

Lessons to be Learned from the “Lessons Learnt and Reconciliation Commission” - LLRC.

Presented by: Surendra Ajit Rupasinghe: Secretary: Ceylon Communist Party (Maoist)

Introduction:

Although we place no confidence in the State to address the major issues nor provide justice to the cause of learning lessons and reconciliation, we shall present our views in order to bring out the sheer futility—and duplicity—of the LLRC. We present our views as an open letter, as opposed to making direct submissions, since we do not recognize the LLRC as a legitimate and credible mechanism for achieving its stated objectives—to learn and reconcile! Yet, we would like to place some political and methodical issues in front of the public, in order to raise the level of political discussion and debate on the historic process of post-war learning and reconciling. This process cannot be left to the State, which is itself a protagonist of the first order. If this process is to reap lasting results, it has to be open to public debate and discussion leading to a profound process of agonized reflection, renewal and transformation, nurtured by the desire never to let such catastrophic human tragedy happen again.

Structure, Composition and Process:

As a note, the structure and composition of the LLRC reflects its mandatory political bias. Its Mandate and Terms of Reference have been decided unilaterally by the State. It would have seemed to be legitimate, if at least it was defined in consultation with political representatives of those who have been victimized by the war. It would have been legitimate if the Commissioners were selected to represent independent, eminent citizens who have won the trust and respect of the people, representing all affected nationalities – Sinhala, Tamil, Moslem and Hill Country (Malaiyaha) Tamil – since all these constituencies were severely – in varying degree and form – victimized and brutalized by the war. The Commission could have been composed of a team of independent lawyers with proven credentials for defending human and democratic rights to provide legal and technical advice and assistance in the deliberations and proceedings. The function of an LLRC is to dispel all fear and anxiety and to empathize with and encourage witnesses, most of whom are poor and defenseless victims of war, to speak out, where they would have the confidence that their burning issues and grievances, would, indeed, be effectively addressed and resolved. Unlike the ritual series of Commissions of Inquiry that have proven to be just hog-wash. Second, in a continuing environment of fear of reprisal and repression, effective witness protection measures and mechanisms should have been put in place, where witnesses could testify without fear or favor. Thirdly, the proceedings could have been televised without any form of restriction, so that the whole of society could have participated, or at least observed, reflected, grieved and engaged, and learnt from the process. As it is, media coverage – both state and private – has been uneven, selective, desultory and dismissive. The LLRC has been constructed as a tangential side-show, as opposed to a process of profound ideological reflection and political transformation.

Externalizing the Process:

More fundamentally, the LLRC would have been legitimate and credible if the State itself is moving towards learning and reconciling. For this purpose, the State should present its own analysis of the root causes of the conflict and the origin and genesis of the politics of separatism, violence and terror. On this basis, it should present a framework of constitutional-political proposals within which it seeks to eradicate these historical-structural (root) causes of the protracted civil war, and the consequent politics of terror, leading the way and laying the foundations towards a radical, democratic restructuring of the State and political order. As it is, the only piece of constitutional reform has been the 18th amendment, which has been designed to entrench and perpetuate a dynastic Feudal-Comprador-Bureaucratic class dictatorship upon the very same ideological principles and political structures of a centralized, chauvinist hegemonic State, *which is the root cause of the conflict in the first instance.*

Eradicating Root Causes:

The majority of people have been drilled to believe that the root cause of the war is the intransigent and ruthless 'separatist-terrorist' agenda of the LTTE, which simply had to be militarily liquidated and politically decimated. This view has been reinforced by the entire spectrum of imperialist, expansionist, reactionary states regionally and internationally. This view falls in line with the imperialist politics of the "Global War on Terror", which only serves to cover up the whole history of State terrorism and the genocidal atrocities committed by these States. This is a purposely distorted and perversely convoluted diagnosis that turns cause into effect and effect into cause. If the State and the present regime – and the LLRC – hold the view that the *root cause* was the 'separatist terrorist' agenda represented by the LTTE and nothing else, then there is nothing more to learn and reconcile – except military-strategic lessons on how best to wage and win 'anti-terrorist' wars and how best to clear the ground of any future possibility of a Tamil National Question from arising again. If you turn cause and effect upside-down, then, instead of learning and advancing, you will be engaged in a futile exercise in self-delusion and deception. If, on the other hand, we define the problem – the root cause – as the systematic and intensifying discrimination and violent suppression of the Tamil nation by every successive government based on strengthening and consolidating a unitary, centralized Sinhala-Buddhist hegemonic State, which has also discriminated and suppressed the Moslem, Hill Country (Malaiyaha) Tamil, Malay, Burgher and other nationalities, then we have some profound and agonizing lessons to learn and formidable challenges to confront. We would have to engage in a radical democratic restructuring of the prevailing state and political order, requiring dismantling and uprooting all structures, institutions, social relations and practices based on exercising domination, hegemony and suppression. We would have to create the ground where all these constituent units shall enter into a free and voluntary union to share this land, and be partners of the State as equals.

The LLRC has not been mandated to create this ideological ground or to clear this political space. Instead, it has been mandated to preserve and protect the prevailing status-quo. Lessons from So. Africa, Northern Ireland, Philippines and elsewhere demonstrate this process of democratic structural transformation and reconciliation – even in a limited and truncated bourgeois-democratic form – in addressing issues of national oppression and subjugation. This is even though the structures of class exploitation and national oppression have not been eradicated, which would require a thoroughgoing proletarian revolution.

Politics of Military Conquest:

It is manifestly clear that the principle, policy and approach of the State is to consolidate and expand the military conquest of the Tamil people by eradicating Tamil nationhood and bringing areas of historical habitation of the Tamil people under military occupation. We are confirmed in our analysis, which is corroborated by many of the testimonies given, mainly by Tamils, at the LLRC proceedings, who have referred to the continued extensive militarization and permanent occupation of these areas, the colonization of these areas by Sinhala settlers who had never lived there before, and the build up of a string of military cantons and settlement of families of armed forces throughout the region. We are confirmed in our view by the evidence of whole communities of people who have yet to regain their land and build up even a rudimentary livelihood. The whole region is studded with broken and traumatized families who live huddled together in make-shift takaran (tin) huts, exposed to torrential rain, scorching heat and epidemic disease. People who had been robbed of all their personal and productive property. People who live in traumatized agony not knowing the fate of their loved ones. We are affirmed in our view since there are still some 9,000 Tamils who are detained in camps against whom no legal charges have been forwarded. Our view is confirmed by the spread of Buddhist shrines and temples, where none had existed before, even where there are no Sinhala communities. We are confirmed in our view and analysis since while literally billions are squandered in foreign trips and grand tamashas, while billions are being invested in prestigious mega projects, while the defense budget continues to sky-rocket even after the war, the vast majority of the Tamil toilers – workers, farmers, fishermen – continue to suffer in dire poverty, acute malnutrition and deprivation, and deprived of any human dignity. We are confident in our analysis given that while large-scale, highly lucrative infrastructural and development projects such as railways, roads, telecommunications and luxury tourist hotels are being built, the same priority and urgency is not given to raise the life and livelihood of the masses of destitute and desperate people, who live without safe drinking water, sanitation, and basic educational and health facilities.

Harvesting the Future:

Finally, genuine national reconciliation cannot be conceived without a transformative democratic environment, where the freedom and independence of the media, along with respect for human and democratic rights, in general, is willfully fostered. On the contrary, what we witness is a willful vendetta carried out against media institutions, editors and journalists who dare to expose and stand for the truth – at whatever cost! On the contrary, what we experience is a trajectory of centralization and militarization of state power, further entrenchment of a political culture of criminal impunity and the suppression of all dissent, paving the way for the perpetuation of a dynastic dictatorship. This ground reality, along with the fact that the State is yet to provide a democratic political solution to the National Question – or even a commitment to do so – confirms our view that the state is committed to applying and enforcing a conqueror's policy that would subjugate and oppress the Tamil nation on a qualitatively new and intense basis as never before. In such a case, we conclude that the LLRC has been designed to ward off mounting international pressure and to deceive and delude the people. This is, as opposed to a genuine and profound process of learning lessons, leading to a fundamental democratic restructuring of the State and political order, where all the nations, nationalities and ethnic-religious communities constituting the People of Lanka can share this land with equality, dignity, security, autonomy and democratic freedom. If we do not take this path, instead of reconciliation, we shall, once again, sow the seeds of division and antagonism, only to reap the harvest of yet another stage of protracted civil war! Is that the lesson we are to learn! History will teach us.

[Received by BannedThought.net on Oct. 31, 2010]