

The LLRC Report: A Flowering of Freedom OR a Panacea for Despotism?

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At the very outset, I wish to state my stand on the issues brought up by the LLRC Report. This is to ensure that this article is read without jaundiced prejudice. I have stood against the manipulations of imperialist powers on this issue. I have also accounted for the hideous crimes committed against the people by the LTTE, and that such a policy has no place in the politics of liberation. My sole concern is that, in spite of the recommendations of the LLRC Report, the Regime continues to exercise a chauvinist-militarist dictatorship over society, which has already rung the death knell of freedom and democracy in this Land. I have stood against the manipulations of imperialist powers on this issue. I have also accounted for the hideous crimes committed against the people by the LTTE, and that that such a policy has no place in the politics of liberation.

There have been a range of polarized views on the report of the LLRC. This is to be expected, given that the Tamil National Question has been the most contentious political issue for over six decades, emerging at the very inception of constructing the modern Sri Lankan State, following the transfer of power from the British to their local counterparts. I am here more concerned with the fairly honest and sensitive arguments provided by persons in defense of the Regime and even sympathetic to the Tamil cause, who are open to critical discussion on the core issues generated by the Report. The best argument presented is as follows.

It cites the experience of various countries that abided for a very long time, even decades, before they opened up issues of accountability, given that post-war situations remain highly charged and the political cost of conducting investigations have led to political suicide of governing regimes, and even led to military coups, as in Burundi. They cite the example of Northern Ireland, where it took decades before investigations of war crimes were taken up by Britain, focusing on Bloody Sunday and the torture and execution of prisoners of war.

In the case of Sri Lanka, they point out that the Regime is dominated by the extreme chauvinists who would revolt if such investigations were to be conducted and war crimes prosecuted, let alone any move towards devolution. They refer to the fact that the armed forces would feel a sense of betrayal, which would lead to a state of profound demoralization and dissent, and even rebellion. They insist that establishing a credible, transparent and independent investigation internally would be opening up a hornets nest, that would be seized upon by States that have already ganged up against the Regime. Thereby, patriotism demands that we rally behind the Regime, and not harp on issues of accountability.

Of course, no regime would wish to commit political suicide. However, I raise the question, short of committing political suicide, why cannot the Regime take up and implement some of the recommendations of the Report that focus on the root causes of the conflict, democratic governance and the Rule of Law? For example, the Report identifies the root causes to lie in successive governments that have failed to address the genuine grievances of the Tamil people. The Report accounts for the violent suppression of the media, and of countless cases of abductions, enforced disappearances, extra-legal killings, torture and extortion. It calls for the right to information as a fundamental democratic right. The Report calls for the establishment of an independent Police Commission. It calls for democratic political participation of the Tamil people in reconstructing their lives and livelihood and in the development of the North-East. It calls for prosecution of 'errant' soldiers who have committed atrocities, attested to by the piles of testimonies of those who provided evidence at the LLRC hearings.

My stand is that there should be a credible, transparent and independent investigation into alleged violations of international humanitarian and human rights laws and laws of warfare, *independent of both foreign powers and the Regime*. This is because these allegations have brought insufferable shame and infamy on Sri Lanka the world over, where our people as a whole are victimized by this form of collective shame and punishment. It is our collective right and responsibility to stand for our dignity and honor as citizens of our country, *which overrides the survival of any political regime*. What has been evidenced so far is a willful determination to deny any and all such allegations (zero casualties/humanitarian war), a persistent refusal to address and rectify issues of governance, a structured and endemic resistance against addressing the genuine grievances of the Tamil people and with moving towards a democratic political solution. What is needed is a sustained political process of democratization, inspired by a sense of collective atonement as the only true and enduring ethical foundation for healing the wounds of war and bringing about genuine reconciliation to a divided and bleeding country, based on a democratic political solution.

It is this lack of atonement and a spirit of genuine and profound reconciliation that stands as the bottom line indictment of the Regime. The Regime continues to entrench a Sinhala supremacist, chauvinist, militarist dictatorship over society, centered on a continuing military occupation and subjugation of the Tamil nation. It deliberately procrastinates on delivering a political solution, even after the APRC final report had been submitted, embodying the consensus of all communities, by referring to an abortive Parliamentary Select Committee. Abductions, enforced disappearances, illegal detentions, torture and extra-legal killings continue unabated. Police brutality is at its height. Karuna and Douglas continue to wield weapons, terrorize the communities and engage in extortion. The Secretary of Defense declares that the Regime shall not be held accountable for any violations against terrorists, in the context in which student movements and Left political movements are being labeled as terrorists! He declares that the military bases all across the island, and in the North and East shall not be dismantled, but *expanded and fortified*. The defense budget exceeds the allocations for health and education combined. Colossal funds are being wasted on mega development projects, some of which have already cost billions of losses of the tax payers money, such as Mihin Lanka, Sports Stadiums, the Hambantota port project and conducting grand victory celebrations. Billions of borrowed funds, with exorbitant interest, are being invested in seven star hotels and hospitals, casinos and bars, luxurious spas and brothels, garden cities and tourist havens, none of which have any direct bearing on alleviating poverty and the suffering of the masses, but fill the coffers of the ruling dynasty and its mafia cronies. Murderers, rapists and mafia drug cartels with political connections to the Regime continue to roam the streets. Ambassadors of the State boast of having victoriously conducted a *'war of annihilation to destroy the living forces of the enemy'*. Instead of engaging in a sociological analysis and locating the structural roots of the phenomenon of political terrorism, they delight in demonizing an **internal political product of the system** as an organization of pathological terrorists, whose fascism is derived from *their very DNA, thus covering up for the systematic, gross, state terrorist violations and crimes of the State that finally led to the politics of separatism and counter terrorism*. This is the language of conquerors and genocidal marauders, not the language of atonement and reconciliation, not the language of spiritual renewal and rebirth. Certainly NOT the language of Ambassadors of the State! All these factors serve to reinforce the reality that the Regime is not committed to implementing the positive recommendations of Report of the LLRC. It is not committed to moving towards a democratic transformation of the prevailing State and Political Order, as the path towards national reconciliation. Instead, it is committed to enforcing a Sinhala Supremacist, Militarist-Chauvinist, Mafia-Terrorist dictatorship over society, aimed at perpetuating the life-span of the ruling dynasty.

Lessons learnt should focus on the experience in conflict resolution in such countries as Northern Ireland, South Africa and the Philippines, where peace was achieved through negotiations, based on a mutual understanding of the legitimate grievances, the needs and aspirations of the stakeholders, and honoring the dignity, equality, autonomy, security and democratic freedom of all communities. Although defective in many aspects, and class issues have polarized, this process of negotiations formed the basis for reconciliation and the construction of a new State, and the beginning of a new era. In the Philippines, the Morrow National Liberation Front (MNLF), which demanded a separate Moslem State in a predominantly (95%) Catholic country, was encouraged to gain consensus from all communities in Mindanao and to formulate a five year development plan that would be approved through a local referendum. The World Bank was prepared to fund this plan. Legislation was enacted by the Philippine Parliament that endorsed the peace process. Extremist 'spoilers' were effectively marginalized. It is to be remembered that Nur Misuari, leader of the MNLF, and the organization itself, was demonized at one time as a pathologically terrorist monstrosity. Demonizing the other is part of psychological warfare. But no one went to the ludicrous and demented depths to argue that fascism was lodged in their very DNA! (Is this the official position of the State or just some ignorant ramblings of a conceited, demented nut?) The conflict lasted for some three decades, with some 100,000 casualties. Finally, the referendum was passed and Nur Misuari was elected Governor in the autonomous region of Mindanao. Peace was achieved through the most intractable process of negotiations and the combination of exemplary statesmanship from both sides. We would do well to Learn from *these* Lessons, instead of gorging ourselves in the blood feast of a vanquished nation and defiling our souls with victory celebrations, that serve only to glorify bloated emperors and perpetuate dictatorship and tyranny.

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