

## Reconciliation in Post War Sri Lanka: Issues and Prospects

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**Abstract-** *Having been subjected to 30 years of brutal war, Sri Lanka has gone through many difficulties which has changed the mindset of society. Though the war has eventually come to an end and the country is stepping towards a positive peace, the changed minds of the people, who use to despise the other ethnic groups, are obstructing those efforts. Thus the peace and stability of the country has become quite a sensitive topic. Though all the communities talk about peace they have not accepted the principle of equality among them. Therefore, the question of identity and belonging remains the same. Moreover relevant authorities have not recognized the true requirement of the reconciliation process. Although everyone opines on peace, stability, reintegration, reconciliation and rebuilding, majority of them have not understood what makes this process a success. If the process of reintegration starts with youth, it would be a stable foundation for the future of the country's reconciliation process.*

*The paper will seek to identify the current issues of the reconciliation process from 2009 to present and suggest recommendations so as to prevent consequences caused by ethnic conflicts to the development process.*

*Information in this regard will be derived from secondary sources like reference of text books, electronic data bases, journals. The study is based on qualitative resources and discussions conducted with experts on the issue. This paper also reviews some past case studies and government policy reports such as the LLRC and the corresponding National Action Plan. The research further focuses on new constitutional reforms as well.*

*The paper will propose that ongoing and future challenges could be overcome through accepting ethnic differences by lessons learned in the past and by creating fine opportunities for youth coming from every community.*

**Key words-** *Sri Lanka, Reconciliation, Post war*

### I. INTRODUCTION

Having suffered from three decades of civil war, Sri Lanka was able to gain the military victory in May 2009. As the spark of the ethnic problem draws back to the establishment of Colebrook reforms, most of the citizens in Sri Lanka were born and lived in a country filled with many ideologies on ethnic differences. Since the conflict ended, the then government was more focused on physical development. However, when the present government came into power in January 2015, they started concentrating more on the reconciliation of minds and have taken considerable efforts within an extensive process.

At present the implementation of constitutional rights by the present government and singing the National Anthem in both national languages became a major topic discussed in every strata of society. The views of the Sri Lankan society in this regard is vast. Nevertheless, the most important factor is making the citizens think as an entity that belongs to one nation rather than being separated as different cultures.

### II. LITERATURE REVIEW

The Lessons Learnt and Reconciliation Commission's (LLRC) report comprehensively addresses the issue of reconciliation and recommends a number of strategies in order to achieve an interdependent, just, equitable, open and diverse society. However, according to some of the national and international viewers, the LLRC's methodology assigned relatively low importance to the victims' perspectives. Further, it is true that it did not have effective witness protection programs. The LLRC also fails to correctly apply the laws in respective scenarios. It could be stated that it has neglected examining the possibilities of violations of International Human Rights Law and Domestic Law that are credibly alleged to be committed.

The light of Asia Report (2011) takes devolution of power to the traditionally Tamil-speaking north as a viable solution for the present ethnic problems. However it will only deteriorate the situation of the country, because in

the latter instances border issues will arise due to unwillingness of the people to accept the each other's territory.

In view of the multi-faceted impact of the war, the post-war rebuilding process should invariably be a multi-dimensional process. Developing physical infrastructure is only one dimension of the process. Other dimensions too are equally important. In a broader perspective, post-war reconstruction encompasses four areas: (1) security, (2) justice and reconciliation, (3) social and economic well-being, and (4) governance and participation. Therefore, the true success of post-conflict rehabilitation and reconstruction cannot be measured only in terms of the construction of new roads, bridges and buildings. (Keerawella, 2013).

According to Keerawella, the post-war rebuilding and reconstruction process should not only be focused on physical infrastructure development, but also be focused on economic, social and political empowerment of the people and local communities, which in other terms is true reconciliation. On the other hand political understanding of development is a crucial factor. People should not be manipulated through the whims and fancies of the politicians.

### III. RESULTS AND DISCUSSION

Since 1833 Sri Lankans engaged in struggles to get representation in the legislature based on ethnicity. For decades, political representation, participation and involvement in the decision-making of Tamils and Muslims were minor. When the Sinhala Only Act was implemented in 1956, not only it result in politicization of language based ethnic identity and discrimination against minority communities but it also became difficult for non-Sinhala speaking communities to find employment opportunities. The effect of these policies made a drastic drop in Tamil representation in the public sector. The emergence of suppressed Tamil youth militant groups draws back to the period of mid 1970s based on issues similar to social justice, including caste discrimination aligned with socialist ideologies. Nevertheless, there were many small groups such as EPDP, PLOT, EROSE, LTTE and TELLO which only had a few supporters. After the 1983 Black July incident, a large number of Tamil youth joined Tamil militant groups and a majority of them received training in India. However, many educated Tamils left the country and later on became the Diaspora which is tremendously influential and powerful even at present.

In addition, from the time of independence, Sinhalese leaders were unable to negotiate and give solutions to the problems of the Tamil representatives. One example is when the Sri Lankan government negotiated with the LTTE, instead of the Chief Minister of Jaffna Vardaraja Perumal. During Chelvanayagam's final year he tried to peacefully negotiate with the government in which was of the view that peaceful negotiations are useless. During the 70s' and 80s' India's support to Tamil militants was a major factor which helped the Tamils gradually grow. Even the victorious "Operation Vadamaracchi" was stopped by India's influence. As a large number of Tamils are living in South India, India is an interested party to the Sri Lankan ethnic conflict. Therefore, India who played an important role during the conflict and thereafter should be kept in a friendly manner.

The political inability to maintain collective identities developed the conflict into a war. There was a gradual improvement of violent attacks by military groups since mid-1970s such as Alfred Duraiappah's assassination. Actions against Tamils in 1983 came from the Sinhalese as revenge for the deaths of 13 soldiers by Tamil militant groups. The Tamils were of the view that it was aided by the government and it can be clearly seen as the government did not take immediate steps to end that violence. However, this violence escalated to attacks in 1987 such as attacking of the Pettah bus stand and the assassinations of Ranjan Wijeratne and Prime Minister Rajiv Gandhi.

Even after the sufferings the entire country has gone through, the question of identity and belonging remains the same within the communities. As the world has recognized Sri Lanka as a multi-ethnic, multi-cultural country, co-existence and national understanding is a necessary factor for international support. Fostering hearts and minds is a major challenge in post conflict recovery. As communication between the north and south has not been improved, it should be improved without any fear and suspicion. Though communities are willing to embrace each other, a real commitment from the political front cannot be seen. Even after several years, the victory of the war is being used as a political weapon.

The recommendations of LLRC report lack implementation and allocation of resources. Parties are accusing each other based on violation of International Humanitarian Law. Although the infrastructure is being developed, the educational and economic sides of the wounded parties have not been improved upto the

expected level. The Jaffna Tamil community which has a rich and diverse culture has not been given the dignity they deserve. Majority of the Northern and Eastern households are headed by women who have lost their sons, husbands and fathers to the brutal war. Those families are still in search of missing relations. An exact report has not given on the missing persons and people are asking at least for a death certificate.

The recent report on the Constitutional Reform process conducted by the Centre for Policy Alternatives (CPA) has recorded public views on Bills of Rights, devolution, police and land powers, role of religion in the constitution and the merger of the Northern and Eastern Provinces. One of the foremost questions asked by the report was on Article 9 of the Constitution, whether Buddhism shall be given the foremost place. Responses of the different communities were recorded. Accordingly, 70.4% of the Sinhalese community were favorable though, 75.9%, 56.6% and 62.8% of the Tamils, Upcountry Tamils and Muslims respectively provided unfavorable responses.

As mentioned by the government 262, 629 people were displaced in the North after the end of the war. A considerable number of non-combatants were killed. End of the civil war did not mean the end of the ethnic conflict. Moreover the ideological fundamentals of other ethnic groups are violently rejected by some extremist groups who are supported by some of the political parties for their own survival. They fail to recall the fact that the violence against Tamils in 1958, 1977, 1981 and 1983 in the South made the country suffer for three decades. The burning down of the Jaffna library which was a valuable asset to the country shows how far the ethnic conflict has been extended to. Not only Northern Tamils but also up-country Tamils (the most unprivileged ethnic group in the Sri Lankan society) are being marginalized for centuries by the upper class Sri Lankan Tamil community (due to caste and class issues), the government and the Sinhala community. Nonetheless, they are living in a pathetic situation where their children are not getting even the primary education and the women are being raped and subject to domestic violence. Apart from that, their representatives in the parliament are not making an effort to find solutions for these key issues as the survival of these representatives survival depends on those issues.

On the other hand, the Muslim community is also marginalized due to ethnicity. Anti-Muslim riots in Aluthgama and other towns in the South in mid-2014 was an example. Moreover, over the 12 month period

between January to December 2013, more than 241 anti-Muslim attacks have taken place. Moreover ensuring the return of the evicted Muslims by the LTTE is a matter of immediate concern. Therefore reconciliation, rehabilitation and reintegration processes have to address the problems of all ethnic identities. Collective fear and mutual suspicion among different ethnic groups can lead the country to a war which can be very difficult to win.

Subsequently at the end of the war, much attention and effort is put into the reconciliation process. But the restriction on the access for humanitarian and civil society created a negative image in the eyes of the international community. It is very progressive of the current government to allow the international community to access and assist in making reconciliation an achievable goal. Reconstruction of destroyed cities in the North and East such as Mulaitivu, Kilinochchi and Trincomalee is in progress. During the war Sinhalese from the South were not allowed to enter into the North and the Tamils from North were not allowed to leave the north due to security reasons. However from the current situation a dialogue between the North and South is highly possible.

The issue of distributing lands among displaced people is yet to be addressed. The previous regime which made a massive development in these areas was defeated from both the Presidential and Parliamentary elections in 2015. Though only after 6 years of gaining the victory and transforming lives of the communities from a war to a massive development the government was not able to gain the victory. It shows that even though the war has ended, the wounds of the people have not healed and they do not feel that they are equal partners of the community. Therefore the most important task is to improve solidarity among these communities.

#### IV. CONCLUSION

What Sri Lanka has to achieve is transforming the military victory against LTTE to a sustainable peace through democracy and justice. The power of governing should be shared with minority groups. Multi-ethnicities should be recognized and appreciated. International cooperation is an important factor in the post-war road to peace and stability. Political reforms should be recognized and accommodated systematically. Labeling other ethnic groups as terrorists will divide the multi-ethnic society and weaken national security. A heavy and visible presence of armed forces in the North and East will only deepen the fear of people. A well trained less visible

military presence is needed. Expecting all the military troops to leave these areas is not practical as they play a major role in ensuring national security. Above and beyond making military as a reliable friend and increasing the cooperation between the military forces and the civilians could achieve an immense success in the reconciliation process. Muslims in Jaffna, Mannar, Kilinochchi, Mulaitivu and Vavuniya also should be given special consideration as they were also victims of the war. A visible political solution should be given and the support of the opposition is also needed. Education, administration and economic parts have to be covered by discussions between the political parties as representatives of the citizens. The lack of representation by the governors of the Northern people was a major cause for the spark of the war. Protecting human rights is the major concern in post-war society. Thought human rights were violated in the name of the national security it only weakened the national security and as a result Sri Lanka is presently facing numerous investigations by the international community. Accordingly, the feeling of suspicion, hatred and sympathy should be replaced with dignity and respect as the social healing can only be accomplished by truth and justice. The majority community should be open to change.

LLRC recommendation on missing and arrested (under the Prevention of Terrorism Act) people shall be taken into action and be enforced. Families of missing persons are seeking justice. Their families are vulnerable; therefore the government should consider directing them to find employment. For that the assistance of Non-Governmental Organizations and Inter-Governmental Organization who are experts on those fields can be taken. Special concern should be paid to the protection of women and children of the families of missing people. There are a lots of ex-LTTE child soldiers whose education stopped during the war. It is possible to give them chances to complete government examinations and also vocational training can be given. It is essential to provide facilities to northern schools and make a fine environment to study as the minds of the majority of the children are changed by suffering from a war. If more development programs in the war affected zones are implemented to cover the basic needs of those war affected people, those people could live without any discrepancies and sudden future commotions would not be occurred. Less concern is given to the elders and disabled people because of the war. Protection and employment of them should be ensured as it affects both them and their families.

As the guns of terrorism are silenced, practice of good governance and rule of law will prevent another armed conflict. And respective authorizes should take necessary action to implement policies with the help of experts and adequate public consultation. Moreover governments should illuminate the minds of the people through education which will effectively address the misunderstandings among communities to a national reintegration.

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