

Political Change in Sri Lanka? Challenges for a Stable Post-Civil War Consensus

Mallika Joseph

“Perhaps the most fatal blow to the cause of democracy would be the breakdown of democracy in a country where it has been strong and stable.”¹

It’s been three years since Maithripala Sirisena, a common candidate drawn from the Sri Lanka Freedom Party, narrowly defeated then President Mahinda Rajapaksa to become the President of Sri Lanka, ushering in not just a change in government, but also bringing hope for a corrupt-free government, an end to nepotism, an inclusive political narrative and reconciliation. Earlier this year, with the overwhelming victory of Mahinda Rajapaksa’s newly formed Sri Lanka Podujana Peramuna in the local elections, the Sirisena government has been served with the reality check of a perform-or-perish ultimatum before the Presidential elections due in a couple of years in 2020.

Against this background, it would be interesting to answer some of the following questions:

What were the factors that led to Rajapaksa’s defeat in the 2015 elections? Also, what were the factors that were responsible for bringing success to Maithripala Sirisena? It is important to note the difference in these two questions as the answers to these two questions shed light on the following two questions: What factors are responsible for the renewed wave of support for Rajapaksa and where does public dissatisfaction with the Sirisena government come from?

Moreover, are these factors only confined to political developments on the island, or are there larger geopolitical trends that are also driving the changes in the country?

The last question to ponder is: Will Rajapaksa 2.0 be different from Rajapaksa 1.0 (2005-2015)? If so, how, and what will be its implications?

¹ Marc F. Plattner, “The End of the Transitions Era?,” *Journal of Democracy*, Volume 25, Number 3 (July 2014): 16.

In 2014, no one could have predicted that Rajapaksa would be defeated. Even by his own assessment, he believed that victory was his when he called for the Presidential elections two years before it was due. In his calculations, he may have perceived that his popularity might wane if the elections were held as scheduled and thus he decided to have the elections earlier. After all he was the one who was responsible for bringing the civil war to its end militarily. This is no mean feat considering negotiation, mediation and power-sharing are the favoured and generally adopted means of bringing conflicts the world over to an end—peaceful ends to conflicts. Domestically, he had also reignited the flame of Sinhalese Buddhist nationalism. Additionally, he was able to provide a vision for the country that the war-affected and fatigued “common man” desperately longed for. Internationally, he had successfully brought to the fore the strategic importance of the island that lies between the two important and competing powers in the region—India and China.

The only problem was that his vision and governance catered exclusively to the majority—the Sinhalese Buddhists—and their brand of nationalism at the cost of other communities, principally the Tamils and the Muslims. His second term saw a huge spike in violence against Muslims, and polarisation of perceptions among the communities. Organisations such as the Bodu Bala Sena² went about spewing hate, and there was little social or political censorship to arrest the steady erosion of social cohesion. For decades, Sri Lanka has battled with majoritarianism, and a

² Bodu Bala Sena (BBS) is a Sinhalese Buddhist nationalist organisation, formed in 2012, which received official patronage under the Rajapaksa government, and has been the centre of many controversies, particularly its role in abetting and inciting violence against the minority Muslim population in Sri Lanka. Many moderate voices among the Sinhalese Buddhist community have decried the hate campaign of the BBS, labelling it as “saffron fascism” and “militant Buddhism” but it continues to be popular within a segment of the far right which is engaged in communal violence across the country. This was witnessed in communal riots in Aluthgama in 2014, as well as the latest violence in Kandy in 2018. While in Aluthgama the government under Rajapaksa received flak for not responding quickly as Muslim shops and houses were gutted, in 2018, the Sirisena government acted swiftly to cut off the internet and thereby attempted to prevent further spread of violence through social media mobilisation.

majority polity suffering from a minority complex. This divisive politics is what had set in motion the catalysts of violence and conflict in the country.³

Mahinda Rajapaksa's huge electoral victory, following the military end to the civil war, offered a huge opportunity to right some of the historical wrongs; to bring closure to communities that had suffered much during the war; and to work towards truth and reconciliation. If ever there was a favourable political time to bridge the chasm among the communities, it was then; sadly, despite immense domestic hope, and international expectations, Rajapaksa did little to deliver on that front. The discussions that dominated the political space were focused on development, democracy, and devolution issues; essentially in that order, while the priorities of the Tamil community were the reverse. Rebuilding was the priority of the government, over reconciliation and rehabilitation.⁴ The huge presence of the military in the areas formerly under the Liberation Tigers of Tamil Eelam's (LTTE) control, continued occupation of land belonging to the Tamil community there⁵ and attempts at rejigging the demography of the northern areas⁶ continue to signify post-war realities.

These factors largely contributed towards the 2015 win by the combined opposition, headed by Maithripala Sirisena. The angst against the Rajapaksa government

³ The roots of the conflict in Sri Lanka can be traced to the period under colonial rule when the Tamils, despite being a small minority, enjoyed disproportionate presence within the civic administration. Immediately after independence, the government disenfranchised the Indian Tamil population that had been brought to Sri Lanka by the British to work in the tea plantations through its Citizenship Act in 1948. In 1956, with the passing of the Sinhala Only act, replacing English with Sinhala as the official language, the seeds for the conflict that followed were sown and many Tamil-speaking bureaucrats were forced to resign with the implementation of this Act. The conflict sharpened the schisms of identity along lingual lines (majority Sinhalese and minority Tamil), though the subtext was also religious (majority Buddhist and minority Hindu). After the war, the same majoritarian trend continues, but it has also sought to include and induce violence between the majority Sinhalese Buddhists and the minority Muslims, who are Tamil-speaking. A majority with a minority complex has been constructed over time by positioning the Sinhalese not just against the minority Tamil community on the island, but rather viewing them together with the 60 million Tamil population in India, who were believed to be instrumental in shaping India's Sri Lanka policy. Likewise, the recent trends in positioning of the majority Buddhists against the minority Muslims, viewing them together with Muslims worldwide, has helped build and strengthen the minority complex within a majority community.

⁴ Manela Karunadasa, "Post War Resettlement in Sri Lanka," Center for Poverty Analysis (CEPA), 22 April 2016, <http://www.cepa.lk/blog/details/post-war-resettlement-in-sri-lanka-02f9bd78786e722b6f832d9ee4bd83ad.html>.

⁵ CPA Report, "Land Occupation in the Northern Province: A Commentary on Ground Realities and Recommendations for Reform," Centre for Policy Analysis Report, March 2016, <https://www.cpalanka.org/wp-content/uploads/2016/03/Land-Occupation-in-the-Northern-Province..pdf>.

⁶ "State Facilitated Colonization of Northern Sri Lanka—2013," *Groundviews*, 19 September 2013, <https://groundviews.org/2013/09/19/state-facilitated-colonization-of-northern-sri-lanka-2013/>. See also, "Gota wants to change demography: TNA," *Daily Mirror*, 29 December 2012, <http://www.dailymirror.lk/19014/gota-wants-to-change-demography-tna>.

was strong enough that the combined opposition of unnatural allies⁷ still managed to achieve victory despite having just two months to prepare for the elections. While the opposition could count on the support from the minorities, they also managed to get some support from the majority community mainly due to their unhappiness with the high levels of corruption and nepotism that became typical of the Rajapaksa government. The battle cry therefore was providing a corruption-free government.

If the Sirisena government is on shaky ground today, this is where the reasons lie—they have been unable to provide the corruption-free government they promised. It is a forgone conclusion that only those who enjoy the support from the majority will form the government and continue to remain in power. So if any party or coalition wishes to remain relevant in the Sri Lankan political sphere, they need to be able to address the aspirations of the majority community—and in the run-up to the 2015 elections there was a section within the majority community that looked beyond the Sinhalese Buddhist nationalist narrative and sought corruption-free, dynasty-free governance. Today, those are the constituents that have lost faith in the government, as reflected in the spectacular win by Rajapaksa's new party in the local elections held in early 2018.

And early on, on the eve of the elections and immediately thereafter, Rajapaksa accused India of engineering the opposition, particularly in bringing together a winning coalition and identifying the common opposition candidate.⁸ This served a very useful purpose for Rajapaksa in discrediting the Sirisena government and bringing into question its credibility and legitimacy even before they could begin governing. The accusation could have also helped fire the first salvo between the combined opposition and the smaller constituency of the majority community whose support they enjoyed. In this context, it is important to remember that the

⁷ Prior to the 2015 elections, the Sri Lanka Freedom Party (SLFP), from which both Sirisena and Rajapaksa hail from, was part of the United People's Freedom Alliance, formed in 2004 against Ranil Wickremesinghe's United National Party; and Sirisena served in the Rajapaksa government as Minister of Health. On the eve of the 2015 elections, Sirisena emerged as the common opposition candidate, taking his loyalists away from the SLFP and forming a fresh alliance with Ranil Wickremesinghe. For ten years, 2004 until 2014, the parties and their cadres had been working against each other, and differences ran deep on how each party viewed issues relating to ethnic harmony, foreign policy and economic policy. Therefore it was difficult to fathom how parties with such strong differences could come together, and hope to make it work.

⁸ "The new Indo-Lanka equation—what was India's role?," *Sunday Times*, 25 January 2015, <http://www.sundaytimes.lk/150125/columns/the-new-indo-lanka-equation-what-was-indias-role-131670.html>. See also, <http://www.sundaytimes.lk/141228/columns/lankas-penny-nys-ambassador-to-the-world-128953.html>; Interview (with Suhasini Haidar) "Rajapaksa: RAW not government conspired against me," *The Hindu*, 13 March 2015, <http://www.thehindu.com/opinion/interview/rajapaksa-raw-not-government-conspired-against-me/article6987460.ece>; "India's spy agency RAW behind my poll defeat, says former Sri Lankan president Mahinda Rajapaksa," *India Today*, 13 March 2015, <https://www.indiatoday.in/world/story/sri-lanka-president-mahinda-rajapaksa-blames-india-raw-for-his-election-defeat-244216-2015-03-13>.

2015 victory was a rather slim one with Sirisena securing 51.2 percent of the popular vote, and Rajapaksa 47.5 percent.

The combined opposition per se were strange bedfellows to begin with. They had very little time to consolidate the common agenda tying them together. While leaders in Colombo could think of and agree on a working arrangement, the differences among party members working at the grassroots continued to exist. Prior to the elections of 2015, there was very little time available for the combined opposition parties to make the decision of coming together an inclusive one within the party. However, very little appears to have been done even after the elections to build ownership within each party in favour of the coalition. And today, the schisms that existed well below the surface have emerged out in the open.

Even at the time of the Sirisena victory in 2015, there was much scepticism on whether the coalition would survive and deliver on its promises

because Sirisena comes from the same political stock of Sinhala-Buddhists. There is nothing to indicate that his politics is different from that of Rajapaksa and there is nothing encouraging about his stand vis-à-vis the Tamils. Will he give more autonomy to the TNA-ruled⁹ northern province? No. Will he initiate a credible investigation into the alleged war crimes by the Rajapaksa regime? No. Will he demilitarise the Tamil areas? No.¹⁰

And part of the problem in delivering on the promises has also been much obstruction from the opposition, as well as resistance and bureaucratic inertia from the government bodies, filled with sympathisers and supporters of Rajapaksa who had entered various agencies in the government during his two terms in office.

The Sirisena government has achieved much domestically, and worked hard at correcting the Sri Lankan image internationally; yet on some of the significant issues people continue to be dissatisfied with the government's performance. On the issue of corruption, it continues to draw flak.

The Sri Lankan electorate has limited choices before them. All moderate voices—Sinhalese and Tamil—have been systematically eliminated by the LTTE. And of the choices that are available, the one provided by the current Sirisena government should have been at least a bit more appealing to one of South Asia's strongest and finest democracies. So, why is it that people's disappointment with the current government has easily translated to support for Rajapaksa, despite knowing full well that his government was more corrupt? What is it that Rajapaksa is able to

⁹ Tamil National Alliance.

¹⁰ Pramod Kumar, "Minorities win with Rajapaksa's fall, but will Sirisena change Sri Lanka's majoritarian politics?," First Post, 9 January 2015, <https://www.firstpost.com/world/minorities-win-with-rajapaksas-fall-but-will-sirisena-change-sri-lankas-majoritarian-politics-2038095.html>.

offer, that people are able to look beyond fundamental democratic principles and practices and embrace comfortably his majoritarian posturing?

Is Sri Lanka a case of a reverse wave of democratisation? A second reverse wave—like Indira Gandhi in India in 1975, or the newly democratic countries in Latin America (Uruguay and Chile) adopting authoritarian regimes in 1973? Or are we witnessing a regime change? There are compelling arguments for both.

Studies indicate that there has been democratic backsliding in recent years in as many as 25 countries; and the list also includes the United States. The reason of course is the constant threat to democratic institutions and practices due to domestic terrorism and political violence combined with the emergence of populist and authoritarian governments that feed the fear created by random acts of violence targeting unarmed civilians.

We are witnessing similar trends in South Asia, too. And it is problematic to use prevalence of terrorism and violence as an excuse for democratic backsliding.

In his article “The End of the Transitions Era?,” Mark Plattner points out that from 1999 onwards there has been an increasing trend in democratic reversals. The good news is that wherever that have happened, the countries involved quickly got back on track. The danger is when efforts are not made to arrest the backsliding, and slow regime change happens—change of regime from democracy to autocracy. How else do we explain the continuing electoral success of right-wing governments that prey on schisms created due to divisive politics?

Another disturbing trend that is observable is that “the vigour, if not necessarily the power, of authoritarian states on the international scene seem to be growing.”¹¹ Is it possible that the civil war spanning three decades has resulted in democratic backsliding, which, combined with the allure of authoritarian states in the global arena, has triggered a regime change in Sri Lanka?

In the same article, Plattner, citing Aristotle, argues that political uprisings that aim to change the regime are just changing the people who have or can have control over that regime, and are not essentially changing the nature of the regime itself. Periodical changes in governments may occur, but they may not necessarily change the regime.¹² This has been observed not just in peaceful transitions of governments, but also violent ones, including coup d'états. If that were the case, should we see the peaceful transition in governments as just replacing of the people who have control over the current regime, rather than an attempt at changing the regime itself? Does that better explain why despite all the negative focus on Rajapaksa, people are still keen to get him back—because he best represents a regime that they are comfortable with?

¹¹ Plattner, “The End of the Transitions Era?,” 14.

¹² Plattner, “The End of the Transitions Era?,” 6.

Another trend is constant erosion of the current understanding and acceptability of what we mean by democracy. Democracy cannot be just peaceful transfer of power, and elections. Unfortunately that is what it has been reduced to today. Just elections.

Currently, all South Asian countries are democracies. But the understanding of democracy has significantly reduced in all countries. “When we use the word democracy today, we mean a regime that combines individual freedom and the rule of law with equality among its citizens....Yet there still are many that offer formal equality without freedom.”¹³

Today, democracy is being seen only as elections, as who wins the majority—all other principles of a democracy, like inclusivity, accountability and transparency, have been thrown to the wind; what we have in its place is just plain straightforward majoritarianism. At the height of the conflict, Sri Lanka used to be referred to as a majority with a minority complex. Today, that trend is visible in other countries in the neighbourhood as well. Similarly, the shrinking in understanding of democracy to just elections, majority win, and majoritarian rule has spilled over within the region, and Sri Lanka is not the only country to exhibit this trend.

The danger with majoritarian rule is that the dominant party becomes a custodian of its version of nationalism, and enforces that. Most countries in the region have multi-cultural multi-ethnic identities. And when attempts are made to exclusively reinforce certain identities for electoral victories, they do great harm in challenging the peaceful co-existence of multiple identities by promoting their version of nationalism.

If the government works for the constituencies that brought it to power, rather than for everyone who are part of the social contract, then it is problematic. As right-wing governments shrink the space for liberal narratives and expressions, promote their singular version of nationalism, and snuff out moderate voices, the ensuing high levels of intolerance to alternative viewpoints have shredded the social fabric and polarised communities.

There is an emerging pattern of regular needling of minority communities, followed by retaliation by minority communities, and then massive retaliation by right-wing communities, not to mention the high decibels of abuse splashed all across the social media and mainstream media. Social cohesion and social contract is constantly under attack.

Additionally wherever there is overlap of identities, the prevalence of violence and conflict is accentuated. For instance, in Sri Lanka, the Tamil (lingual) identity also overlaps with the Hindu (religious) identity, making conflict highly likely unless acknowledged and resolved. The very fact that there are currently two strong

¹³ Plattner, “The End of the Transitions Era?,” 8-9.

narratives on whether the situation in the country is post-conflict or post-war is indicative of the entrenched polarisation.

Against this background, it is important to ask the question: Will Rajapaksa return to power? What will happen if he returns to power? What will be the difference between Rajapaksa 1.0 and 2.0? Currently there are no viable alternatives for a solid opposition. With the earlier experiment at a common opposition totally failing, it is more likely that Rajapaksa's party will win the next elections. Their overwhelming win at the local elections in February this year can safely be used as an indicator of their impending success. Rajapaksa 2.0 will not be very different from 1.0—it will continue to cultivate and serve the constituency that brought it to power, providing them with the pride of Sinhalese Buddhist nationalism, which the current Sirisena government rightly decided to keep away from. The island will continue to see the rise of religious radicalisation, and violence resulting from it, as witnessed in Kandy in March 2018. The fear of Tamil groups regrouping would be used as a strategy to legitimise continued military presence in the north. Despite repeated pleas to implement the lessons from the Lessons Learnt and Reconciliation Commission (LLRC)¹⁴ report, it will continue to gather dust, making reconciliation harder with each passing day. The debt burden placed on the country on account of developmental projects is probably the only issue that the government is likely to face. However, this would provide an opportunity for China to bargain its way to increased presence in the region. However, it remains to be seen if the next Rajapaksa

¹⁴ The Lessons Learnt and Reconciliation Commission was set up by the Rajapaksa government in May 2010 with the following mandate: To inquire into and report on the following matters that may have taken place during the period between 21st February, 2002 and 19th May, 2009, namely:

- The facts and circumstances which led to the failure of the ceasefire agreement operationalised on 21st February, 2002 and the sequence of events that followed thereafter up to the 19th of May, 2009;
- Whether any person, group or institution directly or indirectly bear responsibility in this regard;
- The lessons we would learn from those events and their attendant concerns, in order to ensure that there will be no recurrence;
- The methodology whereby restitution to any person affected by those events or their dependents or their heirs can be affected;
- The institutional, administrative and legislative measures which need to be taken in order to prevent any recurrence of such concerns in the future, and to promote further national unity and the reconciliation among all communities, and to make any such other recommendations with reference to any of the matters that have been inquired into under the terms of the Warrant.

The Commission, after extensive interviews with various stakeholders, submitted its report to the Parliament in November 2011, and thereafter made it public in December 2011. Despite criticism from various quarters on the composition of the Commission, or its findings, there is expectation across the board on the government to implement the recommendations of the report. Many continue to believe that is the minimum that the government could/should do to start the process of reconciliation.

government will be able to leverage Sri Lanka as a swing state between China and India, or will it end up getting caught between a rock and a hard place.

What will Rajapaksa's success mean? It would mean that democracy is seen as a system of rule by the majority, for the majority. In the wake of external interventions following the Arab spring, one of the questions glaring at the face of the international community was: Is it about stability or democracy? And the Western world today is half-heartedly settling for stability, although they would like to ensure that the stability is legitimate, hoping that it would adhere to democratic principles that would ensure legitimacy. Unfortunately, this might not be the case in the Sri Lankan context, as well as a few other countries in the region. You could actually have governments that are elected through free and fair elections, enjoy the popular support of the people (legitimacy), and are able to complete their full term in office (stability), but still continue to shrink the democratic space for dissent and alternative viewpoints.

The Rajapaksa win should serve as a wake-up call to the Sirisena government to take note of what is at stake. It is not just a political victory or defeat. It is the severe stress on the island's democracy that should be of concern. It is unrealistic to expect much to change in the run-up to the next elections. But what can be done is to see how much the government can deliver from the promises it made in 2015. Reconciliation, demilitarisation, development, constitutional change, corruption-free government—these continue to be issues of priority for those who brought the Sirisena government to power. It has always been a case of “too little, too late” when it comes to political response and action in the country. Hopefully the Sirisena government will be able to address these challenges despite the odds stacked against it.

Dr. Mallika Joseph is currently Policy Adviser at the Global Partnership for the Prevention of Armed Conflict (GPPAC). Views are her own.