots with the economic changes that were taking place. These changes are attributed to the post 1977 structural adjustment reforms. But these riots were more intense than any other. With market liberalisation, a large number of Tamils put into use their ethnic and business connections with Indians and become upwardly mobile. “Thus if the pre-1977 era saw Sinhalese heavy and small industrialists, shopkeepers and traders utilize their ethnic identity to procure quotas, licenses and general access to scarce resources, then the open market reforms allowed the Tamils to become successful traders and industrialists in their own right.” Thus, a role reversal was in sight with the previously disadvantaged Tamils entering the middle and upper class

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<sup>28</sup> Supra fn 13

<sup>29</sup> Supra fn 3

strata while their Sinhalese were being “stripped of their status as captains of industry” as they were unable to compete with the cheap import which was much better in quality.

“Economic transitions create uncertainty, and ethnic cohesion is most likely strengthened amidst such uncertainty. This is especially true if one group articulates its grievances and relative deprivation as resulting from the affairs of a rival group. Such grievances then lead to chauvinism and the radicalization of politics, which is what, occurred during the 1983 riots.” This lumpen class of Sinhalese was now mobilised along ethnic, religious and linguistic lines. This article claims that Ethnic rhetoric was being used,” and it is not coincidental that the relatively deprived Sinhalese bourgeoisie was able to utilize the destabilizing energies of the Sinhalese lumpen proletariat in ensuring that the Tamil entrepreneurial classes were more or less wiped out in the 1983 riots. Thus, soon after the riots, the Economist could report that “Two weeks ago Tamils owned 60 percent of the wholesale trade and 80 percent of the retail trade in the capital. Today that trade is gone.”

To point his link out, the article claims that rioters were transported in government vehicles and electoral registration forms were given to them so that they could identify their target. Thus, systematic violence was carried out against Tamil entrepreneur class. The fact that this was done with the help of government agencies shows the biggest failure on part of the government. Not only this, but even after days of violence, the government even express regret! All the more, the President Jayewardene told the Daily Pioneer, : “I am not worried about the opinion of the Jaffna [Tamil] people... .Now we can't think of them. Not about their lives or their opinions of us.”<sup>30</sup>

This is a ridiculous and disgusting statement on the part of the President. On one hand, you claim sovereignty over that area and clamour for a united Sri Lanka and on the other hand you don't care about their lives or opinion? After looking into the involvement of the government agencies in riots, I feel that the minority Tamil can't stay dependent on such a state for their security which is nothing but a tool of a blood hungry majority.

### **LTTE-WORSENE THE SITUATION?**

Early 1970s saw the rise of LTTE i.e. Liberation Tigers of Tamil Eelam. This was a militant group formed to redress the cause of Tamils. After analysis, I realised that although Sri Lankan government's measures did add fuel to fire however, these militant groups were equally responsible for worsening the situation. The terrorist attacks ranged from robberies to attacks on policeman and Tamil Politicians for cooperating with the government. The violence escalated to organised attacks on military units. Violent communal riots aimed at the persons and property on Tamils erupted in 1977, 1981 and 1983 as a response to these terrorist activities.<sup>31</sup>

Has violence helped reach any settlement? Look at India, where the Naxals are fighting the Union of India. Their violence has not helped them achieve anything whereas in India, minority rights are well protected without these minority groups going violent. Tamil politicians co-operating with the government might have worked out a solution peacefully.

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<sup>30</sup> Supra fn 13

<sup>31</sup> Supra fn 7

In 1981, elections to the newly formed district councils were held. A system of proportional representation was adopted. The TULF sought to participate in the elections and work in the councils to press for autonomy. "Extremists within the separatist movement, however, were ardently opposed to any activity within the existing political framework and viewed participation in the elections as compromising the objective of a separate state." Thus the elections were marred with violence.<sup>32</sup> The ultimate aim should be protection of minorities' rights. So if it could be achieved without secession, then the violence was unnecessary and counter-productive.

LTTE called the boycott of elections from 1977-1983. Subsequently, people stayed away from the elections. Now whether it was because they supported LTTE or feared them can't be determined. But either way, the loss was in the hands of Tamils in two ways. Firstly, it stifled TULF democratic efforts at reconciliation. Secondly, this sent a message to the Sinhalese that the Tamils supported militancy. This factor coupled with violence by LTTE, created scepticism in the minds of the Sinhalese regarding the Tamils on giving concessions.

Another issue that emerged was the displacement of the Moors i.e. the Sri Lankan Muslims. "At the height of the civil war in the past the LTTE had expelled about a million Muslims from the Jaffna Peninsula and repeatedly attacked and massacred Muslim civilians in the east, mainly because the Moors (as the Muslims are called) along with the Sinhalese settlers refused to accept the merger of the northern and eastern provinces and rejected LTTE rule in the areas of the northeastern province that it controlled."<sup>33</sup>

This shows how LTTE in many aspects was no different than the Sri Lankan Army. They were themselves suffering at the hands of a majority, yet attacked another minority group for not agreeing with them. Sinhalese ultranationalists forced the minorities to accept the `noble cause` of minorities.<sup>34</sup> Here LTTE in many ways is doing the same by terrorising Moors to accept them.

Had not LTTE been so violent in its approach, a better path could have been carved out. Because of their assassinations and attacks, the whole Tamil community had to bear the brunt in the form of riots. The Sri Lankan army retaliated and the whole country fell into an abysmal pit of civil war. Civilians lost their lives from both the sides.

### **BRIEF SUMMARY**

Please refer to the timeline of Sri Lankan history, taken from the Guardian website.<sup>35</sup> This will help us understand the involvement of both sides of the civil war, international interventions, intermediary peace process etc.

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<sup>32</sup>ibid

<sup>33</sup>**Sinhala Cultural and Buddhist Patriotic Organizations in Contemporary Sri Lanka**, Bruce Matthews, *Pacific Affairs*, Vol. 61, No. 4 (Winter, 1988-1989), pp. 620-632, Published by: Pacific Affairs, University of British Columbia

<sup>34</sup>Ibid

<sup>35</sup><http://www.guardian.co.uk/world/2009/may/18/sri-lanka-conflict>

The events rightly justify the stance taken by the International community that Human Rights violations have occurred from both sides. There is a strong need to probe these war crimes. A strong message needs to be sent to the international forum that gross Human rights violations won't be tolerated.

### **MANAGING MULTI-ETHNICITY: SRI LANKA**

The foremost task of managing multi-ethnicity is to protect minorities from the tyranny of the majority and as I have demonstrated, Sri Lanka has precisely failed at this juncture. From the Sri Lankan framework, I have identified a set of inter-related measures that can help in managing multi-ethnicity. And I don't think, one can exist without the other because each act as a safeguard to supplement the other measure and thus helps to promote and protect multi-ethnicity. Let's have a look at them.

- Legal recognition of rights
- Separation of power
- Devolution of power i.e. Self-rule
- Shift from Control Democracy to Consociational Democracy
- Keeping religion away from governance

#### **Legal recognition of rights**

This is a very important aspect of a pluralist society. Recognizing the rights of minorities is the first step to accommodate a pluralist society. There is no right without a remedy. And if legal protection is given to the minorities then it can go a long way to protect them. Any legislation that is passed needs to pass the test of constitutional validity. Thus even the parliament would think twice before passing any arbitrary law. This is quite evident in India. If the majority tries to pass any law that can infringe the rights of the minorities, then it needs to undergo the strict scrutiny of the courts and if it fails, then it is quashed. This helped India in maintaining her pluralism. However the problem doesn't end here. To implement this, we need a system of checks and balances where the legislature, judiciary and executive are distinct entities of the state.

#### **Separation of powers**

“It is the division of the legislative, executive, and judicial functions of government among separate and independent bodies.” Such a separation is done with the purpose to limit the possible exercise of arbitrary power by the government, “since the sanction of all three branches is required for the making, executing, and administering of laws.”<sup>36</sup>

In Sri Lanka, there was no Bill of Rights to protect the interests of minorities. This was coupled by the provision in the 1972 constitution which gave the legislature power over judiciary. Since the rights were not legally recognized, the judges, if they went against the legislature and its laws, had no defense. Even if they based their judgments on natural law, the legislature had the power to dismiss justices that went against them and promote those who played their tune.

Thus, legal recognition of rights coupled with separation of powers would be a step in the right direction.

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<sup>36</sup>separation of powers. 2012. *Encyclopædia Britannica Online*. Retrieved 13<sup>th</sup> October, 2012, from <http://www.britannica.com/EBchecked/topic/473411/separation-of-powers>

## Devolution of power

Devolution of power or self-rule or sharing of power is a desirable approach as it helps in reducing the conflict between different communities and as feared by Sinhalese ultra nationalists Power sharing doesn't undermine the unity of the country but helps in strengthening it. It gives stability in the long run. The short-sightedness of the Sinhalese government is quite evident by the way they dealt with the problem. They imposed the will of the majority on the minority. On a short term basis, it seems as an attractive step in ironing the unity of the country but in the long term it is not. In the long run, we see it led to political instability and a civil war. This hindered the development of the country. Also, one should remember that the minority also form a part of the society and that any decision taken by the government affects them with which they have to live.<sup>37</sup>

Thus, what happened in Sri Lanka would not have happened, if the government would have accepted the demands of the Tamils for a federal structure. The opponents of this structure feared for the preservation of their culture and unity of the country. Well, the answer to the first issue is India. India is one of the most pluralist societies and has a quasi-federal structure. Can anyone see culture of one community being weakened by the other? In fact, all cultures positively affect each other, increasing the values of tolerance, brotherhood and unity. The answer to the second issue is Belgium. Lets have a look at the ethnic diversity<sup>38</sup> there which is quite similar to Sri Lanka.



The country's population composition is as follows

- 57% are Dutch speaking and live in Fleming Region
- 32% are French speaking and live in Wallonia region
- Remaining 1% is German speaking.
- Capital city Brussels is bilingual with 80% French Speaking people and 20% are Dutch Speaking.<sup>39</sup>

<sup>37</sup>Democratic politics II, textbook for Political Science for class X, NCERT

<sup>38</sup>Map - [http://www-polisci.tamu.edu/upload\\_images/31/SEA12POL306-151ssi.pdf](http://www-polisci.tamu.edu/upload_images/31/SEA12POL306-151ssi.pdf) [last visited 13/10/2012]

<sup>39</sup><http://www.populstat.info/Europe/belgiumg.htm> [last visited 13/10/2012]

As in the case of Sri Lanka, this country has also witnessed ethnic conflict. A powerful and rich French minority was resented by the Dutch-speaking people who were given access to education and economic development much later. Thus, ethnic cohesion cemented within the groups and led to a conflict between the two communities. But the way in which this conflict was handled is in stark contrast to the approach adopted by Sri Lanka and thus, the consequences also differed.<sup>40</sup>

The Belgian leaders adopted a model of power sharing to accommodate the regional differences and cultural diversities. They amended the constitution accordingly to work out an arrangement that enabled these communities to live peacefully in the country. Here is the framework which was formulated.

- The number of Dutch and French speaking members should be equal in the central government. Apart from this, the constitution also prescribes that certain laws would need the vote of the majority of that linguistic group thus making it sure that no community takes any decision unilaterally.
- The powers of the Central government has been decentralized and diffused to the State governments which are not subordinate to the central government.
- The capital city Brussels have an equal representation of both the communities.<sup>41</sup>

Although this system comes with its own share of drawbacks which will be discussed in the next section, but it is definitely better than the unitary system of government adopted by the Sri Lankan Government. This was a feasible demand on the part of the Tamils which could have been accepted by the government.

#### **Shift from control democracy to Consociational democracy.**

Sri Lanka is an example of control or particular democracy. “A control democracy is one in which the majority group eschews ethnic compromise with a state's minorities and instead solely controls the levers of power”.<sup>42</sup> This is evident in Sri Lanka's case. Since the government in this case is elected on Sinhalese votes, it takes precautions not to frustrate it. Here comes into play mob mentality and tyranny of the majority. After the Sinhala-only act, when efforts were made in form of recognition of Tamil as a national language, Sinhalese people cried betrayal at the hands of the government and hence these efforts were put down. The Sinhalese people despised federalism and power sharing as a anti-national measure and hence, the government could not act. Sinhalese politicians often mobilized their vote-bank using ethnic overtones to gain power. The reason this group was appeased is because it formed 80% of the electorate. This demonstrates that control democracy is not a good option for multi-cultural societies.

Consociational Democracy embodies the concept of power sharing.

“It is a type of democracy which was founded not on majoritarian rule but on power-sharing between segments of society. These segments were either ethnic/linguistic or religious/ideological or some combination of these.”

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<sup>40</sup>**One Nation, One Language? The Case of Belgium**, Dutch crossing, Vol. 34 No. 3, November, 2010, 228–47, Ulrike VoglandMatthias Hüning, Freie Universität Berlin, Germany

<sup>41</sup>Supra fn 37

<sup>42</sup>**Nationalism and Ethnic Conflict: The Contribution of Political Science to Political Accommodation**, James G. Kellas, *Studies in East European Thought*, Vol. 46, No. 1/2, Nationalism and Social Science (Jun., 1994), pp. 105-117, Published by: Springer

The three main characteristics of this type are:

“(1) a Grand Coalition of the segments in the central government; (2) a veto power in the government for the segments when their interests are at stake; (3) a proportional share of offices and expenditures for each segment; and (4) autonomy for each segment in managing its own affairs (especially, education, language rights, broadcasting).”

Apart from this, we also have the concepts of "separation of powers, formal and informal;" "balanced bicameralism and minority representation;" "multiparty system;" and "multidimensional party system."

However, it is quite obvious that this may make the existing ethnic divide more indelible. This is one of the main critiques of the system. Horowitz, a political scientist proposes an entirely new model. Although this model might seem impractical, it is a good one which recognizes ethnic identities yet promote unity.

He is aware that an ethnic group will vote on ethnic lines. Thus, he proposes that “the electoral system should provide incentives for parties to seek votes across the racial divide. To achieve this cross-segment voting, Horowitz prescribes "vote pooling." This "refers to an exchange of votes of their respective supporters by two parties. The vote pooling to which is referred to takes place across ethnic or racial lines and is generally the result of agreements between parties for the exchange of electoral support ... it lies at the heart of intergroup compromise in severely divided societies." He feels that with this system “ethnic cooperation will come, not only at the level of 'elite accommodation' but at the grass-roots electoral level as well.<sup>43</sup>

### **Keeping religion away from politics**

This is one of the most important steps that need to be taken. In Sri Lanka, the problem was multi-faceted. Buddhist clergy or sangha dominated politics and policy making. And any step towards accommodating was met with dismay by these groups which would lead to loss of power by the ruling government. Even in India, we have many religious groups but their influence in policy making is restricted. This is largely due to the fundamental rights enshrined in our constitution and judiciary enforcing it. So in a hypothetical situation, if RSS wants a pro-Hindu and anti-Muslim law being passed, it will fail to do so because ours is a secular country, where the rights of minorities are given legal protection.

One more step that can be taken is to improve public morality of the majority i.e. imbibing the values of secularism and minority protection. Also one need to make them understand the true nature of patriotism is not cultural nationalism which is exclusionary in nature but that which aims at protecting all human rights.

### **CONCLUSION**

Multi-ethnicity is multi-faceted problem that is not only limited to regional divides but goes far beyond it. Sinhalese as a group have failed to achieve what it actually aimed at. While fighting for the preservation of their culture, they took stances that contradicted their culture in itself. Buddhism is in itself is a very non-violent and accommodative religion. At a time, when Hinduism was deep into the pit of caste, it was Buddhism that welcomed dalits with open arms. Thus, it is paradoxical that these

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<sup>43</sup>Ibid

groups tried to preserve their culture by going against its basic tenets. Preserving culture should not be negating the other and what Tamils demanded was only equal treatment. This would not have affected the Sinhalese identity. In fact, it would have enhanced it by exemplifying their openness. For, even Tamils have a right to preserve their culture. It has been already shown that suppressing the minorities in the name of 'will of the majority' and nationalism undermines the unity of the country. It is commendable to see how India itself handled the Language policy without imposing Hindi on South India. After years of bargaining, the Sri Lankan Tamils felt orphaned in their land and felt a separate state was the only solution to their problem. All the ethnic groups are motivated by the same force, 'preservation'. The government did win the civil war, but did it win the heart of the minorities? For this, structural and institutional changes are necessary along with enhancing public morality. It is the duty of the majority to be more accommodative and they should realise that cultures co-exist without clashes too. It is not the culture but the people who clash in the name of culture. It is in the benefit of all the groups to co-exist peacefully.

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