

## Sri Lanka: Post War but not Post Conflict

Issue No. 16

January 2013

The civil war in Sri Lanka between government forces and the Tamil Tigers, or Liberation Tigers of Tamil Eelam (LTTE) came to an end in May 2009. However, while the war may have ended, the conflict continues. The distinction between post war and post conflict was made clear by Mr. Jayaprakash Tissainayagam at a discussion entitled "[Sri Lanka: Post War but not Post Conflict](#)" held by the Sigur Center for Asian Studies on December 4, 2012. Mr. Tissainayagam is a Reagan Fascell Democracy Fellow at the National Endowment for Democracy. He is a seasoned journalist who in 2009 was sentenced to 20 years' imprisonment for criticizing the Sri Lankan government's handling of its war against the LTTE and released two years later only after an international outcry. He was named an Amnesty International Prisoner of Conscience in 2008 and received the Reporters without Borders' Peter Mackler Award for Ethical and Courageous Journalism in 2009.

### Ongoing Conflict and Democratic Decline

At the outset of his presentation, Mr. Tissainayagam clearly explained how "post war" entails the absence of active warfare whereas "post conflict" means that the drivers of conflict behind the warfare in the first place have been eradicated. The latter state has not occurred in Sri Lanka, despite the government's defeat of the LTTE in 2009, which effectively ended a decades-long civil war. The civil war that took place is but one aspect or phase of an ongoing conflict and the absence of ongoing warfare does not mean that long-standing grievances have gone away. In fact, Mr. Tissainayagam stated that the conflict in its post war phase is more insidious than when armed combat was taking place.

Mr. Tissainayagam maintained that with no robust Tamil opposition, the state apparatus which is dominated by the Sinhalese majority, is able to impose its vision for Sri Lanka's future more effectively, with little or no role for other ethnic groups sharing the same political space, namely the Tamils and Muslims. In addition, with the end of *armed* confrontation, the ongoing conflict does not attract the same level of international attention as it once did. This makes it easier for the government to act outside of the scrutiny of informed public opinion. Even so, following the end of the war President Mahinda Rajapaksa publicly urged reconciliation, stating that "we must now live as equals in a free country." However, over three years after the end of the war it is clear that reconciliation has not made much progress.

### What Went Wrong, and What Continues to go Wrong?

Since the days leading up to Sri Lanka's independence from the British in 1948, a key aspiration of the Tamils was power-sharing in the government among the Sinhalese, the Tamils and other minority groups such as Muslims. When this was rejected by the Sinhalese dominated government, the Tamils proposed sharing power at the periphery, where the Tamils and Muslims formed a numerical majority. This would have been a quasi-federal system. When this second proposal was rejected by successive governments the Tamils demanded succession, first democratically, then through armed insurgency. Power sharing has remained elusive since the end of armed conflict. The government's post war pacification program has only exasperated the problem. Using the military, the government has made life very difficult for the Tamil and Muslim minorities who live in the northern and eastern of the country through intimidation and restriction of movement. The government has also demanded that

resettled ex-detainees spy on their neighbors, causing people to become deeply distrustful of one another and fragmenting communities in the process.

One basis for a legitimate power-sharing initiative between the Sinhalese and other ethnic groups such as the Tamils might be, the 13th amendment which was passed in 1987. In theory, this amendment devolves powers to nine provinces. In reality, however, the central government still maintains strict control over which powers the local governments can exercise. Thus the Tamils have been continually frustrated by their failure to achieve even modest power-sharing gains through the 13th amendment. What's more, they continue to be concerned about the government's attempts to centralize powers that should belong to the northern and eastern areas of the country. In fact, it is possible that the government could do away with the 13th amendment altogether, considering the Sinhalese hold a two-thirds majority in the parliament.

### **Can the Erosion of Democracy be Reversed?**

Mr. Tissainayagam made clear that the last 30 years has taken a toll on democracy in Sri Lanka, and the end of the war has not halted this trend. He stressed that the international community has a crucial role to play in reversing this trend and helping to end the *conflict* now that the war is over. The international community can help to end the militarization of the country through renewed diplomatic pressure as well as call for a better power-sharing system than the 13th amendment. The international community can also help to ensure that all parties (both government and Tamil) are held accountable for crimes committed during the war.

However, the international community must appear and act more seriously if its demands for democratic reform are to have any effect. There must be a clear-cut plan with benchmarks and consequences, which has often not been the case in the past.

If the international community is perceived as genuinely committed over the long haul, it could rein in the worst excesses of the government and strengthen pro-democracy voices. Under such an environment, it is possible that the government will understand that the only way to survive in Sri Lanka is to follow the democratic path and work to eliminate the drivers of the conflict.

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