

# NOTES AND COMMENTS

## Life in Jaffna

One of the most ignored elements in the civil war is the civilian population of Jaffna. The government sends into Jaffna monthly about half the food required for the sustenance of this population; this is distributed by the administration that is still in place and whose wages are met by the government. The health services and the schools function. The hospitals are faced with regular shortages of drugs and doctors, but continue, with ICRC help, to supply a minimum service to the people; the schools? the state examinations are the one central function that continues without interruption. As someone said: the Jaffna man's respect for educational qualifications has not changed one bit.

But with one difference; this whole system functions under the overarching supervision of the LTTE and only to the extent that it does not go against its interests and objectives.

As far as the state is concerned, it seems to assume that all Tamils who continue to live in Jaffna are supporters of the LTTE and the deprivations that they suffer from are their just rewards for that support. Others speak of LTTE terror and imply that fear of the LTTE is the motivating factor. But these are both extremely simplistic assumptions.

All these people in Jaffna, including all state officials, are Tamils, that is, they are people with a genuine sense of grievance, based on their perception that they are not equal citizens of the Sri Lankan polity and that they are discriminated against in a number of ways. That is why the LTTE is able to mobilise in its work even those Tamils who do not support its political objectives.

Take the case of food. Continuous under-supply over the last three years should have led to a serious problem of malnourishment. But this has not happened. The LTTE has been able to mobilise the farmers, the agricultural extension services and other professional staff in a campaign to switch from cash crops to food crops; the university has assisted with their knowledge and research. This campaign has succeeded to the extent that it has prevented a breakdown of nutritional standards.

So it is with all other activities. Tamils participate in them primarily because they are Tamils and committed to the survival of their group, not because they share the LTTE's political vision.

However, as time goes on, the hold of the LTTE on the civilian population certainly tightens. Take the case of law and order. There is no central police or judiciary in the LTTE controlled areas, but there is the need for some kind of social discipline. So the LTTE establishes a police force. When the police take in offenders into

custody, there has to be a place to hold them. So follows the setting up of prisons and prison officials. The offenders must then be tried; so a judiciary is appointed. But what law do the judges use? They began with normal Sri Lankan law to which both lawyers and citizens were accustomed; but it did not totally satisfy the LTTE. There is now a newly formulated civil and penal code suitably modified to suit conditions in the north; we are told that it incorporates even the latest decisions on Thesavalamai law.

So too with the economy which is subject to tight LTTE control. They have now begun work on their own banking system.

The longer the war lasts, the tighter will be LTTE control of civil society and more difficult the task of loosening them.

## SLFP After the Southern Polls

As we noted in our last issue, the Sri Lanka Freedom Party and the People's Alliance which it leads made a qualitatively new gain in electoral politics when they won back the Southern province with a comfortable majority. The UNP's electoral loss has created many problems for the ruling party; a clear way out for them is not yet visible.

However, everything does not seem to be quiet in the opposition front either. The euphoria of the victory in the South appears to have made the main constituent of the PA—the SLFP—somewhat lackadaisical and complacent in its attitude to the forthcoming Presidential and Parliamentary elections. Contrary to the expectations of the Opposition's supporters and well-wishers, the Alliance has not taken any meaningful steps to retain and sustain the political momentum generated in the provincial elections. The only event that further raised the morale of the opposition was the decision by Professor G. L. Pieris, Colombo university's Vice-Chancellor, to quit his job and join the SLFP, 'on the invitation by Mrs. Bandaranaike.'

The uncertainty concerning the opposition's presidential candidate at the November elections has been the main stumbling bloc for the PA which prevents it from gaining any further political advantage, particularly at a time when the ruling UNP is in disarray. When Chandrika Kumaratunga shot herself to fame and country-wide recognition after the Southern polls, the general belief in the country was that she would be the most suitable Presidential candidate for the opposition. However, the ailing Mrs. Sirimavo Bandaranaike does not appear to have relaxed her determination to be the next Presidential candidate as well as the President. This has created a great deal of dissatisfaction among PA loyalists. Should not the Madam (*methiniya*) retire from politics gracefully and allow Chandrika to step into the leadership role? is the question

they ask. With Sirimavo Bandaranaike as the Presidential candidate, the Opposition is likely to lose to a considerable degree the public enthusiasm generated towards the PA during the past few months. The question with her candidacy is not merely her old age or her inability to lead a successful election campaign. The real problem lies with the political conservatism that Sirimavo Bandaranaike and the SLFP old guard represent. Until Chandrika Kumaratunga re-joined the SLFP two years ago, the party did not have a leader, even at the secondary level, with any capacity for new political thinking and imagination. In fact, the old guard that surrounds Mrs. B. is, to use a Chinese metaphor, just political dead wood. Many of them have mastered the art of political incompetence and indolence during the past seventeen years out of power. The promise of Chandrika Kumaratunga is that, under her leadership, there will be space as well as direction for much needed political and economic reforms, without returning to the populist

statism and statist autocracy which Mrs. B. and her loyalists have not yet shed.

Mrs. Bandaranaike's candidacy may also pose an unsurmountable problem for the PA in terms of electoral arithmetic. No minority political party seems to be in a mood to support her at the Presidential election because of their absolute lack of trust in her commitment to a political solution to the ethnic problem. It would be a tremendous task for Chandrika Kumaratunga and Professor G. L. Pieris to convince the minority parties that a PA regime under the leadership of Sirimavo Bandaranaike would be any different from the three UNP regimes since 1977 on the ethnic question. Without the support of the minorities and with lukewarm public enthusiasm, Mrs. Bandaranaike's candidacy at the next presidential election is not likely to be quite exciting for the opposition alliance.

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## REINVENTING THE SRI LANKAN STATE

Jithendra Basnayaka

In the agenda for socio-economic development, the Sri Lankan State has decidedly taken the path of a market-oriented reform process for the past fourteen years. However, this state-sponsored, market-oriented transition is truncated and distorted by extremist nationalism and economic mismanagement. Essentially, this reflects the static, self-limiting, semi-feudal nature of the existing state apparatus and the need for its metamorphosis towards a popular, democratic state to facilitate and accelerate the market transition.

While history is being continually rewritten, what we have here and now is the recent history of a youth insurrection, a fear psychosis and a brutal ethnic conflict. At present, political corruption, thuggery, human rights violations co-exist with the economic marginalization of a majority - the persistence of material impoverishment expounded by high levels of rural poverty, hidden unemployment, child malnutrition, and destitute refugees. These basically point towards a breakdown of the operating principles of society, a fragmentation of collective social structures. Thus, in order to progress, we need to articulate and re-orient social practices (habits, myths, laws, rituals, etc.) towards a transformation of the current hostile and turbulent social arrangement, eliminating some of its inherently oppressive elements.

In this unfolding historical tragedy, what is at issue is the role of the state: an institution, a "representative democracy", to use the obsolete adage, "created of the people, by the people, for the people." Some characterize the state as an apparatus through which universal interests can prevail, and others see an innate rationality

in civil society that will lead to collective welfare. And in Sri Lanka, in the emergent civil society, broadly a manifestation of the change from feudal to bourgeois society, the old bands of privilege through lineage, ethnicity and caste are gradually being replaced, albeit reluctantly, by atomistic individuals separated from each other and from the community by the pursuit of profit, by a market-oriented system based on contractual obligations and universal laws that are replacing traditional, customary personal ties.

In effect, a reformation (reinventing) of the modern state is dictated by the evolving characteristics of the civil society and its socio-economic context. Economic liberalization has nourished a new segment of society and the beneficiaries of the old order are gradually being displaced from privileged positions. The social and ideological displacement and fragmentation of civil society escape the control of the state, which is limited to formal, negative activities (cloaked under emergency regulations), and is rendered impotent by market forces which are the essence of economic life. This has generated a type of state politics which does not reflect this conflict between the emergent and the old, and where the state rather than actively facilitating the market transition, remains intentionally abstracted and removed from it.

However, reality is not as simple as our categories; the hegemonic Sinhalese Buddhist majority, forming the bulk of civil society, especially its established economic elite, maintains a vested interest in preserving the state. While some in privileged positions may not subjectively identify themselves with the Sinhala Buddhist State posture, their vested economic interests negate any vocal

political opposition. In reciprocity, this dominant group is fortified by the state apparatus through various legislative sanctions and economic mandates which ultimately compromise the socio-economic imperatives of a transforming state.

But the state also has an ethical function as it tries to educate public opinion and influence the economic sphere. It is here that the legitimacy of the modern state must be adequately interpreted and contested. The Sri Lankan State, if its long term interest is to be based on social justice and sustainable socio-economic development, has to adopt an ethical concept of the role of the state: an ethical framework that presents the state as the embodiment of society's general interests, and standing above any particular interest. Therefore, it has to present itself as capable of dissolving the division between civil society and the state, of facilitating the internal logic of civil society rather than dictating terms to it.

While economic structures are being gradually changed to be competitive in a world market, the internal logic of civil society and social practices are also transformed to accommodate the material conditions of production. Creation of a vibrant domestic market, increasing local effective demand, facilitating local value-added activity, and consumerism all effect and transform social consciousness and compel the dominant ideology to integrate these real material changes. In effect, the emergence of a consumerist capitalist culture, the stock market, "Majestic City," and Miss Tourism contests, continue to negate the authenticity of traditional, static, semi-feudal notions of a Sinhala Buddhist State.

Briefly stated, individualism, the pure ideology of the market, is the emergent ideology of civil society. Collectivism, the right-wing form, complements the market expressing all non-market social institutions, values and interests necessary to make the market work. In the present context of Sri Lanka, this constraining collectivist position has rationalized itself as an appeal to nationalism, patriotism and militarism. It is an extreme illustration of Buddhist Sinhala nationalism, which has become parasitic upon the articulation of a genuine popular national interest. However, at another extreme, it has been progressive in actively re-organizing civil society for universal social and moral action. Thus, the legitimacy of the modern state must be redescribed and contested to facilitate the transition to a secular, ethical, collectivist mode.

A transformational concept of popular national interest and a democratic state must, first and foremost, initiate a negotiated settlement to the ethnic crisis to end this brutal inhuman atrocity. It must manifest itself as a collective effort on the part of the state as well as of civil society. Second, popular nationalism must reestablish and rehabilitate democratic institutions to articulate and implement a realistic, sustainable socio-economic development program.

But the remnants of the old, the forces opposed to such a progressive articulation of social practices are reproducing limiting structures of state paternalism, especially in the realm of cultural practices. In a search for authenticity and legitimation, this dominant ideology has threatened the resilience of democratic institutions; by default, it has justified and reproduced a stifling, semi-feudal state.

A multi-ethnic cultural self-determination demands a shift from reproducing static, idealistic assumptions concerning society to a realistic, dynamic, practical analysis (and a vision) of a society in transition. A fundamental criteria for arriving at the latter must take into consideration the contemporary political economy, the production (to alleviate poverty) and reproduction of (socially and ecologically sustainable) material conditions of existence.

With socio-economic progress as a basis, Buddhist Sinhala nationalism should detach itself from state paternalism and promote a resurgence of genuine popular participation in the democratic processes. Political parties must also recognize the historical necessity of positioning themselves to transform coercive, constraining pre-capitalist structures towards transparent rules of governance. In everyday politics and electoral campaigns, chronic immediate social reforms combined with struggles within power hierarchies, may overshadow the long-term aims of the collective social benefits to be obtained by transforming the state. However, the inability of established party politics to accommodate popular participation, especially among the youth and ethnic minorities, in the democratic process will lead to further devastating consequences and a turbulent future.

Recognizing sources of injustice in social reality, and the means necessary for changing or remedying them involves much more than redescription, even if it is a necessary component. A national redescription must move beyond a romantic self-creation grounded on ignorance of physically determining laws (such as the economic integration with a world capitalist system) to a self-overcoming - a self-overcoming that reconciles concrete material changes, induced by 14 years of economic liberalization, with a new, creative, collective moral identity. It is a transformation, a reinventing of the state, and not a utopian replacement, that recognizes that the past has to be overcome, simultaneously dissolving and disconnecting social relations of injustice among groups of individuals (men and women, people of different castes and ethnicities, urban and rural, etc). Social debate must engage itself in finding and disentangling the webs of constraining structures and in critically explaining those social practices which sustain them. Rather than just redescription a moral upliftment, we need to explain change and to articulate a realistic, collective self-emancipation toward (re)creating a productive, humane, democratic nation.