

## **Dr. A.M.A. Azeez Memorial Oration**

# **Activism in a Time of Uncertainty: Revisiting the Good Minority Classification Today.**

**Dr. Farzana Haniffa**

Senior Lecturer, Department of Sociology  
University of Colombo

I want to begin today by thanking the Executive Committee of the Dr. A.M.A. Azeez Foundation, for this invitation to deliver the annual Dr. A.M.A. Azeez Memorial Oration. I especially thank Mr. Ali Azeez and Mr. Nahiya, former Deputy Principal of Zahira College, Colombo for the many conversations preceding this event. It is a great honor to be thus recognized and a privilege in turn to honor the memory of one of the most perspicacious intellectuals of Sri Lanka's Muslim community.

A.M.A. Azeez was an administrator, an educationist and a scholar of rare distinction whose ideas, and interventions in the Senate and elsewhere are inadequately integrated into the historical narrative regarding the Muslim political leadership in Sri Lanka.

In my talk today I use Senator Azeez's speeches and writings as illustrative of a Muslim community sensibility of his time.

There is a long list of luminaries that have gone before me in giving this memorial oration and I am honored to be among them. On this list of august personalities there is a surprising absence of the prominent women of the Muslim community – the lawyers, doctors, the politicians, academics, educationists and other professionals who have so far achieved distinction in their respective fields. The fact that I have been honored this year indicates, perhaps that the Muslim elite is becoming aware of the many women in their midst who have also achieved great heights and whose talents must be better acknowledged and utilized. I would like to state that I speak in the company of these women – many of whom I have learnt from-- as I present this lecture today.

I am also aware that I am being invited at a time when Sri Lanka's Muslim communities are in deep crisis.

During the past 9-10 years—in almost the immediate aftermath of the war's end Sri Lanka's Muslims began experiencing the effects of a virulent anti Muslim movement quite unprecedented in its antipathy and highly effective in its reach. So much so that, now, nearly a decade after its emergence anti Muslim sentiment is standard fare in all parts of Sri Lanka, easily mobilizable for violence when the need arises under whichever regime is in power.

The horrifying bombings of three churches and three hotels by Muslim militants identifying with the Islamic State of Iraq and Syria has greatly exacerbated tensions in the country. The deaths of 253 people and the injuring and permanently disabling of several hundred others at the hands of nine relatively young Muslim men and one Muslim woman is the latest in a long line of tragedies that the country has had to face. That horror has become a burden that the Muslim community now has to bare. The terrorists' incomprehensible intentions are now periodically mobilized as referencing the intensions of all Muslims.

At this moment we as the Muslim intelligentsia must also come to terms with the fact that such ideas are now a readily available frame through which elements in our own communities can articulate their disaffection.

A note of caution. Our ethno-religious background is not the only condition that impacts our life as citizens of the country today. Our economic position and level of education, the region in which we are settled, our gender identity and sexual orientation, the networks that we are a part of, all impact our daily lives. The fact that we are citizens of a small South Asian backwater buffeted by forces not of our making also substantially influence what options are available to us. In Sri Lanka's politics however, an inordinate emphasis has been placed on majority and minority identities formulated in oppositional terms. We have made laws and fought wars on the basis of these antagonisms. The manner in which the country's leaders responded to the Easter bombings, and the manner in which the recently concluded presidential election was represented in the media, are examples of how ethno religious political identities cast in terms of majorities and minorities suddenly assert themselves as the decisive frame through which we must think of ourselves.

Different Muslim groups in this country are getting organized in various fora towards formulating a response to this crisis. I feel however, that our interventions are inadequately informed by a vision for the country's future that is grounded in an understanding of our history.

Professor M.A Nuhman, writing to the newspapers on recent death anniversary stated that he considers A.M.A. Azeez to be one of the "makers of the Muslim mind," and as the Muslim community's foremost intellectual since Siddi Lebbe. Regardless of the fact that Azeez was the first Muslim civil servant, and one of the first Muslim members of the Senate the positions adopted by Azeez with regards to the pressing questions of his time are not understood adequately as representative of a Muslim perspective of the period. Qadri Ismail writing about Muslims and their engagement with the idea of ethnicity described in 1995 the manner in which Sir Razik Fareed supported the bill for Sinhala only.<sup>1</sup> (Ismail 1995). Ismail was thereby furthering a story that was made popular among Sri Lankan academics by historian K.M. De Silva. De Silva's thesis is that Muslims were a "good minority" defined as practicing an "accommodationist" politics with those modeling the Ceylonese state around a notion of Sinhala nationhood alone.<sup>2</sup> Ismail does not mention the fact that A.M.A Azeez in fact resigned from the United National Party (UNP) on the basis of this piece of legislation. His principled opposition to the bill, demanded that it incorporate all the qualifications and prevarications that its promoters were making. Permitting an additional ten year transition process prior to implementation, properly defining the manner in which the provisions will be implemented, laying out what support might be provided for communities that don't speak Sinhala to

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1. Q. Ismail, *'Unmooring Identity: The Antinomies of Elite Muslim Self-Representation in Modern Sri Lanka'* in P. Jeganathan & Q. Ismail (Eds.) (1995) *Unmaking the Nation: The Politics of Identity and History in Modern Sri Lanka* (Colombo: SSA): pp.62-107. Ismail mentions M.M.Mustapha's rebuttal of Fareed and makes much of Mustapha's eastern province identity. Azeez's opposition, however, is not based on a regional identity but on a recognition that the majority of Ceylonese Muslims were Tamil speaking.
  2. K.M. de Silva, *'The Muslim Minority in a Democratic Polity: The Case of Sri Lanka: Reflections on a Theme'* in M.A.M. Shukri (Ed.) (1986) *Muslims of Sri Lanka: Avenues to Antiquity* (Beruwela: Jamiah Naleemia Institute).

transition into the language were demands made by Azeez in the Senate. When these demands were not met, when the UNP too supported the bill, Senator Azeez resigned.

I find inspiration in A.M.A. Azeez's intellect, erudition and far-sight. I see in Senator Azeez's position on issues a reflection of the complicated location that Muslims were compelled to occupy in a polity already defined as one of ethnic communities struggling to assert their respective identities. Taking the principled position on the problems that emerged and not the one that was most pragmatic or most expedient, A.M.A. Azeez provided us with a location through which we the Muslim intelligentsia struggling with our new reality in Sri Lanka could reposition ourselves as Sri Lankan citizens.

I have been asked today, to speak in general terms about the problems faced by Muslims in Sri Lanka and how they were addressed. I want to concentrate on several moments in the aftermath of independence that dealt with issues concerning minorities and Muslims' responses to them. I have three stories to relate which I hope will be illuminating of Muslims' engagement in majority-minority relations in the country and provide lessons for us today. I have deliberately located these stories in relation to issues that have impacted the different Tamil groups in the country. I think such an emphasis will shed light on why the label of "good minority" might be unhelpful for us in current times.

Muslim leaders' engagement with the broader Sri Lankan leadership was decided by the manner in which Sri Lanka, then Ceylon, began to organise itself as an independent country. The British institutionalised ethnic groups and their place in the country through their systems of classification and control. Although experimenting briefly with a non-communal system in 1931 the British ultimately left the country with a local elite unable to imagine itself politically as anything other than ethno religious groups in competition. As is now evident this system has been disastrous for the country.

The Sinhala peasantry, seeing themselves as a majority that was severely under privileged anticipated greater power through decolonization. The Jaffna Youth Congress, commenting on G.G.

Ponnambalam's proposal for 50-50 balanced representation for the minorities and the majority under the Soulbury Commission stated that

The Sinhalese peasantry are suffering from a scarcity of land and are becoming rapidly pauperised. The business of the island is in the hands of the Europeans and the Indians. The coconut industry is the only industry that remains in the hands of the Sinhalese. Even in this more than seventy-five percent of the estates are mortgaged to Indian capitalists. Even in the professions and the Government service Sinhalese occupy a comparatively inferior place. Whatever the reason for this state of affairs the Sinhalese are becoming sensitive to their inferior position and are crudely attempting to reassert their position. In this delicate state of feeling the granting of the 50-50 demand will make them feel that they are to be reduced to a state of political helplessness, and will call forth the most violent reaction. Communal propaganda will be openly carried on by the Sinhalese. The leadership of the Sinhalese will pass into the hands of avowedly communal elements [like the Sinhala Maha Sabha].<sup>3</sup>

The trouble with organizing politics privileging the majority was also anticipated. Justice M.T. Akbar writing in 1940 stated

Unless after the war, conditions are changed so as to allow the minority communities also to participate in the real government of the island, life would not appear to be worth living in Ceylon for the minorities. If all political power is in effect vested in one community simply because they are more in numbers it will only be a matter of a few years before all the services both public and semi public will be manned exclusively by the members of the community either by direct methods or indirect methods.<sup>4</sup>

.....When the police, the excise, the magistracy, the prisons the hospitals and even the peons are all of them recruited mostly from

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3. Quoted in Rajan Hoole, *The Fifty-Fifty Interlude: Communalism or Nationalism?* <https://www.colombotelegraph.com/index.php/the-fifty-fifty-interlude-communalism-or-nationalism/> accessed on January 7, 2020.
  4. *Star of Islam* 1940.07.30 p. 11 *Position of the Minorities in Ceylon*. M.T.Akbar. KC.,BA., L.L.B. Cantab.

one community, it leads to most refined oppression and the creation of an inferiority complex.<sup>5</sup>

The fact that successive governments consolidate the majority access to power and resources at the expense of the minorities in the country is now well known. These regimes' inability to manage the country's many communities' interests, and in fact their deliberate mismanagement for meagre political gains has resulted in a separatist war and more recently given rise to virulent anti Muslim hate.

Drawing on the need to historicize majority minority relations in this country, and specifically, the need to critically interrogate the manner in which decisions made addressing the Tamil minorities has impacted the Muslims, this talk will address three historical moments.

The first of these is the Citizenship Legislation of 1948 and 1949 and the manner in which the Muslim leadership responded. This legislation stripped the entire Indian Tamil population in the country of their citizenship if they could not prove their belonging and deprived them of the franchise rights they were already exercising. The second is the country's first autochthonous, that is, the first home-grown constitution of 1972. This constitution rejected Federalism as a possibility and institutionalized the Unitary State, and it also did away with Article 29 (2) of the Soulbury constitution that was instituted to guarantee minority rights. The third instance that I will be speaking about is how the ethnic "riot" becomes an instrument of Ceylonese and later Sri Lankan politics.

### **The Citizenship Legislation of 1948 and 1949 and the disappearance of the Coast Moor.**

The Ceylon Citizenship act of 1948 rendered nearly 800,000 people of Indian descent—12% of the population—non-citizens pending the processing of their citizenship applications and deprived them of the franchise rights that they were already exercising.

Nehru's proposal required that all those who declare an interest in settling in Ceylon show residence of 7 years in the country prior

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5. *M.T. Akbar in the Star of Islam, May 11th 1940.*

to 1948. D.S Senanayake instead wanted that married persons show proof of residency going back 10 years from 1945, and that unmarried persons show proof of seven. Applicants had to show that they had an adequate means of livelihood and conformed to Ceylonese marriage laws. In addition all applications had to be made within two years of the legislation. The Indian and Pakistani residents' (citizenship) Act no 03 of 1949 brought much of the above proposals into law and provided ample scope for the rejection of large numbers of applications on technical grounds. An illegible signature by an official, the failure to prove virtually uninterrupted residence, lack of proof of an assured income of reasonable amount or questions regarding the legality of a marriage were sufficient grounds for rejection.<sup>6</sup>

#### **Amita Shastri commenting on the legislation states-**

The deprivation of the Estate Tamils of their citizenship rights had important repercussions for the long-term workings of the political system set up at the time of independence... This action, in effect, kicked the bottom out of the tentative checks and balances that had been included in the system during the negotiations for independence to address minority concerns and to protect their interests. The new citizenship and franchise laws critically altered the electoral weightages between the various ethnic groups on the island.<sup>7</sup>

The elites of all ethnic groups – Sinhala, Tamil and Muslim seems to have come together to support the stripping of citizenship and disenfranchisement of the Indian Tamil population who were at that time becoming a working class political powerbase supporting the Left parties. Sir Razik Fareed is among those that supported the citizenship bill. Fareed's position reflected his support for the bill stripping not just the Indian Tamils of their citizenship but also of prohibiting citizenship for the Coast Moors.

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6. Amita Shastri (1999) *Estate Tamils, the Ceylon citizenship act of 1948 and Sri Lankan politics*, *Contemporary South Asia*, 8:1, 65-86 p 77.

7. *Ibid.* p66.

### **And the following is Fareed during the debate:**

We the Ceylon Moors have suffered the most in the past for the want of a citizenship bill. Certain people who call themselves Muslim have done a great deal of injustice to the Ceylon Moors. We the Ceylon Moors have been treated very badly by certain people under the guise of Muslim brotherhood –I can just quote as an example what has taken place in Main Street Pettah where Ceylon Moors held sway some forty fifty years ago. If the legislation that it is sought to introduce by this bill was in existence at that time today the Ceylon Moors will be owning, as we did then, not only the whole of the Pettah but even the part of the Fort. Anyone in this chamber who opposes this bill is really a traitor to the citizens of Lanka.<sup>8</sup>

Fareed's position has been described by both Qadri Ismail and M.A.Nuhman as reflecting his class interests. As he himself states, he was willing to strip Coast Moors of their citizenship, to protect other Muslims' economic interests.

But perhaps class was not the only reason for his position. In 1950 S.L. Mohamed wrote a fiery pamphlet arguing for the preservation of the term "Moor" over the more inclusive term "Muslim" to refer to the largest group among the communities in Ceylon professing the Islamic faith. The Muslims League, together with the Ceylonese Muslim Union (an offshoot organised for this purpose alone) was attempting to legislate the latter name as the preferred name by which to refer to the communities following Islam. Mohamed was writing on behalf of the Moors Direct Action Committee and against the Ceylon Muslim League which had a history of pushing for an understanding of "Muslim" as a category that included not just Moors but all those who professed the faith. The arguments offered by Mohamed in support of preserving the term "Moor" are as follows.

There are large numbers of Muslims who sojourn in this country: they are Mopplas, Memons, Hambayas Bohras Pathans etc. They have their Mosques, institutions, associations and clubs. They have their racial differences. Of all the followers of Islam in Ceylon only the Moors and

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8. Quoted in M.A. Nuhman (2007) *Sri Lankan Muslims: Ethnic Identity within Cultural Diversity* (Colombo: ICES).



Malays claim Ceylon as their home. The Moors are not Indians and no Indians or Pakistani is called a Moor in his country or anywhere else. By adhering presently to the word Moor, the Marakkala or Yonaka wishes to be classed as a member of the indigenous population and not of the floating stock.<sup>9</sup>

Mohamed was arguing for a recognition of the Moors' and Malays as indigenous to Ceylon and as therefore different from the many other sorts of Muslims that populated the island at the time.

Mohamed together with Razik Fareed feared in the wake of the citizenship acts that the entire Muslim population too could have its citizenship rendered suspect, if it could not claim authenticity through asserting indigenoussness on the island.

If the state could place the citizenship of 800,000 plantation Tamils, then 12% of the population in question, what could they not do to the only 600,000 strong grouping of Muslims?

Therefore in addition to supporting the citizenship bill that would essentially render the "certain people" in Fareed's speech, the Coast Moor, a non citizen, Fareed also wanted through the Moors Direct Action Committee, to have all Muslims ally with the term Ceylon Moor.

### **As Mohamed states in his pamphlet**

The Moors in Ceylon do not identify themselves with the Moors in Spain, Morocco or Moor of Philippine, nor do they identify themselves with any Muslims in India. They love the names Marakkala, Sonahar and Moor. According to the Ceylonese "citizenship" all Moors are Ceylonese, as the Moors of Ceylon have been born from generation to generation in Ceylon. The other non-Ceylonese Muslims need to be made so by application.<sup>10</sup>

It is important to note that of the Muslim leaders who resisted the Moor labelling A.M.A. Azeez was prominent. According to Azeez the Moor

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9. *In John Holt Ed. (2011) The Sri Lanka Reader: History Culture Politics. Durham: Duke University Press. p.42*

10. *Ibid. p 42.*

Associations reading of the problem was opportunistic and went against all Islamic principles.

We are told ...that if we do not call our community by the name of Ceylon Moors we shall lose the rights and privileges attaching to Ceylon citizenship and that our loyalty to Ceylon will be in doubt. I have never come across a more misleading appeal in my life. Where has the government told the advocates of the Moorish creed that citizenship may be taken away from us if we call ourselves Ceylon Muslims, a term that has been in use for the past several years from the time of British occupation or even earlier?

The citizenship act no 18. of 1948 lays down clearly the qualifications necessary for a person to become entitled to the status of a citizen of Ceylon. Nowhere in that act is any special place or status given to any race religion or community.

This kind of propaganda shows us clearly how the educational backwardness of our community can be exploited.<sup>11</sup>

The fact that the Muslim communities of Ceylon were beset with anxieties regarding their citizenship status is made clear in Mohamed 's pamphlet and in Azeez's rebuttal. And Muslims' connections with what was suddenly and significantly part of the "outside" of the nation state was not limited to the Coast Moors' itinerancy alone. The Coast Moors were an itinerant community claiming belonging to both Ceylon and to South India's Coromondal Coast. They had been present in Sri Lanka during the British period and perhaps even earlier, Asif Hussain speculates that they were present during both the Portuguese and Dutch periods as well.<sup>12</sup> They were enumerated in the 1911 Census. In 1911 there were 32,724 Coast Moors and 223, 901 Ceylon Moors.<sup>13</sup> Connections with India and constant mobility across the Palk Straights was a feature of Muslim life not confined to "Coast Moors" alone. Many of the prominent Muslim families in the country traced their origin to Kerala, the opposite coast to that from which most Coast Moors hailed. The wealthy were exempt from

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11. A.M.A. Azeez *Ceylonese Muslim Union. 1949 (Quoted in Nuhman 2006) p.*

12. Hussein, Asif (2007) *Sarandib: An ethnological study of the Muslims of Sri Lanka. Colombo: Asif Hussein.*

13. Nuhman, 2006. p.21

the most egregious strictures of the citizenship act. However, the act was an indication of how states could utilize the prevailing ideas regarding belonging, and entitlement to render entire populations “other.” In such a context what else could it not do, what other forms of bureaucratic sleight of hand could the state not come up with to disenfranchise the Muslims if it saw fit? For this reason Fareed insisted that the Ceylon Moor was Ceylonese for generations unlike the Coast Moor who was itinerant and non - indigenous (for generations). And therefore it was important that that distinction among the various Muslims be maintained.

What was the consequence of this? It was simply that Ceylonese Muslims could no longer openly celebrate the itinerancy and the many linkages that it had with the “outside.”

### According to Professor Nuhman

The Coast Moors or the Indian Moors are the labels given by the British to identify the section of the Muslims who came from Southern Tamil Nadu and temporarily settled in Sri Lanka during their rule.

After Independence, the free flow of the South Indian Muslims was ultimately stopped. The Citizenship Act of 1948 and the Shri- Shastri pact of 1964 compelled them to leave the country. Most of them went back to India after selling or transferring their properties to the local Muslims and others were gradually assimilated into the Sri Lankan Muslim community. The Coast Moors an influential and controversial immigrant community who made their presence strongly felt in the socio-political life of this country silently vanished or submerged leaving their imprint as a past history.<sup>14</sup>

We know little about the legacy left behind by the Coast Moor-- the Chammarkar in Tamil and the Hambaya in Sinhala. Their traces, however, are still with us. In Matale in the Kandy District the main town mosque is called the Chammarkar Palli, Muslim families in Gampola and Matale proudly claimed Chammarkar ancestry from Kilakarai. Nethra Samarawickrema in her work has traced the still existing linkages between the gem traders of Beruwela and those of Kayalpatinam and Kilakarai. McGilvray describes the east coast's links with the Sufi flag

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14. *Ibid.* p.25.

raising ceremonies of Kayalpattinam. Asif Hussein indicates that they founded many businesses including the famous eateries of Buhari and Pilawoos. They were however, made to disappear from the census and from Muslim self-representation. In doing so the Muslims of Sri Lanka rendered silent a significant part of their heritage. No writing, at least in Sinhala or English any longer celebrates the histories of travel and global linkages of the different Muslim communities. The history of that free movement and global connectivity has been superseded by the more truncated and insular histories of the nation state.

### **The Constitution of 1972**

The second example that I want to look at is the Constitution of 1972. The 1972 Constitution was the first autochthonous constitution of the country, and one that strove to distance the country from the British monarchy and establish a republic in Sri Lanka. Such a measure was considered a fundamental political necessity at the time.

Support of such a home-grown constitution based on the sovereignty of the people was due to the fact that the Privy Council had struck down several pieces of legislation proposed by parliament as null and void. The Privy Council's interpretation of Section 29 of the Independence (Soulbury) Constitution as "containing an absolute limitation rendering it completely unalterable" was considered as the basis on which to bring about a break in legal continuity with the previous legal order rooted in Britain.

The United Front government on the basis of this claim won the elections of 1970, and the electorate was in essence voting for the formation of a new constitution based on the sovereignty of the people. Therefore a Constituent Assembly consisting of all the legislators was formed and the 1972 Constitution was drafted.

The 1972 constitution was egregious to minorities, and espoused several positions designed to undermine already crystalized Tamil nationalist claims for autonomy. These claims took the form of a call for a form of "balanced" representation with 50% of the seats for the minority representatives and 50% of the seats for the the majority as proposed by G.G. Ponnambalam of the Tamil Congress in 1946 and the

proposal for four federal states as proposed by S.J.V. Chelvanayakam and the Federal Party later on. The Constitutional Council did not entertain the Tamil demands as proposed by the Federal Party. They in fact institutionalised the unitary state form, gave constitutional status to the language legislation and gave Buddhism the foremost place in the constitution. The 1972 constitution also did away with the minority safeguards of the Soulbury Constitution (Section 29(2)).

Other substantive criticisms of the constitution include that it set the precedent for extra-constitutional constitution-making, it centralized political power, checks and balances were absent, provided for the excessive politicisation of governance, and did not provide for the judicial review of legislation.

A few years later the Federal Party signed the Vaddukoddai resolution of 1976 vowing to fight for a separate state for the Tamil nation. The 1972 constitution was replaced shortly afterwards by the even more egregious constitution of 1978. According to the '78 constitution, amending language on the Unitary state and the place of religion required a 2/3 majority and a referendum.

Reading the Constitutional Council debates it is clear that there is some uneasiness among the Muslim members too regarding what the government was about to do.

For instance,

**M. Faleel, member for Beruwela states**

That is why I said earlier that the main danger...for the minorities may come from their being ignored or neglected. If we are backward or lacking in any respect, whether in the field of education or any other field I trust that your goodwill will help to remedy the deficiency and ultimately help us to be equal in the society of the future...and you all know very well, in as much as we were all once equally subject to British domination, that in order to be equal we must necessarily be able to feel equal. Create that atmosphere and we will on our part respond with unstinted loyalty and support.<sup>15</sup>

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15. *Official Report of the Constituent Assembly*. 21/07/1970 column 430.

### **A.C.S. Hameed, UNP member from Akurana states**

A constitution is not written for a generation. A constitution is written for generations to come. And if a constitution is to last in the context of a South East Asian country like ours, where people of various races, religions and cultures inhabit, the constitution must serve as an instrument unifying the various peoples into one – equal to one another, in no way subordinate to one another. May I repeat that. Equal to one another, in no way subordinate to one another. A unified nation blended into one people breathing the air of freedom. It is with this sense of dedication that we support this motion before this Assembly.<sup>16</sup>

Despite the uneasiness expressed above, the Muslim leaders in government and in the opposition did not oppose this constitution and did not see common cause with the Federal party. Why was this? I have argued following other that this is for three reasons.

First, Dr. Badiuddin Mahmud had been successful in mobilizing the Muslims in support of the United Front government that came to power in 1970. And the Muslims in the SLFP at the time, under Dr. Mahmud's leadership felt that they had some clout in the government. Secondly, the Muslims in the country were dispersed over all of the 24 districts in the country and was not one ethnically identifiable electorate. Muslim politicians were better served as members of a party that was not based on ethno religious identity alone. In fact there were many Muslims that won from constituencies that were not identifiably Muslim. Therefore even the Muslims in the UNP saw no benefit to them to argue against either the unitary state concept or enshrining Buddhism in the constitution. This is all fairly well known. What is less well known or discussed is my third point. The Tamil nationalist project did not adequately understand the Muslims social and political specificity. Their solutions to problems of discrimination dealt with Muslims only perfunctorily, as an add on and sometimes misunderstood the Muslims demographic dispersal and also the relationship between the different Muslim groupings of the South and the East.

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16. *Official Report of the Constituent Assembly: 21/07/1970. column 414.*

### **Muslims and Tamil nationalism.**

Tamil nationalist ideologues have always struggled with incorporating Muslims– also Tamil speaking-- into their power sharing frameworks. Tamil nationalist claim for a federal unit or a separate state is based on the concept of the home land of the Tamil speaking people. 17% of the population of the Tamil speaking peoples' homeland were/are Muslims.

Two examples of Tamil politicians misunderstanding or inadequately integrating the issue of Muslims into solutions for Tamils can be found in the G.G. Ponnambalam's 50-50 proposal and S.J.V. Chelvanayagam's initial conceptualization of the country as four federal units.

### **G.G. Ponnambalam and 50-50. (1939, 1945 Soulbury Commission)**

As Uyangoda and others have pointed out, discussions about minority representation in the 1930s was dominated by the idea of balanced representation.<sup>17</sup> The All Ceylon Tamil Congress (ACTC) proposed that there be a mechanism of representation at the central legislature ensuring a system of power sharing among the majority and minority representatives. The ACTC led by G.G. Ponnambalam proposed that the country be divided into 100 territorial constituencies for an assembly of 100 members. Of these 50 would be demarcated for the minorities and 50 for the majority community representatives. There are various accounts of how the minority representation was to be divided. Uyangoda states that 25 seats were to be given to the Tamils and the rest to the others. However, Dr. Kaleel of the Muslim League documents that Ponnambalam's initial offer to the Muslims was as follows: Ceylon Tamils 17, Indian Tamils 13, Burghers and Europeans 8 (nominated) and the balance 12 seats to be distributed among the others. Dr. Kaleel: Head of Muslim League commenting on the proposals stated, "We are taken for granted and grouped with the residue." Dr. Kaleel was of the opinion that Muslims, a community only fractionally smaller in numbers than the Ceylon Tamils should have a similar number of seats. Although staunchly supported by T.B. Jayah, the plan did not speak to Muslim interests at the time. It was

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17. *Uyangoda, Jayadeva (2001) Questions of Sri Lanka's minority rights. Colombo: ICES.*

inadequately informed by the fissiparous politics among the different Muslim groups.<sup>18</sup>

The Federal Party, at least at one particular historical juncture saw the Muslims as a distinct community, with their own rights of self-determination. At the famous Trincomalee meeting of the Federal Party in August 1956, there was an assertion that both the Tamils and Muslims respectively had the right to self-determination; that while there was a Tamil Arasu, there should also be a Muslim Arasu. Further, in the imagined federal states of Sri Lanka, there was a Muslim autonomous region. S.J.V. Chelvanayakam in a letter to Dr. M.C.M. Kaleel of the Muslim League proposed the following for consideration by the League:

“The virtue of a Federal Government is that it is a foolproof Government automatically guaranteeing minority rights. We want the new constitution to be a Federal republic with four autonomous states. Two Sinhala speaking states Upcountry and Low country and two Tamil speaking states, (Northern and Southern). The Southern Tamil state from Kalmunai southwards will be chiefly Muslim. Every autonomous state in a federal unit has minorities who are majorities in other states. The inherent natural check of reciprocity keeps all minorities everywhere safe from discrimination and injustice.”<sup>19</sup>

**In relation to the autonomous Muslim state, he said:**

“The Muslim state or the southern Tamil state will have to be carved out of the region in the Eastern Province where the Muslims form a Good Majority. Most probably it will be south of Kalmunai, from Kalmunaikudi southwards...The Gal Oya valley will also come in the Muslim state with all the new industries started there.”

Chelvanayakam also stated that each federal state will preserve and uphold the cultural values peculiar to each people:

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18. See Thawfeeq, M. M. (1987). *Memories of a Physician Politician*. Surrey, Marina Academy and Supplies International.p149-151

19. *Reproduced in full in Dr. Kaleel's Biography*. See Thawfeeq, M. M. (1987). *Memories of a Physician Politician*. Surrey, Marina Academy and Supplies International.p149-151



“It does not matter where one resides as a minority in the Island, because in his own home state his culture language and other peculiar values will be preserved and ones children can be sent for higher education there.”<sup>20</sup>

However, as Dr. Kaleel states in his memoirs, the Muslim League rejected the proposals in toto. There was no legitimate need for the Muslim community of Sri Lanka to have a federal state formulated as a cultural centre for Muslims with which the large majority of Muslims in the country had no organic connection. Only 30% of the Muslims lived in the north and east. The 70% that lived outside and had no affiliation with the fairly remote and underdeveloped eastern region and saw no benefit in having the east recognised as the Muslim centre. Southern Muslims wealth, culture and history and their ancient mosques were all concentrated along the southern Coast and the Hill Country. The place of Jaffna in the minds of the Tamils was in no way similar to the place that the east had in the minds of the Muslims. There was little realisation of this on the part of the Federal Party or the Tamil polity in general. Their plans for the Muslims were not adequately sensitive to or cognizant of the Muslim- specific history or political experience in the country.

S.J.V. Chelvanayakam’s letter was from the 1950s. However, not much had changed in terms of Tamil sensitivity to Muslim specificity by the 1970s. The leaders of the two groups were on different paths and not even M.M. Musthapha from the East saw the possibility of greater engagement. It would only be the emergent leadership led by M.H.M. Ashraf in the East who would see common cause, albeit temporarily with the Tamil nationalist project.

### **The “Riot” as political instrument**

Let me come now to the third story of my talk, the story of the riot. In early January 2020 there was a statement from the Secretary of Defence Kamal Guneratne to the departing Turkish ambassador that incidents like Digana will not take place under the regime of President Gotabhaya

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20. *Ibid.*

Rajapaksha. Such a statement is welcome and appreciated.<sup>21</sup> But for at least the past five years Muslims have lived in fear of the next “riot.” In the aftermath of Aluthgama, Digana, and Kurunegala it is now clear that the impending riot follows a familiar pattern. There is the gradual ratcheting up of hate sentiment on social media, a possible trigger event in a small local community, the increase in tensions in the area and the anticipated explosion of righteously angry violence a few days later. In the aftermath of the infamous 1983 riots, Harvard Anthropologist Stanley Tambiah wrote a book entitled *Ethnic Fratricide and the dismantling of democracy*. There he argued that if the civil society leadership did not intervene to give some guidance to the government a catastrophe would be imminent. When the 1983 riots took place Tamil militancy was already a problem and the UNP government in power was indulging in autocratic excesses. There was a sense of urgency in Tambiah’s writing and he stated that if educated liberal Sri Lankans did not intervene, a great catastrophe would befall the country.

Twenty years later, when we were in the middle of the war, when thousands had died many had migrated and an entire generation devastated, Stanley Tambiah wrote another book. In this book he argued much less hopefully that the riot was an inevitable part of electoral politics in South Asia. It is important that we in Sri Lanka today know this history of the riot and understand its implications for our future.

The anti Tamil riots or violence of 1956 1977 and 1983 are well documented. There was violence all over the country to which the leadership responded in deliberately harmful ways. Bandaranaike’s statement on the radio after the first few days of rioting in 1956 exacerbated the violence. J.R. Jayawardena in his speech in parliament blamed Tamil recalcitrance for the violence in 1977. In 1983 J.R. and members of his cabinet failed to acknowledge or address Tamil victimhood after the violence. Those who have documented the violence in the aftermath, Tarzi Vittachi for 1956, the Sansoni Commission for 1977 and numerous local and foreign academics in the aftermath of 1983 have recorded the

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21. [http://www.defence.lk/Article/view\\_article/798](http://www.defence.lk/Article/view_article/798) *Defense Secretary bids farewell to outgoing Turkish ambassador.*

organized nature of the violence, the cultivation of righteous anger and the leadership's refusal to do anything about it.

In addition to the larger national story of the anti Tamil riot the less well-known story of the anti-Muslim riot during the same era is also relevant. There was rioting in Puttalam in 1976 and in Galle in 1982 and Mawanella in 2000.<sup>22</sup> All three of the latter incidents were against the Muslim populations of the respective areas and the perpetrators were Sinhala youth sometimes led by Buddhist monks. None faced any consequences and Police collusion was evident. Ethnicized violence then was used against both the Tamil and Muslim communities before the war. Only the scale of the usage was different.

Tambiah developed a typology regarding what ingredients were required for such a riot.

In riots staged in recent decades, there is evidence of 'riot captains' carrying with them the addresses and names of victims, and carrying with them gasoline and kerosene and crude weapons for arson and demolition.

A second feature of riots is that a wide spectrum of the population is involved among the attackers, not just criminal elements and the lumpen proletariat, ...but more extensively regular workers, artisans and members of the lower middle class, and behind them providing direction and securing the collusion of authorities, operate the middle range politicians,.. and ...members of the middle and professional classes. A third feature is ... the collusion of the police in the riots, their conduct ranging from non-action collusion and direct participation.<sup>23</sup>

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22. *And these are only the events that have been documented. There are many others that have not been thus documented as yet –like Aluthgama in 1996. See Nagraj and Haniffa (2018). Towards recovering histories of anti Muslim violence in the context of Sinhala Muslim tensions in Sri Lanka. Colombo: International Center for Ethnic Studies.*

23. *Tambiah, S.J. (1986) Ethnic Fratricide and the Dismantling of Democracy. Chicago: University of Chicago Press.*

And also

Rioters (as indeed is the case with the riot crowds in many other parts of the world) are “purposive” as to the destruction of property. That is to say, property destruction and looting are not fickle, momentarily dictated “irrational” actions but are integral and repetitive features of ethnic riots that are linked to “leveling tendencies.”<sup>24</sup>

Tambiah’s book *Levelling Crowds* was published in 2005, nine years before Aluthgama. Much of his framework, however, fitted the violent events before the war as well as those of Aluthgama, Kandy and Kurunegala.

We interviewed five monks in Digana Theldeniya and Akurana in the aftermath of the violence in Kandy in 2018. All were very regretful of what had taken place. All mentioned—with grave concern-- the persons who were arrested for the violence, and detained on charges of curfew violations. “Their families were suffering, and the children’s schooling was affected”, we were told. Many of these alleged perpetrators went along because “they were young, they had no sense, they wanted to see what was going on, they were intoxicated,” the monks told us. There should be programs to inform people ahead of time that if they do such things there will be consequences and that the law will be applied strictly to them, one monk suggested. Some, we were told, had been accused wrongfully. Uniformly, in these conversations, there was very little discussion about the damage to Muslim property and the trauma suffered by the affected community. What seemed clear in these interventions was that, while regrettable, there was nothing extraordinary about crowds getting together for the kind of violence that had transpired. These young men engaged in what young men sometimes do in all villages--get together to right a perceived wrong. Even among Muslims, community crowds coming together to address an injustice is common. Within the Muslim communities they have mostly been mobilizations against illicit sex, against women suspected of transgressions and against those seen to

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24. *Tambiah, S.J. Reflections on Communal violence in South Asia -The Journal of Asian Studies, Vol. 49, No. 4 (Nov., 1990), pp. 741-760 p 751.*

be of “deviant” religious sects.<sup>25</sup> Here the lesson is that while the motive might have been political and there was a long term cultivation of anti Muslim sentiment, there was already an established community practice that was being utilized for the riot. While we critique the prevalence of racist violence let us not forget that the local level anti democratic practices utilised for the riot are what Muslim communities were also quite comfortable indulging in. We have applauded crowds of young men gathering to right the wrongs in their communities. It is seen as commendable. But this taking of the law in to community hands is what is getting mobilized for the riots as well.

Researching issues of identity and violence during the war I remember being told that the enmity between the Sinhala and Tamil was in the blood, it was primordial. This is of course a fiction that obfuscates the constructed nature of such enmities. The enmity against the Muslim however, was manufactured recently and we witnessed it being made to take on the heightened form that it has today. While differences and even antagonisms between groups is a constant reality in a tensely plural polity such as ours, the manner in which hate sentiment was amped up by groups led by monks after the end of the war, is specific. The media mobilization, the large public meetings and the monks networks that were activated to mainstream the hate sentiment was so successful that Aluthgama and Digana and more recently Kurunegala were quite easy to stage. And what is interesting and different regarding the anti Muslim riots – at least this particular iteration of it – is that the emphasis is on property destruction only with steps taken to ensure the minimum of harm to persons. There is also evidence that support for the violence, especially funding for supplies like fuel, alcohol and food were forthcoming from local businesses. The emphasis on property alone is unusual and unlike the instances prior to the war when many person lost their lives. Thousands were killed in 1983. The haunting image of the young Tamil man being tortured in public by jubilantly laughing Sinhala men has become iconic. There seem to be active processes in place to limit the harm to persons in the new anti

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25. Haniffa, 2016. *Sex and Violence in the Eastern Province: A Study in Muslim Masculinity*. In *The Search for Justice: The Sri Lanka Papers*. Edited by Kumari Jayawardena and Kishali-Pinto Jayawardena. New Delhi: Zubaan. (Zubaan series on sexual violence and impunity in South Asia).

Muslim riots. The staging and the politics behind the process is clearest in this prohibition of harm against persons. The potential outcry against such happenings would of course be far greater if there was death and injury involved. Damaging property perhaps achieves the political and economic impact that is anticipated without the international political cost.

This talk I hope has highlighted some issues that the Muslim intelligentsia – academics and activists should address in coming to terms with our contemporary reality. In my relating of the politics I have highlighted Muslim complicity in maintaining certain egregious and unjust practices that behoves some critical reflection. In the on going Muslim community conversations about the need for reform I have encountered critiques of the manner in which our preoccupations with religious practices have distanced us from sister communities and impeded our self-understanding as citizens of Sri Lanka. I would ask that we broaden this self-reflection further to incorporate a history of the country's politics and our leaders' complicity in maintaining anti democratic practices. I have also attempted to highlight elements of group relations in the country that challenges simplistic notions about good and bad minorities.

I have tried to show the manner in which actions of the state impacted both Tamil and Muslim communities due to our minority status and highlighted some of the historical circumstances that have made allegiances—at least at the political level-- difficult. At this time in Sri Lanka it is important that we identify all possible allies. And perhaps our allies should be also from groups of people who have experienced what has been the reality of a violently minoritized existence. There is still much that is strained about relations between Muslim and Tamils in the country. The enmities cultivated during the war- that I have not highlighted today-- continue to reverberate among communities in the north and east. The polarisation in the eastern province is extreme and exacerbated after the Muslim suicide bomber detonated himself at Zion Church in Batticaloa. Any discussion of devolution is tense and fraught. Yet it is imperative that we—members of the intelligentsia—try to find common cause.

There are already many fora in the north and east where there is a coming together of Muslim and Tamil communities. The Tamil, Muslim and Sinhala sisters group mainly based out of Ampara and Batticaloa that has been functioning since 2014 and facilitated by the Suriya Women's development centre in Batticaloa is one such example. The Women's Action Network constituted by women activists across the north and east and the Jaffna Forum for Coexistence are some of the other civil society collectives that already exist doing the necessary work across communities. It is hoped that many more such endeavours will be entered into in the future.

In the formation of the post-colonial nation state our leaders took many steps. These steps, legitimate in terms of the logic of the nation state were violent and exclusionary of minorities. And in many instances, those who were termed minorities utilized the same logic of the nation state form to in turn marginalise and minoritize others. It is imperative that our critique of our current condition be informed by this analysis so that we can avail ourselves of better options for our future.

## About the Speaker

**Dr. Farzana Haniffa** is Senior Lecturer in Sociology at the University of Colombo and was Smuts visiting fellow in Commonwealth studies at the Center for South Asian Studies at the University of Cambridge (2018/19). She obtained her Ph.D. in Anthropology from Columbia University, New York in 2007. Her research and activist interests have concentrated on the social and political history of Muslim communities and on gender politics in Sri Lanka. She has published on the Islamic reform movements, the history of minority involvement in electoral politics and the 2001 peace process, Northern Muslims' place in discourses regarding return, resettlement and reconciliation, and on the post-war mobilizing of anti Muslim rhetoric. Haniffa's writings on gender have looked at women in the Islamic piety movement in Sri Lanka, militarization and masculinity among Eastern Muslim communities and the gendered nature of post-war anti Muslim sentiment. In January 2016 Haniffa was appointed by the Prime Minister's Office to the Consultation Task Force on Reconciliation Mechanisms. In 2016 Haniffa was also a visiting research fellow at the Leibniz Zentrum Moderner Orient in Berlin. Haniffa serves on the management council of the Social Scientists' Association, and the Board of Directors of the Law and Society Trust in Sri Lanka.