

Political Exclusion: Theoretical Aspects and A Case Study of Sri Lanka

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I. Introduction

Most of the young and third wave democracies are multi-ethnic and multi-cultural societies and have not been able to consolidate their own communities together leading to exclusion, conflict and erosion of democracy. As such, during the latter half of the 20th century, an increasing number of developing countries have been exposed to violent ethnic conflicts as a result of exclusion. But the main theoretical predicament in explaining the concept of exclusion is that it is closely related to other concepts and often used as synonyms to other almost similar phenomena such as domination, marginalization, inequality, inaccessibility, etc. Exclusion arises from the interplay of class, status and political power and serves the interest of the included.¹ Fisher argues that the term 'exclusion' can potentially provide a wider scope to the analysis of the dynamics, producing a situation of disadvantage.² The meaning of the concept of exclusion in relation is, thus, quite dependent on the context in which it is used and is a matter of debate.

Exclusion can be defined as the lack or denial of resources, rights, citizenship, opportunities, goods and services to a particular group/community and the inaccessibility to participate in the normal functioning and activities of the state in which the other group/community is able. It is a multi-layered concept and has various dimensions. There is barely any consensus beyond the general negative meaning and use of the term, and even less about the production of exclusion, its manifestations and its reproduction. Exclusion is both a process and a condition; one resulting from a combination of intertwined forms of social, economic and power inequalities leading to disadvantage, relegation

and systematic denial of individuals' or communities' rights, opportunities and resources.

A groundbreaking attempt to give order to the meaning of exclusion can be found in the work of Silver. According to her, the creation of a group or community identity with a monopoly serves the purpose of a bond of common interest among "unequal insiders" who exclude and dominate the outsiders.³ From this theory, it becomes apparent that the conceptualization of exclusion is not only a theoretical exercise but more a political one and embraces various concepts.

Exclusion acquires political aspect when liberal democratic institutions are not present and when political rights are restricted or may be non-existent.⁴ More specifically, political exclusion entails being some or all the formal rights of citizenship, or having no effective access to participation in political decision-making, or both. At its worst, political exclusion describes an experience of utter powerlessness within society and inextricably linked in a depressing and vicious cycle. Political exclusion refers to the impeded access of the excluded community to the political power of the central state. It is both a process and an outcome. Political exclusion must be understood beyond its definitions and meanings. The entire range of semantics anent political exclusion derived from various theories and concepts.

II. Political Exclusion: Analogous Concepts and Linkages

A. Political Exclusion and Domination

Exclusion together with domination gives clearer understanding of exclusive behaviour. In democratic societies, political exclusion and domination is usually understood as paradigmatic forms of injustice. To some extent it is present in almost all the societies but when it leads to marginalization and threatens the identity and status of a group/ community, it becomes a trouble in

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itself and becomes a challenge to nation-state building.⁵ For sure, exclusion and domination are among the forms of coercion and brutality.

Though both exclusion and domination are relative concepts but they depict different relationships among human beings. Danielle Allen points out that exclusion implies a horizontal relationship, defining who is in and who is out.⁶ According to Allen, domination, in contrast, has been more often used to describe vertical relationship, which defines who has power over whom. Practically both these concepts don't have rigid divisions as they often overlap each other and have political, economic, social, and cultural forms.

Main purpose of domination is to have an upper hand over resources and privileges. However, in some cases, it is merely for the sake of demonstration and glorification of one's power, status, religion, language or race. In case of political exclusion, domination is a systematic structural phenomenon where one group excludes and dominates the other. Exclusion usually grades the excluded group as an inferior 'they' in contrast to 'we' (who claims themselves superior). This is actually a two-way process where both the groups claim recognition from each other. Sometimes exclusion is the result of the fear of domination. In political exclusion, the principles of selectivity are hard to defend and detrimental to human interests.

B. Marginalization and Exclusion

Like exclusion, marginalization is also a discomfited term which has been used in multiple and varied ways. The resulting lack of integration and the status as an 'outsider', with respect to dominant cultures, is termed by Park⁷ as "marginality". It is especially the research on structural marginality which has gained large attention in the last few decades. This strand of marginality is based on the concepts of power and oppression. These terms are reinforced through culturalist/ ethnic ideas of out sidedness. The generally accepted contemporary definition of "marginality" can be considered synonymous with lack of power, participation and integration experienced by a group/ community. All these concepts of marginality are the manifestation of exclusion and the lack of power, participation and integration.

It is demonstrated that how exclusion and marginality are used in varied ways both in politics and research. Both concepts being used as synonyms are confronted with the danger of oversimplifying a complex and fragmented concepts. In spite of this problem, the examination of the concept of exclusion and marginalization provides a number of valuable insights which can productively be

used for finding solution to various problems of multi-ethnic states.

Indeed, the contextual background of all the three concepts of exclusion, domination and marginality is quite varied. Thus, while all the three concepts come from diverse intellectual traditions and focus on different contexts and have considerable number of variations, they intersect at various places leading to various grievances.

C. Nation-State Building and Post Westphalian System Linkage

Contemporary societies are unfolding within the confines of the nation-state and strengthening them with every stage of evolution/ development. In the history of human civilization, the basis of power and legitimacy has changed from time to time in favour of ever larger popular consent. The post Westphalian state system in Europe, which accentuated mono-national states and later adopted democracy, also led to majority tyranny, leading to exclusion of small minorities in several countries. The status of minority communities in such systems is not much cared for and largely ignored. Unity and integrity is considered as the ruling standard here leading to various problems especially in multi-ethnic societies.

Majoritarian government is further reinforced by the colonial rule as it was during colonial rule system that head counting through "census" and mapping of the geographical space started. This has again strengthened a sense of identity and spread the belief that they should and must be a self-legislating sovereign community. The artificiality of the notion of "territorial integrity" was a misnomer in pre-colonial days which created various problems in the post-colonial era. The reason behind this is territorial integrity and unification which was forced and external in nature and brought by the colonial powers for the convenience of ruling. Out of these surfaced the crisis of post-colonial state structuralization in various countries.

This system of state has fascinated the native elites in the colonized terrains and they have been exploiting it in their struggle for power. The shortcut to power is to appeal the majority group/community, but this leads to exclusion of the minority community/ group. However, if the state is composed of citizens, the so-called "essence" of the state has to be composed of people having a 'sense of togetherness' among its all citizens.

D. Grievance Approach to Exclusion

The prevalence of political exclusion is not explained by a motive, but rather by the circumstances that generate

advantageous opportunities. Here, opportunities are incurred on two types of people, elites who mobilize the people and the people of majority community which is dominant. Thus, the political and the economic approaches to exclusion have assumed different motivations—grievance of the excluded community versus greed of the dominant majority community and have different explanations and perspectives.

Grievance approach points towards social, economic and political inequalities between different sections of a state's population which lead to grievances within certain disadvantaged group/ community. Such grievances lead to discontentment and have the potential to incite outbreak of an armed conflict. If inequalities and grievances develop between different ethnic groups, they can possibly lead to an ethnic civil war. The more powerful the politically excluded ethnic group is and has external support system, the more likely is the onset of an ethno-nationalist conflict.

III. Drivers of Political Exclusion

Ethnic politics is not just a derivative of modern state formation; rather of political exclusion too. Modernity itself also rests on a basis of primordial ethnic and nationalist doctrine based on identity. Indeed, in this context, Sri Lanka stands as a classic example of how nation-state building can be a failure when one ethno-national group attempts to build a religio, juridico and politico-economic society by excluding its minorities.⁸ Because of these exclusionary mechanisms, structures and institutions, different phenomenon such as ethno-nationalism and xenophobia occurs.

Cleavages along ethnic lines lead to ethnic politics, the frequent progenitor of the militant ideology of ethno-nationalism leads to political exclusion. Under these circumstances, ethnic politics constitutes an important dimension of polity and public administration of the concerned state. It becomes a critical agent in economic development. The resultant force has opened up political space for the activation of ethnic communities and identity formation within the boundaries of these states. Elites manipulate these ethnic identities in their quest for power.⁹ The articulation of grievances, aspirations, and claims on behalf of their communities, in turn, generates backlashes from the "native sons" who believe that their interests and status are threatened by aggressive intruders. Government policies and programmes normally distribute benefits and costs unequally, generating gainers and losers.

Resource mobilization is another major driver of political exclusion. The central idea in resource

mobilization theory is that politically excluded groups must resort to protest to gain political influence and, once new political opportunities and resources allow them to mobilize, they will widen their base of protest politics. The chance of conflict is higher when disagreement and opposition is concerned with collective goods, e.g. language rights, civil and political rights, religious beliefs and symbols, etc.¹⁰ John Burton has also posited that there are certain ontological human needs, such as security, identity, recognition, and autonomy, that are not negotiable, and the frustration of which can lead to overt conflict behaviour.¹¹

Unitary state structure in the post-independence period has greatly led to continued radicalization of democracy along the ethnic lines. Unitarianism encourages competition within ethnic communities, but inter-ethnic competition must be regulated in the interest of ethnic harmony and peaceful coexistence. The incongruous relationship between communalism and ethnic pluralism on the one hand, and the emphasis on unitarianism and homogenization on the other, has indeed been one of the major drivers of political exclusion leading to violent conflicts.

Sometimes institutions operational in a polity may give a way toward exclusion while some others may drive toward inclusion. If both the forces are able to balance each other, then there is no conflict because the parties can bargain. The situation becomes tense when the forces on the one side are not able to balance the other side. In order to find out the overall effect of structures and institutions on political exclusion, the investigation of the major structures and institutions of a polity in the given environment is necessary.

Gastil's Scale of Political Exclusion

Professor John Gastil has extended his theory of measuring political exclusion. He has given a "Political Rights Index" (PRI), values of which are presented for countries in the World Hand Book.¹² Gastil's PRI intends to estimate the broad opportunities that are available to citizens, in determining the degree of exclusion. The PRI is a seven-point scale, one each for political exclusion and civil rights. It ranges from the highest degree of "mass" governance (i.e., less-exclusive governing procedures) to the lowest degree of non-elite rule. Thus, higher the score, the more a nation's political system is characterized by political exclusion.¹³

In reality, different/overlapping forms of exclusion are prevalent in various societies. And some of these are even necessary as condition of the realization of the positive good (women rights association, children rights

association, child education policy, etc.). But, usually the concept of political exclusion is related to domination, marginalization, poverty, inequality and other such concepts leading to various conflicts.

IV. Sri Lankan Case

Being multi-ethnic, multi-linguist and multi-cultural, Sri Lanka is a plural state. It is the first country in Asia to implement universal suffrage. At the time of independence, Sri Lanka had the highest indices both economic and human as compared to other South Asian countries. At that time it was anticipated to be a prosperous state due to peaceful transfer of power and comparatively democratic nature of the polity. But contrary to the expectations, within a few years of independence, ethnic tension rose between majority Sinhalese and minority Tamils due to political exclusion as a result of ethnic-outbidding and majoritarian democracy.

In Sri Lanka, nearly one-fifth of the total population uses Tamil language. Nearly, 15 per cent¹⁴ of the population is Tamil in origin including 4.16 per cent¹⁵ of Plantation Tamils/Tamils of Indian origin as plantation workers. If observed region wise, Sinhalese constitutes 74.88 per cent¹⁶ of the population and forms majority in the South-West and Tamils are in majority in the North-East. Some Tamils are also living in the central highlands/plantation areas called as Plantation Tamils/ Indian Tamils.

The current ethnic distinctions between Sinhalese and Tamils seem to be based on the ancient texts, especially Mahavamsa and Culavamsa. These texts relate the rise and fall of various ancient Sinhalese kingdoms and their guardianship of Buddhism and consider the island as *Dhammapida* (the island of Buddhism). As such, Sri Lankan history became identified with the history of the Sinhalese and everything else is considered as an intrusion and assault.¹⁷ These kinds of misinterpretations have injected the mindset of the Sinhalese with an exclusive Sinhalese-Buddhist identity and became one of the chief hurdles in addressing the Tamil grievances in the post-independence era.

Sinhalese Chauvinist also fed the Sinhalese psyche with the distorted version of the ancient history of Sinhalese-Buddhist and Tamil-Hindu identity of the ancient history depicting the South Indian invasions as vicious and omitted their contribution towards the Sri Lankan society and economy. Based on these conceptions, Sinhalese-Buddhists claimed that "Sri Lanka is a Sinhalese Buddhist nation".¹⁸

These distinct identities were exploited by European colonizers. As a result of the divisive British policies of patronization of Tamil minority being more educated and proficient in English got preference in almost all the

sectors. This over-representation led to insecurity among Sinhalese. In addition to this, arrival of the British in Sri Lanka introduced the idea of race and racism, making ethnic identities on the island more rigid.

After independence, exclusion-based nation-state building created identity-based grievances. After independence, Sri Lankan state adopted a democratic system which allowed for the rule of the majority. As a result, Sinhalese, being the majority, got political leverage. However, soon this Sinhalese majority-based democratic government became a majoritarian one and started undermining the interests of the Tamil minority by enacting exclusionary policies one after another.

The major cause of the sprawling of the political and economic exclusion is the competition between the two major parties: United National Party (UNP) and the Sri Lanka Freedom Party (SLFP). The race between the two parties has led to destructive political exclusion and ethnic outbidding as each party claimed to be an authentic representative of the Sinhala-Buddhist majority. Ethnicity has been used as a tool for the mobilization of the electoral allegiance of Sinhalese resulting into exclusion of the Tamil minority.

Exclusionary policies of government such as Ceylon Citizenship Act, No. 18, of 1948 and Indian and Pakistani Residents (Citizenship) Act of 1949, denied Indian/plantation Tamils of their citizenship rights where as Ceylon Amendment Act, No. 48, of 1949 legalized the denial of their voting rights. Sinhala Only Act, No. 33, of 1956, (declaring Sinhalese as the only official language) together with Policy of Standardization of 1971 & District Quota System of 1972 hit the Tamil population hard in the employment and educational sector. Consequently, the Constitution of 1972 included provisions embedding the state patronage for Buddhism re-affirming the pre-eminence of the Sinhalese language.

These exclusionary policies of the government gradually alienated the Tamil minority and escalated their demand from devolution to establishing a 'separate state'. When their grievances went unattended, Tamils in the North-East took up arms. In the process, various militant groups emerged, with LTTE surpassing all due to its violent tactics and disciplined cult. To deal with them with an iron hand, the Government of Sri Lanka enacted 'Public Terrorism Act of 1979' and Emergency Regulation (ER) 15A of 1983 under Public Security Ordinance (PSO). The Government also passed the 'Sixth Amendment of 1983' which criminalized both demand and support for separate Tamil nation leaving no space for bargaining leading to violent terrorism and ultimately to Civil War.

Violence escalated rapidly after the pogrom of 1983 leading the onset of 26 year-long ethno-nationalist civil war, ending in 2009. The war resulted in significant

hardships for its people, environment and the economy of the country, leaving an estimated of 80,000 people dead and an unaccounted colossal human rights violation.

The internal conflict that has devastated Sri Lankan ethnic milieu for more than five decades has brought out the limitations of the post-colonial project of building a nation-state on the basis of an ethnic preference.¹⁹ As such, the Tamil separatist movement is, in Neil de Votta's words, 'Sinhalese-inspired.'²⁰

The independent state of Sri Lanka emerged as a state which was unable to enforce its legality upon a significant section of the populace and adopted a type of democracy which has been termed by O'Donnell as a "democracy of low intensity citizenship".²¹ The main trouble inherent in the competitive, permissive democracy is the quest to make the most of the votes to gain power leading to political exclusion dividing it sharply along ethnic lines.

The unhappy devastating story of Sri Lanka demonstrates that when the stakes and the power of negotiation of the excluded ethnic groups gradually falls and the ethnic group is mobilized, strong, occupies a distinct region and backed by external forces; demands for autonomy could shift to secessionist ethno-nationalist civil war. In this context, identity-territory nexus plays a very important role in ethno-linguistic nationalism as it enhances the degree of mobilization and amalgamates in itself the idea of homeland.

Terrorism has been defeated, but Tamil separatism, which seeks an independent nation state in the Northern and Eastern Provinces, continues to threaten the sovereignty and territorial integrity of Sri Lanka may be in the covert form. The process of 'political exclusion' and the tragic plight of the Tamils in Sri Lanka have direct and immediate implications for other diverse states across the globe.

How well Sri Lanka recovers and develops in the long-term depends on the settlement of the separatist challenge and its root cause. Careful policy-making is of utmost importance for long-term peace and security and well-being of people on the island as well as the South Asian region.

V. Addressing Political Exclusion: Available Options

A viable solution to address exclusion requires exclusion to be replaced with inclusion/ accommodation which in turn requires structural and institutional reform in the state, in order to transform the institutions and discourses that reproduce violent conflict. Desirable conflict management is required and if absent, results can be catastrophic like Sri Lankan civil war. Conflict management if creditable lessens the chances of conflict as it did in Malaysia.

Comparatively, if various indices of both Sri Lanka and Malaysia at the time of independence are taken, it would have simply suggested that Malaysia would face serious ethnic conflict if not devastating whereas Sri Lanka was predicted to experience only a mild difficulty. As in Malaysia, Malays scarcely forms a majority. In contrast to this, Sinhalese in Sri Lanka forms three-fourth of the population and are securely placed in the Sri Lankan economy. Secondly, Malays and Chinese in Malaysia drifted apart by the structure of educational system but in Sri Lanka, both Sinhalese and Tamils were brought together and they shared many common values.²² Thirdly, before independence, Malaysian politics was quite discriminatory but Sri Lankan politics had a bargaining culture. Not only this, both Sinhalese and Tamils took part together in the national struggle for independence. But, in spite of all these conducive factors in Sri Lanka, it witnessed a devastating prolonged civil war and Malaysia comparatively has been quite peaceful.

The crux is that although Malaysia had more difficult problems than Sri Lanka, yet the conflict management was commendable in Malaysia where as in Sri Lanka various factors were exploited resulting in exclusion, ultimately leading to an ethnic civil war.²³ The war is over but not the conflict as issues still remain unaddressed. Sri Lankan state is required to make necessary structural and institutional changes to prevent any unwanted situation in future.

Sri Lankan state can opt for creating reconstruction and developmental packages, essential constitutional guarantees/ bill of rights, room for continuous negotiations, autonomy to provinces on the lines of South Africa to mitigate exclusion and create trust among the discriminated Tamils. A profound arrangement of power sharing will provide incentives for inter-ethnic accommodation and collaboration in a multi-ethnic society, as well as for managing ethnic divisions and cleavages in a peaceful manner.

Government of Sri Lanka can also create more provinces like Nigerian Government. By creating more provinces, developmental benefits will reach straightway to the target, addressing core issues and lessening exclusion. In addition to this, Nigerian constitution also recognizes Bill of rights protecting minority rights like South Africa. Skill-building workshops have also done a worthy job there which can be imitated by Sri Lanka.

Federalism is the best alternative to address the grievances of the aggrieved community as it permits participation in larger context both at political and economic level. Swiss federal model will be of great help if applied. But, the concept of federalism is regarded as a recipe for disaster or at least very infamous in societies built upon unitarianism and single identity.

Donald Horowitz has also noted federalism as a form of ‘semi-partition’, as unitary and centralized system is the ruling norm in these kinds of states.²⁴ If not federalism, it can opt for consociational democracy and agreement like “Taif Accord of 1989” in a unitary framework like Lebanon as it will provide a political system that significantly reduces the incidence of ethnic civil war.

If the state is composed of citizens belonging to different communities/ ethnic groups, the “nation” or the so-called “soul” of the state has to be composed of people having a common sense of community about themselves.²⁵ National identity here should not recognize itself with one community, rather it should include all.

To find out the roots of the ethno-nationalist conflicts, first requirement is the acknowledgement of the phenomenon of exclusive nature of the polity due to its closeness. States with these kinds of conflicts are required to be based on consensus as consensus-based institutions and policies can address both class and cultural cleavages providing openness. The combination of consensus-majoritarian framework is termed as a path-breaking concept. These types of institutions remove insecurity of both the sides as its basis is inclusion. Liberal democratic peace theory also holds that participatory democracy lowers the risk of civil war because democratic institutions and culture provides non-violent means for change.

Time and again, it has been proved that solution brought with peace has been more stable as compared to solution brought with coercion. Samuel E. Finer has also distinguished between these two as the former being “spontaneous unanimity” and the latter as “imposed consensus”.²⁶ The imposed consensus is not much stable and durable because the acceptance is an illusion and the

result is actually imposed. Major issue here is the dearth of willingness on the part of the vulnerable state and not the options available.

VI. Concluding Remarks

Political exclusion is the worst kind of exclusion as it challenges the very grounds on which other rights are claimed. It leads to domination of one community over another and rigorous competition for resources. Political exclusion generates advantageous position for those who exercise it. These types of inequalities, phenomenon and systems violate the liberal norms of equal basic dignity by dividing human beings into two groups: the dishonourable frail and another who are standard and above the first. Political exclusion is a structural and institutional phenomenon and as such required to be addressed by bringing reforms in structures and institutions of the political system of the country.

In a centralized state, where the identity of one ethnic group is equated with that of the state, the stakes and the power of negotiation of the excluded ethnic groups gradually falls. It is important to recognize distinct interests of different groups/ communities. Policy-making and institutionalization must be based on the demographic and socio-economic situation on the ground. The fundamental predicament here, however, is not secessionism or devolution, but also justice for all the communities. To be just, a settlement, be it a unitary state or a wholly federal, must accord with social realities and needs of all the groups.

Table 1. Majoritarian and consensus institutions:

Institutions	Majoritarian	Consensus
Party system	Two-party systems	Multi-party systems
Cabinet	Concentration of executive power	Sharing of executive power
Executive-legislative relation	Dominance of executive	Balance of power between executives and legislature
Electoral system	Majority and plurality methods	Proportional representation
Interest group	Pluralism	Corporatism
Division of power	Unitary and centralized	Federal and decentralized
Parliament	Concentration of legislative power	Division of legislative power
Constitution	Amendment flexibility	Amendment rigidity
Judicial review	Absence of judicial review	High judicial review
Central bank	Dependent	Independent

Source: Lijphart, A. (1999) *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries* (New Haven, CT & London: Yale University Press). A major difference between the two forms is that the majoritarian institutions concentrate whereas the consensus institutions diffuse power.

Notes

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