

## The LTTE's Transnational Govt. and the 13th Amendment

The current significant political news from overseas is that the international financial and arms network of the LTTE, still largely intact after the destruction in the Wannai of its entire Sri Lankan armed apparatus has appointed a committee to set up a provisional transnational government to take forward its liberation struggle. The leading figures in this endeavor seem to be "KP", the last remaining senior LTTE leader and a man wanted by Interpol, while his chief competitor and one time colleague in procuring arms for the LTTE, also wanted by the Indians for the assassination of Rajiv Gandhi, an LTTE operative named Castro, is also laying claim to the LTTE leadership mantle and its resources of overseas wealth.



It is easy to be dismissive of this exercise as the dying gasps of a toothless tiger, except for several significant factors. Firstly the defeated LTTE have vast sums of money and in the wrong hands they can once again seek to fund violence and destruction in Sri Lanka. Secondly, the next generation of the Tamil Diaspora overseas, namely those born abroad to Tamil émigrés from Sri Lanka, has demonstrated an alienation from Sri Lanka and a radicalization of their politics in a manner that was wholly unexpected and not considered the norm. Generally people born in the west whether ethnic migrants or otherwise can be countered on to be materialistic and career minded rather than passionate in the cause of ethnic political activities in the land of their parents, to which they have little connection and hopefully less animosity than perhaps their parent's generation. Who in the Sri Lankan context would have experienced the 1983 riots, the inequities generated by the Sinhala Only Act and other such measures and could well be alienated and hostile to the Sri Lankan State, perceived as a mono ethnic entity imposed on a multi ethnic polity.

However the weakness of the LTTE has been demonstrated in the fact, that they have been unable to find a single country in the world ready to host an LTTE government in exile. Not even minuscule Micronesia or obscure Lesotho has been persuaded to host the LTTE in exile. Hence their need to create a rather disingenuous virtual "government", comprising nothing more than a loose network of individuals scattered abroad, with little or no relevance to matters in Sri Lanka.

The absence of any friends for the LTTE in the international arena demonstrates that before its demise, the LTTE was terribly isolated in the global context and resultantly the Tamil cause was ill-served by the LTTE as its self proclaimed sole representative. A fact the Tamil polity including the Diaspora should carefully consider as they contemplate their politics in a post LTTE world.

To create the required relevance in the Sri Lankan political context, the rump LTTE, has sought to co-opt the hapless TNA into this exercise by stating that the transnational

government will work closely in conjuncture with the TNA. Mercifully in their defense, TNA General Secretary and Jaffna District MP, Mavai Senathirajah, has disassociated the TNA from the rump LTTE's Transnational Government while keeping all options open by stating that they were not consulted on the move and would await the report of the Committee so appointed before making any comments.

The above situation presents the Sri Lankan government with some important policy imperatives. The first of which is the need to engage with the Tamil Diaspora scattered in various countries. The resources and energy of the Tamil Diaspora should be channelled and harvested for the rebuilding and development of the post conflict North and East and not for fomenting another rebellion against the Sri Lankan State.

Secondly, to provide the political space for the TNA to practice their politics. The TNA may be extreme in its political positions but it is non violent. An Indonesian military intelligence General once explained that Indonesia works closely with extremist but non violent community leaders, since it is only those that have the hard political positions that can resonate with a constituency that holds to extreme views, but eschews violence in the pursuit of those aims. Accordingly Minister Douglas Devananda, a Minister in Sri Lankan governments since 1994, cannot be expected to totally resonate with and have an appeal to those who feel disenfranchised by the Sri Lankan State and completely alienated from it. This is not to detract from the significance, importance and high value of Tamil leaders within the government, but merely to state the obvious fact that politically they cannot fill the political vacuum left by the demise of the violent and extreme LTTE. Only the extreme, with extremism defined as a commitment to separatism, but non violent Tamil political entities can do that, with of course a rapid need to moderate positions for a constructive engagement with the Sri Lankan State and the Southern polity, in a post conflict context and in a non violent manner.

The third recommendation to the government is to devolve power and fully implement the 13th Amendment to the constitution. It is the basic law of the land, on the statute books and practiced in the life of the community and the polity through the provincial councils systems. It is ludicrous for parties like the JVP to contest provincial elections, sit in the Councils and then advocate against them. Also the oath of office to uphold the constitution so often and blithely quoted by our majority ethnic nationalist in the context of the 6th amendment to the constitution, also surely applies to the 13th amendment. One cannot have selective fidelity to the constitution. Moreover excellent compromises have been worked out by the APRC and the Ministry of Constitutional Reforms, with regard to making the 13th Amendment more effective. One example would be in the thorny and tricky issue of police powers, a compromise would be to devolve powers in respect of local police stations and up to the rank of ASP, while SPs, the regional SPPs and above remain the purview of the National Police Commission and the Center. Accordingly hopefully the rump LTTE will fail in their politics of extremism and create the space and enable a more moderate and sensible Tamil leadership to contribute to the urgent task of nation building and creating a shared future for the diverse peoples of this land.