

SRI LANKA: Wijeweera and Prabakaran, rebels within a dysfunctional democracy

Saturday 6 June 2009, by [AHRC](#) (Date first published: 19 May 2009).

Following the demise of the LTTE leadership there is now much discussion about the LTTE itself. In 1971 a similar movement in the south to the LTTE was the JVP and this movement, lead by Rohana Wijeweera, took to arms again from 1987 to 1991. Today there is much to be gained by studies and reflections of both movements.

Of course there are vast differences in the two movements. The JVP was broadly based on class orientation while the LTTE was based mainly on race orientation. However, there are many strong similarities:

Both were non-elitist movements.

The working language of each was their own language, Sinhala or Tamil and not English.

Both leaders represented socially lower strata and lower income groups and drew heavy support from the castes which were normally considered in Sri Lankan traditional society as low caste.

Both had no faith at all in democracy. Wijeweera, after the failure of the 1971 insurrection, when released from prison worked for a short while within the democratic framework. However, soon for various reasons he opted out of democratic politics. Prabakaran did not have any faith at all in the democratic process.

Following these considerations both believed in armed struggle with emphasis on assassination as a tool of their strategy.

They and their followers more or less belonged to the same age group and were mostly products of the country's free education system.

The suppression of both movements was brutal and based on the premise that "those things cannot be done according to the law", as a former Deputy Minister, Ranjan Wijeratne told parliament.

Discussions about these movements by others, particularly those associated with the state and the status quo is more characterised by heat and hate rather attempts to arrive at a rational understanding of these movements.

Why did they not trust democracy?

An issue of great significance; and one which should be subjected to study is as to why both these movements did not trust the country's democracy; and why there was a failure to convince them that their objectives could be achieved within a democratic framework. The

answer is fairly obvious; Sri Lanka does not have a functioning democracy that can make a convincing argument that all the problems that might arise within this society could be resolved within the framework of democratic institutions and by vigorous participation in the democratic process. The absence of such a democratic framework has created various mental attitudes within the country. To the politically active young people it has created a sense of nihilism which considers everything as permissive. In the political field it means a belief in violence for its own sake. It is hard to believe that either Wijeweera or Prabakaran would have seriously believed that they would be allowed to achieve the aims they were claiming that they were trying to achieve. It is most likely that both, as persons who were hardened by the politics of violence, would have known the end that they faced. That a whole young generation would have no political aspirations except for protest for its own sake reflects as to how deeply the dysfunctional nature of Sri Lankan democracy has affected the entire nation and particularly the young. Despite of the violent ends of both these leaders and many of their followers the basic lessons of what a dysfunctional political system does to the entire population and particularly to the young cannot be ignored.

One of the early writers to understand the impact of the result of dysfunctional democracy was the well known author and journalist, the late Tarzei Vittachi, who in his celebrated book, Emergency -58/ The Story of the Ceylon Race Riots, wrote:

"Unfortunately the Government made the mistake of throwing the baby away with the bath water. While repressive legislation and irksome, outmoded attitudes which had kept the masses in thrall had to be hurled away without delay, it was vital for the peace and order of the country, especially in times of rapid social change, to preserve and strengthen the rule of law and the authority of the officers who enforce the law. This salutary rule was ignored and even spurned in the extravagant mood of enthusiasm in which the Government tried to meet the massive problems that challenged its capabilities".

The abandonment of the rule of law and the authority of institutions which was already visible in 1958 became a much greater problem in the years that followed with a similar political approach by subsequent governments and even radical experiments to undermine democracy and rule of law in favour of the executive, particularly the adoptions of the 1972 and 1978 Constitutions. The only time there was a rare unanimity by all political parties in Sri Lanka was in 2001 when on the basis of the admission of the collapse of all public institutions an amendment to the Constitution was passed to take some limited measures to attempt to recover the authority of these institutions. This was again abandoned after a few years. On the issue that the entire institutional framework of Sri Lankan democracy has collapsed there is hardly any controversy. The country is now run by the executive president and the armed forces.

It is not possible to create faith in democracy when there is no functioning democracy within the country. If people in general and the younger generation in particular are to be brought up to understand and respect democracy then there must be an actual democracy within the country in the first place. Nobody could have faith and trust in something that does not exist. That is the situation of democracy within the country; it is a thing that does not exist.

There is no need to reiterate the well known position that holding of elections alone is not democracy. Many rogue systems have many forms of manipulated elections for no other reason but to have some legitimacy, particularly before the eyes of the international community for certain regimes. However, any reading of the materials produced by the movements lead by Wijeweera and Prabhakaran, particularly in the early periods of their inception, would demonstrate the cynicism that their generation has for the mockery of democracy that has been taking place in the country for many decades now.

It is not only rebels that cannot understand democracy. The numerous spokesmen for the government, including ministers and those who deal with media and information, demonstrate a very clear lack of understanding of democracy. For this it is possible to quote a large body of literature. Just to mention one example, following the declaration of the victory against the LTTE by the government, there were many spokesmen who condemned the western governments for allowing the Tamil Diaspora to have demonstrations and protests in their own capitals. According to the understanding of these spokesmen it is the duty of the western governments to suppress all these protests and demonstrations. They also cannot understand how there can be any war crimes when the government was pursuing a good cause like the elimination of terrorism. According to this way of thinking there cannot be any war crimes, either in wars between countries or civil wars on the part of governments which are pursuing the good cause, for example, the allied powers trying to defeat Hitler. If the cause is good anything that is done, even if it is otherwise a crime, is not a crime from this point of view. The forced disappearances of 30,000 persons in the suppression of the JVP were no crime at all.

What is important for the purpose of this reflection is that there is a mentality that has developed within the country that while using words like democracy there is no need at all to worry about the institutional foundations of democracy. However, it is through the institutions that democracy is achieved practically. Democracy is just a word to justify whatever a ruling regime does and nothing more.

This particularly affects the approach to the media. Discussions by government spokesmen including the military spokesmen with media channels such as the BBC, Aljazeera and the like clearly demonstrate that in the view of these spokesmen the sole function of the media is

to give publicity to the government's point of view. These spokesmen understand the media only as propaganda. The idea that for a democracy the right to information and freedom of expression is fundamental is a concept that does not make sense to these spokesmen. Simply everybody should live by whatever the government tells them. As it was written in George Orwell's *Animal Farm*, if Comrade Napoleon says it, it must be true. One of these spokesmen told the media that the allegations of abuse in the IDP camps are untrue because he has personally investigated them and found them to be untrue. This is like a defence lawyer telling the court that according to his judgement his client is innocent and that everyone should act on his opinion. Independent inquiries are a primary aspect of a democracy. In a democracy people are not told to believe what the government says simply because the government has said it. The idea of accountability and transparency does not make any sense if people must accept what the government says without independent sources to confirm it.

The mentality of this distrust of democracy will remain so long as democracy itself does not exist by way of functioning institutions within the country. Dysfunctional institutions will confirm every day to the population, and its younger generation in particular, that there is no way to have any problem resolved within a framework of democracy in the present context of Sri Lanka.

Writers such as Hannah Arendt have made extensive studies on the impact of the dissolution of the structural framework of democracy on political systems (of particular importance is her book *The Origins of Totalitarianism*, which is considered a political classic). All the authoritarian regimes in Europe in the 20th century relied on the mentalities that arise with the undermining of the state structures within each country. Destruction of the institutional framework of the democratic state provides the ethos for the development of mob support for political movements with authoritarian ambitions. Those who are seriously concerned with understanding the political developments in Sri Lanka, including also the rebel movements, need to pay attention to the way in which Sri Lanka has become a dysfunctional democracy.

Exactly what made both movements represented by these two leaders (The JVP and the LTTE) abandon the struggle for democracy and rule of law altogether and resort to violence reflects on the limitations of other political movements within the country. At no time was there a single political party or tendency in Sri Lanka which made it their aim to construct and improve the institutions of the rule of law and democracy. In this the Sri Lankan experience differed from that of India where the National Congress Party, which was started in 1885 had two programmes which were both pursued vigorously for a long period of time; the programme of emancipation of India from British rule, and what was called the social programme, which was to prepare people for the democracy that would come after independence. This

preparation for democracy meant fighting against entrenched prejudices within the country such as views on women symbolised by such practices as sati, (burning of widows) dowries, child marriages and above all, the segregation of people on the basis of caste. Part of this preparation was forums and meetings which were held even in the remotest parts of the country where people had the opportunity to express themselves and listen to others. Leaders that came in later, like Dr. B.R. Ambedkar, brought the element of democratic participation to the poorest and most oppressed sections of Indian society: the untouchables.

Many decades of such democratic practices among the people prepared them for the exercise of their franchise in the future and also for a high degree of participation. However, the greater achievement was that all over the country an intellectual element emerged that was able to keep an enlightened and fiery discourse on democracy going under all circumstances. This was also reflected in the making of the constitution, discourses of which are well documented where, the leaders of the country from different political spectrums, agreed to have provisions in the constitution in order to prevent some of the worst practices of the British colonial power in India, such as the arrest and detention of political opponents. Since then India has gone through many trials and tribulations but the belief in democracy has remained as strong as ever. The last election in the country which was held this month (May 2009) was seen by even the defeated opposition as a free and fair election.

This however, was not the case in Sri Lanka. Among the movements that came to light in Sri Lanka first was the labour movement which, by the 1930s was under leftist leadership. While these leaders contributed to democratisation in some way, their main goals were more utopian. World revolution was the cry and democracy and rule of law were seen, for the most part, as an imperialist ploy. This utopian vagueness remained in these parties through the years of their decline which, coincidentally, was the time when both the JVP and the LTTE had their origins. The parties of the elites such as the UNP and the SLFP never had a programme for improvements and the consolidation of the institutional framework of democracy. We have earlier quoted Tarzei Vittachi, who in 1958 observed how these political leaders abandoned the need to maintain the rule of law and uphold the authority of the public institutions. The same can also be said of the Tamil political parties. The concern for the country's total democracy, as the basis for achieving the rights of the minorities, was never advocated by anyone. As against the political opportunism of the majority based parties the minority parties made demands for respect for the minority purely as a separate issue. That the existence of a functional democracy for the whole country is the basis of the protection of minority rights was never understood by these parties. Of course there were some parties which called themselves the liberal party' etc, which were on the one hand too insignificant to be worth a mention and on the other hand some of the leaders of such

parties changed their views, to coin a colloquial saying, as easily as changing pillows.

Thus the political and the intellectual heritage of the leaders of the JVP and the LTTE was paltry. The JVP made a revolution with Marxist, Leninist, Maoist, Che Guevarist rhetoric but in fact there was nothing worthy of any intellectual exposition of its political philosophy. Nothing in that literature indicates any interest in democracy and the rule of law. In fact, almost childish rejection of these as tools of repression was the more general approach.

As for the LTTE its expressions were based on race alone which of course could never be the basis of democratic discourse. Its avowed goal as a separate state achieved by force alone left no room for democratic discourse even within the Tamils themselves. In fact, the killing of all Tamil opponents was one of the central components of the LTTE's ideology. Driven by militaristic necessity to have one military front against the Sri Lankan military it was mortally opposed to any form of democratic discourse within the Tamil community. This was noted very early by leaders such as Rajani Thiranagama, who was one of the first Tamil intellectuals to be assassinated by the LTTE.

Rajani Thiranagama assassinated by the LTTE on September 21, 1989

By 1970 all the major political parties in the country had expressly rejected democracy as a suitable form of government for the country. The government of Mrs. Sirima Bandaranaike, which included a coalition of three major parties, the Sri Lanka Freedom Party, Lanka Sama Samaja Party and the Communist party embarked on a new constitution spoken of as a home grown constitution, which was incongruously called a socialist constitution. It abandoned the separation of powers as the basis for the constitution to the detriment, particularly, of the judiciary. In 1977 J.R. Jayewardene's United National Party was elected and in 1978 abolished liberal democratic constitutionalism altogether in favour of creating a monster called the executive president who had more power than anyone under any government. This constitution was noted as having the worst of all the elements of common law tradition and civil law tradition and none of their better elements. In fact, a leading constitutional lawyer of the time stated that the constitution was made following the example of that of the Central African Republic of Jean Bedel Bokkasa, a comic figure with unlimited appetite for abusing power. All subsequent governments, to date, have followed the same model and with time the collapse of the entire fabric of rule of law and democracy has taken place.

This was the political ethos within which these two rebels, Wijeweera and Prabakaran, had their movements. To a great degree reaction to this overall political system conditioned their political strategies and actions. The overall system unleashed terror on all political dissidents and particularly on the members of these two movements.

They in turn attempted to outdo the state apparatus in terror. A terror v terror situation developed and the ultimate consequences are now a known fact.

Reacting to the undemocratic nature of the overall government structure negatively by way of violence was a self destructive course for the members themselves and their leaders, as well as to the whole country. The politics of violence that both leaders exposed lead them to opt for secretive political groupings and that also removed them from the community, including the very constituencies they were claiming to espouse. Wijeweera's JVP was far removed from the underprivileged groups of the country and Prabakaran's LTTE removed itself completely from the Tamil community. Such developments are natural judging from the studies of similar movements from different times in many countries.

Rooting of the country's political system on the rule of law and democracy is the only solution the country has to move itself out of the self destructive course that the established political parties, as well as the rebels, have lead the country into. As there is enormous anxiety and deep reflections within the country of finding a new path to peace and stability, all reflections should move towards the sole ambition of creating a functional democracy. Even the solution to the minority problem can only be realistically found within a functional democracy.

While there are discussions about solutions to the minority problem all such discussions will come to naught if they are confined to the pure rhetoric of federal state or the implementation of the 13th Amendment, and the like. None of these things are of any practical use as long as the country's democracy remains dysfunctional. Thus, for the discussions taking place in the country and internationally today the problems of the rule of law and democracy should be deliberately brought up and emphasized.

The present government is based on the same dictatorial model as J.R. Jayewardene's government. With over 31 years of the operation of this constitutional model, the country's situation has dissolved into one without any viable public institutions. The present government, like the previous governments, has benefitted from movements such as the JVP and the LTTE because the overall situation of terror allows the central problems of a failed system to be swept under the carpet. The President's speech on May 19 did not indicate in any way that there was any attempt to address the country's dysfunctional system. As long as the government makes no move to abolish this system in favour of a separation of power based democratic system, the government will continue to contribute to the destruction of the nation, even after the LTTE's capacity to do so has been brought to an end by the military. It is the task, above all of the youth, and the thinking elements of the country to address the problems relating to rule of law and democracy within the country and thus to create new energies which are of a positive nature that are capable of offering a path to

peace and stability.

P.S.

About AHRC: The Asian Human Rights Commission is a regional non-governmental organisation monitoring and lobbying human rights issues in Asia. The Hong Kong-based group was founded in 1984.