

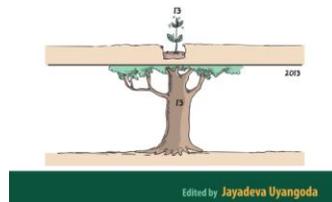
Book Review: State Reform in Sri Lanka: Issues, Directions and Perspectives edited by Jayadeva Uyangoda



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With the recently concluded Northern Provincial Council (NPC) Election, the issue of state reform is back on the agenda as the Tamil National Alliance (TNA) that stands explicitly for federal system of governance was able to win the majority seats in the NPC. Mr Vignesvaran of the TNA was sworn in before President Mahinda Rajapaksa as the Chief Minister of the NPC. It is certain that the NPC will ask for the full powers of the Provincial List of the 13th Amendment to the Second Republican Constitution the full implementation of which has consciously and purposely been thwarted by the central government since its enactment in 1987. The question as to how the post-colonial Sri Lankan state should be restructured in order to accommodate the demands and aspirations of the numerically small nations in the island has once again been posed and it has to be resolved not at the deliberations of the Parliamentary Select Committee the President Rajapaksa has proposed but at the constant negotiations between the central government and the NPC. The debate on this issue has already begun. In this context, the new book, State Reform in Sri Lanka: Issues, Directions and Perspectives edited by Jayadeva Uyangoda is a timely addition to this important debate. The book has 6 chapters out of which 4 directly deal with state reforms.

Uyangoda in the Introduction delineates succinctly the key issue in the post-colonial Sri Lankan politics in the following words: "Should the post colonial state be re-structured and reformed and its basic institutional architecture re-designed?" (p. 1). The question of state structure in future independent Ceylon was discussed though briefly in the 1930s, the subject was not viewed from the prism of ethnicity. However, the tragedy of Sri Lanka is that since independence this issue has been looked at from the polarized national/ ethnic perspectives thus linking it with "two main ethno-nationalist projects". As a result, the two attempts to re-structure the Sri Lankan state in 1972 and 1978 gave primacy to different immediate objectives of the political party/ front in power (socialist property relations and economic development respectively) disregarding this key issue thus distancing Tamils from those objectives interpreting them as part of the Sinhala ethno-nationalist project. Although socialist property relations and economic development transcends narrow ethnic/ national boundaries, in Sri Lanka they were given not only explicit ethno-nationalist interpretations but also ethnic twist in implementation. Political expression of these developments has produced

what Uyangoda calls "ethnocratic democracy" in both Sinhala and Tamil (may be now also Muslim) imagination. "Ethnocratic democracy is a specific form of democracy that privileges ethno-nationalism as the dominant framework of political imagination, competition and mobilization" (p. 3). It is interesting to observe whether the Sri Lankan ethnocentric democracy has a specific class basis and it has prevented in many ways to make the Sri Lankan state a 'developmental state'. In Introduction, Uyangoda has noted two broad thematic orientation of the book, namely, (1) political constitutional aspects and (2) political economy dimension.

Chapter 2 by Jayadeva Uyangoda offers a comprehensive survey on "how debates on state reform developed in Sri Lanka since independence and how these debates in turn framed the issues at stake in the political process of state reform" (p. 25- 6). To my limited knowledge on political science literature, this seems to be so far the best detailed analytico-critical account on the state reform project in post-colonial Sri Lanka. Three broad perspectives have been identified. They are: (1) consolidation of the unitary state through centralization, (2) reconstitution of the state in a federalist framework, and (3) compromise between unitarism and federalism in a framework of devolution (p. 1 and 26). The first two identifies with two polarized ethno-nationalist projects of Sinhala and Tamils respectively some Sinhala academics strongly supporting constitutional revolutionism of federal position notwithstanding. The 'moderate' third position has many variations depending on the extensity and the level of devolution. Of course there have been intermediate positions like unitarism with extensive de-centralization but without devolution or centralized federal structure. Chapter 2 also discusses with historical details these middle positions. In this respect, Donoughmore Commission proposals on 'provincial councils', R S S Gunawardena's proposal in 1937, Choksy Commission Report of 1955, Bandaranaike-Chelvanayaham Pact of 1957, Senanayaka-Chelvanayaham Pact and White Paper on District Councils by M Tiruchelvam and the District Development Council Act were discussed with adequate details. To some extent, these middle positions cannot be exclusively identified with polarized two ethno-nationalist projects since those attempts appeared to be seeking an amicable compromise. Had Uyangoda given some space for the position of the left political parties (the Lanka Samasamja Party and the Communist Party) that stood for parity status for Sinhala and Tamil and the system of Rata Sabha, the historical account of Chapter 2 would have been richer. This may also pose an interesting question as to why there was no space to form a political front of the left parties and the parties of the marginalized communities in the 1950s and early 1960s. As I was then member of the LSSP, I know some prominent LSSP leaders like Leslie Goonawardene stood for extensive devolution of power to rata sabha leaving only three broad subjects, namely, national currency, foreign affairs and defense and security in the reserved list. The degeneration and the weakening of the left that had a class based project transcending ethno-nationalist boundaries in the mid 1960s explained to some extent the hegemonization of Sinhala and Tamil ethno-nationalist project in the post 1964 period.

The debate took a new turn with the enactment of the First Republican Constitution in 1972 and the emergence of Tamil militant politics in the late 1970s. Uyangoda notes: "[I]n the aftermath of the collapse of the DDC experiment, a parallel discourse of state reform based on the concept of devolution began to emerge through the involvement of the Indian government to resolve the

conflict which had by 1983-1984 become a civil war" (p. 46- 47). The areas under review were (1) the relationship between devolution, federalism and separate state, (2) extent of devolution or power-sharing, (3) the unit of devolution, (4) interim arrangements and (5) autonomy rights of the third national group, Muslims. The debate has contributed to further polarization of society on ethnic/ national line. Those who held middle position became weak and were branded as 'enemies' of the nation. However, the silver line in the distance has been that the "debate has produced an exceptionally rich body of political and constitutional ideas concerning the state" (p. 104) in diverse pluri-national society.

Chapter 3 focuses on the puzzles of state reforms during the internal armed conflict. The issue of state reform during this period has become one that was closely linked with the attempts at conflict resolution. The early 1994 was marked by the emergence of active social movements focusing on democracy, media freedom, peace and anti-corruption. This has provided a new space for state reform accommodating the demands and aspirations of the Tamils and other national and ethnic groups. In responding to the new situation Peoples' Alliance (PA) openly proposed in its election program that a new constitution be enacted with strong power-sharing arrangement. Quasi-federal constitutional draft was prepared and campaign for it was organized with the state support. Page 117- 132 has given detailed account of the different drafts of the PA government headed by Chandrika Kumaratunga. However, the escalation of the armed conflict, almost total evaporation of moderate Tamil politics and the regrouping of Sinhala extremist forces made the entire project a failure. The last minute attempt at bi-partisanism (between the PA and UNP) failed. Ironically, in spite of the rise of extreme Sinhala nationalism in many forms, intensive armed conflict posed once again the need of a negotiated solution.

An added reason was that foreign economic assistance appeared to have linked with negotiated settlement to the conflict. The United national Party came to power with explicit proposal to engage with the Liberation Tigers of Tamil Eelam in order to end the armed conflict the sufferings of which were felt by all especially after the Katunayaka attack. In response to the failure of so-called permanent solution to the conflict, the interim arrangement had become the subject of discussion during the peace process of 2002- 2005 and the post-Tsunami catastrophe. Pages 132- 154 focus on these interim proposals. Part 3 of Chapter 3 discusses barriers, both substantive and procedural, to state reform posing in the final section a counterfactual question whether reforms are possible in the absence of the procedural barriers. This is the focus of the final Chapter of the book.

Chapter 4 and 5 focus on the second dimension the editor has delineated, namely, the political economy dimension. The chapter by Sunil Bastian proposes that there has been a special relationship between the Sri Lankan state and Sinhala peasantry. This 'special relationship' according to him has had an impact on state policy, development program and through state policies on the ethnic conflict. It is not difficult to establish a relationship between political parties and rural constituency in the electoral system in Sri Lanka especially after the introduction of universal franchise. This applies not only Sinhala parties but also to Tamil political parties. In a sense, this is what Partha Chatterjee called 'political society' that is not concerned much about civic rights but

their socio-economic and welfare needs. Bastian's argument poses two conundrums, namely, (1) have the rural people in general and the peasantry in particular provided the basis of the Sinhala ethno-nationalist project? (2) Was the state capital in agriculture and rural development the main contentious issue raised by the Tamil ethno-nationalist project? In my opinion, the class bases of two ethno-nationalist projects are primarily urban middle class. It appeared to me that it is difficult to support with empirical evidence the following conclusion. "[T]he rise of political influence of rural Sinhalese dismantled the institutions created at the time of independence to protect minority rights. It led to the creation of a state that was highly centralized without any institutions that could protect the right of minorities" (p. 231).

Chapter 5 "The State and Development: Sri Lanka in a Neo-Liberal Policy Regime by W D Lakshman examines the outcomes of the neo liberal economic policies on economic development. The state reforms in 1978 has been catapulted by the objectives of the economic project that according its architects required a strong executive who is independent of the whims and fancies of the Parliament. It appeared that it was not the author's focus to enquire how and in what way these policies impacted on the state reform exercise. His conclusion that in the predatory state to developmental state continuum Sri Lanka has as a result of neo-liberal policies come closer to predatory end is an interesting one. It may be equally interesting to note if the state reforms in 1978 making neo-liberal policy shift easier had an impact on Sri Lanka's moving closer to predatory state and it in turn had contributed to conflict escalation although the nexus is not direct but complex.

The last chapter by Marcelline and Uyangoda discusses the status of the state reform exercise in the post-war situation. The conclusion of armed conflict by defeating the LTTE comprehensively might have created a new space to address the underlying causes of the armed conflict. The absence of a formidable opponent might have given the Sri Lankan state a free hand to make necessary changes on the basis of the middle position developed in the last 30 years or so. The Parliamentary Election of 2010 that gave UPFA two-third majority required for constitutional change removed one of the procedural obstacles that prevented the PA government in changing the constitution. The state reform introduced by the 18th Amendment has negated the 17th Amendment that was enacted by multi-party consensus to limit the powers of the executive. Moreover, instead of addressing power-sharing demands of the Tamil community, a campaign has begun to amend the 13th Amendment inverting some of its positive features. As I have argued elsewhere, the UPFA government's post war strategy for the resolution of national question can be described as developmentalist.

The recently concluded NPC election has demonstrated that developmentalist strategy will not work if the state neglects the political dimension of the national question. The state reform debate that had receded in 2009- 2013 period would reemerge under new context. The lessons discussed and highlighted in the book will definitely provide necessary inputs in encountering new challenges in the new context developing new insights and mechanisms.

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