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# Perspectives on regime consolidation in post-war Sri Lanka

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This short exploratory essay examines the nature of the state and democracy in Sri Lanka between 2009 and 2015 through the lens of four issues central to the discipline of comparative politics: state formation; economic growth and political development; the derailment of democracy; and democratic transition. Section one explores whether the insights found in English-language scholarship about state building hold relevance for the post-war Sri Lankan state. The second section inquires into the relationship between economic growth and political development in Sri Lanka. Section three considers the ways in which democracy was compromised during the reign of Mahinda Rajapaksa's regime. Lastly, the fourth section investigates whether the 2015 democratic transition from Rajapaksa to Maithripala Sirisena was an elite- or mass-driven process.

## *1. The National Security State*

In 2008, political scientist Jayadeva Uyangoda suggested that during the twenty-six year civil war the Sri Lankan state had become a national security state (Uyangoda 2008: 8). Uyangoda described

the Sri Lankan state in this way because civil and political rights had become suspended, the relationship between civilians and the military grew tense, and the state refused to accept the multi-ethnic nature of the society (Ibid.). At this time, emergency law became the law of the country. Max Weber (1958) argues that domination by a state is considered justified or legitimate for three reasons: people respect the antiquity of the state, people tend to obey charismatic rulers, and because of legal justification. One could argue that the majority in Sri Lanka (the Sinhalese) between 2009 and 2015 tended to obey the state because of (1) its charismatic leader, president Mahinda Rajapaksa and (2) the legal justification of the emergency law. Weber's seminal definition of the state also resonates with the Sri Lankan state's policies during the protracted civil war. Weber defines the modern state as, 'a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory' (Weber 1958: 1). During the war, the state used violence within the territory of Sri Lanka with the tacit assumption that it had the right to do so.

Charles Tilly adds that peoples' resistance also shapes the modern state because it causes the authorities to create concessions. Such concessions are also defining features of the modern state, such as the guarantee of rights, representative institutions, and courts of appeal. Yet Tilly does not specify whether the 'people' here refers to the majority, minority, or both. Between 2004 and 2015, the resistance of the separatist terrorist group that claimed to represent the Tamil minority did not cause the state to create concessions. On the contrary, the resistance of the Tamil Tigers inflamed the Sri Lankan state to win the war at all costs, which meant adopting a unconcerned attitude toward human rights and the humanitarian consequences of the war (Uyangoda 2008: 8).

Theda Skocpol points out that the modern state is an entity that 'stands at the intersection between the domestic sociopolitical order and transnational relationships' (Skocpol 1985: 8). During the war, the Sri Lankan state was not only fighting a civil war at home. It was also, as Uyangoda observes, reorienting its foreign policy away from the West and toward Asia and the Middle East (Uyangoda 2010: 107–108). For example, during the war, the state turned to China, Iran, and Pakistan for military assistance (Uyangoda 2010: 107). It also forged relations with Libya, Japan, Iran, and Russia for economic assistance (Ibid.).

## *2. Economic growth and political development*

Political scientists' opinions about the relationship between economic growth and political development vary considerably.

Consider the following opinions of four scholars in political science. Focusing on what he calls the 'economic development complex' of industrialization, wealth, urbanization, and education, Seymour Martin Lipset observes that the more wealthy the nation the greater the chance it will sustain democracy (Lipset 1959: 71). Samuel P. Huntington counters that increase in modernization leads to political (democratic) decay (Huntington 1965: 386). Adam Przeworski and Fernando Limongi suggest that economic development has little power to change a dictatorship to a democracy (Przeworski and Limongi 1997: 165) and contra Huntington claim that rapid growth does not lead to decay (Przeworski and Limongi 1997: 167). Daniel Treisman argues for a more nuanced historical understanding: 'At certain times', Treisman writes, 'a country's income matters a lot for its political evolution; in other periods, income's influence is muted' (Treisman 2014). Treisman suggests that economic development may be good for the leader in power but not for his regime in the long term (Ibid.).

In the case of Sri Lanka, there is no strong evidence that the economic growth or decline between 2009 and 2015 played a major role in the victory of Maithripala Sirisena, who replaced the previously well-entrenched Rajapaksa regime in the most recent presidential election, held on January 8. The two years following the civil war (2009–2011) witnessed an 8% growth in the GDP but it dropped to 6.4% growth in 2013 (Wickramasinghe 2014: 202). When the war ended, the state no longer had defense costs that exceeded the budget (Uyangoda 2010: 110). Despite a

new availability of funds, the Rajapaksa regime made no effort to allocate funds to improve social welfare. Consider the educational sector. The government expenditure in education plummeted from 2.3% of GDP (gross domestic product) from 2000–2010 to 1.8% in 2012. This was a 10-year low (Wickramasinghe 2014: 202). In 2012, University lecturers across Sri Lanka protested because Rajapaksa's regime refused to allocate 6% to higher education, in spite of unrealistic claims made by members of the Rajapaksa regime that Sri Lanka would become the next 'information technology wonder of Asia.' Meanwhile, the government took major loans from China for physical infrastructure developments like the expressway, which one scholar derided as one of the regime's 'grandiose projects that benefits only the few' (Wickramasinghe 2014: 203).

### *3. Derailment of democracy in Sri Lanka: structural and/or agent centered?*

Political scientists have explored how agent- and structural-centered factors can derail democracies. Steven Levitsky and Lucan Way assert that the path from authoritarianism to democracy often becomes diverted because of 'competitive authoritarianism', where 'formal democratic institutions are widely viewed as the principal means of obtaining and exercising political authority' (Levitsky and Way 2002: 52). Democratic transition, they add, may fail in competitive authoritarian regimes because of four 'arenas of contestation': the electoral, legislative, judicial, and media arenas (Levitsky and Way 2002: 54–58).

In Sri Lanka, the electoral arena of contestation is one realm in which competitive authoritarianism can be observed. For instance, the first post-war election took place in 2010, eight months after the war's violent conclusion. Rajapaksa ran for his second term. The election involved intimidation, corruption, and state violence. Many Tamils residing in the Northeastern province were unable to register, coerced to abstain from voting, or lacked means of transportation (Hogg 2010: 30). Levitsky and Way write, 'in authoritarian regimes, elections either do not exist or are not seriously contested...In the latter, opposition parties are routinely banned or disqualified from electoral competition, and opposition leaders are often jailed' (2002: 54). Rajapaksa's opposition candidate in the 2010 election was General Sarath Fonseka, who was the chief of the Sri Lankan army and played a major role as a strategist during the civil war. Despite Fonseka's leadership during the war, Rajapaksa attempted to frighten the public about casting their votes for Fonseka by airing movies about military dictators, like the Ugandan military dictator Idi Amin, on the government-owned television stations.<sup>1</sup> Finally, Rajapaksa surprised the nation when he stripped Fonseka of his medals and had him arrested.

Rajapaksa also meddled with the judicial arena of contestation. When the chief justice Shirani Bandaranayake declared a government bill unconstitutional, Rajapaksa removed her from office in January 2013 without a fair trial (Wickramasinghe 2013: 199).

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<sup>1</sup> There are two main government-owned channels in Sri Lanka are Rupavahini and ITN.

Rajapaksa further manipulated the judiciary by introducing the eighteenth amendment, passed in 2010, which replaced the two term presidential limit to an unlimited term, with elections held every six years.

M. Steven Fish maintains that resource endowment and modernization can harm democracies because both tend to lead to corruption and repression (Fish 2005: 129). But in Sri Lanka, the combination of modernization and *a lack of* resources seem to have had negative consequence for democratic rule. For instance, on August 1, 2013 citizens in a city in the Western Province, Weliveriya, conducted a peaceful protest demanding clean water. The 6000 residents complained that the glove factory (read: modernization) had used chemicals that polluted their drinking water (Wickramasinghe 2013: 204). The state sent security troops to Weliveriya to repress the unarmed civilians and it resulted in three deaths.

Eva Bellin also focuses on structural reasons that lead democracy astray. According to Bellin, structural endowments—ethnic, institutional, and socio-economic—are at the heart of democratic failure (2012: 2). Multi-ethnic societies, in Bellin’s judgment, tend to hinder democratization. Whether this is true or not, this blanket statement tends to generalize about countries with and without a colonial history, without offering an explanation of why multi-ethnic countries with colonial histories have had difficulties in establishing non-violent democracies. Jonathan Spencer contends that the British government in colonial Sri Lanka structured ethnic politics from the 1930s onwards along ethnic lines (Spencer

2008). The communalism that erupted in the post-independence democracy had roots, Spencer claims, in the colonial legacy.

Sheri Berman suggests that authoritarian leaders can weaken democracies if they pit opponents against each culture and maintain underdeveloped civil-societies and political organizations (Berman 2013). One could argue that communalism sparked the fire of extremism in the majority community (Sinhalese Buddhists). Such extremism resulted in the eventual triumph of Buddhist nationalist ideology in Sri Lanka and the marginalization of minorities.

The most prominent incident of Buddhist nationalism during this period was the emergence of the *Bodu Bala Sena* (Buddhist Power Force, BBS), a right-wing Buddhist organization. On February 16, 2013 the BBS held an anti-Islamic rally in Colombo to ban *halal* (foods permissible for Muslims to eat) products (Wickramasinghe 2013: 201). The anti-Muslim BBS sparked mob attacks that broke Muslim stores, houses, and mosques. There are serious allegations that the BBS was backed and protected by the Rajapaksa regime. Neil Devotta claims that ‘Sri Lanka at 60 [years after independence] has not only seen ethnocentrism and the Sinhalese Buddhist nationalist ideology triumph; it is also leaning towards a potential dictatorship (DeVotta 2009: 51).

#### *4. Was the victory of Maithripala Sirisena elite - or mass-driven?*

Some may be tempted to argue that Maithripala Sirisena’s presidential victory



over Mahinda Rajapaksa in 2015 was a ‘victory for democracy’. Yet, it is still too premature to claim that the recent victory of Sirisena will lead to lasting democratization. Nevertheless, Rajapaksa had created a semi-authoritarian-regime and Sirisena’s campaign was based on a promise of a weaker presidency (Barry 2015) and a ‘regime change for good governance’ (Uyangoda 2015). A statement Sirisena made in his first speech reflects those promises: ‘We need a human, not a king’ (Sirisena 2015).

Although many pledged allegiance to the Rajapaksa regime because it ended the civil war, Rajapaksa had tested the tolerance of many in Sri Lanka. Sirisena’s election campaigns—to fight corruption, demolish cronyism and family rule, give back autonomy to the legislature, and grant freedom to the media—point to some of the major problems with the Rajapaksa regime. Rajapaksa had put his family members in the major positions of power in the government and was notorious for sending ‘white vans’ to kidnap journalists that resisted his regime. For these reasons, after Sirisena’s victory, Uyangoda wrote to *The Hindu*, an Indian newspaper, ‘a third term for Mr. Rajapaksa would have robbed Sri Lanka’s democracy of whatever little vigor was left in it’ (Uyangoda 2015).

Was Sirisena’s victory mass-driven or elite-driven? Since the 1970s, scholars in comparative politics have debated whether democratization is led by elites or the masses. For example, Samuel P. Huntington agrees with Robert Dahl that democratic transition tends to be an elite-driven process. Huntington is of this opinion because sixteen out of thirty-five transitions in the third wave were elite-

driven ‘transformations’, a term that he uses to specifically describe when elites in power establish democracies (Huntington 1991–1992: 583).

Yet transitions to democracy also happen via ‘replacement’, when opposition groups institute democracy and overthrow the government, or ‘trans-replacement’, where democratization is a result of joint action by the government and the opposition groups (Huntington 1991–1992: 583). Sirisena’s victory was a result of joint action in the sense that Sirisena formed a new political party with members culled from a variety of parties including those representing minority communities like the Sri Lanka Muslim Congress and the Tamil National Alliance, along with politicians who resigned from Rajapaksa’s political party (Sri Lankan Freedom Party, SLFP), members of the major oppositional parties such as the United National Party (UNP), and members from Buddhist political parties like the *Jātika Heḷa Urumaya*, as well as the Marxist *Janatā Vimukti Peramuṇa*.

Guillermo O’Donnell and Philippe C. Schmitter as well as Nancy Bermeo challenge the idea that democracy is elite-driven. O’Donnell and Schmitter contend that a crucial component of democratization is mobilization and organization of large numbers of people (O’Donnell and Schmitter 1986: 18). In Sri Lanka’s case, the vote of the Tamil and Muslim minorities helped give Sirisena the edge he needed to win the election (Uyangoda, 2015). The mobilization of these minority communities along with the votes of the Sinhalese masses supports the O’Donnell, Schmitter, and Bermeo’s

assertion that non-elites have great significance for transitions to democracy.

### **Conclusion**

This short essay attempted to explore key features of semi-authoritarianism and democracy in Sri Lanka between 2009 and 2015. It argued that the state in Sri Lanka was largely a 'national security state' because civil and political rights became suspended, the relationship between civilians and the military grew tense, and the state championed a more ethno-nationalist ideology. The essay next suggested that the economic growth or decline between 2009 and 2015 did not play a significant role in the surprise victory of Sirisena. Section three focused on the way in which the electoral arena of contestation was a window into competitive authoritarianism. Lastly, section four maintained that the victory of Sirisena could be considered an instance of 'trans-replacement'.

To conclude, I wish to suggest that to establish a more open democratic society one major step that ought to be taken is to establish a power-sharing arrangement with the country's minorities. Sri Lanka is home to a power sharing mechanism, centripetalism, in which, ideally, the preferential electoral system of Supplementary Vote (SV) encourages majority political leaders to adopt moderate platforms that satisfy minority communities. Yet in each presidential election held under the Supplementary Voting System (1982, 1988, 1994, 1999, 2005, 2010, and 2015) two Sinhalese parties have dominated (McCulloch 2013: 99). Clearly, the Supplementary Voting system has done little to prevent the rise of extremism and ethnic outbidding rather than support the accommodation of the country's minority populations. In the future, one criteria by which to judge whether the latest presidential transition was truly a victory for democracy will be whether or not the government establishes a new power-sharing arrangement. 🙏

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