

Provincial Council and Eastern Province Muslims of Sri Lanka

S. M. Aliff

South Eastern University, Sri Lanka

ABSTRACT

The ethnic conflict, the Tamil's separatist struggle and the counter state violence in Sri Lankan context have come to affect the conditions of normalcy not only in the Northern Province but also in the Eastern Province. Amidst this ethnic conflict and its causes in Sri Lanka, the Muslim community in the Eastern Province was also severely affected. In addition to the Northern Muslims, the Eastern Muslims have come to face number of grievances caused by both parties in the conflict: killings, abductions, displacements and loss of properties and livelihood are some of the aspects to be mentioned. The Muslims in both Provinces did not extend their support either in the battlefield or in the separatist movement. Besides, their grievances were not given due consideration and reconciled by the respective authorities in the government and by the parties in the ethnic conflict resolution process. These grievances and the constant negligence of the interests of the Eastern Province Muslims have come to force them to raise the demand for the territorial autonomy for them in the region. It is similar to Tamils' demand, to safeguard their rights and recognize their existence as an entity, to accept their distinct religious identity and to ensure their self-determination.

However, most of the ethnic conflict resolution initiatives have failed to include this particular Muslim demand in their agenda. This caused disappointment in many Muslims with the structures peace process during 2002-2005 too. The ethnic conflict resolution was mainly viewed as a matter concerning Tamils and the Sinhalese-led government. Therefore, Muslim demands, including the demand for the territorial autonomy were over looked or sidetracked by the parties to the peace process.

The decision of Supreme Court (October 2006) to de-merge the Northern and the Eastern Provinces and the military initiatives to regain the LTTE controlled areas in the Eastern province, and the policies towards the awakening and rebuilding of Eastern Province of Sri Lanka implemented by the government thereafter, have come to exert tremendous influence and impact on the discourse of minority rights in the Eastern Province.

After the de-merger of the Northern and the Eastern Provinces, most of the Muslim minority parties in the Eastern Province had alliances with the government party in the Eastern Provincial Council election and propagated their support to the 13th Amendment to the Constitution and the Provincial Council system. Even though the SLMC, the party that always supported the Muslims' autonomy in the Eastern Province also actively involved in the Provincial Council election while the others, including the Tamil Makkal Vidutalaip Pulikal (TMVP) were supporting the government party. Eastern Provincial Council Election and Post-election political context posed the critical and important question that, 'whether the Muslim community in the Eastern Province was still demanding a regional autonomy?'

South Asian Studies 25 (2)

Against this backdrop, this research has been conducted, why the Muslims demand for regional autonomy has changed in the Eastern Province in the recent past and the impact of this shift on the politics of minority rights and demands in the future. The paper will try to analyze:

why did the Muslims of the Eastern Province initially put forward a demand for regional autonomy? It will also discuss those factors contributed to a shift in the Muslim demand, away from regional autonomy and moved towards power-sharing at the center.

The research hypotheses which in:

1. "When the violence and fear of political marginalization increased in the context of the protracted war between the state and the Tamil community (militant groups), the regional minorities were compelled to change and re-shape their demand for regional autonomy".
2. "Fragmentation of the Muslim politics has undermined the viability of Muslim demand for regional autonomy in the ethnic conflict resolution process in Sri Lanka"

This is a critical study, based on interpretive analysis. Information and data gathered from the desk analysis and field survey (interviews, questionnaire survey) have been used for and against the arguments, developed in this research.

KEY WORDS: Separatist Movement, Eastern Muslims, Regional Autonomy, Policy of Divide and Rule, Tamils, Muslims, LTTE, SLMC, ECMF, National Muslim Congress, Ashraff Congress.

Background of the Ethnic Conflict in Sri Lanka

Ethnic conflict in Sri Lanka is one of the protracted conflicts in the world. The seeds of ethnic conflict have been laid from the Colonial Rule. Since independence ethnic conflict developed based on ethnic discrimination, violation of minority rights and alienating the minorities from the central decision making and power-sharing institutions. From 1980s onwards, the conflict was turned into a violent civil war, based on the demand for self-determination and a separate state for the Tamils.

There are number of arguments to explain the factors that led to the ethnic conflict in Sri Lanka. Some argue that the Policy of Divide and Rule of the British government is the main historical factor contributed to the ethnic conflict. (De Silva, 2003: 71-72; Ghosh, 2002: 74). Some researchers identify the successive political systems and the representative systems which have played a major role in making divisions and conflict between ethnic groups (Wilson, 1988:06; Uyangoda, 2001). The language policy of post-independent governments has also been identified as a basic contributory factor to the ethnic conflict in Sri Lanka. The Sinhale Only Act compelled the Tamil community to mobilize for language based nationalism in Sri Lanka. The first violent incident of ethnic conflict also recorded on this regard (Uyangoda, Op.cit; Gunasekera, 2005; Jayawardena, 1987;

Loganatha, 1996). State-aided development programs in the post-independent Sri Lanka also paved the way to the ethnic conflict (Richardson, 2005; Uyangoda, Op.cit).

There is another argument that the policies adopted and implemented in the higher education in the beginning of 1970s by the government also had impact on shaping the discourse of the minority rights in Sri Lanka. The policy called 'standardization', paved way to the ethnic-based university admission rather than the merit-based system. This caused much frustration among the educated Tamil youth. Because of this frustration, they mobilized armed military groups later on (De Silva, Op.cit; Gunasekara, Op.cit). All these factors contributed to the minority Tamil (and later on Muslims) demand for autonomy rights to ensure their right to self-determination and self-rule.

Ethnic Conflict and Impacts on the North-Eastern Muslims

In the Northern and the Eastern Provinces, Muslims had lived together with the majority of Tamils and Sinhalese peacefully. Except the incidents of Sinhala-Tamil riots of 1958 due to the 'Sinhala Only Language Policy', three communities lived together in relative with harmony up to the 1980s. As Rameez Abdullah (2005) explains, "a particular phenomenon in the Eastern Province is that Muslim villages are interspersed with Tamil villages and vice versa. Historically, this fragmented settlement pattern stressed the importance of their inter-dependency and it had paved the way for peaceful co-existence in the Eastern Province. Muslims and Tamils had many bonds economically, socio-culturally and most importantly, politically. Muslim parliamentarians from the eastern province have been elected from the popular Tamil political parties" (Abdullah, 2005: 183-190).

When Tamil militant groups began their campaign for the self-determination of the Tamils, the ethnic relations between Tamils and Muslims in the North-East Provinces began to be affected. This started in April 1985 with a shooting by a Tamil separatist armed group, whose the first shot was fired in the vicinity of the Town Mosque of Akkaraipattu, a pre-dominantly Muslim Town in the Ampara district (Fazil, 2005: 172).

With this unfortunate incident, the Tamil-Muslim ethnic violence started and swiftly spread following in the years to the other villages of Eastern Province, namely Kalmunai, Kattankudy, Eravur, Oddamavady, Valaichenai, Mutur and Kinniya. Hundreds of Muslims were killed by the armed Tamils separatists and many billions of Rupees, worth of property belonging to both Tamils and Muslims were burnt and destroyed (Mohideen, 2002: 10).

There are a number of incidents which marked this new relationship of violence between Tamil and Muslim communities in the Northern and Eastern Provinces like the murder of Mr. Habeeb Mohamed, the Assistant Government Agent of Mutur on 3rd of September 1987, the killing of Muslim Member of

South Asian Studies 25 (2)

Parliament and Deputy Minister, Mr. A.L. Abdul Majeed, who was actively involved in the relief operation for the Muttur refugees, occurred on 13th November 1987, killings of Muslim civilians and their property was set on fire at Oddamavadi, on 2nd December 1987, killings of nearly 60 Muslims and burnt their property at Kattankudy, on 30th December 1987 (Ibid: 11).

The worst incidents of this ethnic violence directed against the North-Eastern Muslims occurred in the 1990s. During August 1990 massacres in the Eastern Muslims villages of Kattankudy and Eravur and the forceful evacuation of the Northern Muslims which was described by the Muslims as 'ethnic cleansing' of Muslims from the Northern Province, led to clear ethnic divisions between the Tamil and the Muslim communities in the Northern and the Eastern Provinces and arguably paved the way for the Muslims, political nationalism.

On Friday evening, 3rd August 1990, some 300 Muslims were at prayer in the Meera Jumma mosque in Kattankudy. At around 8 p.m, a group of LTTE gunmen drove up to the mosque, locked the doors to prevent escape and began firing at the crowd inside with automatic weapons. A similar incident took place at Hussainiya mosque nearby. More than 100 men and boys were killed (Sri-Lanka's, 2007: 07). Following this massacre, the LTTE staged another massacre of innocent Muslims in Eravur which led to the killing of 120 Muslims in the areas of Surattayankuda, Michnagar, Meerakerni, Saddam Hussain village and Pannakuda (Ibid).

The billings of Muslims August 1990 in the Eastern Province, led to an increase in the ethnic tension between Tamils and Muslims in the Province. Tension spread to the Northern Province too. Muslims started to mobilize under a Muslim separate political party, the Sri Lanka Muslim Congress. It was viewed by the LTTE in a negative light. The LTTE responded with the forcible evacuation of the entire Muslim population in the Northern Province within a short period in October 1990. Without any warning, in the third week of October 1990, LTTE cadres went from village to village in the Northern Province, announcing over loud speakers that all Muslims had 48 hours to leave the LTTE-held territory or face reprisals. Nearly 75,000 Muslims, who lived for generations in the Northern Province, were chased out from their homeland, abandoning their homes and properties. Later, this incident is remembered as 'ethnic cleansing', in the Muslim political memory.

The most recent major violent incident which severely affected the Muslims of Sri Lanka was the Mavilaru sluice gate issue and the Muslim displacement in Muttur and Toppur on June 2006. More than 50,000 Muslim residents were displaced from Muttur and Toppur and other small pocket villages (a similar number of Tamil residents also displaced), several Muslims were killed and hundreds of Muslim men disappeared in the military initiatives to capture the Mavilaru Sluice and then Muttur village.

Muslims responded to these events mostly in non-violent ways. However, there were some violent trajectories in some parts of the Eastern province where Muslims and Tamil were living together. These happened when Tamils forgot the

separate or distinct identity of Muslims from the mid 1980s. Some Tamils were killed and Economic and Hindu places of worship were also targeted by the Muslims.

Against this backdrop of the continuing violence, Muslim community of the Northern and Eastern Provinces began to take steps to safeguard their rights and existence. A number of organizations and parties emerged throughout the Province to put forward their demands. Most of the Muslims funded the Sri Lanka Muslim Congress (SLMC) as a major institution through which they could safeguard and guarantee these demands. There were a number of demands: Political and constitutional guarantees for a distinct new Muslim demands included the political and constitutional guarantees for a distinct Muslim religious and cultural rights and other socio-economic rights to be protected in the provinces; the right to participate and represent at the Peace talks between the government and the Liberation Tigers of Tamil Eelam; the right to share central power as equal to other minority communities; the right to self-determination and autonomy, and right to be recognized as a distinct ethnic group.

Among Muslims' demands, the demand for regional autonomy is a contested one and provoked criticism from many quarters. Muslims of the Northern and the Eastern Province have been demanding separate autonomy for the last twenty five years, covering the Muslim majority areas within the provinces.

Origin and Development of Muslim Demand for Regional Autonomy

One could find that the root of the Muslim demand for regional autonomy in the Eastern Province could be traced back to the period of 1950s. The beginning of 1950s was the first period of obvious break-down of majority-minority relations in Sri Lanka. Therefore, the minority's demands were emerged in the political bargaining platform.

In responding to the Sinhala Only Act of 1956, the Federal Party under the leadership of S.J.V.Chelvanayakam organized a conference in Trincomalee and the Tamil speaking peoples, including Muslims from the whole part of the Northern and the Eastern Provinces, gathered together at this conference. At the end of the conference, the Federal Party emphasized ethnic-based and autonomous regional units in the Northern and the Eastern Provinces for the sake of the ethnic minorities in the provinces. This was accepted by the rulers of that time and was documented in the famous Bandaranaike-Chalvanayakam Pact (B-C Pact). The important provision of the agreement with regard to the Muslims in Eastern province was the creation of one or more autonomous units in the Eastern province. The Bandaranaike-Chelvanayakam Pact (known as B-C Pact) was signed on July 26, 1957. The second article of the Pact indicated that the Northern

Province was to form one regional area whilst the Eastern Province is to be divided into two or more regional areas (Ghosh, 2003: 78).

However, there is no document indicating the Muslim situation regarding their demand for regional autonomy in the 1950s to 1970s. The demand for regional autonomy for the Northern and the Eastern Muslims came to be articulated in the context of escalating violence in the Northern and the Eastern Provinces in the middle of 1980 by Muslim political activists in the Eastern region of Sri Lanka, in the context of ethnic conflict. It was first put forward in 1986 by the Eastern Ceylon Muslim Front (ECMF) led by M.I.M.Mohideen as a political demand of the Eastern Muslims during the Indian mediated peace process in Sri Lanka and during the discussions of the Indo-Lanka Accord. The demand emerged as a response to the decision of merging the Northern and the Eastern Provinces as a resolution to the ethnic conflict (Mohideen, *Opcit*; Sehu Issadeen, 2006).

The demand has come to articulate the concept that the Muslim majority territorial areas in the Northern and the Eastern Provinces should be a self-governing or self-ruling area for the Muslims, assuming that the Northern and Eastern Provinces remained a single territorial unit. The demand proposed that the Muslim majority areas in the North and the Eastern Provinces, i.e., Kalmunai, Sammanthurai and Pottuvil Electorates in the Amparai District and Kattankudy, Oddamavady, Valaichenai and Eravur Divisional Secretariat areas in the Batticaloa District and Kinniya, Muttur, Kucchaveli and Tambalakamam Divisional Secretariat areas in the Trincomalee District and Musali and Erukkalampitty Assistant Government Agent areas (now Divisional Secretariat) in the Mannar District be brought within the proposed Muslim majority autonomy unit on a non-contiguous base. The modal for this proposal was the Indian Pondicherry Union of Territories¹. This unit was to be considered one separate autonomy unit for the Muslims. It was to be empowered with administrative and decision making authority. The total areas covering the proposed autonomy unit was 1267 Sq. Miles (See: Mohideen, *opcit.* & 2002; Fousar, 1997; Fazil, 2005). Sri Lanka Muslim Congress (SLMC), which emerged as a political party in 1986 under the leadership M. M. Ashraff, played a vital role in advocating this demand throughout the past twenty-five years.

The escalation of ethnic conflict as well as the Tamils' demand for a united North-Eastern autonomy region (home land) or a separate state have come to pose the question of the existence of the Muslim community in the Eastern Province. It has in turn forced the Muslim civil society and the political parties and to demand a separate autonomy unit for Muslims within the North-Eastern Region. The demand was at its peak during the periods 1986-89 and 1995-2000. Later on, changes have taken place in the politics of regional minority due to the complex situation in the Eastern Province.

When the ethnic conflict began threatening the safety and security of the Muslim community in the Northern and the Eastern Provinces, and the power-sharing mechanisms were considered for solving the ethnic conflict, Muslim

movements and political parties started to popularize this demand among the Muslims in the region.

The two events held at the South Eastern University are considered particularly important in galvanizing the Muslim demands in the discourse of ethnic conflict resolution in Sri Lanka.

The first was the conference on ‘Muslims Position in Solving Ethnic Issues’ which was held on the 13th April 2002.

The second was the ‘The Muslim National Revival Conference’ and ‘Oluvil Declaration’, held on 29th January 2003. The ‘Oluvil Declaration’ asserted nationalism, traditional homeland, self-determination and autonomy for the Muslims. The youth who organized the event, demanded (among other issues) a separate entity for Muslims at Peace negotiations. (Cader, 2002; Engal Desam, 2002; Jeyaraj, 2003; Student Union, 2003) (This declaration insisted that the Muslim must be guaranteed autonomic self-governing political unit, merging all the Muslim majority areas of the Northern and Eastern Provinces).

Changing Dynamics of the Muslim Demand for Regional Autonomy

Muslim demand for the regional autonomy has been formulated by many parties in different ways during the last two decades. As a demand, it was first articulated by the East Ceylon Muslim Front (ECMF) in 1986. The ECMF demanded for a Muslim majority province, merging the Muslim majority areas in the Northern and Eastern Provinces as ‘non-contiguous Muslim Majority Province’. The SLMC, later on, accepted and politicized this demand which paved the way for SLMC, to be popularly accepted by the Muslims in the Northern and Eastern Provinces in 1998 and 1994 general elections. However, as a former parliamentarian and the present Provincial Councilor, M. A. M. Mahrooff (2009) indicates “the concept of ‘Muslim Majority Provincial Council’ has been interpreted by SLMC in several ways at different period” (Mahrooff, Interviewed on 2009, April 11). As Mahrooff (2009) indicates that SLMC did not have a clear and consensual position on this demand because in 1995, it forwarded a new proposal at the peace negotiations under the PA government. According to that proposal, there should be a predominant Muslim unit of the devolution comprising of the constituencies of Kalmunai, Sammanthurai electorates together with Pottuvil electorate where the Muslims are living in majority in Amparai District. Similarly, in the Eastern Province, instead of merging Northern and Eastern Provinces, it proposed to have a separate new Eastern Region covering Trincomalee and Batticaloa Districts (Fousar, 1997: 38-41; SLMC not Leave, 1998: 13). At the mean time, the SLMC supported the South Eastern Regional Council in 1996 which was proposed by the PA government. SLMC published a book titled ‘South Eastern Region, a Leading Land for the Unity of Three Ethnic Communities’ supporting the above proposal

South Asian Studies 25 (2)

at the 15th National Convention of SLMC in 1997. This South Eastern Regional Council was popular in the Muslim politics until M.H.M.Ashraff, the founder leader of the SLMC.

After the founder leader of the SLMC, M.H.M.Ashraff, the Muslim demand for regional autonomy was re-examined and moved in different directions. The so-called SLMC's proposal for regional autonomy for the Northern and the Eastern Muslims, was not clearly formulated and forwarded placed at the negotiation table until 2006. In fact, only in 2006, SLMC very clearly proposed and put forward the non-contiguous Muslim majority autonomy unit, merging the Muslim dominated areas in the Northern and the Eastern Provinces as a proposal to accommodate the Muslims in the Northern and the Eastern Provinces for resolving the ethnic conflict.

Subsequently, there were splits in SLMC and three more parties were formed by the break away groups. However, the leaders of those parties have not yet forwarded a constructive proposal as to the Muslim demand for autonomy unit during the peace process, but A.L.M.Athaullah, a member of parliament from SLMC left the party with some other members in December 2002 and formed Ashraff Congress (AC) (later National Muslim Congress (NMC) and at present National Congress (NC)) and forwarded and politicized the proposal of 'De-merging the Northern and the Eastern Provinces permanently', in order to safeguard the rights and privileges of the Muslims in the Eastern Province which was later supported by JVP and Hela Urumaya. Consequently many Muslim political parties have emerged after M.H.M.Ashraff but none of them (including the SLMC and NUA) has put forward a unified proposal to achieve the Muslim demand for regional autonomy at the time of the ethnic conflict resolution process.

Accommodation of the Muslims Demand for Regional Autonomy in the Peace Process

Muslim Demands under Indian Mediated Peace Process – 1983 -1985

In the past, whenever peace talks were convened the issues or demands of the Muslims' issues or demands were not put on the agenda or Muslim groups were not invited to participate in the Talks. To cite an example, when the Thimpu talks (after the riots of July 1983) were mediated by India, between the Government of Sri Lanka and Tamil groups, only TULF, LTTE and other Tamil groups have participated but neither any Muslim groups was given chance to participate nor were the issues (related to the Muslims) placed on the negotiation agenda.

Even on that occasion, Muslims were unable to send their delegations to represent or to present their proposals. President J.R. Jayewardene did not consider the Muslim problem as a serious one, presumably because the Muslims were not challenging the legitimacy of the state through violent means.

At Thimpu talks, the Government of Sri Lanka proposed District Development Councils as a model for devolution of power. However, no consideration was given to the opinion of the Muslim community, living in the Northern and the Eastern Provinces. Tamil groups ultimately rejected these proposals and submitted four important demands, again with no due consideration for Muslim opinion. These four demands have become the Thimpu principles (also not given attention to the Muslims voices) as follows;

1. Recognition of the Tamils of Sri Lanka as a distinct ethnic group;
2. Recognition of an identified Tamil home land and guarantee of its territorial integrity;
3. Based on the above, recognition of the inalienable rights of self-determination of the Tamil nation;
4. Recognition of the right of full citizenship and other fundamental democratic rights of all Tamils who took upon the Island as their country (Ghos, op.cit: 109).

Muslims Demands under Indo-Lanka Accord and Thirteenth Amendment

The government responded to the peace talks which became a failure by imposing restrictions on the economic activities in the Northern Province, leading to the general issues, such as food scarcity and other difficulties, which later on led to the Indian intervention in Sri Lanka's ethnic conflict. The Indian intervention finally led to an agreement between India and Sri Lanka, known as Indo-Lanka Accord. Main theme of this accord was the amendment of the constitution in order to establish Provincial Council Systems, based on the devolution of power. But the Muslim positions were not considered in the Indo-Lanka Accord although at the time, there were articulations of grievances from Muslim political groups.

The special feature of this Indo-Lanka Accord is the temporary amalgamation of the Eastern Province with the Northern Province and the establishment of the Northern and the Eastern Provincial Council. The impact of this amalgamation on the Muslim population of the Eastern province was a reduction of percentage or strength of Muslims from 33% to 17%.

It also did not mention anything about the separate Muslim Provincial Council. Neither the Muslim groups nor the Muslim Members of Parliament came forward to raise this issue or put forwarded this requirement of the Muslims in the Northern and the Eastern Provinces to be heard by the government.

Inclusion of the Muslim Demands for Regional Autonomy during the Peace Process of People's Alliance Government (1995-2000)

The leaders of People's Alliance and SLMC leader M.H.M.Ashraff attempted to ally on a platform with the object of changing the government at the general election in 1994. The Chandrika-Ashraff Agreement which signed before the election paved way for the government change after 17 years. When People's Alliance formed the government after election, it called upon all the political

parties to participate in All Party Conference in order to find out a solution for the ethnic conflict based on power-sharing. SLMC also got the impressions that the Muslim issues also would be discussed and solved with the adaptation of a power sharing-system. SLMC also came forward to demand a separate Muslim majority regional autonomy unit in order to ensure the autonomy rights of Muslim community based on the geographical location covering the coastal fringe having Kalmunai, Sammanthurai electorates together with Pottuvil electorate where the Muslims are living in majority in Amparai District. Similarly, in the Eastern Province, instead of merging Northern and the Eastern Provinces, it proposed to have a separate new Eastern Region covering Trincomalee and Batticaloa Districts (Fousar, 1997: 38-41).

However, PA Government accommodated the Muslim Community in its constitutional proposal by creating South Eastern Regional Unit, a Muslim majority unit in the Amparai district where Muslims are living with majority.

Inclusion of Muslim Demand for Regional Autonomy as a Safeguard during the Peace Process under Ranil Wickramasinge's Government (2002-2004)

When UNF formed the government after the general election of December 2001, it was predicted that there would be great change in the politics to have peace in the country. Both parties, the government and the Liberation Tigers of Tamil Eelam accepted to have Norway as the facilitator in negotiation. Based on this acceptance, Memorandum of Understanding (MoU) was signed on 22nd February 2002 - not only for a ceasefire, but also for the rehabilitation (so-called 'return to normalcy') of the conflict-affected people.

The Muslim response to MoU was in negative and most of them criticized it on the grounds that it did not have anything good regarding the Muslim issues in the Northern and Eastern Provinces. Muslim civil society raised its voice to secure its future independent rightful position and identity in this country.

One of the important negotiation sessions was convened in Oslo, the capital of Norway in December 2002. Both sides agreed to 'explore' a solution founded on the principles of national self-determination based on a 'federal structure' (Uyangoda, opcit: 44-45). However, the matter of separate Muslim entity was not taken up for discussion. There was not any talk about to consider a separate autonomy unit to accommodate or to ensure the self-determination of the Muslims in Sri Lanka. More importantly, the discussion was held in the absence of Rauf Hakkeem, the SLMC as well as one of the government representatives.

Later on, a proposal of Interim Self Governing Authority (ISGA) for the Northern and the Eastern Provinces was put forwarded to solve the ethnic conflict at the negotiation table by LTTE. But this proposal did not mention any matter, touching upon the Muslim demands for autonomy rights and ignored their political expectations and aspirations. It was addressed as 'on the behalf of Tamil People'. The LTTE Political wing leader S.P.Tamil Chelvan had said that it is not the time

for considering the Muslim issues. When occasion arises, it will be taken up for deliberation (A Critique on, 2003: 24).

Political Context after 2004 and the Changing Dynamics of the Muslim Demand for Regional Autonomy

The politics of Sri Lanka turned to a new direction with the fall of United National Front (UNF) government in 2004. The Norwegian mediated peace process also became a major political controversy. Both the United National Front (UNF) regime and the Presidency were changed in the following years. Parliament was dissolved by the President and a general election was announced to be held on 2nd April 2004. Muslim parties articulated their demands before the main Sinhalese parties. They insisted that Muslim factors be considered when ethnic issues are taken up for the discussion and that Muslim should be given a separate power sharing council (autonomous unit) to safeguard their existence and to manage their own affairs. These were thus the main themes of Muslim parties during election bargaining and campaigns in 2004. Even UPFA won the election, there was no consensus of opinion and support either with Interim Administration or peace process.

For the presidential election which was scheduled to be held on 17th December 2005, SLMC made an alliance with the United National Party (UNP), whereas NUA and other Muslim parties made alliance with the SLFP+JVP+Hela Urumaya (UPFA) coalition. At the time of presidential election in December 2005, Muslim parties of both sides came to an agreement on the conditions that full guarantees should be given with regard to the Muslim representation in order to participate in the future peace talks, and the Muslims issues be resolved by accommodating Muslims demand for regional autonomy. Mahinda Rajapaksa of the UPFA won the presidential election and became the President in December 2005.

Two rounds of peace talks were conducted under the UPFA government in the beginning of 2006, but none of those talks considered Muslims as a separate party to the conflict or peace, and their demand for regional autonomy was ignored. Both the LTTE and the government withdrew from the peace talks in the beginning of 2006 and intensified the strategy of military hostilities. The dilemma started with the Mavil Aru Sluice water dispute on 20th June 2006.

When the government undertook a military offensive to capture the location for humanitarian purposes, LTTE cadres, in response took the control of Muttur, a Muslim village on the Southern side of Trincomalee Bay (Sri-Lanka's Muslims, opcit: 16). Heavy fighting between the government forces and the LTTE held around Muttur in the early August, 2006. More than 50,000 Muslims fled from Muttur and its surrounding villages fled to the neighboring safety villages such as Kanthalai and Kiniya. More amount of Tamil residents fled to LTTE controlled

areas due to heavy fighting. The government intensified its military actions against the LTTE. After a year-long campaign that saw large-scale destruction and the displacement of almost 200,000, mostly Tamil civilians, the military forced the LTTE from their last stronghold in the Eastern Province in July 2007.

In due time, the Supreme Court order on 16th October 2006 to de-merge the Northern and Eastern Provinces, since the merger was unconstitutional. The de-merger of the Northern and the Eastern Provinces had a strategic importance for the Muslim community in the Eastern Province in the discourse of Muslim autonomy demand. Therefore, majority of the Muslims remained silent - they neither opposed it nor welcomed it. However, after the de-merger there were signs of fragmentations in the Muslim politics and at the civil society level which later on affected the Muslim achievements in the Provincial Council election (held on 10th May 2008).

Even though the Eastern Provincial council election was an important one to the Muslim community in the Eastern Province with regard to Muslim autonomy unit, the Muslim community and the political parties were not in a strong or united position to face the election. The leader of SLMC sacrificed not only the symbol of SLMC symbol for the sake of contesting election under the symbol of UNP but also their membership at the Parliament. There were initiative to unite the Muslim parties under a common symbol, but the attempts were failed. SLMC contested the election under UNP's ticket and other Muslim parties alliance with the ruling UPFA.

One of the themes of the election campaign was based on the appointment of Chief Minister Post. UPFA Chief promised to appoint the person from which community get more representation at the council. Only the SLMC was propagating its long-term demand of regional autonomy for Muslim.

The official results election indicated a clear victory of the United People's Freedom Alliance. The turn out of votes was 65% and the UPFA received 308,886 (52.21%) votes and won 20 seats while the United National Party received 250,732 (42.38) votes winning 15 seats. Others received 02 seats. 17 Muslim members were elected in total, from all parties out of 37 members. 8 Muslim and 6 Tamils were selected from UPFA list. Both groups, the Muslim and Tamils strongly argued for their sake in the matter of appointing the Chief Minister. There were political cross-over of Muslim politicians too. However, with the support of National Congress, President was able to appoint the TMVP leader as the CM of Eastern Provincial Council on 16th May 2008. The last opportunity and dream in relation to the Muslim autonomy in the East was collapsed. Even though, the Chief Minister dreamer MLAM Hisbullah also accepted a Ministry at the Provincial Council at the end.

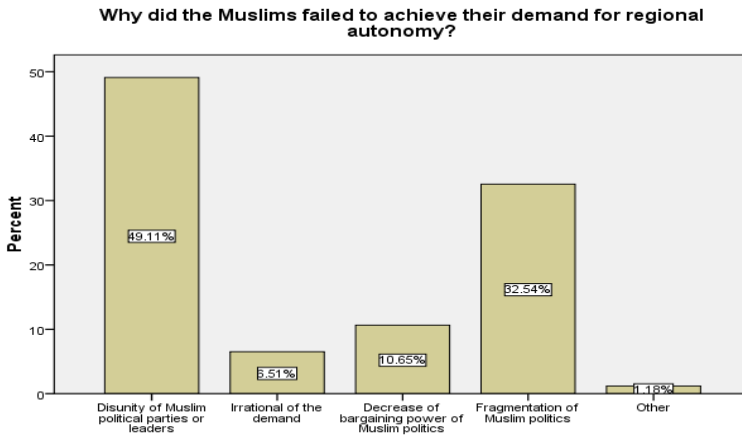
All this clearly and strongly justifies hypotheses of this research that:

1. "When the violence and fear of political marginalization increased in the context of the protracted war between the state and the Tamil community

(militant groups), the regional minorities were compelled to change and re-shape their demand for regional autonomy”.

2. “Fragmentation of the Muslim politics has undermined the viability of Muslim demand for the Territorial autonomy in the ethnic conflict resolution process in Sri Lanka”

In the field survey, 92.15% of the participants agreed that the aspects of fragmentation as the factors to which undermined the viability of the Muslim demand for regional autonomy. Only 37.06% of the participants in the questionnaire survey indicate that the Muslims accepted the Provincial Council system (See: fig.-I).



Source: Calculated by the Field Survey, 2009.

Conclusion

Muslim demand for the territorial autonomy emerged in the middle of 1980s and was at its peak between 1988-2000, and 2002-2005. However, there were no consensus among the parties or the Muslims toward the model or shape of the autonomy unit. There were many changes in the form of the demand. More importantly, the de-merger of the Northern and Eastern provinces and the military victories of the Eastern province have thrown tremendous impact in the discourse of the Muslim demand for territorial autonomy in the Eastern provinces. Further, the fragmentation of the Muslim politics clearly undermined the possibility of achieving authority of the Eastern province by the Muslims during the Eastern Provincial Council Election (2008). According to the present political and social contexts, there is no any possibility of achieving the Muslim demand for the territorial autonomy in the Eastern province. No political and social environment exists there to put forward and articulate the demand too. It seems that there is no any problem for the Muslims in the East. However, there are problems for the

Muslim community in the Eastern province. The field study identified some key issues like, there is “an inter-group imbalance in terms of military” in the Eastern Province (Haque, Interviewed on 2009, June 16). As Farook indicates, “the step-mother mentality towards the Muslims by Tamils and Sinhalese, still prevailing in the provincial administration and there are cold wars going on between the majorities and the minorities in the provincial administration” (Farook, Interviewed on 2009, April 10). “An unclear, fascinating and pressuring environment has been created in the Eastern province after the de-merger and the military victory of government” (Abdullah Interviewed on 2009, June 16).

Since Muslims don't have a positive background and since there is no condition ripe enough and if the Eastern Muslims make violent agitation and military mobilization to achieve their demand for regional autonomy, it will cause negative impacts on the Muslim community. In this backdrop, it is the only way for the Muslims that they should go with other majorities in the region and at the national politics in a non-violent way – neutral politics. However, last but not least, there is an important need of creating an autonomy unit for the sake of Muslim community in Sri Lanka in the discourse of the resolving ethnic conflict through sharing powers to regions or to the minorities. The model or the arrangement powers within the unit can be discussed later.

References

- Ali, A. (2004). The Muslims of Sri Lanka: an ethnic minority trapped in a political quagmire, *Inter-Asian Cultural Studies*, Vol. 5 (3).
- Ameerdeen, V. (2006). *Ethnic Politics of Muslims in Sri Lanka*. Kandy: Center for Minority Studies.
- BBC News. (2008, April 28). Iran President in Sri Lanka Visit. Retrieved on 2009, February 02 from http://news.bbc.co.uk/2/hi/south_asia/7371117.stm.
- Cader, M.L.A. (Ed.). (2002). *The Position of Muslims in the Context of Solving Ethnic Problems in Sri Lanka*. Oluvil: South Eastern University of Sri Lanka.
- Daily News*. (2006, October 17). Retrieved on 2009, March 05 from <http://www.dailynews.lk/2006/10/17>.
- De Silva, H. (2003). Rules of Domination in Action in Sri Lanka: Divide and Rule in Sri Lanka. In De Silva, (Ed.). *Power Games in War and Peace. Engal Desam (Our Nation)*. Colombo.
- Fazil, M.M. (2002). The Interim Administrative Structure and Muslims in Sri Lanka, 'In *Proceedings of the Workshop on "Contemporary Social Issues in Sri Lanka*. Oluvil: Faculty of Arts and Culture, South Eastern University of Sri Lanka.
- Fazil, M.M. (2005). The Muslim Factors in the Sri Lankan Conflict. In Frerks G & Klem B. (Ed.). *Dealing with Diversity: Sri Lankan Discourse on Peace and Conflict*. The Hague: The Netherlands Institute of International Relation.
- Fousar, M. (1997). *South Eastern Region A Model Land for the Unity of Three Ethnic Communities*. Colombo: SLMC Publication.
- Ghosh, P.S. (2003). *Ethnicity Versus Nationalism*. Colombo: Vijitha Publications.
- Ghosh, P.S. (2002). The Historical and Political Background of the Conflict in Sri Lanka. In Rajanayagam, D.H. (Ed.). *Peace Initiatives Towards Reconciliation and Nation Building in Sri Lanka*. Malaysia: The Malaysian Ceylonese Congress.

- Gunasekera S. (2005). Sri Lanka's Historical Failure to Accommodate Ethnic Diversity. In Frerks, G and Klem, B. (Ed.). *Dealing with Diversity: Sri Lankan Discourse on Peace and Conflict*. The Hague: The Netherlands Institute of International Relation.
- Hanifa F. (2007). Muslims in Sri Lanka's Ethnic Conflict. *Society & the State*, ISIM Review 19, Spring- 2009.
- Hasbullah, S.H. (1997). Devolution of Power and Aspiration of Muslims in Sri Lanka. In Nithyananthan, R. (Ed.). *Proposals for Devolution of Power in Sri Lanka: Ideas and Views*. Kandy: Higher Education Center.
- International Crisis Group. (2007, May 27). Sri Lanka's Muslims: Caught in the Crossfire. *Crisis Group Report*. No.134. London.
- Jayawardena, K. (1987). *Ethnic and Class Conflict in Sri Lanka*. Madras: Kumaran Publishers.
- Jeseema, Ismail. (2006). *Why a Muslims Perspectives to Peace Process?* Center for Just Peace and Democracy. Envisioning New Trajectories for Peace in Sri Lanka, Maharagama: Ravaya Publishers.
- Jeyaraj, D.B.S. (2003, February 09). Oluvil declaration proclaims advent of Muslim Thesam. *The Sunday Leader*.
- Knoerzer, S. (1998). Transformation of Muslim Political Identity. In Thiruckelvam, M and C.S. Dattathreya. (Ed.). *Culture and Politics of Identity in Sri Lanka*. Colombo: ICES.
- McGilvray, D.B and M. Raheem. (2007). *Muslim Perspectives on the Sri Lankan Conflict*. Washington: East-West Center.
- Mohideen, M.I.M. (1987). *Sri Lanka Muslims and Ethnic Grievances*. Colombo: Authors' Publication.
- Mohideen, M.I.M. (2001). *Ethnic conflict and Devolution of Power in Sri Lanka – Muslim demand separate power-sharing unit in the North Eastern*. Colombo: Muslim National People's Alliance.
- Mohideen, M.I.M. (2002) *The Need for Power-Sharing Arrangements for the Muslims in the North-Eastern Sri Lanka*. Colombo.
- Mohideen, M.I.M. (2006). *Sri Lanka Peace Process and the Muslim Question*. In Rupesinghe R. (Ed.). *Negotiation Peace in Sri Lanka (Part Two)*. Colombo: Foundation for Co-Existence.
- Mohideen, M.I.M. (2008). *Eastern Province Muslims and Provincial Council Election*. *NetFinder*. Retrieved on 2008, May 11 from <http://www.arugam.info/2008/04/17/eastern-province-muslims-and-provincial-council-election/>.
- Muslim Guardian. (2008, May 25). *Existence of Muslims in the East and their Security is a Question in Pillaiyan's Administration*. Retrieved on 2008, May 26 from http://www.muslimguardian.com/portal/page?_pageid=35,54475&_dad=portal&_schema=PORTAL.
- Muslim Information Center. (2003). *A Critique on Muslims Role in the Peace Efforts*. Colombo: Muslim Information Center.
- Pondicherry Union Territory of India, Retrieved on 2009, May 07 from <http://en.wikipedia.org/wiki/Puducherry> & www.pondicherry.nic.in.
- Rahman, Abdur M.M. (1998). *From Muslim Province to South East....*, Kattankudy: Institution for Social Assessment.
- Rameez, Abdullah. (2005). *Ethnic Harmony in Eastern Sri Lanka*. In Frerks, G & Klem B. (Ed.). *Dealing with Diversity: Sri Lankan Discourse on Peace and Conflict*. The Hague: The Netherlands Institute of International Relation.
- Ratnayake, K. (2004). *A split in the LTTE heightens danger of war in Sri Lanka*. Retrieved on 2009, March 02 from <http://www.wsws.org/articles/2004/mar2004/ltte-m18.shtml>.
- Razak, M.A. (2005). *Conflict Resolution in Sri Lanka and Muslims (Ilankayin Inappirachinaith Theervum Muslimkalum)* (in Tamil). Oluvil: AIRC, South Eastern University of Sri Lanka.

South Asian Studies 25 (2)

- Richardson, J. (2005). *Paradise Poisoned: Learning about Conflict, Terrorism and Development From Sri Lanka's Civil War*. Kandy: ICES.
- Rupesinghe, K. (Ed.). (1998). *Negotiating Peace in Sri Lanka: Efforts, Failure and Lessons*. London: International Alert.
- Rupesinghe, K. (Ed.). (2006). *Negotiation Peace in Sri Lanka (Part Two)*. Colombo: Foundation for Co-Existence.
- Saminathan, D. (2005). *Tamil Perspectives from the East*. In Frerks, G and Klem B. (Ed.). *Dealing with Diversity: Sri Lankan Discourse on Peace and Conflict*. The Hague: The Netherlands Institute of International Relation.
- Sarjoon, A. (2008, April). *The Muslims Perspectives of Ethnic Conflict and Peace Process in Sri Lanka: A Historical Evaluation*. Nordic Workshop on 'Peace and Development in Sri Lanka. Norway: University of Oslo.
- Shegu Issadeen. (2006). *Muslim Autonomy*. Colombo: Muslim Nationalists Movement.
- Siddeque, M.Y.M. (1987). *Separate Muslim Majority Province is the Unanimous Demand of the Muslims of Sri Lanka*. Kalmunai: E.L.S Publication.
- SLMC Publication. (1998). *SLMC not leave any one*. Colombo: SLMC Publication.
- Student Union. (2003). *Muslim National Revivals and Political Demands (Oluvil Declaration)*. Oluvil: South Eastern University student union.
- Uyangoda, J. (2001). *Questions of Sri Lanka's Minority Rights*. Colombo: ICES.
- Uyangoda, J. (2003). *The Eastern Question*. In Uyangoda, J and M.Perera, (Ed.). *Sri Lanka's Peace Process - Critical Perspectives*. Colombo: Social Scientist Association.
- Uyangoda, J. (2004). *Minorities, Federalism and Non-Regional Power-Sharing*. In Devaraj, P.P. (Ed.). *Rights and Power-Sharing Mechanism for Non-Regional Minority community in Sri Lanka*. Colombo: FREDRICH EBERT STIF TUNG.
- Uyangoda, J. (2006). *Power Sharing and Autonomy Rights of Minority Community in Sri Lanka*. In Jayawardena, A. (Ed.). *Perspectives on National Integration in Sri Lanka*. Colombo: NIPU.
- Uyangoda, J. (2007). *Ethnic Conflict in Sri Lanka: Changing Dynamics*. Washington: East-West Center.
- Wagner, C. (2006). *Minorities and Power-Sharing: The Role of Muslims*. In Fernando, L and S. Wijewardena. (Ed.). *Sri Lanka's Ethnic Conflict in the Global Context*. Colombo: University of Colombo.
- Wilson, J. (1988). *Break –up-of Sri Lanka*. London: Churst and Co.

List of Interviewee

- Abdullah, Rameez, Senior Lecturer in Languages, South Eastern University of Sri Lanka, Oluvil, Interviewed on 2009, June 16. Sammanthurai.
- Abdullah, S.M (a), Attorney at Law, Lawyer by profession, Interviewed on 2009, June 17. Maruthamunai.
- Haque, Faleel, K.M.M., Senior Lecturer in Economics, South Eastern University of Sri Lanka, Oluvil, Interviewed on 2009, June 16. Oluvil.
- Farook A.R.M., Deputy Director of Education, Kinniya, Interviewed on 2009, March 10. Kinniya.
- Fazil M.M., Lecturer in Political Science, South Eastern University of Sri Lanka, Oluvil, Interviewed on 2009, May 07.
- Mahroof, M.A.M. Member of Eastern Provincial Council, Interviewed on 2009, April 11. Kinniya.
- Mansoor, M.I.M., Chairman, Sammanthurai Pradesiya Sabha, Interviewed on 2009, June 18. Sammanthurai.
- Minnah Thahir, PhD Candidate, University of Colombo, Telephonic Interview on 2009, April 21.

Biographical Note

S. M. Aliff is Dean, Faculty of Arts and Culture & Senior Lecturer of Politics and Peace Studies in Department of Social Sciences at the South Eastern University, Sri Lanka.
