

LANDMARK AGREEMENTS / PROPOSALS FOR RESOLVING THE ETHNIC CONFLICT IN SRI LANKA¹

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- Bandaranaike – Chelvanayagam Pact – July 1957

The B-C pact basically provided for the following:

1. The Regional Councils will constitute the unit of devolution. The Regional Councils Bill will provide for Parliament to delegate powers to Regional Councils in relation to certain subjects such as agriculture, co-operatives, lands and land development, colonization, health, education, industries and fisheries, housing and social services, electricity, water schemes and roads. The Regional Councils will also have powers in respect of taxation and borrowing.
2. Northern Province would constitute one region; Eastern Province would contain two or more regions. Provision would be made for two or more regions to amalgamate subject to ratification by Parliament. Two or more regions would also be to collaborate for specific purposes of common interest.
3. Tamil would be recognized as a 'national minority language' with provision for Tamil as the language of administration and courts in the North and East.
4. Colonisation would not be used to convert the Northern and Eastern Provinces into Sinhalese majority areas. Regional Councils were to have powers of land alienation, and to select personnel to work on such schemes. This excluded the Gal Oya Board.

The Federal Party responded positively, although with some reservations. It was clear that the B-C Pact neither conceded the fundamental demand for a federal union of Ceylon or parity of status for the Tamil language with Sinhalese throughout Ceylon. The Pact was also silent on the question of the 'stateless'.

Yet the Federal Party, at a special session of its National Convention assembled at the Town Hall, Batticaloa, on 28th July 1957, conceded that the agreement had the following positive features:

1. The cessation of 'state-aided Sinhala colonisation'
2. The granting of recognition to the Tamil language as the 'language of a National minority'
3. The securing of the right of every Tamil speaking person in every part of the country to transact all affairs with the government in Tamil
4. 'The large measure of regional self-government' under the proposed Regional Council's Act.

¹ Information sourced from Missed Opportunities: Past Attempts at Resolving Ethnic Conflict by Kethesh Loganathan, CEPRA, 1996

Why it was abrogated

However, the hopes and enthusiasm generated by the Pact quickly evaporated. The initial salvo against the agreement was launched by the principal opposition, the UNP, which in a communiqué hinted at a secret deal between the Government and the Federal Party. Through the booklet entitled, *The First Step*, the UNP started a propaganda campaign against the B-C Pact. The content of the pamphlet basically aimed at highlighting the dangers of the main components of the Pact such as the special powers to enable Parliament to delegate powers to the Regional Councils, the criteria for alienation of land to allottees under the colonisation schemes, powers of taxation and borrowing etc.

J.R. Jayawardene organised a march to Kandy to protest the B-C Pact, and Dudley Senanayake said “I am prepared to sacrifice my life to prevent the implementation of the B-C Agreement, which is a racial division of Ceylon under the guise of the Regional Councils System and is an act of treachery.”²

The march to Kandy and the subsequent Satyagraha launched by representatives of the Sinhala Jatika Sangamaya and Sri Lanka Sangha Sabhava, as well as the ‘fast unto death’ launched by F.R. Jayasurya against the Pact created a sea wave of opposition to the B-C Pact.

In the face of mounting pressures, from the Sinhala polity as well as the Buddhist clergy, Prime Minister SWRD Bandaranaike publicly disowned the agreement that he had entered into with the Federal Party and its leader, SJV Chelvanayagam. On 9th April, 1958, the B-C Pact was torn to shreds.

- The Tamil Language (Special Provisions) Act, No. 28 of 1958

The Act basically provided for the following:

1. Tamil language to continue as a medium of instruction
2. Tamil language as a medium of examination for admission to the Public Service; and
3. Use of Tamil language for purposes of correspondence and ‘prescribed administrative purposes’ in the Northern and Eastern Provinces.

The ‘Special Provisions’ however, were circumscribed by the pre-existing Official Languages Act, No. 33 of 1956.

Lack of Political Will

The Act failed because of a failure to enact the relevant regulations as stipulated in Section 6(1) – “the relevant minister “may make regulation to give effect to the principles and provisions of this Act.” In the end,

“for eight years the Government managed to procrastinate formation of the Act’s attendant regulation, rendering the Act’s impact nil during a critical period in the nation’s process of self-definition.”³

² Ceylon Daily News, 12.8.1957

- Dudley – Chelva Pact – 24th march 1965

The D-C Pact basically consisted of the following terms of understanding:

1. Early action to be taken under the Tamil Language (Special) Provisions Act of 1958 and appropriate regulation to be issued to give effect to the Act
2. District Councils to be established. Powers over subjects was left for future negotiations. The Central Government, however, was to retain the prerogative of giving directions to District Councils in areas of national interest.
3. In allocating land under colonisation schemes in Northern and Eastern Provinces, the following principles to be observed in the given order of priority: (i) land to landless in the District; (ii) Tamil-speaking persons resident in Northern and Eastern Provinces; (iii) to other citizens.

Reasons for failure

It was abundantly clear that the D-C Pact contained distinct advantages to the Tamil polity in relation to land alienation and a language policy that could be construed as a viable interim alternative to 'parity'. However, as a structure of government based on regional autonomy, the B-C Pact was far superior in form and content.

Also, linked to the enactment of the Tamil Language (Special Provisions) Act, No. 28 of 1958, the reaction to the regulations providing for 'the reasonable use of Tamil', without in any way contravening the 'Sinhala Only' Act, was swift. This time, it was the turn of the SLFP and quite unexpectedly, its left allies to use the language of ethno-populism and demagoguery. At a public meeting at Bogambara Grounds, Mrs. Bandaranaike called on the whole nation to 'protest with one voice' against the regulations relating to the 'reasonable use' of the Tamil language which was the 'first step in the division of the country.' At another public rally at Hakmana Junction on the 13th of January 1966, addressed by leaders of the SLFP-Left coalition, a handbill, circulated in Sinhala, carried the following slogans:

- 'Don't Divide the Country'
- Tear up the Dudley-Chelva Pact

In the midst of all this, efforts at co-habitation between the Federal Party and the UNP also failed. Furthermore, the Tamil polity continued to traverse a path alternating between adventurism and capitulation. Non violent agitation, inspired by visions of self-rule and glories of the past, on the one hand, and coalitions, based on a sole ministerial portfolio, on the other, did not quite go hand in hand. It only left the Tamil people demoralised, with no solution in sight.

On the other hand, the Sinhala polity, now with the backing of the Left parties, did its utmost to alienate Tamil polity and civil society through its policy of exclusivism and ethno-populism.

³ A Theva Rajan, Tamil as Official Language: retrospect and Prospect, Colombo, ICES

- Development Councils Act No. 35, 1980

Some of the salient features of the DDC Act were;

1. Development Councils would consist of Members of Parliament of the relevant District, as well as members elected directly to the DDCs
2. Powers, duties and functions were to approximate those carried out by the Town Councils and Village Councils, but excluding areas covered by Municipal and urban areas;
3. Every Development Council was entitled to a Development 'Fund' into which all rates, taxes, duties, fees and other charges levied by the Councils were to be deposited;
4. Each Council would have its Executive Committee consisting of the District Minister, the Chairman of the Development Council and not more than two other members of the Council appointed by the District Minister in consultation with the Chairman. The powers of the Executive Committee were defined.

The limiting factor of course, was the over-bearing role played by the District Minister and the Minister in charge of Finance, thus effectively rendering the District Development Councils as appendages of the Centre.

Felix R.D. Bandaranaike, in an article to the Sun, argued that the Development Councils actually had powers less than those earlier enjoyed by the Urban Councils and Village Councils. Elaborating, he said;

While the TULF decided to support the DDC Bill and partake in the electoral process, it refused to accept it as a solution to the Ethnic Question. Neither did the government have any illusions on this count.

Reasons for failure

The political context of the DDCs, in relation to the ethnic conflict, was aptly summed up by Prof. Wiswa Warnapala:

“The Jayawardene Government did not show much enthusiasm in giving the experiment a fair trial and power sharing was arranged in such a way so as to see that the Centre retains its all powerful control over the activities of the Councils. The experiment in decentralisation was guided more by considerations for adjustment towards a social order rather than a political order. The Councils in the Tamil areas soon became in-operative, and this dealt a blow to the moderate and the tactical political line of the TULF which now began to lose its grip on the politics of the region and the militant youths made use of this situation to push their line that there is no alternative to a separate state.”⁴

⁴ W.A. Wiswa Warnapala, Ethnic Strife and Politics in Sri Lanka: An Investigation into Demands and Responses, New Delhi, Navrang, 1994

Elections to the DDCs in Jaffna were scheduled to be held on the 4th June 1981. On 31st March, following a shooting incident by a Tamil militant organisation, at a TULF meeting at Nachimarkoviladi in Jaffna, in which two police constables were killed, the security forces went on the rampage. The Jaffna library was set on fire and its vast collection of rare books and historical documents burnt to ashes. Looting and arson took place in a systematic manner, including the attack on the house of TULF Member of Parliament, V. Yogeswaran. On July 24th, the TULF MPs characterised the violence preceding the DDC elections as being state-sponsored, instigated by high ranking UNP ministers present at that time.

The violence perpetrated by the security forces and directed by some senior members of the UNP, undoubtedly motivated the people to turn out in large numbers at the polls and vote for the TULF.

In the midst of state terror and anti-state violence, the DDCs in the Tamil areas tottered towards an ignominious end. The experience of the DDCs, in the midst of demagoguery, intolerance and escalating violence, failed to have any impact on ameliorating the causes of the ethnic conflict.

- All Party Conference - 1984

On 21st December 1983, President J.R. Jayawardene summoned a meeting of eight political parties to consider the question of holding an All Party Conference on “on the daily growing problems of the country in regard to ethnic affairs and terrorism”. The political parties which eventually participated included the UNP, SLFP, Communist Party (CPSL), LSSP, MEP, ACTC, CWC, Democratic Workers Congress (DWC) and the TULF.

Reasons for failure

It must be noted that while the composition of the APC seemingly reflected a cross section of national opinion and interests, it also had a motive that was suspect. Prof. Wiswa Warnapala:

“J.R. Jayawardene, being as astute politician, immediately co-opted into the conference a sultry collection of religious and cultural organisation, some of which were powerful and others totally obscure associations with no proper membership...This strategy was adopted to balance the Sinhalese representation vis-à-vis the Tamil representation, and this move, covertly guided by communal considerations, became farcical because Sinhalese extremist opinion was able to exercise an influence within the conference.”⁵

The profile and authority of the APC underwent another setback when the SLFP pulled out on the grounds that it was an attempt to impose a solution without consulting the people. Likewise, the MEP withdrew citing interference by India in Sri Lanka’s internal affairs.

⁵ W.A. Wiswa Warnapala, *Ethnic Strife and Politics in Sri Lanka: An Investigation into Demands and Responses*, New Delhi, Navrang, 1994

In any event, the APC was doomed to fail. This was largely the result of the gap in perception and interests on key issues between the GoSL and the key Tamil negotiator, the TULF, compounded by the increasing militarization of the ethnic conflict which sidelined and discredited the APC as a 'non-event'.

By December 1984, the APC was in shambles.

- Thimpu Talks – 1985

'Peace Talks' began on 8th July 1985 in Thimpu, Bhutan. The talks lasted two rounds. During the first round, from 8th to 13th July 1985, the Tamil delegation placed before the Government delegation a set of 'four cardinal principles' based on which it expected the Sri Lanka Government to come out with a set of proposals. The four principles were;

1. Recognition of the Tamils of Sri Lanka as a distinct nationality;
2. Recognition of an identified Tamil homeland and the guarantee of its territorial integrity
3. Based on the above, recognition of the inalienable right of self-determination of the Tamil nation
4. Recognition of the right to full citizenship and other fundamental democratic rights of all Tamils, who look upon the Island as their country.

Also during the first round, the GoSL delegation put forward the set of proposals and draft legislation that had been placed before the defunct APC. The salient features were that the Districts would comprise the unit of devolution, with provision for the District Development Councils to amalgamate.

The Tamil organisations declined to negotiate any proposals that had already been rejected by the TULF at the APC. Further the Tamil organisations took the position that the burden of presenting a broadly acceptable formula lay with Colombo.

Reasons for failure

Round Two of the talks began to turn sour with exchanges of allegations of violations of the ceasefire agreement. The Tamil delegation walked out of the Thimpu Talks on receipt of information that the Air Force personnel had gone on a rampage in Vavuniya, following a landmine explosion, resulting in the killing of 15 civilians.

Also, the Sinhala-Buddhist lobby issued a memorandum calling for the postponement of the Thimpu Talks until terrorism had been wiped out and all Sinhalese were resettled in their original homes in Trincomalee and Vavuniya. The signatories to the memorandum included the Maha Nayake Thero of the Asgiriya Chapter, Ven. Pallipane Chandananda, Ven. Madihe Pannsiha, Ven. Sobitha Thero, Mrs. Bandaranaike and Anura Bandaranaike in their capacity as Leader of the SLFP and Leader of the Opposition respectively, and Dinesh Gunewardene, the leader of the MEP.

The Thimpu talks, in sum, were destined to collapse since neither parties to the conflict were prepared to abandon their respective rigid positions. Neither was the ground situation conducive for any serious negotiations. Interestingly and predictably, both the GoSL and the Tamil organisations were relieved that the Thimpu Talks had collapsed.

However, the Left-Social Democratic Alliance, comprising of the Communist Party (CP), LSSP, and the newly formed SLMP, headed by Vijaya Kumaratunge, attributed the collapse of the Thimpu Talks to 'war mongers' and urged that the Thimpu Talks should not be abandoned. Vijaya Kumaratunge's visit to Madras, to meet the leaders of the Tamil militant organisations, followed by his visit to Jaffna to meet the LTTE leadership, was a healthy interlude to the spate of violence and chauvinism on both sides of the ethnic divide.

- Indo-Sri Lanka Accord - 1987

The Indo-Sri Lanka Agreement basically sought to ensure the following:

1. The preservation of the unity, sovereignty and territorial integrity of Sri Lanka (Clause 1.1);
2. The nurturing of the distinct cultural and linguistic identity of each ethnic group (Clause 1.3) within the framework of a multi-ethnic and multi-lingual plural society (Clause 1.2) where all citizens can live in equality, safety and harmony, and prosper and fulfil their aspirations (Clause 1.5)
3. The recognition of the Northern and Eastern Provinces as 'areas of historical habitation of Sri Lanka Tamil speaking peoples' (Clause 1.4)

As a means of advancing above, the Accord contained the following provisions:

1. The Northern and Eastern Provinces as presently constituted, shall form one administrative unit, having one elected Provincial Council, one Governor, one Chief Minister and one Board of Ministers (Clause 2.2), subject to the holding of a referendum, on or before 31st December 1988, to enable the people of the Eastern province to decide whether the Eastern Province should remain linked to the Northern province or constitute a separate administrative unit (Clause 2.3).
2. Elections to Provincial Councils to be held before 31 December 1987 (Clause 2.8) with the Government of Sri Lanka ensuring free, fair and full participation of voters from all communities in the Northern and Eastern Provinces in all elections envisaged in the agreement, (Clause 2.17)
3. Residual matters not finalised in the proposals negotiated between 4.5.1986 to 19.12.1986, to be resolved between India and Sri Lanka within a period of six weeks of the signing of the Agreement (Clause 2.15)
4. Tamil and English to be 'also' made official languages, while reaffirming that Sinhala shall be the official language of Sri Lanka (Clause 2.18)

Reasons for the failure

Internally, the left and social democratic forces in Sri Lanka, including Human Rights organisations and peace oriented NGOs, welcomed the Accord. The JVP with its traditional anti-Indian hegemony line and ethno-populism, opposed the Accord.

The Prime Minister, R. Premadasa, expressed his dissent openly. Another prominent Cabinet Minister to openly express his dismay over the Indo-Lanka Accord and the cessation of hostilities was the Minister of Internal Security, Lalith Athulathmudali, who abstained from all proceedings related to the signing ceremony.

The most sharp manifestation of the turbulent period ahead was the attack on Indian Prime Minister, Rajiv Gandhi, by a naval rating, during the guard of honour prior to his departure from Katunayake Airport.

All non-LTTE Tamil politico-military organisation accepted the Accord as an 'interim solution' but expressed dissent over the 'referendum clause' which made the merger of the Northern and Eastern Provinces conditional.

The outbreak of armed hostilities between the IPKF and the LTTE in October led to an abrupt end to the euphoria that the Accord generated amongst the Tamil people and signalled the beginning of a new phase of deprivation, destruction and death. The LTTE has succeeded in projecting the 'liberators' (IPKF) as an 'occupation force' in the eyes of the people of Jaffna – or, at least, a significant section.

- 13th Amendment - 1987

Following the Indo-Sri Lanka Accord, the Sri Lanka Constitution of 1978 was amended to establish the Provincial Councils and the powers to be devolved (i.e. the 13th Amendment). As mentioned earlier, the Provincial Councils Bill gave special significance to the North-East Province by recognizing the merger, subject to a referendum to follow within a year.

The 13th Amendment to the Constitution was certified on the 14th November 1987 and brought into operation under Section 1 with effect from 26th January 1988. The Constitutional provision seeking to articulate 'parity of status' to both Sinhala and Tamil as official languages and languages of administration, as envisaged in the Indo-Lanka Accord, came one year later, in December 17, 1988, through the passage of the 16th Amendment to the Constitution.

Key Provisions of the 13th Amendment

- In addition to Sinhala, Tamil 'shall also be an official language' of Sri Lanka, with English as a 'link language'
- The north and east to be merged into one province, subject to a referendum
- Provincial councils to be elected every five years

- A governor with executive powers to be appointed by the president in each province
- Provincial high courts to be established
- 'Reserved' and 'Provincial' lists detail powers of the centre and the provinces respectively. A 'Concurrent' list outlines shared powers, though ultimate authority for these issues remains with Parliament
- Financial provision for the provinces to be directed by Parliament
- Provincial councils can be over-ruled by regulations promulgated by the president under the Public Security Ordinance

The Problems of the 13th Amendment

1. The exact division of power between the centre and the provinces is not made clear
2. The powers of provincial councils can be controlled, reduced or abolished by the central government acting unilaterally
3. There is no subject over which a provincial council can claim to exercise exclusive competence or jurisdiction

Reasons why it failed

1. Resistance to devolution of power by President Premadasa.
2. Organised political campaign by the SLFP and JVP against the 13th Amendment.
3. LTTE-Premadasa nexus and the destabilisation of the NEPC.

- Mangala Moonesinghe Select Committee – 1991

The PSC, with Mr. Mangala Moonesinghe as the Chairperson, was further mandated to look into ways and means of preventing:

1. The disintegration of the nation
2. The killings of innocent civilians, members of the Armed Forces and the youths fighting for a cause
3. The increased militarization of the culture of violence in our country
4. To achieve peace and political stability and utilise the reduced defense expenditure for rapid economic growth and national development.

The PSC decided to call for written representations and received 253 memoranda. Neither the UNP nor the SLFP came forward with any proposals. There was also no response from the LTTE.

Reasons for failure

In short, the Mangala Moonesinghe Select Committee was deliberating on ways and means of evolving a political solution to the Ethnic Question, at a time when the entire devolution process, manifest in the 13th Amendment, and the Provincial Councils system, was being eroded by the Centre. This, coupled with the eternal problem of 'merger vs. de-merger', with the Tamil political parties taking an

uncompromising stand on their demand for a ‘unified politico-administrative entity’ for a merged North-East and the inability of reaching a Tamil-Muslim consensus, spelt doom for the Select Committee exercise.

However, the significance of the Mangala Moonesinghe PSC, despite its inconclusive end, and the precedence given to ‘majority decision’ over ‘consensus’, is that it conceded:

1. the devolution contemplated in the legislation relating to Provincial Councils had not been fully implemented and the need to do away with the concurrent list; and
2. to adopt a scheme of devolution on lines similar to the Indian Constitution which was a formal endorsement of quasi-federalism

The interim report of the parliamentary select committee was released in January 1993. While the report was not endorsed by the Tamil parties, it contained the ‘matters agreed upon by a majority of members’. These included:

1. the establishment of two separate units of administration for the Northern and Eastern provinces;
2. the adoption of a scheme of devolution on lines similar to those obtaining in the Indian constitution (India's Union Government retains powers to dissolve state assemblies, dismiss state governments and impose presidential rule);
3. the devolution of more powers in List III (Concurrent List) of the 13th amendment, or the wholesale elimination of the List.

- Government’s Proposals on Constitutional Reforms – Developments from 1995 to 2000⁶

1995⁷

Parliamentary Select Committee on Constitutional Reform setup. The UNP, though part of the PSC, does not take a proactive role in it, and does not come up with any alternative proposals or ideas.

Draft constitution presented by the PA. The Preamble of the draft constitution was;

These proposals seek to redefine the constitutional foundation of a plural society within a united and sovereign Republic of Sri Lanka based on the following principles.

- a) promoting a vision of Sri Lanka where all communities can live in safety and security and their human dignity is valued and equality of treatment is an accepted norm of public life;
- b) ensuring that all communities be given the space to express their distinct identity and promote that identity including the right to enjoy their own culture, profess and practice

⁶ The draft 1995 constitution is available at http://www.voiceoflanka.net/constitution/legal_documents/devolution_proposal_080395.html

⁷ Please see Whither PA-UNP Consensus? available on the CPA website

- their own religion, and nurture and promote their own language including the right to transact business with the State in the national language of their choice;
- c) ensuring that all persons may fully and effectively exercise all their human rights and fundamental freedoms without any distinctions and in full equality before the law.
 - d) giving recognition to Sinhala and Tamil as official languages and recognizing English as a link language;
 - e) providing an effective constitutional framework for the sharing of power with the regions based on an internationally consistent and coherent value system. There would be clarity and consistency in the distribution of power between the centre and the regions and the scheme would be one which is capable of effective implementation and include structures for the just and equitable resolution of centre region disputes;
 - f) ensuring that all communities participate fully in the life of the nation whether it be at the national, regional or local level, thereby encouraging the regions and the communities which inhabit them to become constructive partners in a stable and pluralistic democracy.

1997

The UNP counter-proposals

At the end of 1997, the government challenged the opposition United National Party (UNP) to support the draft constitution or else put forward its own devolution proposals. If the UNP did not deliver, the government proposed a referendum on the draft constitution in the hope of mobilising the electorate and isolating the UNP. In late January 1998, the UNP officially announced that it was opposing the government position and would unveil its counter-proposals within the next few months. Their proposals contained only marginal improvements on the existing constitutional arrangements. The main positive features are the in-principle acceptance of the idea of a second chamber (with 'adequate' representation for minorities) and the principle of the supremacy of the constitution.

Liam Fox Agreement

An agreement brokered by Liam Fox, the Deputy Foreign Secretary of the United Kingdom, is reached between President Chandrika Kumaratunga and the Prime Minister Ranil Wickremesinghe. The UNP says that it will "not undermine any discussions or decisions between the party in government and any other party ... including the LTTE, aimed at resolving the ethnic conflict, if these discussions and decisions have taken place with the concurrence of the party in opposition". The Foreign Minister Lakshman Kadirgamar called the agreement "an important and valuable step" to bring peace in Sri Lanka and went on to say that "this is a step in a long road".

The text of the agreement is as follows:

I believe that we both recognize that the resolution of the ethnic conflict will restore peace in Sri Lanka and lead to the development, progress and prosperity of the country and its people. It is an issue transcending partisan politics. The development of a genuinely bi-partisan approach to the resolution of the ethnic conflict is vital to the achievement of a permanent solution to the conflict.

Consequently, I would like to suggest the following arrangements between the People's Alliance and the United National Party which I intend to put to the appropriate decision-making body of my party for ratification.

The incumbent Head of Government will brief and seek the opinion of the Leader of the United National Party on significant developments relating to the ethnic conflict, both in the strictest confidence; if in Government, the Leader of the United National Party will reciprocate; the party in opposition will not undermine any discussions or decisions between the party in Government and any other party, group or person, including the Liberation Tigers of Tamil Eelam, aimed at resolving the ethnic conflict, if these discussions and decisions have taken place with the concurrence of the party in opposition; against the background of such concurrence, on election to Government either party will honour all such decisions in full.

Signed

Chandrika Bandaranaike
Ranil Wickremesinghe

April 04, 1997

Draft Constitution

Parliamentary Select Committee publicly released the first 18 chapters of the draft constitution, with no mention of the devolution proposal. As the year wore on, the debate regarding devolution seemed to have come to a stalemate. Upon the release of the draft constitution in November, which included the devolution package, the PA government asserted that they will take the matter to a referendum if they did not receive the support of the UNP.

A report released by the Sinhala Commission, a body made up of members of the Buddhist Sangha, denounced the package, presenting it as a threat to Sinhala Buddhism as well as acquiescence to the demands of the Tigers.

May 2000

A press release from the Presidential Secretariat says, "The formulation that was agreed upon recognises the fact that the Republic consists of the Centre and Regions, that the legislature and the executive powers of the Republic are distributed between the Centre and the regions and that the unity and the territorial integrity of the republic is maintained whilst devolving powers to the region." However, the word 'federalism', was not used anywhere in the statement.

August 2000

The government shelved its long-heralded constitutional solution to the ethno-political conflict. The LTTE had already rejected the proposals. A vote on the new constitution was due on the 8th, but it was unlikely that the government could muster the two-thirds majority in parliament needed to push it through. There were widespread protests against the proposed constitution by the Buddhist clergy,

Catholic priests and Sinhala-nationalist demonstrators. The UNP also accused the President of rushing the proposals through parliament without carrying out enough consultation.

A salient feature of the PA's constitution reform process was the reformulation of the Sri Lanka state from a unitary to a united state.

Reasons for failure

1. The 'War for Peace' strategy of the PA government resulted in the alienation of the LTTE in the political process, and negated negotiations between the PA and the UNP. Operation Riviresa (1995) and Jaya Sikuru (1997), among others, led to severe repercussions on the sincerity of the PA to negotiate with the LTTE, and also had a ripple effect on constitutional discussions with the UNP.
2. The proscription of the LTTE after the bombing of the Dalada Maligawa in 1998 put a stop to any serious discussions with the LTTE.
3. The discussion themselves fell prey to political expediency, and a lack of sincerity of both the PA and the UNP made discussions pointless.
4. Zero-sum politics dominates the agenda of talks – constructive debate gives way to mutual acrimony and mud-slinging.

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