

'Federalists' can't learn from history



Dr. KAMAL WICKREMASINGHE

The election process currently in motion for the Northern Provincial Council brings in to focus the need for a comprehensive overhaul of the regional autonomy framework introduced in 1987 under the S13 amendment to the constitution. A review of the entire concept, without devotion to S13, needs to be undertaken with opportunities for extensive public participation and debate.

The confusing state of affairs at present is made abundantly clear by the fact that those who are demanding the implementation of an "undiluted" version of S13, knowingly or unknowingly, refer to the their preferred process as "devolution".

Despite attempts to wrap their motives in weasel words, it is clear that the TNA and the Muslim Congress (SLMC) are after a "federal" State in the North, with full Police and land powers. They have held bilateral talks, and are attempting to build a coalition including the UNP, "civil society organisations" (NGOs), and individuals, against those "bent on diluting the 13th Amendment".

The TNA and the SLMC need to note that the Provincial Councils system introduced in 1987 is "federal" in character by virtue of the fact that it is constitutionally-based, in contrast with "devolution" which exist in statute only.

Devolution essentially involves the setting up of elected regional assemblies with limited powers and functions by national government; The devolved powers usually do not include major financial powers, defence, or input into foreign policy decisions that remain the preserve of the central government.

An example of a devolved, still evolving, is the UK model where Scotland, Wales and Northern Ireland run local administrations with varying types and levels of power.

The TNA and the (SLMC) however, are demanding a fully pledged federal state with Police powers yet frame their demand in terms of "devolution" - their talk of "devolution" is not compatible with demands for a "state".

The essential issue the TNA and the SLMC need to understand, however, is that both federalism and devolution based on ethnonationalist identities do not have the capacity to provide a form of governance suitable for Sri Lanka.

The success of traditional federalism in countries like the USA, Australia and Germany is due entirely to the strong sense of nationhood rooted

in their particular histories, and shared by 'all' the people throughout the constituent units in these countries (states in the US and Australia, and Lander in Germany). The demands for 'autonomy' in Sri Lanka arise specifically from the alleged lack of commitment to a national identity among groups inhabiting the North and probably the East of the nation-state - conditions that would justify a federal system are non-existent in Sri Lanka.

Verbal ammunition fired by an "irate" SLMC General Secretary, according to media reports, has included charges that any changes to the 13th Amendment will frustrate the aspirations of the "minorities" and will alienate them. (He probably means his own aspirations and those of the SLMC!)

Strong words of the cynical TNA and SLMC leadership bunch that includes unelected, Colombo-living MPs, unreformed Eelamists, and the Muslim elite, and their cheer squad of sections of the commentariat with vested interests are not backed by a single convincing argument in support of a separate state.

Nor do they appear to have undertaken any series analysis of the possible consequences of the model state they are fighting for, other than to refer to old "promises" and to summon the "bogeymen" India and the so-called "international community" in support.

The UNP MP who charged that the campaign against 13A was based on the "false premise" that devolution would lead to the division of the country has not elaborated or backed his position with any supporting evidence. Some commentators appear to choose not to dwell on their past complicity in declaring unilateral independence at the behest of "uncooked" foreign intelligence organisations.

The state of 'immature' debate demands redressing before the current generations determine the political, economic and social future of the island.

It is time to put the devolution proposal to the reality test

The apparent failure of the SLMC in particular, to spare a moment to study the historical experience relating to separatist demands in India during the early 20th Century suggests that their demand be subjected to "reality testing", the concept developed by Sigmund Freud to test the human psyche to determine whether an alleged present experience is indeed 'present', or a recall of a past experience - a hallucination - of an ego that has lost its capacity to differentiate between past and present.

The relevant 'past' experience in

the SLMC's case relates to the demands of the Muslim elite in colonial India for a Muslim majority Pakistan to be carved out at independence that was exploited by Winston Churchill.

The Indian National Congress (INC) had protested against the attempt by the British Governor General George Curzon in 1905 to divide the state of Bengal along religious lines with the unambiguous objective of sowing the seed of cultural and political separatism among Bengali Muslims, as a means of dividing the independence movement.

The Muslim elite however, served Curzon's ulterior motives by forming the Muslim League, purporting to represent the rights of Muslims in independence negotiations.

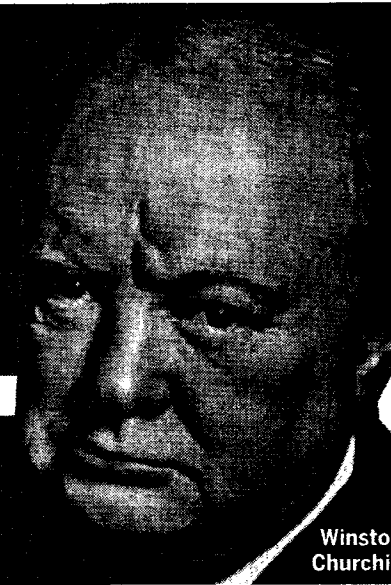
The Muslim League then sought favours from Winston Churchill by responding to Britain's call for World War II volunteers, in contrast to the INC's opposition to sending Indians to die in Britain's war, especially following the betrayal of World

War I when Indians were sent to war promising independence immediately after.

During the days approaching independence, the Muslim League sponsored "Direct Action Day", on August 16, 1946 to press Muslim demands for a Pakistan, resulting in the deaths of more than 5,000 Hindus and Sikhs in Calcutta, and led to more deaths during the "Week of the Long Knives" during which masses of people from both sides were murdered and made homeless.

The Muslim League overlooked the crucial factor that, while the Muslims were concentrated in Punjab and East Bengal on opposite sides of the East-West axis of India, large numbers of them were also living elsewhere in the country, in nearly-even numbers to Hindus.

The border of new Pakistan, between Lahore and Amritsar, excluded the large population of Muslims of Uttar Pradesh, with tens of millions of other Muslims spread across every village of India who could not possibly be relocated to Pakistan. As a result, many more Muslims were left behind in India than were incorpo-



Winston Churchill

ment of TNA and SLMC policy regarding the Tamil speaking people residing outside the NPC, it needs to be inferred that they expect these communities to live where they are, outside the NPC area; This is similar to the thinking of the Muslim Congress in India back in 1946.

It is reasonable to assume that most humane among the majority Sinhalese community may acquiesce with such expectations. However, if the Indian experience is anything to go by, the reality in an emotionally-charged environment could lead to catastrophic situations and unnecessary loss of life.

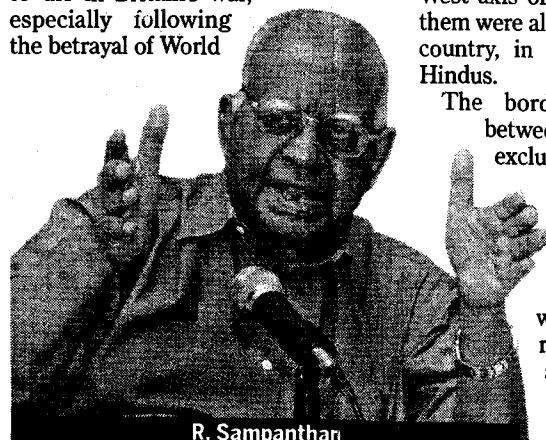
It would be easy to condemn any large scale attacks on minority communities in Colombo and other delicately-balanced-communities, after the event. However, far-thinking leadership among the Tamil and Muslim populations aimed at avoiding the conditions that are likely to give rise to such situations would be necessary to save lives.

Knowingly creating situations that would inflame raw emotions of the less sophisticated, poorer sections of community through irresponsible leadership behaviour cannot be excused. Nor can passing on the responsibility on the government to maintain 'law and order' in such situations be condoned because the Police and Armed Forces themselves will be overwhelmed by the situation.

The onus is on the Tamil and Muslim leadership to announce their position to the people living outside a dedicated "Tamil" state because it is not reasonable to expect these groups to be free to live 'anywhere' and others to be confined to areas outside the "home land".

A sample of this type of thinking was provided by Varthraja Perumal of "unilateral declaration" fame when he proposed in 1991, in his 19 demands to the government at the time, a "re-demarcation" of the North-East, to save Sinhala settlements in many districts of the province and to quell fear by annexing such communities to the adjoining Sinhala provinces such as Polonnaruwa, Moneragala and Hambantota.

Despite his generosity towards the Sinhalese communities Perumal showed that he did not know the meaning of the phrase "ethnic cleansing"; Nor do R. Sampanthan and Rauff Hakim, it seems!



R. Sampanthan

Distribution of Tamils and Muslims by district (Source: 2012 population census)

District	SL Tamil	Indian Tamil	Moor
Jaffna	577,246	499	2,139
Kilinochchi	109,528	1,682	678
Mullatiu	79,081	2,182	1,760
Vavunia	141,269	1,292	11,700
Mannar	80,568	394	16,087
Colombo	231,318	27,336	242,728
Ampara	112,750	165	282,484
Gampaha	80,071	10,879	95,501
Kandy	71,640	83,234	191,159
Ratnapura	54,658	62,595	21,550
N'eliya	31,867	375,795	17,422
Matale	24,756	23,400	44,113
Kalutara	24,362	23,911	112,676
Badulla	20,335	149,662	45,886
Kegalle	20,250	41,468	57,952
Kurunegala	18,763	3,582	113,560
Galle	15,228	5,641	38,591
Matara	8,562	11,984	25,300
H'tota	2,111	136	6,556
Polonnaruwa	7,356	1,190	29,060
A'pura	5,065	957	70,248
Puttalam	47,523	2,503	146,820

rated into the new state of Pakistan, virtually sealing their fate in the hands of angry Hindus.

Partition was accompanied by the largest mass migration in human history of some 10 million people, both Hindus and Muslims, driven from their homes by their erstwhile neighbours, now scrambling to get onto the "right" side of the border - more than 500,000 from both sides were killed when refugee trains were set upon by militants, and as many as one million died in the riots.

Eerie parallels between the Indian case and Sri Lanka

The crucial issue that makes the Indian experience highly relevant to Sri Lanka is the Tamil speaking communities who live outside the Northern Province; The TNA or the SLMC has not spelt out their position on the future of these communities.

The TNA and the SLMC obviously has an obligation to explain to the nation and the government as to how they plan to address the future plight of the Tamils and Moors living outside the five districts that constitute the Northern Provincial Council territory to be dedicated to "Tamils".

A cursory look at the population figures from the 2012 population census shows the magnitude and complexity of the problem - while there are 987,692 "Sri Lankan Tamils" living in the NPC area, nearly half the size of that population, 403,605, live outside the area.

The historically disgraceful contempt with which the Jaffna Tamil leadership has treated the Indian Tamils is reflected in their would-be dire situation. With only a minuscule population of just 6,049 living in the NPC area and a massive 823,598 outside, and many unemployed ready to take up their jobs, makes Sampanthan's position untenable.

The apparent complacency of the SLMC leadership regarding the status of the Muslims, with one and a half million, 1,541,606 to be exact, spread across the country in significant numbers, is even more striking.

Realistic solutions beyond sanctimony about reconciliation are needed

In the absence of any pronounce-