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No Tigers, Just Lions?

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and Contemporary Challenges**

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Introduction

Economic mismanagement and the impact of the COVID-19 crisis have brought Sri Lanka to the brink of economic collapse. In April 2022, the government led by Gotabaya Rajapaksa defaulted on its foreign debt, marking Sri Lanka's first default since it gained independence in 1948. Eroded foreign exchange reserves have reduced the ability to import everyday goods, resulting in significant medicine, energy, and food shortages. Faced with mass anti-government protests throughout the country, the Gotabaya administration has now entered debt restructuring negotiations with international creditors. It is notable how quickly the Sri Lankan public, including the majority Sinhalese-Buddhist population, has turned against a government that won a two-third majority in the 2020 parliamentary elections (Al Jazeera, 2020). Indeed, the protests against the standing Rajapaksa government, in which Gotabaya's brother Mahinda served as Prime Minister (PM), has united Sri Lanka's different ethnic groups, with Tamil politicians also appealing to disgruntled lower- and working-class Sinhala voters (Arudpragasam, 2022). This momentary sense of ethnic unity is remarkable in a country in which an ethnic civil war killed up to 100,000 people between 1983 and 2009 (Al Jazeera, 2021a).

Sri Lanka has historically been home to a large variety of different ethnic and religious groups. According to 2012 census data, the ethnically Sinhalese population, which predominantly adheres to a form of Theravāda Buddhism, accounts for 74.9% of the national population. With 11% of the total population, Sri Lankan Tamils, the vast majority of whom are Hindus (Jaffrelot & Rizvi, 2020), make up the country's second largest ethnic group, followed by Sri Lankan Moors (9.2% of the population). Sri Lankan Moors predominantly speak the Dravidian Tamil language and are the descendants of immigrants from the Arab and Malayan peninsulas. Indian-origin Tamils account for 4.2% of the population while the so-called Burghers, the mixed-race descendants of European settlers and Sri Lankans, make up a small minority. Sri Lanka's demographic-ethnic mosaic has been a main source of political conflict in the island's post-independence history and embodies the country's status as a space defined by the intermingling of different ethnic groups and its role as a historical node in the economic and cultural exchange between East and West.

Following independence, the Buddhist-Sinhalese population, to which the Rajapaksas also belong, have come to dominate Sri Lankan politics. 1983 and 2009, Sinhalese-dominated governments fought a multi-staged civil war against a series of ethnically Sri Lankan Tamil militant groups, the most notable of which was the Liberation Tigers of Tamil Eelam (LTTE), often simply referred to as the Tigers. Besides killing up to 100,000 people, the war also sparked a refugee crisis that saw at least 100,000 Tamils migrate to India alone (Sivagnanam, 2021). The war ended following an offensive led by then Defense Minister Gotabaya Rajapaksa under the government of the President Mahinda Rajapaksa in May 2009 and especially the late stages of the war were characterized by both sides systemically committing war crimes against the Tamil civilian population (Subramanian, 2015). The LTTE's defeat, including the killing of LTTE leader Velupillai Prabhakaran, translated into what Höglund and Orjuela (2013) have described as a '*victor's peace*': peace was not the result of political compromise but of the

LTTE's total eradication. The nature of this peace allowed the two Rajapaksa governments (2005-2015 and 2019-now) to mold Sri Lanka's post-conflict order without addressing the grievances of the Sri Lankan Tamil community the LTTE had claimed to represent.

The government has reinforced this imbalance by subsequent policies and everyday political practices. In its 2021 report, the U.S. non-profit organization Freedom House classified Sri Lanka as *'partly free'*, noting that,

"Police and security forces have engaged in extrajudicial executions, forced disappearances, custodial rape, and torture, all of which disproportionately affect Tamils. [...] Tamils report systematic discrimination in areas including government employment, university education, and access to justice. Ethnic and religious minorities are vulnerable to violence and mistreatment by security forces and Sinhalese Buddhist extremists" (Freedom House, 2021).

Reflecting a victor's peace, the prospects of post-conflict reconciliation in Sri Lanka have been severely limited, with post-war administrations not treating reconciliation as a political priority. The systematic marginalization of minority communities makes the current unity between various ethnic groups in opposition to the Rajapaksa government even more striking.

This paper examines the development of Sri Lanka's post-independence and post-conflict order through Samy Smooha and Christophe Jaffrelot's concept of ethnic democracy. While formally democratic, the Rajapaksas' Othering policies and discourses have sought to protect the *'ethnic nation'* (the (Buddhist) Sinhalese majority) against an *'alien'* threat, the (Hindu) Tamils. The threat purportedly posed by this Tamil Other justifies the Tamils' exclusion and marginalization, resulting in the creation of a democratic system that prioritizes the (perceived) identity of the ethnic majority while insufficiently safeguarding minority rights.

The paper is structured as follows. The following chapter introduces the concept of ethnic democracy and discusses the relation between majoritarian agenda-setting and the protection of minority rights and interests. Afterwards, the paper examines how these majority-minority dynamics have played out in Sri Lankan history, specifically following independence and during the civil war. Turning to contemporary developments, the paper then studies how governmental policy measures have entrenched ethnic democracy post-2009.

Conceptualizing ethnic democracy

In his analysis, Jaffrelot (2021) draws from the work of the Israeli sociologist Samy Smooha, who coined the term ethnic democracy when applying it to his study of the relations between the Arab and Jewish communities in contemporary Israel. Smooha (2001) defined ethnic democracy as,

"A democratic political system that combines the extension of civil and political rights to permanent residents who wish to be citizens with the bestowal of a favored status on the majority group. This is democracy that contains the non-democratic institutionalization of dominance of one ethnic group. The founding rule of this regime is an inherent contradiction between two principles – civil and political rights for all and structural subordination of the minority to the majority" (pp. 24-25).

The first key component of an ethnic democracy is its explicitly ethnic dimension. The focus on protecting the ethnic nation against real or perceived threats, Jaffrelot suggests, forges a close link between the ethnic nation and national populism. This focus on what Jaffrelot calls “*sons of the soil*”, defined by their racial, religious, linguistic, and cultural identity (p. 33), differentiates national populism from the more general phenomenon of populism and highlights the central role of ethnicity.

Ethnic democracies are secondly defined through the survival of (somewhat) democratic structures. If a political system dominated by one ethnic group loses most (or all) of its democratic features, it transforms into a non-democratic ethnic regime, for instance in the form of an ethnocracy (Smootha, 2001). While an ethnic democracy retains its formally (more or less) democratic structures, democratic participation is more available for members of the in-group in everyday sociopolitical practice. The results of the democratic process subsequently favor the ethnic nation’s (supposed) interests. Although ethnic democracies are still formally democratic, existing democratic structures are significantly biased towards the ethnic nation and its perceived interests. ‘*True*’ democracy is decaying due to the systemic prioritization of the ethnic nation.

The conceptual framework Smootha and Jaffrelot develop generates a novel way of understanding majority-minority dynamics, the specifics of which inevitably possess idiosyncratic features and elements. Besides the two conceptual cornerstones of an ethnic democracy (the ethnic nation and the democratic system), an additional analytically relevant component is the demographic makeup of the society under study. To effectively establish an ethnic democracy, the ethnic nation must either be the ethnic majority or exercise enough political control for it to establish an ethnic democracy without being the demographically dominant ethnic group. For an ethnic democracy to evolve and prevail, Jaffrelot (2021) contends, it must meet four conditions:

1. The ethnic nation has a significant size in comparison to the ethnic minority/minorities;
2. There is a (perceived) threat to the ethnic nation “*that requires mobilization of the majority in order to preserve the ethnic nation*”;
3. The respective minority group is not protected by one or more states in which that ethnic group is a majority;
4. The ethnic nation faces either neutrality or support for its ethnic policies by the international community (p. 155).

The success of ethnic democracy is therefore also contingent on external factors - as discussed below, Indian support for Tamils in Sri Lanka heavily shaped India’s eventual military intervention in Sri Lanka. Ethnic democracies succeeding in creating a political structure favoring the ethnic nation is consequently not a foregone conclusion and at least partially dependent on external processes.

The notion of ethnic democracy is ultimately relevant for the case of Sri Lanka due to its focus on group dynamics and the development and institutionalization of a majoritarian agenda. This paper’s analysis will thus specifically focus on how Sri Lanka has evolved into an ethnic democracy that heavily favors the (perceived) political and social interests of the Sinhalese majority.

The roots of ethnic conflict in Sri Lanka

Sri Lanka has historically been a mixing ground of various belief systems, ethnicities, and cultures. Pre-colonial Sri Lanka was constituted by a variety of Sinhalese and Tamil polities, with both ethnic groups claiming to be the original settlers of the island (Subramanian, 2015). Sri Lanka fell under Dutch and Portuguese control in the 17th century, leading to the influx of foreign workers and Christianity. The British East India Company (EIC) seized Sri Lanka, then known as Ceylon, during the Napoleonic Wars in 1796 and British Ceylon came to extend over the whole of the island in 1815 following the EIC's victory over the Kingdom of Kandy. Ceylon was ultimately integrated into the Empire as a crown colony, a status it retained until the decolonization of British South Asia in 1948.

British and European colonization left a marked imprint on the island's demographic makeup. The British entry resulted in the growing influx of Muslims from Malaya and Indian-origin Tamils from Tamil Nadu (then known as the Madras Presidency) in southern India to work on Ceylonese tea plantations (Fornell, 2020). Under British rule, the Ceylonese Tamil minority obtained a dominant role in the colony's commercial and political environment, enjoying extensive business-to-business connectivity with the Tamil population throughout the Empire (Anandakugan, 2020). The colonial administration also focused on empowering the Tamil minority population to ensure its political allegiance, for instance by focusing on the construction of English-teaching schools in Tamil areas and implementing affirmative action programmes that facilitated Tamil integration into the public sector and high-earning professions. The assignment of political privileges along ethnic lines, mirroring the Empire's *divide et impera* policy pursued throughout its dominions, led to surging anti-Tamil sentiments in the Sinhalese population that tapped into historical perceptions of Tamils as exploitative foreigners.

Ceylon's post-independence order quickly eroded the Ceylonese Tamils' privileged position. In the build-up to its electoral victory in 1956, the Sri Lanka Freedom Party (SLFP) led by Solomon Bandaranaike appealed to Sinhalese-nationalist sentiments, suggesting that only Sinhala should be recognized as Ceylon's official language. Language policy here came to reflect cultural and ethnic tensions, illustrating how language policy can be linked to the (re-)construction of political identities. Language policy,

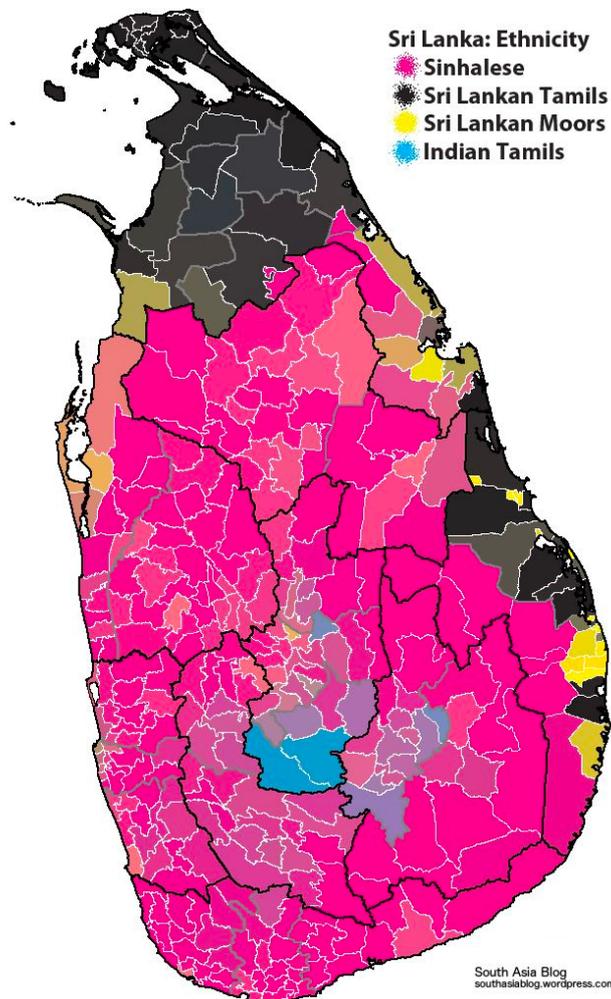
“Is a central tool in national consolidation and permeates all aspects of society. Language policy affects the domains, status, and use of language varieties and the rights of their speakers. It shapes the media, the education system, and provides a rallying point for or against ethnic identity; it is in turn shaped by economic, social, and geopolitical considerations” (Dwyer, 2005, p. 6).

The Sinhala Only Act (SOA), passed after the SLFP's electoral victory, formalized this attempted (re-)construction of national identity as Sinhalese identity. The SOA made Sinhala Ceylon's sole official language and marked the first institutional manifestation of Ceylon turning into an ethnic democracy. On the back of the Sinhala vote, the SLFP had passed legislation that was highly exclusivist in its definition of who was Ceylonese: while inevitably empowering Sinhala speakers in Ceylon's public sector by tying public sector employment to the command of Sinhala, the SOA also defined the command of Sinhala (and therefore

implicitly the ethnic identity of the Sinhalese) as what made an individual and a community 'truly' Ceylonese.

This institutionalization contributed to a growing marginalization of Ceylonese Tamils that was compounded by the government's unwillingness to advance political devolution. In 1957, the SLFP government signed the Bandaranaike–Chelvanayakam Pact, named after Bandaranaike and S. J. V. Chelvanayakam, the leader of the Illankai Tamil Arasu Kachchi (ITAK), a Tamil political party. The Bandaranaike–Chelvanayakam Pact focused on the devolution of political powers to Regional Councils that would provide non-Sinhalese groups with increased political autonomy in areas dominated by them. It is key to note that the Sinhalese dominated specific geographical parts of the country whereas minorities were (and are) comparatively more present in others (see Figure 1 below). The heavy Tamil presence in northern Sri Lanka reflects the close historical ties of Sri Lankan Tamils with southern India.

Figure 1: Geographic concentration of ethnic groups in Ceylon/Sri Lanka



Source: South Asia Blog (2014).

Sinhalese opposition to the Bandaranaike–Chelvanayakam Pact grew throughout 1957 and 1958. On the Tamil side, ethnic tensions escalated further as the government introduced a motion that would require all car owners to include the Sinhalese character *sri*, translating into “*resplendent*”, on their number plates (Chattopadhyaya, 1994). Many Tamils viewed the government as once again imposing Sinhala and the Sinhalese identity on ethnic minorities. After Bandaranaike abrogated the pact in May 1958, anti-Tamil riots erupted in Sinhalese majority areas, killing hundreds of Tamils (Ramanathapillai, 2006). The SOA and Bandaranaike’s refusal to implement the Bandaranaike–Chelvanayakam Pact reflected ethnic imbalances and further heightened ethnic tensions while reinforcing hardline positions on both the Sinhalese and Tamil side.

The political marginalization of Tamils continued throughout the 1960s and 1970s. In 1968 another devolution attempt by the ITAK was struck down by Sirimavo Bandaranaike, the wife of Solomon, who had been assassinated by a Buddhist monk in 1959. In 1971, her government passed the so-called standardization policy, curtailing the number of Tamil students in higher education institutions (Höglund & Orjuela, 2013). Until then, the impact of the SOA had been somewhat balanced out by the concentration of English-teaching missionary schools in Tamil-majority areas, allowing Tamils to be overrepresented in high-earning professions (Wickramasinghe, 2012). Once again, government policy removed the safeguards that had protected the socioeconomic standing of Tamils in the country.

The formalization and institutionalization of a majoritarian agenda became even more explicit following the introduction of a new constitution in 1972. The new constitution saw the country adopt the name Sri Lanka, removed Sri Lanka from the Commonwealth of Nations and brought an end to Queen Elizabeth II as the formal head of State (Schonthal, 2013). The constitution upheld Sinhala as the country’s official language and, crucially, made Buddhism Sri Lanka’s *de facto* State religion:

“The Republic of Sri Lanka shall give to Buddhism the foremost place and accordingly it shall be the duty of the State to protect and foster Buddhism while assuring to all religions the rights granted under section 18 (1)(d)” (The Parliament of Sri Lanka, 1972, p. 4).

Section 18 (1)(d) granted all citizens the right “*to freedom of thought, conscience and religion*”, including the private and public practice of this religion (p. 12). The new constitution nevertheless formalized the division of Sinhalese and non-Sinhalese citizens not just along linguistic lines (as the SOA had done) but also along religious lines (as the Tamil minority was almost entirely Hindu). The division along linguistic and religious lines thus directly coincided with a division along ethnic lines. Wilson (1988, p. 229, quoted in Veluppillai, 2006, p. 99) describes this as the intertwining of “*the land, the race and the faith*” in the broader ideology of Sinhalese-Buddhist nationalism. Compounding the effects of the SOA and the standardization policy, the new constitution institutionalized a majoritarian agenda on the highest legislative level.

The 1972 constitution ultimately formalized the sociopolitical disenfranchisement of Tamils and the treatment of Ceylonese/Sri Lankan identity as synonymous with Sinhalese identity. This evolution did not coincide with a disappearance of democratic processes: rather, democratic processes reflecting majoritarian agenda-setting dynamics enabled this evolution.

While Tamils and other minorities retained their legal status as Sri Lankan citizens, they had practically become second-class citizens, viewed as implicitly foreign. The subsequent sense of marginalization and growing militancy in quarters of the Tamil population, in combination with the government's unwillingness to devolve powers, plunged the country into civil war.

The LTTE and civil war in Sri Lanka

The formalization of the Tamils' role as second-class citizens emboldened increasingly radical quarters in the Tamil community. The Prabhakaran-led LTTE, which eliminated other and more moderate Tamil militant groups over time, eventually emerged as the most dominant and influential militant outfit. The LTTE's indiscriminate targeting of civilians ultimately undermined international and regional support for the group while enabling the government to justify crackdowns on Tamils in the name of counterterrorism operations.

Prabhakaran occupied a central and dominant role in Tamil nationalist militancy from the mid-1970s onwards and advocated for an increasingly radical Tamil nationalist ideology. Born in 1954, Prabhakaran quickly developed an acute sense for the exclusion Sri Lankan Tamils faced in Ceylonese society and became actively involved in protests against the 1971 standardization policy (Subramanian, 2015). In 1975, Prabhakaran and some of his associates assassinated the mayor of Jaffna, Alfred Duraiappah. One year later, Prabhakaran helped to create the Liberation Tigers of Tamil Eelam (LTTE) in which he served as the main military commander. As the name suggests, the LTTE's ideology focused on the creation/liberation of Tamil Eelam, an independent Tamil State in the northern and eastern part of Sri Lanka. From its inception, the LTTE's ideology was thus one of secessionism, ethnonationalism, and irredentism. The radical ideology Prabhakaran and his followers espoused reflected the degree of dissatisfaction that Tamils experienced due to their growing marginalization within Sri Lankan society.

The government and the LTTE began engaging in open hostilities from 1983 onwards. In July 1983, the LTTE attacked an army patrol in Jaffna, killing 13 soldiers. The attack evoked renewed anti-Tamil violence in Sinhalese-majority areas and what became known as the Black July riots resulted in the deaths of up to 3,000 Tamils (BBC, 2013). The re-escalation of ethnic tensions seemingly vindicated and legitimized the LTTE's pursuit of an independent State. While the LTTE's tactics varied over time, depending on access to resources and the capacities and strategies of the Sri Lankan government, the group made targeted use of terrorism as a means of exerting political pressure. The LTTE engaged in the,

“Targeted assassinations of unarmed civilians, including political leaders of the government and the main opposition party, political dissidents, intellectuals, trade unionists, and journalists within its own community. In addition, the LTTE also deliberately attacked civilians outside the Eastern and Northern Provinces through claymore mine and landmine attacks, time bombs and suicide attacks, especially targeting Sinhalese civilians. These attacks were carried-out in order to elicit a backlash against the Tamils living outside the East and North, which could then be propagated as ‘genocide’ against the Tamils like in July 1983” (Sarvananthan, 2018).

The LTTE's use of suicide attackers against high-scale targets, including Indian Prime Minister Rajiv Gandhi, and the preferred use of female suicide bombers, is particularly worth noting

here (Hellmann-Rajanayagam, 2008). In the initial stages of the conflict, the disillusionment of Tamils and the anti-Tamil violence of the State and parts of the Sinhalese population vindicated the LTTE's narrative and legitimized the idea that only Tamil Eelam could provide security and prosperity for the Sri Lanka's Tamils.

The Tamil diaspora, the Tamil community in India and parts of the Indian government played a key role in supporting the LTTE's efforts throughout much of the 1980s. The Tamil diaspora was particularly important: by 1995, the war had displaced more than 1.5 million Sri Lankan Tamils, with more than 500,000 fleeing the country (International Crisis Group, 2010). Diaspora support ensured the influx of funds and facilitated lobbying efforts abroad. Tamil militants also capitalized on the geographical proximity of Tamil Nadu, where they could raise funds, train fighters, and fight inter-group rivalries (Gombrich, 2006). The sympathies of Indian Tamils for the LTTE and domestic pressure by Indian Tamils also shaped Indian foreign policy vis-à-vis the conflict, with parts of the Indian intelligence service being believed to have supported the LTTE and other groups throughout the 1980s (Gunaratna, 1993). The transnational connections of the Tamil community consequently played a key role in coordinating support for Tamil militancy.

The conflict dynamics changed following the intervention of the Indian Peace Keeping Forces (IPKF) in 1987, leading to growing tensions not just between India and Sri Lanka but also between India and the LTTE. In early 1987, the Sri Lankan Army launched a large-scale attack against LTTE-held areas in northern Sri Lanka while blocking the provision of humanitarian aid to northern Sri Lanka. As the violence against Tamils escalated, the Indian government of Rajiv Gandhi increased its pressure on the Sri Lankan administration of President J. R. Jayewardene, initially airdropping supplies to LTTE-held areas before threatening Jayewardene with military intervention. In subsequent negotiations, Jayewardene and Gandhi struck the Indian-Sri Lanka Peace Accord in July 1987. The accord included three key provisions:

1. Through the 13th amendment to the Sri Lankan constitution, the Sri Lankan government would allow for the creation of Regional Councils in Sri Lanka.
2. The Sri Lankan Army would withdraw from rebel-held areas in northern and eastern Sri Lanka.
3. The IPKF would disarm Tamil militant groups.

Faced with the prospect of military intervention, Jayewardene reluctantly accepted these terms. In conjunction with India's 1988 intervention in the Maldives, Delhi's policy towards Colombo was perceived as an unwelcome assertion of Indian regional hegemony in South Asia (Ogden, 2019). India's support for Sri Lankan Tamils also seemingly confirmed Sinhalese anxieties (Gombrich, 2006). The LTTE did not welcome the peace accord either: unlike more moderate groups, including the Eelam People's Revolutionary Liberation Front (EPRLF), the LTTE had not been part of the negotiations. When the disarmament process commenced and EPRLF officials were appointed in the Regional Councils of northern and eastern Sri Lanka, the LTTE refused to disarm and instead began fighting the IPKF (Destradi, 2012). Although the peace accord pacified the more moderate Tamil groups, the LTTE's opposition to the accord culminated in its failure.

This failure severely complicated the conflict's dynamics. In southern Sri Lanka, the leftist Janatha Vimukthi Peramuna (JVP) had launched anti-government attacks (Manoharan & Chakravarty, 2016). The LTTE started fighting more moderate Tamil groups and the IPKF. In retribution for attacks by the LTTE, IPKF units committed war crimes against the Tamil population, including extrajudicial killings and rapes (Subramanian, 2015). The LTTE's growing militancy, including against the IPKF, reduced popular support for the LTTE and raised concerns regarding Tamil nationalism in India. The IPKF's failure led to the termination of the peace accord in 1990 and the withdrawal of the IPKF the same year. Public opinion in India turned further against the LTTE when a female LTTE suicide bomber assassinated Rajiv Gandhi in Tamil Nadu in 1991, leading India to classify the LTTE as a terrorist organization (Manoharan & Chakravarty, 2016). The peace accord had not just failed to deliver a political solution but had also undermined the Indian support for Tamils in Sri Lanka.

The pacification of non-LTTE Tamil militant groups and the IPKF's withdrawal led to the renewed outbreak of hostilities between the government and the LTTE. The LTTE began to establish State-like structures in Tamil areas and grew increasingly radical due to the lack of ideological competition, diminishing the possibilities of political rapprochement. The LTTE's growing operational and ideological dominance in northern and eastern Sri Lanka allowed the LTTE to not just continue its attacks against the Sri Lankan State (in 1993, the LTTE assassinated President Ranasinghe Premadasa in Colombo) but also exacerbate its repression against Tamil civilians. The LTTE began forcibly recruiting children, sending them to fight while poorly trained and barely armed (Singer, 2005). With the LTTE increasingly using Tamils as cannon fodder, the Tamil support for the LTTE began to diminish, leading the LTTE to ramp up repression in LTTE-held areas through the execution and displacement of alleged Tamil traitors and non-Tamils (Subramanian, 2015).

It is worth noting that the LTTE justified its violence on ethnonationalism rather than religious grounds. While Sinhalese nationalists referred to the protection of Buddhism as a justification for the killing of Tamils, the LTTE vindicated its campaign as protecting Tamil ethnonationalist interests, purportedly only defensible in an independent State (Gombrich, 2006). Indeed, the LTTE framed its recruitment of women as defying traditional caste and gender divisions (De Mel, 2002). While the civil war for the State was thus a partially religious-cultural war, the rhetoric and ideology of the LTTE was more closely aligned with principles of ethnonationalist self-determination.

The LTTE's dominant role in Tamil militancy post-1990, its growing use of Tamil civilians, and the increasing willingness of the State to actively target civilians led to an escalation of the war in the 2000s. Changes in the broader geopolitical environment of the 21st century also played a role: post-9/11, the focus of the international community increasingly shifted towards counterterrorism, creating a normative environment in which a clamping down on militancy became more permissible (Jackson, 2005). Shifts in Indian policy had also isolated the LTTE: following Gandhi's death, India had cracked down on LTTE networks in Tamil Nadu (Manoharan & Chakravarty, 2016). The LTTE deepened this isolation by its repeated unwillingness to make political concessions: in 2003, it pulled out of Norway-brokered peace talks. Repeated ceasefire violations furthermore weakened international support for the LTTE (Höglund & Orjuela, 2013). Open conflict once again broke out in December 2005. 2006

marked the start of the last stage of the war as the Sri Lankan Army launched a large-scale offensive against LTTE-held areas in northern and eastern Sri Lanka.

The war's last stage was characterized by the government systemically committing human rights violations. The government deliberately and indiscriminately shelled Tamil civilians in 'no-fire zones' it had previously established (Van Schaack, 2017). The Rajapaksa administration also restricted press and aid access to Tamil-majority areas, resulting in a lack of comprehensive war coverage (Muni, 2008). The LTTE, in turn, was accused of using Tamil civilians as human shields (DeVotta, 2017). In January 2009 the Army captured the town of Kilinochchi, which had served as the Tiger's *de facto* capital. Four months later, the Army intensified its air raids on northern Sri Lanka, killing thousands of civilians and ultimately leading to the LTTE's capitulation on May 18th. Government forces killed Prabhakaran that same day. Following the capitulation, up to 11,000 alleged LTTE sympathizers were transported to undisclosed locations, from where most of them never returned (Höglund & Orjuela, 2013). The Army systematically executed former LTTE fighters and their families, including Prabhakaran's twelve-year-old son Balachandran, following their surrender (Subramanian, 2015). War crimes and a systematic disregard for humanitarian law had brought the war to an end.

The conflict's trajectory is key for Sri Lanka's evolution as an ethnic democracy. During the war, Sinhalese sentiments towards the Tamil population, supposedly represented by the Tigers, hardened due to the LTTE's tactics and ideology. The nature of the victory, in combination with war grievances and deepened anti-Tamil sentiment, has rendered Sri Lanka ripe for the consolidation of ethnic democracy.

Post-conflict Sri Lanka: Consolidating ethnic democracy

The post-war victor's peace provides the structural backdrop for Sri Lanka's post-2009 politics, paving the way for an increasingly entrenched ethnic democracy. Post-independence Sri Lanka has arguably always been an ethnic democracy, as is reflected in the SOA, the standardization policy, and the 1972 constitution. Indian opposition to Sri Lankan ethnic policy throughout most of the 1970s and 1980s nevertheless limited the extent to which Sri Lanka could openly and systemically discriminate against its Tamil population. This chapter analyzes post-2009 Sri Lankan politics through the four conditions Jaffrelot (2021) identifies as necessary for the establishment and evolution of an ethnic democracy: (1) demographic domination by the ethnic nation, (2) a perception of threat to the ethnic nation, (3) lack of diplomatic support for the discriminated group(s) in countries in which they are sizably represented, and (4) indifference towards/support for the policies of the State in the international community.

Factor (1), demographic domination by one ethnic group, continues to be given, limiting prospects for sociopolitical reconciliation. The Sinhalese populations remain the dominant ethnic group while the Tamil population has dropped due to people being killed in the war and Tamil refugees fleeing the country. Demographic domination and the victor's peace have allowed Sinhalese politicians to determine how national reconciliation does (or does not) take place. As noted by David Bloomfield (2003), post-conflict reconciliation must generally involve,

“The search for truth, justice, forgiveness, healing and so on. At its simplest, it means finding a way to live alongside former enemies - not necessarily to love them, or forgive them, or forget the past in any way, but to coexist with them, to develop the degree of cooperation necessary to share our society with them, so that we all have better lives together than we have had separately” (p. 12).

As Höglund and Orjuela (2013) note, however, the kind of military victory achieved by the Mahinda Rajapaksa government, which had been elected in 2005, made it possible for the Mahinda administration to ignore this form of reconciliation:

“With the total defeat of the LTTE there was no apparent ‘other side’ with which to reconcile and negotiate a post-war future. The dominant discourse of the Sri Lankan government after May 2009 has been that the conflict is now solved and that hence there is no need for reconciliation. The problem—terrorism—was eradicated with the LTTE. While the military might of the LTTE made them a key actor at the negotiation table in the 2002 peace process, the annihilation of the LTTE also to a large extent annihilated the interest of the Sri Lankan government to listen to and negotiate Tamil demands” (p. 24).

Instead of incentivizing a change in a political system that disenfranchised minorities, the end of the civil war empowered majoritarian-chauvinistic elements. Sri Lankan society remaining ethnically diverse has therefore made it difficult to create political reconciliation as the (legitimate) grievances of minority groups remain unaddressed (Perera, 2012). As political power has not been devolved and grievances are unresolved, the post-war order has failed to respond to the basic grievances that initially evoked Tamil support for the LTTE.

The government’s approach towards the Army epitomizes the Rajapaksa governments’ arrogance. Although the Sinhalese population did suffer too, especially the last stages of the war almost exclusively impacted the Tamil population, including through the systemic perpetration of war crimes. Yet, the Rajapaksas’ ties with the Army have created *de facto* immunity for war crimes. War crimes have not been investigated internally and external demands for investigation have been blocked by the authorities (Subramanian, 2015). Sri Lankan society remains heavily militarized due to the immense public spending on security in the war and the frequent promotion of military personnel to public office (Höglund & Orjuela, 2013). The heroization of Army personnel exhibits how post-conflict reconciliation occurs on the terms of the victors, irrespective of how victory was won or at what cost. The material and emotional damages inflicted on the Tamil population are relegated to little more than a side note.

The specific role of the Rajapaksa clan is worth discussing here. The Rajapaksas are a land-owning family from Sri Lanka’s southern Hambantota District that has long dominated local politics in Hambantota. Between 2005 and 2015, Mahinda Rajapaksa, leader of the Buddhist-nationalist Sri Lankan Podujana Peramuna (SLPP), served as President. As mentioned above, his brother Gotabaya, the current President, served as Defense Secretary and was responsible for the launch of the 2006 offensive that included the indiscriminate shelling of Tamil civilians in no-fire zones. Two other brothers, Basil and Chamal, served as Minister of Economic Development and Speaker of Parliament respectively (Alecci, 2021). Nirupama Rajapaksa, a cousin, was made Deputy Minister of Water Supply & Drainage. At one point, members of the

Rajapaksa family controlled up to 70% of the national budget. Although the Rajapaksas lost the 2015 election, they regained power in the 2019/2020 presidential and parliamentary elections. Although all Rajapaksas bar Gotabaya resigned from the current administration following the escalation of protests in March and April 2022, the initial presence of the Rajapaksas was even more pronounced in the current Gotabaya government (Al Jazeera, 2021). The financial dealings of the Rajapaksas were extensively covered in the 2021 Pandora Papers, including evidence that the family had stored billions of illegally gained funds in offshore tax havens (Alecci, 2021). The centrality of the Rajapaksa family to Sri Lanka's war and post-war order translated into immense public prestige with the Sinhalese population that has only withered amid growing economic issues.

The Rajapaksas have also ensured that point (2), the perceived threat to the ethnic nation, continues to be prevalent in the public mind. During the civil war, the Hindu-Tamil character of the LTTE created a threat to the ethnic nation *“that requires mobilization of the majority in order to preserve the ethnic nation”*. As in Myanmar and Thailand, the Theravāda Buddhist identity has been invoked to justify against non-Buddhists, making the civil war a religion-infused war. Tambiah observed in 1986 that,

“These convergent attitudes which are common place in these three Theravada Buddhist countries (Sri Lanka, Myanmar, Thailand) of Southeast Asia, should warn us about the militant and chauvinistic resonances that have constituted the dark underside of other terrifying face of Buddhism as a religio-complex... This other face presents itself in the twentieth century as a distorted “political Buddhism” emptied of its ethical content and inflated with the poison gas of communal identity. Under its banner populist leaders mobilize masses who are losing their traditional roots and their traditional Buddhist moral restraints, and whip them into a heady collective identity and a fury of displaced and misplaced anger against the alien others, the minorities, who are seen as a challenge to their chauvinistic manhood” (quoted in Veluppillai, 2006, pp. 93-94).

Trends in Sri Lankan politics and society today reflect a form of Buddhist-nationalist populism. Nationalist elements have reactivated these Buddhist-nationalist after the end of the war: following the 2019 easter bombings in Colombo, seemingly perpetrated by Islamic extremists, Sinhalese rioters attacked Muslim districts and Muslim businesses throughout Sri Lanka, continuing Sri Lanka's inglorious legacy of ethnic riots (Dibbert, 2019). In the buildup to the 2019 presidential election, the SLPP's campaign, led by Gotabaya, exploited this fear once again. The campaign,

“Focused on a populist and even more strident nationalist ideology, courting the powerful Sinhala-Buddhist clergy and organising a powerful ground campaign in the south of the island” while “claiming to be the protectors of the ‘Sinhala nation’, read by the electorate both in terms of livelihoods and religion/culture” (Jegatheeswaran, 2020).

Although this does not exclusively apply to the Rajapaksas, the Rajapaksas have routinely employed an Othering rhetoric to justify discriminatory policies. In March 2022, Malcolm Ranjith, the head of the Sri Lankan Roman Catholic Church, even questioned whether the bombings were *“part of a grand political plot”* (presumably initiated by the Rajapaksas) (Al

Jazeera, 2022) that would allow Mahinda and Gotabaya Rajapaksa to frame themselves as law-and-order candidates and sweep up the Sinhala vote. Either way, the history of the civil war is deeply burned into Sri Lankan society and creates a narrative that politicians can reactivate to garner political support. The steady support for the Rajapaksas prior to the economic issues of 2022 indicate how influential a factor the history and narrative of the civil war continues to be.

In regard to point (3), the lack of protection of ethnic minorities by countries in which they are heavily represented, the case of India is specifically worth considering. With almost 70 million Tamils as of 2011 (Office of the Registrar General & Census Commissioner, India, 2011), India is home to the most Tamils in the world. As shown above, the support of Indian Tamils, the Indian government, and the Tamil diaspora historically played a key role in ensuring political support for Tamil nationalism. The failure of Indian foreign policy in Sri Lanka between 1987 and 1990, however, continues to limit India's capacity to influence Sri Lanka's domestic policy. Although Modi has continued to advocate devolution in Sri Lanka and India has voted against Sri Lanka at the United Nations Human Rights Council in 2012 and 2013 while abstaining from votes in 2014 and 2021, India has been hesitant to make the Tamil question a cornerstone of bilateral relations (Ganguly, 2021). Tamil nationalism also continues to receive support by parts of the Tamil diaspora (Guyot, 2021).

India's reluctance to openly criticize Sri Lanka points towards the role of the remainder of the international community and especially that of China and Chinese foreign direct investment (FDI) in Sri Lanka. Under Mahinda Rajapaksa and his successor between 2015 and 2019, Maithripala Sirisena, Sri Lanka emerged as a main target for Chinese FDI as part of Beijing's Belt-and-Road Initiative (BRI). Projects funded by Chinese loans have been highly controversial, especially surrounding the port in Hambantota, the location of which was presumably chosen to appeal to the Rajapaksas' home constituency. In reference to Kelegama, Jones and Hameiri (2020) find that the BRI projects welcomed by the Rajapaksas,

“Serviced a corrupt and increasingly authoritarian network centred on the president's family. The government assigned infrastructure projects to regime-linked cronies, while cramming key agencies with loyalists to mute bureaucratic objections and facilitate off-balance-sheet borrowing by state-owned companies and private banks” (p. 14).

Ultimately, BRI investments were designed as PR wins for the Rajapaksas rather than infrastructure investments that would produce economic gain. These investments have now turned out to be one of the sources for Sri Lanka's current economic woes due to the loans' financial volume, with Chinese loans alone accounting for at least 10% of all debt (The Guardian, 2022). Sri Lanka being unable of servicing its debt to Chinese creditors also saw the administration lease the port in Hambantota to a Chinese State-owned enterprise (SOE) for 99 years (Ferchen & Perera, 2019). Unsustainable loans and financial mismanagement by the Rajapaksas have consequently created the issues Sri Lanka faces today.

Chinese investment and the close ties between Chinese SOEs and the Sri Lankan government are pivotal for two reasons. Firstly, the (economic) development model espoused by the Sri Lankan government is highly centralized, has lacked popular participation, and has been marred by corruption (Höglund & Orjuela, 2013). As bilateral trade with China has grown dramatically (between 2005 and 2012 alone, bilateral trade multiplied by more than four times

(Kelegama, 2014) and China has now replaced India as Sri Lanka's main trading partner (European Commission, 2021)), reduced economic dependence on other trading partners has also insulated the government from more concerted action from other political actors. China has not tied investment to demands for political reform and has blocked investigations and actions against Sri Lanka in international forums, including a 2009 UN investigation into war crimes, on the grounds that this would undermine the country's sovereignty (Human Rights Watch, 2009). Beijing's indifference towards human rights in Sri Lanka therefore motivates close ties between Colombo and China on a variety of levels while limiting the influence of other actors. Chinese support has further validated a narrative suggesting that international criticism violates Sri Lanka's sovereignty and manifests a pro-terrorist or imperialist attitude (Höglund & Orjuela, 2013). The external conditions for the evolution of an ethnic democracy are thus fulfilled as minority groups do not receive concerted diplomatic support from other countries. To sum up, contemporary Sri Lanka meets all four conditions Jaffrelot identifies as necessary for the creation and sustenance of an ethnic democracy.

How does the entrenchment of ethnic democracy manifest in today's Sri Lanka? The most recent report by the Intelligence Unit of The Economist (2020) classified Sri Lanka as a flawed democracy in which the rule of law generally declined over the course of the 21st century. The 2021 Freedom House report on Sri Lanka stated that while polls are *"mainly free and fair and saw lower levels of violence compared to previous elections, intimidation and harassment of women, Muslim, and Tamil voters prior to the polls were among the incidents reported"*. Democratic structures have remained in place, providing a level of political legitimacy to the regime. The same report notes that,

"Systemic discrimination, including via language laws and naturalization procedures, negatively affects Tamils' political participation. [...] Top Buddhist clergy often pressure governments to pursue certain policies. The Gotabaya Rajapaksa government appears willing to do so, especially when it comes to expanding Buddhist influence in the northeast, which is populated largely by members of various ethnic and religious minority groups. [...] Tamils report systematic discrimination in areas including government employment, university education, and access to justice. Ethnic and religious minorities are vulnerable to violence and mistreatment by security forces and Sinhalese Buddhist extremists".

It is worth noting here that some of the anti-Tamil violence is perpetrated by privately organized groups that capitalize on the general climate of impunity that has become institutionalized in post-2009 Sri Lanka. Sri Lanka has also withdrawn its co-sponsorship for a UN resolution focused on facilitating reconciliation in Sri Lanka. These trends, reflecting the systematic marginalization of ethnic minorities within Sri Lanka's political system, epitomize the entrenchment of ethnic democracy in Sri Lanka.

Political power has also become increasingly centralized in the office of the President. In 2010, the parliament passed the 18th amendment to the constitution, providing the President with more powers to appoint key political positions (a change that enabled Mahinda Rajapaksa to fill the ministries with his relatives), removing the two-term limit on the presidential office and allowing the incumbent President to contest presidential elections an unlimited number of times (Perera, 2012). The institutionalization of these appointment structures has created an increasingly authoritarian system in which appointees are indebted to the President who has

provided them with their respective positions, creating additional pressure to align their policy stance with those of the President. This centralization of political power in an individual who had just ‘won’ the civil war allowed Mahinda Rajapaksa to ignore demands for devolution and the depoliticization of the police (Höglund & Orjuela, 2013). The empowerment of the presidential office has practically further empowered Mahinda and Gotabaya Rajapaksa, largely removing them from political and social accountability. The 2021 Freedom House report notes that *“There is no expectation that those close to the president or his family will be prosecuted for corruption, although some within the opposition could be held accountable”*. According to the report, the pressure to fall in line has also shaped media coverage: *“Since the return of the Rajapaksas, however, media and civil society organizations have been more cautious when expressing views that challenge the government—displaying a willingness to criticize policy issues, but muting coverage of corruption”*. Sri Lanka’s post-war order is therefore ultimately also conditioned by a decrease in political accountability and an entrenchment of Rajapaksa control over the government.

The end of the civil war in 2009 ultimately facilitated the further consolidation of political control in the office of the President. The Rajapaksa family that has only become challenged by the 2022 protests. Political reforms, for instance regarding devolution, have been deprioritized as a national narrative of Sinhalese success over the Tamils has come to dominate the country’s national story. This story leaves little room for minorities - while they are accepted as part of Sri Lanka, their position in Sri Lankan society is seen as subordinate to what Jaffrelot calls the supposed *‘sons of the soil’*. Only the emergence of truly shared and class-crossing issues (such as the unavailability of food, medicine, and energy) has managed to somewhat rattle the stronghold of the Rajapaksas over Sri Lankan politics.

Conclusion

In Sanskrit, the word *‘sinha’* (as in Sinhala and Sinhalese) translates into *‘lion’*. The Sri Lankan civil war was thus fought between those who called themselves lions and those who called themselves tigers. In today’s Sri Lanka, the lions have driven out the tigers and have established a victor’s peace that has entrenched ethnic democracy. The framework Smootha and Jaffrelot have developed helps to conceptualize this development as not the birth but the entrenchment of an ethnic democracy in which the *‘ethnic nation’* (Sinhalese and especially Sinhalese-Buddhist) defines what it means to be Sri Lankan. This unilateral capacity of defining everyday forms of Sri Lankan citizenship have allowed Sri Lankan politicians, most notably the Rajapaksas, to further entrench perceptions of Sinhalese and Buddhist supremacy in the country’s national narrative. The consolidation of ethnic democracy post-2009 therefore continues the larger evolution of ethnic democracy in post-independence Sri Lanka. Although the 2022 protests show that different ethnic groups share perceptions of specific policy issues, it cannot be deduced that a departure of the Rajapaksas from power would stop Sri Lanka from being an ethnic democracy. While the Rajapaksas embody this order, the social roots of ethnic democracy are much deeper and are likely to persist irrespective of whether the Rajapaksas are in power or not.

Sri Lanka ultimately faces severe structural challenges. Some issues will be shared throughout the populis: debt restructuring will incur immense financial and social costs on the population

as a whole. Finance Minister Ali Sabry recently suggested that “*It is going to get worse before it gets better. It is going to be a painful few years ahead*” (Al Jazeera, 2022a). It remains to be seen how and if growing economic hardship will implicate ethnic dynamics in the country and it is very much possible that the anti-government unity that is currently observable remains little more than a momentary blip that papers over the cracks of ethnic strife. Even as the standard of living deteriorates throughout the country, the sociopolitical marginalization of minorities may mean that they will be severely affected. Broader social divisions will thus continue to exist and may be exacerbated by the current crisis.

The illiberalism Sri Lanka has witnessed over the course of the 21st century is, on some level, indicative of a broader shift in the world towards more pronounced identity politics at the expense of ethnic, religious, and cultural plurality. Today, the idea of protecting the ethnic nation and the definition of ‘*deserved*’ citizenship along ethno-religious lines is a trend Sri Lanka shares with other countries in the region. This growing focus on ethnic difference over cultural similarity threatens the political and cultural diversity that has long characterized South Asia.

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