The International Covenant on Economic, Social and Cultural Rights

Sri Lanka acceded to the International Covenant on Economic, Social and Cultural Rights in 1980, thereby acknowledging its responsibility to promote better living conditions for its people. The Covenant recognizes everyone's right to work, to fair wages, to social security, to adequate standards of living and freedom from hunger, and to health and education. It also protects the right of everyone to form and join trade unions.

The Convention Against Torture

Sri Lanka acceded to the Convention against Torture in 1994, thereby undertaking to "take effective legislative, administrative, judicial and other measures to prevent acts of torture." The Convention requires state parties to accept that torture cannot be justified in any circumstances-for example, torturers cannot use the excuse that they were carrying out orders from their superior officers, and governments cannot claim that a war or state of emergency or political instability justifies torture. The Convention requires that torture be made punishable as a crime of a "grave nature", and the authorities are required to examine allegations of torture promptly and impartially. Victims or their families must be able to get fair compensation and receive rehabilitation. Statements made under torture may never be used as evidence in court-except when alleged torturers are being tried, when such a statement can be introduced in court as evidence that the statement was made.

Geneva Conventions

Sri Lanka ratified the Geneva Conventions in 1959. The four Geneva Conventions of 1949 set forth detailed rules of behavior to protect actual or potential victims of war. Each Convention covers a specific class of "protected persons"-wounded and sick members of the armed forces on land; wounded, sick and shipwrecked members of the armed forces at sea; prisoners of war, and civilians respectively. The Geneva Conventions do not outlaw war, but they do provide that people not involved in the fighting are to be treated humanely. The Conventions apply to international conflicts, but importantly, Article 3 (which is common to all four Conventions) extends to internal conflicts and is binding upon all parties to the conflict. Common Article 3 forbids the killing, mutilation, torture or cruel treatment of people who do not take a direct part in hostilities, including those who have surrendered or are *hors de combat*. It also prohibits hostage-taking and humiliating and degrading treatment.

There are also two Additional Protocols to the Geneva Conventions of 1977. The Second Additional Protocol, which Sri Lanka has not ratified, relates to the protection of victims of internal armed conflicts. Amnesty International urges the government that is elected to ratify the Second Additional Protocol at the earliest opportunity.

The Second Additional Protocol develops and supplements the protections provided in Common Article 3. If ratified, it would automatically become binding upon any other party in conflict with the government.

ETHNICITY, 'NATION' AND STATE FORMATION IN SRI LANKA: ANTINOMIES OF 'NATION-BUILDING'

Jayadeva Uyangoda

A unilinear national hagiography is impossible: any attempt of this sort appears immediately sectarian, false, utopian, anti-national, because one is forced to cut out or undervalue unforgettable pages of national history.... There is nothing of the sort in Italy where one must search the past by torchlight to discover national feeling, and move with the aid of distinctions, interpretations and discreet silences...The preconception that Italy has always been a nation complicates its entire history and requires anti-historical intellectual acrobatics.... History was political propaganda, it aimed to create national unity—that is, the nation-from the outside.... It was a wish, not a move based on already existing conditions.

- Antonio Gramsci.[1]

Sri Lanka's problem of violent ethnic conflict is by no means a unique case of how a 'nation-state' project has fallen to pieces; the contemporary world provides so many examples of ethnic disintegration of states. The collapse of the post-war model of multi-ethnic nation-states in a way points to a world historical process in which a tendency towards the formation of states based on

mono-ethnic foundations has become real. The erstwhile Yugoslavia and the Soviet Union, which have split into single-ethnic states, are perhaps the trend-setters. We may not like this tendency and we may also feel thoroughly disoriented in confronting it, because our eyes are still set on the grand narrative of nation state, or to use Gramsci's formulation with a slight change, unilinear hagiography of the nation-state.[2]

Reading the present history in this fashion will obviously bring despair to many of us who have been spending most of our political and intellectual energies to save and restore the multi-ethnic bases of our states. However, we cannot escape from the reality that those who seriously believe in and work towards reforming the states in our societies in a genuinely multi-ethnic framework, (with the hope that political institutions and practices would be amenable enough to truly reflect the ethnic plurality of our social formations), are an absolute minority. Our multi-ethnic project does not get positive responses from the political actors who conduct the affairs of ethnic conflicts. The ruling elites who represent and execute majoritarian hegemonic projects have made every attempt to de-legitimize the democratic multi-ethnicity argument, basing their claims on such assumptions as national/state security, unity and sovereignty of the 'nation.' They have occasionally appropriated our multi-ethnic discourse, as exemplified in their rhetoric at international fora, to seek world legitimacy to the state in terms of international law.

Our arguments against the majoritarian state derive essentially from a democratic vision. Democratization of the state, in our reasoning, will not be meaningful until the political structures are reformed to enable the minorities to enjoy their fair share of political power. While we argue for ethnic fairness and justice from a democratic standpoint, paradoxically, militant political movements of the minorities rarely leave room for internal democracy in their own societies, or within the alternative political structures which they have been building up. Meanwhile, militarism of ethnic separatist movements, often legitimized by its practitioners pointing to its genealogy in the militarism and violence of the state, has been a major stumbling bloc on the way to reconstituting ethnic relations in our societies. As Sri Lanka's recent experience indicates, inter-ethnic relations are characterized by a deep sense of mutual fear, emanating from the readiness of all parties to the conflict to deploy their awesome military machines against unarmed and innocent civilians.

This despair apart, we need to acknowledge a historical reality. In our societies, the task which we euphemistically call 'nation-building' has entered a qualitatively new phase. The first phase, the post-colonial phase, is over. The second, which we may call the post-postcolonial phase, is infinitely more complex than the first. Now the enemies are found within; histories are being re-written and the futures are re-thought in most combative and adversarial fashion. Can we confront the new phase of state formation, still informed by the assumptions of the first phase?

Competing Projects of 'Nation-Building'

In the social science literature, there is a particular way in which the formulation 'nation-building' has been employed, with the result that it still fails to adequately account for multiple nation-building projects emerged in multi-ethnic societies. This concept entails an integrationist idea, assuming an ultimate scenario in which all ethnic, religious or tribal groups in a society would, in an evolutionary march towards political modernity, join together to form a politically coherent, sovereign state of a single nation.

The architectural metaphor of 'building'—building a nation—is quite revealing: it evokes the imagery of assembling some varied parts and components into something like an artefact or a modern shopping complex.[3] The architects of the nation were supposed to possess, or required to acquire, the blue-print of the modern nation in the experience of post-French Revolution 'nation-states' of Europe. When societies that were under colonial rule either won or were granted political independence, the template or the mould, the blue-print, and the raw material were easy to obtain; what was needed to complete the building, according to this reasoning, is a cementing excercise. The adhesives were then supposed to be found within our societes. In fact, as the experience of our societes for nearly five decades indicates, we have failed to distinguish adhesive from the solvent.

Although the construct 'nation-building' is an unsatisfactory one, it can still be utilized to de-construct what it is supposed to explain. Indeed, the idea of nation-building posits the gradual emergence of a single nation within the territorial boundaries of the state, which has already been established as a sovereign entity. Territoriality and sovereignty are thus assumed to be inviolable and sacred attributes of the state. It is precisely this teleology of a single nation emerging within the boundaries of the 'sovereign state' that ignores the other possibility of multiple nations emerging within, and re-defining, the same state.

To illustrate the point, let us examine the phenomenon of autonomy and secession. All movements of ethnic groups seeking autonomy or secession are based on the fundamental assumption of separate nationhood. Tamils in Sri Lanka began to claim separate nationhood as far back as 1952. To question whether any ethnic group objectively constitutes a 'nation' or not is an entirely irrelevant one, because the only 'objective' evidence of nationhood being articulated is political sovereignty materialized within defined territorial boundaries. Besides, nationalist claims are largely subjective ones or

at best, subjective articulation of certain objective realities. In the nation-state model, however, nationhood is understood solely in terms of a single-nation sovereign state; it leaves no room for competing claims for sovereign nations within the territoriality of the state. The point, nonetheless, is that in multi-ethnic societies, there can be— and in fact, there have emerged— more than one 'nation-building' exercises. India is a prime example of a multiplicity of nation-building movements, undertaken by a number of ethnic groups. In Sri Lanka, the nation-building project of the majority Sinhalese community is contested by a parallel nation-building process, based on the doctrine of Tamil nationhood.

What we then see is a process in which contrasting and competing nation-building projects—one dominant and official, others subordinate and unofficial—emerging and defining the political conflicts in multi-ethnic societies.

Ethnicity and State Formation

The above outlined perspective enables us to understand one major contradiction in the post-independence political change in Sri Lanka: the state being transformed into the primary site of conflict between two nation-building enterprises.

The dominant nation-building project based itself on a refusal to accommodate the multiple ethnic constitution of Sri Lankan society. Its vision of political power has always been posited in an imagination that Sri Lankan state should be a specifically 'unitary' one in which political structures are defined in a highly centralized manner. Any demand for reforming the centralized state has run the risk of being characterized as amounting to dividing the country. This notion of 'indivisibility of the country' has been so powerful in the Sinhalese nationalist discourse and practice that no ruling party in Sri Lanka was ready to accept until 1987 the legitimacy of the Tamil nationalist demand for sharing of power in a devolutionary manner. The United National Party government accepted it in July 1987 only after diplomatic and military coercion exercised by the Indian government.

In the ideology of the state in Sri Lanka, the majority-minority dichotomy has enunciated a specific kind of political relationship among ethnic groups. This dichotomy has been so valorized in the Sinhalese nationalist discourse that it pre-supposes a particular pattern of political behavior that the minorities should adhere to. This code of behavior within the majoritarian state is primarily defined by an ideology concerning (i) land and territory, in the sense that the Sinhalese are the original settlers and therefore legitimate inheritors of the land, and (ii) colonialism, meaning that the colonial rule weakened the majority Sinhalese community and therefore, political independence could be meaningful only if the 'historical injustices' suffered by the majority are corrected by the state. The argument is then very clear:

the state formation should essentially be the formation of a state with an unequivocal commitment to majority ethnic interests so that a new historical moment is created to compensate for a period of silence. This is, in a striking twist to the relationship between lived history and ideology, also the very essence of the manner in which the Sinhalese nationalists encountered colonialism under post-colonial conditions.[4]

In the contemporary ideological debates, this position is extended to mean that the minorities have been grossly unfair to the majority in their emphasis on their own 'minority' demands. Newspapers are replete with rhetorical questions— for example, "Minorities have been given everything at the expense of the majority. What more do they want?"— suggesting further that the minorities have far exceeded the 'natural limits' of their behavior.[5]

What is the 'proper' political behavior expected from the minorities? When we look at the Sinhalese politics, we notice that both Sinhala nationalist ideology and the state has had a remarkable answer to this question: the establishment of an ethnic hierarchy in which the majority community is assured of its 'legitimate' place and the minorities their 'proper' place. In fact, the state policy since 1947 has had a conscious strategy to firmly establish this majority-minority hierarchy in Sri Lankan society. A few, yet notable, examples of this hierarchy-making state policy are: the citizenship law of 1948, the franchise legislation of 1949, the language legislation of 1956, the re-imposition of the unitary state model of 1972, the repeal of constitutional safeguards for the minorities in 1972, and higher educational reforms in the early seventies.

Persistent ethnic violence, usually termed as ethnic riots, too are instrumentalities for the imposing of a pre-determined hierarchy on ethnic communities. Majoritarian ethnic violence is always not intended to banish or expel other ethnic communities. Its structural utility emanates from its intention as well as the ability to contain, by means of violence, the degree of assertion that non-majoritarian communities have already achieved or likely to attain. In other words, it re-imposes the dominant model of hierarchy at times when that hierarchy is weakened or threatened.[6]

Hierarchical ethnic thinking is not exclusive to majoritarian Sinhalese politics alone. Tamil nationalist politics too evinces an ethnic hierarchy of its own when its own status is transposed into that of a majority in relation to the still smaller Muslim community. In two specific respects Majoritarianism of Tamil politics consistently appear in contemporary debates.

In the first instance, the Tamil nationalist category of "Tamil Speaking People" is meant to encompass both Tamil and Muslim communities in the Northern and Eastern provinces; almost all Tamil political parties continue to hold the position that they represent Muslim

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interests and demands too. This homogenizing attempt, based solely on the linguistic criteria, is thoroughly resented by the Muslim community on the argument that religion makes them a distinct ethnic group. In the second instance, Tamil parties have repeatedly denied the Muslim claim that in any system of devolution of power, Muslims in the Northern and Eastern provinces should be given the status of self-rule, on the grounds of their separate identity and interests.[7]

In the Tamil-Muslim relation too, a particular political behavior is expected from a smaller minority by an intermediate minority. This particular expectation is codified in the rigid stand that Muslims should allow their identity as well as demands to be subsumed under the political program of Tamil nationalism. The Muslim political assertion against this thrust towards ethnic homogeneity has generated tragic consequences for the entire Muslim community in the Northern and Eastern provinces. The LTTE, which controls the Northern province in the form of a quasi-state, had no hesitation to drive Muslim communities away from their areas of control in a manner that has prompted some Muslim politicians to use the expression, 'ethnic cleansing.'

Construction of the 'Nation' in Majoritarian Terms

In multi-ethnic societies, the conceptualization of the category of 'nation' has been a thoroughly contested one. Almost every ethnic group appears to want to define itself in the language of nation in its own specific understanding and interpretation of it. In this sense, the phenomenology of nation, or being a nation, sharply differs from the academic prescription of the term, thereby making it extremely difficult to be deployed as an analytical category of any clarity.

In Sri Lanka, unlike in India, the term 'nation-building' has not been a part of the official policy discourse. A clear disjuncture between the theoretical category of 'nation' and 'nation-building'—derived as it is from the modernization paradigm—on the one hand, and the policy discourse of the state on the other, has existed throughout the post-colonial political history, thereby making it relatively easy to identify the Sinhalese majoritarian project.

The Sinhalese political category of 'nation' is not an inclusivist one. Indeed, the Sinhalese equivalent of the term, *jathiya*, has a range of meanings which in no way satisfies the assumptions of a pluralistic 'nation-building' project. The widest possible meaning of *jathiya* is a racial or ethnic group, while it also signifies still more restrictive group identities as caste, clan, kin-group and type. When a person refers to the construction 'our *jathiya*', its socio-existential signification is either our race or our caste, the distinction being predicated on the context in which the reference is made. If one asks the question, 'what is the *jathiya* of your car?', it entails a still more fragmented and micro identity, anticipating the answer to be, for example, 'a Toyota Corolla.'[8]

The point I am trying to make is not that restrictive linguistic categories have disabled the Sinhalese majority community to imagine the modern nation in its encompassing and wider signification. My point rather is that there has been, and there continues to be, a disjuncture between (i) the homogenizing assumptions of 'nation-building' exercise which we attribute to the modern state and its assumed political capacity to make a unified nation out of a multiplicity of ethnic groups, and (ii) exclusivist discourse of 'nation' of the majority community which cannot politically accommodate an 'other' within its own imagination of nationhood. This disjuncture is acutely evident in an attempt to translate the construction 'nation-building' into Sinhalese in order to convey what it entails. *Jathiya godanegima* in the Sinhala political idiom has only one meaning—the building of the Sinhalese nation, and <u>not</u> of the Sri Lankan nation.

The problem at one level is a discursive anomaly; yet at another, more fundamental level, the anomaly is dissolved into a political goal. For the post-colonial majoritarian nationalist imagination is primarily an exercise in relating to the newly gained state power, in an atmosphere of acute competition with minorities, for gaining access to economic and political resources. When the colonial rulers left the island, it was easy to imagine the state as the main instrument to be utilized for correcting the historical injustices that the Sinhalese-Buddhist majority community was thought to have suffered under the colonial state. With this instrumentalist view of the state, the immediate idea that entered the centre of Sinhalese nationalist enterprise soon after independence was to re-define and re-construct political relations of the state in such a way that ethnic relations would be re-ordered in a new hierarchical pantheon. In the new order, the Sinhalese-Buddhist community was to occupy the apex of the pantheon, while all other communities, ethnic as well as religious, to be relegated to the bottom. It is in this re-ordering of ethnic relations of the post-colonial state that the realization of the full and real meaning of 'independence' was sought.

Differences

Politically mobilized ethnicity re-inscribes and re-enforces group differences with vigor and vitality. Ethnic groups are usually differentiated, or prefer to think of themselves as unique communities, in terms of language, culture or religion. Unlike in pre-capitalist societies, group differences in modern capitalist societies are constantly under stress, because of networks of inter-group linkages facilitated by commerce and trade,

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education and media, non-ethnic languages of communication—for example, English as the *lingua franca*—and spacial mobility available for individuals as well as groups. However, it is also a paradox of modernity that when ethnic groups come into contact with each other, their differences are not erased or narrowed, but re-discovered, re-valued and re-imposed.

The discovery of differences among ethnic groups is a part of the political process in which they become aware of themselves as 'modern nations' in the sense of their being communities with an inherent right and claim to political power. The political claims are then perceived and made in a discourse of difference. If we interpret the project of 'nation-building' as a process of state formation, all ethnic groups have made claims to their own relationship with the state, from the starting point of being distinct. To be a distinct ethnic group is to emphasize differences *vis a vis* others, while arguing for a share of the state power by virtue of being different. It has been an extremely interesting point in the process of state formation in multi-ethnic societies that the category of 'citizen' is a mere abstraction with no political significance. A citizen is a citizen of the Sri Lankan state by virtue of his/her being a Sinhalese, a Tamil or a Muslim.

As the Sri Lankan experience since independence illustrates, the assertion of ethnic differences by Sinhalese and Tamil nationalist groups in order to demarcate their own spheres of politics within the 'nation-state' has been a major facet in the process of post-colonial state formation. There has been a variation, however, in the technology of self-differentiation employed by the two ethnic formations; the Sinhalese nationalists had access to state power, directly as well as indirectly, and they could use it as an instrument in order to translate their demands into state policy. Tamil nationalists, meanwhile, developed a self-understanding for the entire community in the idiom of an oppressed, yet separate, nation whose claims to a complete nationhood could be realized either through self-government or separation. (The term, 'right of self-determination' has signified both these ideas). The Tamil nationalism imagined a nation, a territory and a form of governance too to its community.

Sri Lanka's post independence politics thus evinces an underlying theme of two nations —one 'nation' determined to possess and protect the existing state and the other aimed at changing, or breaking away from, the state. The two 'nations' could not reconcile with each other, and they have been confronting each other in the military front for more than ten years.

The Question of Obligation and Allegiance

When a subordinate ethnic community acts on the assumption that it constitutes a separate 'nation' within the boundaries of a state, its consequences for the state can be enormous. It subverts the ethnic equilibrium of the state, as defined in majoritarian terms. It may also generate the question of political loyalty/disloyalty of the minorities in a thoroughly adversarial fashion. The notion of 'enemy within' may thus find ready and receptive constituencies.

'Our state' has to be then defended against the aggression of 'our national enemies.' Or else, 'our nation' can only be born in the struggle against 'the oppressor'.

Figured in Sri Lanka's evolution of inter-ethnic politics in such a progressively adversarial path, and in the transformation of the state-minority relations, is the twin question of political obligation and dis-obligation. As Sri Lanka's experience illustrates, the long march to political dis-obligation on the part of the Tamil community reflects the way in which state-society relations were also defined in thoroughly ethnic, and therefore exclusivist, terms.

A brief de-tour is necessary at this point to examine what political obligation/dis-obligation means in relation to state-society linkages. In political philosophy, the notion of obligation has primarily been used to describe state-citizen relationship. Hobbes' classical formulation[9] —"rights of states and duties of subjects"—still runs through even much of the contemporary theorizing of it. Allegiance to the state and obedience to law, in this theorizing, is treated as a matter of obligation on the part of the individual citizen to whom protection, security, a good life and other benefits are supposed to stem from being a member of the state.[10]

Political obligation as civic obligation to the state is inadequate to capture the dynamics of state-society relations, because neither the state nor the citizen relate to each other purely on the basis of the individuality of the citizen. For the state, a citizen is both a citizen as well as a person whose identity, rights and liberties are defined by the state in relation to the community he or she belongs. Instances where the citizenship and franchise are juridically defined and re-defined by the state constitute telling examples of how the political individuality of individuals, so dear to the liberal theory of political obligation, is totally subsumed and negated in the state's relationship with a community. When nearly one million of Sri Lankan plantation Tamils were disenfranchised in 1949, their loss of citizenship, the right to vote and the denial of political liberties (at least theoretically guaranteed for the citizens) were predicated not on the fact that they as individuals refused allegiance to the state. Rather, their allegiance as a community, and in par with other communities on the basis of citizenship, was unwanted, and viewed as threatening, by the state.[11] Similarly, when the language of the majority Sinhalese community was made the official language in 1956, its disabling effect on Tamil, Muslim and Burgher communities was a political

message—the massage being the state's desire to enforce coercive obligation on non-Sinhalese speaking ethnic groups.

Without narrating illustrative political events, I now wish to make some general observations with regard to the obligation/ dis-disobligation dynamics in Sri Lanka's experience. Dis-obligation begins to figure in the political practice of minority communities when coercive obligation and allegiance is demanded by majoritarian ruling classes. Indeed, the state of ethnic majoritarianism treats political obligation as given and pre-existing, and then re-defines it by means of a political technology which includes denial (of rights, equality and liberties), suppression (whenever ethnic conflicts occur, official as well as un-official apparatuses of law-and-order are deployed to restore the ethnic equilibrium, preferred by the state), and ultimately warfare. The underlying message to the minorities is to accept the unequal terms of political obligation and allegiance, as if those terms are normal and axiomatic. If they do not, the option of emigration is implicitly granted, as demonstrated in the contemporary waves of minority migrations to the West from many multi-ethnic societies. However, it has not always been easy for a minority community to 'leave it'— emigration being the only legally acceptable and peaceful way out in a leaving it option. Besides, the early phases of minority nationalism have not encouraged mass emigration.

Dis-obligation represents a particular phase of minority ethnic nationalism in which the re-working of the terms of obligation and allegiance may still be possible. It can also be the prelude to a qualitatively new phase of minority politics—secession.

Once a secessionist project begins, it totally transforms the question of obligation and allegiance, making the state's terms concerning re-obligation essentially unworkable. And secession completely freezes any space for re-obligation for a considerable period of time.

The emergence of secessionist movements has placed many multi-ethnic states in a historical dilemma; the question is whether the state should be integrationist in the conventional sense, or accommodationist in a radically new manner? Integration, as it is presently understood and practiced, means the incorporation of minority communities into the 'nation-state' the parameters of which are defined in accordance with majoritarian ethno-political desires. Recent history has proved that this objective is more a phantom than anything real.

Secessionist projects too do not have encouraging prospects for the future, although their histories are not very long. My critique of contemporary secessionist projects is not that they have generally unsuccessful in achieving their military objectives; it primarily stems from their monumental political failure, as I noted elsewhere in this paper, to be historical agents of new democratic alternatives. Generally, their's is a political agenda determined not by themselves acting as autonomous historical subjects, but by their own enemy, the 'nation-state.' Hence their absolutizing militarism against the state and the people of 'enemy' ethnic communities and even against their own people, ever willing to destroy and occupy the space for autonomous and democratic civil society.

Failed Integration, Failed Secession and the New Space

In his brilliant mediation on India's 'imaginary institution', Sudipta Kaviraj observes:

> The nation, in India as well as in Italy, is a thing without a past. It is radically modern. It can only look for subterfuge of antiquity. It fears to face and admit its own terrible modernity, because to admit modernity is to make itself vulnerable.[12]

Nations within the nation-state, the old modernity's children, are vulnerable to their own self, because the national self still remains unmade, distorted and incomplete. In the coming phase of state formation in our societies, all 'nations' will have to find a new self, a 'non-national' self. Modernity will be modern only in a post-nation modernity.

Against all terrible history of the nation-state and of the militant responses to it (valorization of differences, normalization of violence, de-humanization of community relations etc.,), two historical failures are there to enable us to look to the future with hope. While the integrationist model of nation-building has failed, its secessionist alternatives have failed at least in contemporary South Asia. These twin failures are sure to open up intellectual and political interventions in our societies, aimed at re-building real, organic and democratic communities. While ethno-nationalist intellectuals may continue to imprison themselves in propagandist history concerning pre-colonial past, survival instincts of actual human communities are likely to shut their collective memories to all recent tragedies brought about by the nation state. The Rawlsian 'Veil of Ignorance' is most likely to transform itself from being a metaphor into an integral element of political practice among communities. Co-existence among ethnic groups indeed require a veil of ethnic ignorance so that democracy, human rights and participatory political practices could be re-grounded not on ethnicized civil society, but on de-ethnicized and democratic civil society.[13] Thus will come before all of us the real intellectual challenge, to conceptualize and to put into practice a new mode of politics.

Notes

1. Antonio Gramsci, 1985, *Selections from Cultural Writings*, London: Lawrence and Wishart, p. 253.

2. Fifty three years ago, Leopold Kohr, an Austrian-born economist wrote an essay, entitled "Disunion now: A plea for a society based upon small autonomous units". (*The Commonweal*, September 26, 1941 and recently reproduced in *Telos*, No. 91, Spring 1992, pp.94-98). Kohr called for the disintegration of the large and powerful European nations as a pre-condition for a federal Europe. In 1957 Kohr expanded the idea in this essay into a book, *The Breakdown of Nations*, outlining as he called it, "a new and unified political philosophy centering on the theory of size". His main point was that there seemed to be "only one cause behind all forms of social misery: bigness". Taking Switzerland as his model, he wrote that small cells such as Swiss cantons are preconditions of true democracy and successful federation. Leopold Kohr died early March 1994. When *The Breakdown of Nations* appeared he was called a crank and his book a 'maddening little book'. However, with 'Federalist Europe' running into enormous complexities, there is a renewal of interest in his ideas. See, for example, Wolfgang Palaver, *Telos*, No.91, Spring 1992.

3. Dr. Athiur Rahman, a Bangladeshi economist, once remarked at a seminar held in Dhaka that "nation-building" in Bangladesh had come to mean building of buildings. It is an extremely ironical comment which, in a humorous manner though, de-constructs the entire concept-of "nation-building" which the mainstream social science scholarship has always coupled with "modernization".

4. It is also quite remarkable that while the post-colonial Sinhala nationalism grounds itself on a critique of the colonial rule, the Tamil nationalist ideology has not developed such a disengagement with the colonial past; the little that exist emanates from the perspectives of Tamil plantation workers whose association with mainstream Tamil nationalism is now in doubt.

5. Spokespersons of the Sinhalese community are quick to point out that the Tamils have exceeded the limits of behavior expected from a minority. A letter to the editor, published in *The Island* in December 1993, had the following lines:

   All Minorities put together do not add up to even 25% of the population, but they want everything: special education, privileges, school holidays, jobs even at the expense of the majority community. Not satisfied with this, they now want separate areas for themselves only to govern and yet to live in all parts of the country.... Where else do the minorities dictate to the majority like in Sri Lanka?... The day when Sinhala people unite, the minorities will know their actual strength. Why delay this date. For heavens sake, join up together Sinhalayini forgetting all differences, as we have no other country to call ours, and let also the minorities know their place.

6. Analysing Sri Lanka's recent ethnic violence, Sunil Bastian (1990) observes that "[m]ost of the large-scale events of ethnic violence since 1977 have occurred against a backdrop of various kinds of political moves which were attempts to begin a process of dialogue and discussion" with Tamil political parties. He notes that the riots in July-August 1977 occurred soon after the Tamil parties and the United National Party (UNP) had held discussions regarding the ethnic question. In fact, the riots prevented the newly elected UNP from coming to any political understanding with Tamil parties. Similarly, "August 1981 attack on Tamils occurred within a context of the first District Development Councils elections, which was a measure agreed upon as an interim solution by the moderate Tamil leadership.... The July 1983 riots also coincided with an attempt at calling an all-party conference to settle the [ethnic] issue". (Bastian, Sunil, 1990, "Political Economy of Ethnic Violence in Sri Lanka: The July 1983 Riots" in Veena Das (ed.), *Mirrors of Violence, Communities, Riots and Survivors in South Asia*, Delhi: Oxford University Press.

7. Tamil-Muslim debate on sharing of power within a framework of devolution came to a high point during the deliberations of the Parliamentary Select Committee on the Ethnic Question (1992-93). The crux of the still unresolved debate is that while the Tamil parties took up the position that "the state should first give us, the Tamils, proper devolution; we will then look after the Muslim interests", the Muslim parties responded: "We will not accept Tamil hegemony; we are a separate ethnic group".

8. I am not attributing any particular exceptionalism to the Sinhalese nationalist language. Many other languages in the Indian sub-continent have difficulties in internalizing and expressing 'modern' categories of the state. Besides, post-colonial as well as post-revolutionary ethno-nationalisms define "nation" in most restrictive ethnic terms.

9. Thomas Hobbes. 1642. *Philosophical Rudiments.*

10. Bhikhu Parekh provides a summary of the some contemporary dissatisfactions with the classical formulation of political obligation. See, Bhikhu Parekh, 1993, "A Misconceived Discourse on Political Obligation", *Political Studies*, Vol. xli. no. 2, June. pp. 236-251.

11. When the United National Party government introduced new franchise legislation in 1949, one primary reason for that move was the political tradition among plantation workers to vote at elections for left and radical candidates. The objective indeed was to weaken the political bargaining capacity of the plantation Tamil community, to render them powerless in electoral politics.

12. Sudipta Kaviraj, 1992, "The Imaginary Institution of India", in Partha Chatterjee and Gyanendra Pandey (ed.) *Subaltern Studies* VII, Delhi: Oxford University Press.

13. I have developed an argument for ethnic conflict resolution in Sri Lanka, using the Rawlsian concept of "veil of ignorance". The essence of my argument is that to determine the bases of ethnic fairness and justice as a foundation for Sri Lanka's conflict resolution, all parties to the conflict may ideally negotiate behind a veil of ethnic ignorance. See, Jayadeva Uyangoda, "Sri Lanka's Crisis: Contractarian Alternatives" in *Pravada*, vol. 2, no. 8, September/October 1993, pp. 5-11.