

Structural Mechanisms of Suppression, 1948–2026

Constitutional, demographic, security, ideological and post-war mechanisms affecting Tamil and Tamil-speaking communities across six eras, read through ethnocracy scholarship.

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§1 THEORETICAL FRAMEWORK: ETHNOCRACY, LINGUISTIC NATIONALISM, AND STRUCTURED INEQUALITY

Before cataloguing individual mechanisms, it is essential to situate them within a coherent analytical frame. Neil DeVotta's concept of "linguistic outbidding" describes how Sinhalese political parties — primarily the Sri Lanka Freedom Party (SLFP) and the United National Party (UNP) — competed for Sinhalese Buddhist votes by escalating ethnic and linguistic nationalist promises, each outbidding the other on anti-Tamil policy, creating a structural ratchet that progressively excluded Tamil political participation (DeVotta, *Blowback: Linguistic Nationalism, Institutional Decay, and Ethnic Conflict in Sri Lanka*, 2004, Stanford University Press).

Stanley Tambiah (*Buddhism Betrayed? Religion, Politics, and Violence in Sri Lanka*, 1992, University of Chicago Press) identifies the fusion of Sinhala ethnicity, Buddhism as state religion, and territorial claims rooted in the Mahavamsa chronicle as the ideological substrate upon which each of the mechanisms below was constructed. Nira Wickramasinghe (*Sri Lanka in the Modern Age: A History*, 2014, C. Hurst & Co.) contextualises these mechanisms within post-colonial state formation, showing how the Donoughmore and Soulbury constitutions created a majoritarian electoral system with no minority veto provisions — a structural precondition for all subsequent exclusions.

Jayadeva Uyangoda ("Ethnic Conflict, the State and the Tsunami Disaster in Sri Lanka," *Inter-Asia Cultural Studies* 6:3, 2005) frames the postwar period as a "victor's peace" in which the state successfully militarised the resolution of a political conflict, eliminating accountability. Jonathan Goodhand and Bart Klem (*Between War and Peace: A Multi-Positional Study of Political Settlements and Transition in Sri Lanka*, 2019, London School of Economics) document how post-war reconstruction became an instrument of continued marginalisation. These frameworks govern the interpretation of every mechanism below.

§2 PART I: CONSTITUTIONAL AND LEGISLATIVE ARCHITECTURE

§ MECHANISM 1 — Ceylon Citizenship Act No. 18 of 1948 & Indian and Pakistani Residents (Citizenship) Act No. 3 of 1949

Category: Legislation / Disenfranchisement Target: Malaiyaha (Up-Country/Hill Country/Estate) Tamil community

What It Is The Ceylon Citizenship Act 1948, enacted on 20 August 1948 — within months of formal independence from Britain — established two categories of citizenship: by descent and by registration. The burden of proof was designed to be functionally impossible for the majority of estate Tamil workers to meet. Section 4 required proof of birth in Ceylon for the applicant and either the father or paternal grandfather, a requirement that effectively excluded those brought from Tamil Nadu by British planters from the 1840s onward, who had no documentary genealogical records. The Indian and Pakistani Residents Act 1949 provided a nominal registration pathway but imposed a waiting period, income threshold, and literacy requirements calibrated to fail the majority of estate workers, who were among the most economically impoverished people in South Asia.

Creator and Stated Purpose Prime Minister D.S. Senanayake (UNP). Stated purpose: to rationalise citizenship in

the new nation-state and distinguish "Ceylonese nationals" from temporary residents of Indian origin. The British-era plantation economy had imported approximately one million Tamils from South India between 1840–1930; the new state declined to recognise their multigenerational presence as conferring belonging.

Actual Effect Approximately 975,000 to 1 million Malaiyaha Tamils were rendered stateless at a stroke. Their electoral rolls were removed. Since they had formed a decisive vote bloc in central province constituencies, their disenfranchisement directly transferred approximately 7 parliamentary seats from Tamil-allied representation to Sinhalese-majority control (DeVotta 2004, p. 52). The stateless were rendered unable to own land, access welfare, or contest employment protections. The Sirima-Shastri Pact (1964) and Sirima-Gandhi Pact (1974) partially addressed the question by distributing "stateless" persons between India and Sri Lanka as if they were a diplomatic commodity rather than rights-bearing people, but hundreds of thousands remained effectively stateless until the Grant of Citizenship to Stateless Persons Act No. 5 of 1986 and subsequent measures.

Evidence of Suppressive Function Verité Research (2019, Hill Country Tamils of Sri Lanka: Towards Meaningful Citizenship, jointly with Institute on Statelessness and Inclusion) documents how statelessness cascaded into landlessness, educational exclusion, and vulnerability to labour exploitation for decades. The UN Working Group on Arbitrary Detention has noted the continued precarity of citizenship documentation among estate Tamil communities. Cambridge University Press (Citizenship and Statelessness in Sri Lanka: The Case of the Tamil Estate Workers, JSTOR j.ctt1gxpdf7) provides the definitive legal history. Senevirathne, Quayle & West (Accounting, Auditing and Accountability Journal, 2025) analyse the role of colonial-era accounting systems in constructing "racial inequality" that the 1948–49 Acts formalised.

Structural Significance The 1948–49 Acts established the foundational precedent: citizenship itself could be made an instrument of ethnic engineering. They demonstrated that the new state regarded Tamil communities not as co-citizens but as a demographic problem to be managed through law.

§ MECHANISM 2 — Official Language Act No. 33 of 1956 ("Sinhala Only Act")

Category: Legislation / Linguistic exclusion **Target:** Sri Lankan Tamils, Malaiyaha Tamils, Eastern Tamils, Tamil-speaking Muslims

What It Is The Official Language Act, passed on 5 June 1956 by Prime Minister S.W.R.D. Bandaranaike's SLFP government, declared Sinhala to be the sole official language of Ceylon, replacing English. It contained no provision for Tamil, which was then the mother tongue of approximately 23% of the population.

Creator and Stated Purpose S.W.R.D. Bandaranaike, SLFP. Stated purposes: decolonisation of language, empowerment of rural Sinhalese who had been disadvantaged by English-medium administration, and democratisation of state access. The "Sinhala in 24 hours" campaign slogan captured the electoral populism driving the measure.

Actual Effect Tamil public servants were required either to pass Sinhala language examinations or face demotion, transfer, or termination. Since Tamils had been disproportionately represented in colonial-era civil service positions (owing to American Mission-founded English-medium education in the north), the Act immediately disadvantaged thousands of Tamil civil servants. Tamil became inadmissible in courts, government offices, hospitals, and police stations in Tamil-speaking areas. Tamil children educated in Tamil-medium schools were systematically excluded from government employment pathways, as all state examinations were conducted in Sinhala. The Act was the single most galvanising structural grievance in the escalation of Tamil demands from federal autonomy to separatism.

The Bandaranaike-Chelvanayakam Pact (1957), which would have provided Tamil with "reasonable use" status, was abrogated by Bandaranaike under pressure from Buddhist monks and opposition leader J.R. Jayewardene. The Dudley-Chelvanayakam Pact (1965) was similarly abrogated. Repeated abrogation of negotiated solutions demonstrated that Tamil political demands could not be met through constitutional politics.

Evidence of Suppressive Function S.J. Tambiah (Ethnic Fratricide and the Dismantling of Democracy, 1986, University of Chicago Press, ch. 2–3) provides the canonical analysis. Kumari Jayawardena (Ethnic and Class Conflicts in Sri Lanka, 1985, Centre for Social Analysis) situates the Act within the class-based political economy of Sinhalese nationalism. DeVotta (2004, pp. 62–96) documents the "linguistic outbidding" dynamics. The Act was amended (13th Amendment, 1987, via the Indo-Sri Lanka Accord) to give Tamil "official language" status alongside Sinhala, but implementation in the north-east remained partial and inconsistently enforced (Verité Research, Tamil Language Rights, 2014).

§ MECHANISM 3 — University Standardisation Policy, 1972–1973

Category: Administrative policy / Educational discrimination Target: Sri Lankan Tamils (principally Jaffna and estate communities)

What It Is Implemented by the United Front government of Prime Minister Sirimavo Bandaranaike in 1972 and refined in 1973, the Standardisation (or "media-wise standardisation") policy established differentiated cut-off marks for university admissions based on the language of instruction (Sinhala-medium vs. Tamil-medium) rather than on a unified merit standard. Subsequently, a district quota system imposed geographic distribution requirements that further disadvantaged Tamils concentrated in the Northern Province.

Creator and Stated Purpose The Minister of Education under the SLFP/LSSP/CP United Front government. Stated purpose: to correct historical inequities by which Tamils had gained university places disproportionate to their population share (particularly in science and engineering faculties), attributed to better-resourced schools in the north. The government framed it as affirmative action for rural Sinhalese.

Actual Effect Neil DeVotta (UNU-WIDER Working Paper 2022/86: Standardization and Ethnocracy in Sri Lanka) provides the authoritative quantitative analysis. Under the pre-1970 merit system, Tamil students (approximately 11% of the population) gained approximately 35–40% of medical and engineering places due to concentrated, high-quality English/Tamil-medium schooling in Jaffna. Under standardisation, Tamil admissions to science faculties dropped precipitously: in medicine from approximately 49% to 19% between 1969 and 1975. By the late 1970s, Tamil students were required to score 10–20% higher than Sinhala-medium students to gain equivalent placements.

The effect was to block the primary professional and social mobility pathway for an already economically marginalised community. A generation of educated Tamil youth who would have become doctors, engineers, or lawyers found those paths closed. DeVotta (2022) and Tambiah (1986) both document this as a critical radicalisation driver: the founding members of the LTTE and other Tamil militant organisations were disproportionately university-excluded young men of the early-to-mid 1970s.

Evidence of Suppressive Function The UN Secretary-General's Panel of Experts on Accountability in Sri Lanka (2011, "Darusman Report", A/HRC/19/CRP.1) identifies standardisation as a structural grievance feeding the armed conflict. The CPA publication Republic at 40 (2012) contains multiple scholarly analyses of the 1972 constitutional moment, of which standardisation was part. The UCLA research paper "The Contribution of Education to Tamil Separatism" (Aleph, UCLA Undergraduate Research Journal) synthesises the educational discrimination literature.

§ MECHANISM 4 — Constitution of the Republic of Sri Lanka, 1972

Category: Constitutional architecture Target: All minorities; principally Sri Lankan Tamils

What It Is Sri Lanka's first republican constitution, enacted 22 May 1972, replacing the Soulbury Constitution. Key provisions adverse to Tamil interests: (i) Buddhism given the "foremost place" (Chapter II — replicated and strengthened in Article 9 of the 1978 Constitution); (ii) Unitary state structure entrenched; (iii) Independent judiciary abolished and Supreme Court subordinated to constitutional assembly; (iv) Section 29(2) protections for minorities (the Soulbury Constitution's only minority safeguard) eliminated without replacement; (v) Sinhala as

sole official language constitutionally entrenched.

Creator and Stated Purpose Sirimavo Bandaranaike's United Front government. Stated purpose: end the "last remnant of colonialism" (the Soulbury Constitution), institute a domestic republican constitutional order, and establish a "Dharmista society" (a Buddhist moral/just society).

Actual Effect The Tamil Federal Party (ITAK/FP) boycotted the Constituent Assembly and refused to ratify the constitution, regarding it as a fundamental abrogation of the compact under which Tamils had accepted independence. D. Sithadthan (CPA, Republic at 40, 2012 ch. 24) documents how the exclusion of Tamil representatives from the drafting process transformed Tamil nationalism from a federalist demand to a separatist one. The elimination of Section 29(2) removed the only judicial protection Tamil communities had against discriminatory legislation. The "foremost place" of Buddhism (constitutionalised as Article 9 in 1978) has been used by courts, ministers, and institutions to privilege Buddhist claims over Hindu, Muslim, and Christian ones in land disputes, planning decisions, and cultural policy.

Evidence of Suppressive Function Nihal Jayawickrama ("Reflections on the Making and Content of the 1972 Constitution," CPA Republic at 40, 2012) provides an insider account confirming that Tamil representatives' proposals were systematically rejected. Ayesha Wijayalath (NUS Centre for Asian Legal Studies Working Paper 18/03, "Constitutional Contestation of Religion in Sri Lanka", 2018) analyses Article 9's operational effect on minority religious communities. Uyangoda (2005) situates 1972 as the constitutional moment that foreclosed power-sharing.

§ MECHANISM 5 — Constitution of the Democratic Socialist Republic of Sri Lanka, 1978 (including Article 9, Executive Presidency, Unitary State Clause)

Category: Constitutional architecture Target: All minorities; specifically Tamil political autonomy demands

What It Is Enacted by President J.R. Jayewardene's UNP government, the 1978 Constitution created an executive presidency of exceptional power, a proportional representation electoral system that paradoxically reduced minority representation by enabling ethnic parties to dominate in scattered districts, and entrenched the unitary state as a non-amendable constitutional principle. Article 9 strengthened the "foremost place" of Buddhism, requiring the state to protect and foster the Buddha Sasana. Chapter IV confirmed Sinhala as the official language (Tamil as a "national language" with qualified official use). Article 157A (Sixth Amendment, 1983) banned advocacy for the establishment of a separate state.

Creator and Stated Purpose President J.R. Jayewardene, UNP. Stated purposes: modernisation, economic liberalisation, political stability through strong executive, and prevention of separatism.

Actual Effect The executive presidency concentrated power in a single office elected on a majoritarian national electorate — structurally ensuring that no Tamil could ever win it and that Tamil voting leverage over presidential elections was marginal (Tamil populations concentrated in the north-east would not constitute a swing vote in most election scenarios). As Wickramasinghe (2014) notes, every president from 1978 to 2022 used emergency powers and the PTA expansively, without legislative accountability. The unitary state principle, entrenched against amendment without a two-thirds parliamentary majority plus a referendum, made any devolution of meaningful power to Tamil-majority provinces constitutionally precarious. The 13th Amendment (1987) created Provincial Councils but simultaneously entrenched military/police powers with the centre, making genuine self-governance for the north-east structurally impossible.

Evidence of Suppressive Function Rampton and Welikala (The Politics of Defusing Devolution, 2011, published through ICES) document how the 13th Amendment has been systematically implemented in ways that deny genuine police, land, and fiscal powers to the Northern Provincial Council. Goodhand et al. (Sri Lanka: Strategic Policy Assessment, 2011, LSE) note that the executive presidency became the prime mechanism for avoiding accountability for wartime abuses. The UN OHCHR/OISL Report (A/HRC/30/CRP.2, 2015, §§ 58–71)

contextualises constitutional architecture as enabling a culture of impunity.

§ MECHANISM 6 — Sixth Amendment to the Constitution, 1983

Category: Constitutional amendment / Political exclusion Target: Tamil political parties and advocates of Tamil self-determination

What It Is The Sixth Amendment (Act No. 6 of 1983) was rushed through parliament in August 1983, in the immediate aftermath of the Black July pogrom. It inserted Article 157A into the Constitution, requiring all Members of Parliament, candidates for election, and public officials to take an oath renouncing any support for the establishment of a separate state or the division of the unitary Sri Lanka.

Creator and Stated Purpose President J.R. Jayewardene, UNP. Stated purpose: to prevent separatism following the outbreak of armed conflict.

Actual Effect The Tamil United Liberation Front (TULF), which had won Tamil seats on a mandate of Eelam (drawing on the 1977 Vaddukkoddai Resolution), was immediately forced out of parliament: their elected representatives refused to take the oath and vacated their seats. The amendment thus removed the legally-elected Tamil political leadership from the national legislature at the precise moment when dialogue was most urgently needed. It permanently foreclosed parliamentary representation of Tamil self-determination politics. Tamil voters in the north-east lost their parliamentary voice just as the armed conflict escalated. UTHR(J) (University Teachers for Human Rights (Jaffna), multiple reports 1989–2009) has repeatedly documented how the political vacuum created by the Sixth Amendment accelerated LTTE dominance as the only remaining Tamil voice.

Evidence of Suppressive Function The Sixth Amendment text (lawnet.gov.lk, 1983Y0V0C0A6S) speaks for itself: any MP who "directly or indirectly, in or outside Sri Lanka, supports, espouses, promotes, finances, encourages or advocates the establishment of a separate State within the territory of Sri Lanka" forfeits their seat. DeVotta (2004, pp. 149–153) analyses the amendment as the definitive closing of constitutional Tamil politics. ICJ (Sri Lanka: A Mounting Tragedy of Errors, Paul Sieghart, 1984) notes the amendment was rushed through an already-ethnic-panic atmosphere.

§ MECHANISM 7 — Prevention of Terrorism (Temporary Provisions) Act No. 48 of 1979 (PTA)

Category: Legislation / Detention and surveillance apparatus Target: Tamil political activists, journalists, community organisers, lawyers; post-2019, also Muslim communities

What It Is Enacted as a "temporary" measure under President Jayewardene in 1979, the PTA has remained in force — in various amended forms — for over 45 years. Key provisions: detention without charge for up to 18 months renewable; confessions made to a police officer admissible as evidence (reversing standard evidentiary rules); detention in any "place authorised by the Minister"; no bail; vague definition of terrorism encompassing activities "prejudicial to national security or the maintenance of public order."

Creator and Stated Purpose President J.R. Jayewardene's UNP government. Stated purpose: to address Tamil separatist violence that had emerged in the late 1970s. The act was framed as a temporary security measure with a three-year sunset clause. The sunset clause was never invoked; the Act was made permanent in 1982.

Actual Effect HRW ("In a Legal Black Hole": Sri Lanka's Failure to Reform the Prevention of Terrorism Act, 2022) documents that the PTA was used for 40+ years to:

- Detain Tamil political activists, journalists, and lawyers for months without charge;
- Extract confessions under torture (corroborated by the UN Special Rapporteur on Torture, 2016 visit report);
- Target ordinary Tamil civilians on the basis of suspected LTTE sympathy without evidence;
- Post-2009 war, detain released Tamil detainees' family members who sought information;
- Post-2019 Easter Sunday attacks, target Muslim community leaders, Islamic scholars, and social media users for

expressing religious views.

Amnesty International (End the Use of and Repeal the Draconian PTA, ASA37/5241/2022) documents that at the peak of PTA use, over 5,000 Tamils were detained simultaneously, many for years without trial. UTHR(J) (Report No. 21, "The Displaced and Dispossessed of the North-East") documents systematic use of PTA detention as a mechanism of terrorising Tamil communities into compliance or displacement. The UN Committee Against Torture (CAT/C/LKA/CO/5, 2017) expressed concern at the PTA's incompatibility with CAT obligations.

Structural Significance The PTA institutionalised an architecture of presumptive criminality for Tamil identity: membership in or association with Tamil organisations, possession of Tamil political literature, visiting a northern village during conflict — all served as grounds for detention. The forensic impact of knowing that any Tamil political activity could result in open-ended detention had a profound chilling effect on civil society across decades.

§ MECHANISM 8 — Public Security Ordinance (PSO) No. 25 of 1947 (as amended) and Emergency Regulations
Category: Legislation / Emergency powers Target: Tamil civilians and political actors during extended emergency rule

What It Is The PSO, enacted a year before independence, gives the executive authority to declare a state of emergency and promulgate Emergency Regulations with the force of law, bypassing parliament. Sri Lanka was governed under near-continuous states of emergency from 1971 to 2011 — nearly 40 years. Emergency Regulations during this period included provisions for indefinite detention, curfews, press censorship, prohibition of meetings, confiscation of property, and collective punishment of communities.

Creator and Stated Purpose Originally a colonial instrument of the British Crown, inherited by the Ceylon state. Used by every post-independence government. Stated purpose: public order and national security.

Actual Effect The ICJ (Emergency Laws and International Standards, March 2009) found that Sri Lanka's emergency laws were structurally incompatible with international human rights standards. Emergency Regulations granted during the 1983 communal violence and thereafter provided legal cover for military operations in Tamil areas that would otherwise constitute war crimes. The OHCHR/OISL Report (2015, § 1146–1179) found that Emergency Regulation-enabled restrictions on humanitarian access, movement of civilians, and media presence in the final stages of the war facilitated mass civilian casualties. The PSO allowed curfews to be declared selectively in Tamil-majority areas, enabling mob violence during pogroms (1958, 1977, 1983) to continue before curfews were declared, while curfews were invoked far earlier in Sinhalese-majority areas during the same events.

Evidence Abizer Zanzi (India Seminar 512, 2002) documents how emergency law was normalised as everyday governance in Tamil areas. Tamil Academic Journal (2022, "Everyday Emergencies: On Sri Lanka's Excessive Use of Emergency Procedure") analyses how emergency procedure was used as a substitute for political accommodation.

§ MECHANISM 9 — Twentieth Amendment to the Constitution, 2020 (Erosion of Independent Commissions)
Category: Constitutional amendment / Institutional destruction Target: Accountability mechanisms affecting all communities, specifically post-war accountability for Tamil victims

What It Is The Twentieth Amendment to the Constitution, passed 22 October 2020 under President Gotabaya Rajapaksa, reversed the power-balancing reforms of the 19th Amendment (2015) and restored broad executive powers. Crucially, it altered the composition and appointment mechanism of the Constitutional Council — which oversees independent commissions — replacing it with a more politically pliable "Parliamentary Council" with only an advisory role. The independent commissions include the Human Rights Commission, the National Police Commission, the Audit Service Commission, the Elections Commission, the Bribery Commission, and the Public Service Commission.

Creator and Stated Purpose President Gotabaya Rajapaksa, SLPP government. Stated purpose: effective governance, streamlined executive decision-making, and national security.

Actual Effect Centre for Policy Alternatives (A Brief Q and A on the Proposed 20th Amendment, September 2020) and ConstitutionNet (Asanga Welikala, "The Return of Sri Lanka's Imperial Presidency") document how the 20th Amendment: removed the bar on dual citizens holding executive office (allowing the US-citizen Rajapaksa to serve); allowed the President to dissolve parliament after one year; removed the independent Constitutional Council's binding appointment power; and concentrated security-sector oversight in the presidency. The Human Rights Commission of Sri Lanka, already weakened by selective appointment, lost further independence. For Tamil communities, this meant that the few accountability institutions that existed were further neutered — at a moment when the north-east remained under heavy military presence and post-war justice demands remained unaddressed.

§3 PART II: STATE-DIRECTED DEMOGRAPHIC AND TERRITORIAL ENGINEERING

§ MECHANISM 10 — State-Aided Colonisation Schemes: Gal Oya (1947), Allai-Kantalai, Padaviya, Mahaweli System B/C/L, Weli Oya/Manal Aru (1984)

Category: Developmental policy / Demographic engineering Target: Tamil and Muslim communities of the Northern and Eastern Provinces

What It Is Beginning with the Gal Oya Development Scheme (1947, pre-independence, but implemented post-1948 as the Gal Oya Development Board Act 1949), Sri Lankan governments systematically sponsored the settlement of Sinhalese settlers from the south into the predominantly Tamil and Tamil-speaking Eastern and Northern Provinces under the rubric of agricultural development and land redistribution. This pattern continued through: the Allai-Kantalai scheme (1950s); the Padaviya scheme (1950s–60s); and most massively through the Mahaweli Development Programme (formally begun 1969, accelerated under the 1977 UNP government), which created Systems B, C, H, and L — with Systems B and C in Trincomalee and Batticaloa districts, and System L in Mullaitivu/Vavuniya — and the Weli Oya (Manal Aru) scheme (1984) in the northern border zone.

Creator and Stated Purpose Gal Oya: the Board created by Minister Dudley Senanayake. Mahaweli: accelerated by President Jayewardene and Minister Gamini Disanayake. Weli Oya: explicitly a security-development hybrid, combining military advance with civilian Sinhalese settlement. Stated purposes: agricultural development, land distribution for land-hungry Sinhalese peasants, rural economic development.

Actual Effect Mohammad Agus Yusoff et al. (Journal of Sustainable Development, Vol. 8 No. 8, 2015, "Land Policies, Land-based Development Programs and the Question of Minority Rights in Eastern Sri Lanka") provides quantitative data: in Trincomalee District, the Sinhala proportion of the population increased from approximately 3% in 1911 to over 27% by 1981 as a direct result of state-aided colonisation. Tamils and Muslims who had farmed the same lands for generations were displaced without adequate compensation or resettlement. Bart Klem and Jonathan Goodhand (Between War and Peace, 2019) document how Mahaweli Systems B and C functionally changed the ethnic composition of strategically critical areas surrounding Trincomalee harbour.

The 1956 Gal Oya riots — one of the first major anti-Tamil pogroms — were triggered precisely in this newly-settled Sinhalese area where settler-Tamil tensions had been deliberately inflamed by the Citizenship Act-era displacement of Tamil plantation workers. The Weli Oya scheme of 1984 was specifically designed to create a Sinhalese demographic buffer separating the Northern and Eastern Provinces, a stated goal of military strategists (PEARL, State-Sponsored Sinhalization of the North-East, March 2022, pp. 8–14).

Evidence of Suppressive Function PEARL (2022) provides mapping evidence showing the direct correlation between colonisation scheme areas and current military base locations. Sangam.org ("Systematic Colonization of the Northern and Eastern Provinces," 2012) synthesises historical records. The Oakland Institute (Escalating Land

Grabs Threaten Tamils & Muslims in Sri Lanka, September 2024) documents the continuation of de facto land transfers under post-war development programmes. Semantic Scholar.org (Yusoff et al. 2015) provides peer-reviewed demographic data. The Lure of Land in Modern Asian Studies (Cambridge, "The Lure of Land: Peasant Politics, Frontier Colonization and the Cunning State in Sri Lanka") theorises how state patronage and electoral mobilisation drove colonisation.

§ MECHANISM 11 — Sinhalisation of Place Names in the North and East

Category: Administrative policy / Cultural erasure Target: Tamil linguistic and cultural identity in the Northern and Eastern Provinces

What It Is Beginning incrementally in the 1960s and accelerating after the 1972 and 1978 constitutions, the Sri Lankan state systematically renamed towns, villages, geographic features, districts, and sub-districts in the Northern and Eastern Provinces from their Tamil names to Sinhala equivalents or Sinhalised transliterations. This was formalised through gazette notifications and implemented through survey maps, road signs, and official correspondence.

Creator and Stated Purpose Various governments, implemented through the Survey Department, Local Government Ministry, and after 2009 through the military-civilian administration in the north-east. Stated purpose: national unity, standardisation of administrative nomenclature.

Actual Effect Tamil Guardian ("Sri Lanka Accelerates Sinhalisation Across Vavuniya," 2023) reports the renaming of Kachchal Samalankulam to Sapumalgaskada and the erection of a "Sapumalgaskada Archaeological Site" signboard — one instance in a systematic pattern. PEARL (State-Sponsored Sinhalization of the North-East, 2022) documents Sinhala-only road signage installed by the military in post-war Tamil areas, the replacement of Tamil place names with Sinhala equivalents on government maps, and the use of Sinhalised names in property records to create documentary ambiguity about land ownership. The practical effects include: disruption of postal services and legal address verification for Tamil residents; creation of confusion in land title documentation enabling subsequent land grabs; erasure of Tamil toponymic heritage encoding pre-colonial land-use patterns. Adayaalam Centre for Policy Research has documented specific place name changes in Mullaitivu district correlated with new military installations and Buddhist vihara construction.

§ MECHANISM 12 — Department of Archaeology, Forest Department, and Wildlife Department Land Appropriations in the North and East

Category: State institutional expansion / Land dispossession Target: Tamil farmers and communities in the Northern and Eastern Provinces

What It Is The Department of Archaeology (under the Ministry of Cultural Affairs), the Forest Department, and the Department of Wildlife Conservation have been systematically used — particularly since 2009 — to appropriate Tamil-owned and cultivated lands in the north and east by designating them as archaeological buffer zones, forest reserves, or wildlife sanctuaries. These designations require no judicial process: a gazette notification by the relevant minister is sufficient to extinguish cultivation rights and require displacement.

Creator and Stated Purpose Post-war governments, accelerated under President Mahinda Rajapaksa (2009–2015) and dramatically expanded under President Gotabaya Rajapaksa (2019–2022). Stated purposes: conservation, archaeological preservation, Buddhist heritage management.

Actual Effect Tamil Guardian ("Tamil MP Says Lands Grabbed by Sri Lanka's Forest Department Must Be Released Immediately," 2023) reports Vanni MP testimony that Forest Department designations have dispossessed hundreds of Tamil families in Mullaitivu and Vavuniya. The Oakland Institute (Escalating Land Grabs Threaten Tamils & Muslims in Sri Lanka, September 2024) documents systematic correlations between "conservation" designations and the establishment of Sinhala Buddhist viharas (temples) on the same parcels. Tamil local official Chinnaras Logeswaran (Tamil Guardian, 2023) condemned the Archaeology Department's ongoing seizure of

farmland in Kurunthumalai, Mullaitivu, stating: "The encroachment of farmlands long cultivated by the Tamil people can never be accepted under any circumstances." Adayaalam's mapping project on militarisation in Mullaitivu shows dozens of cases where Archaeology/Forest/Wildlife designations followed military clearance of Tamil populations, and were subsequently used to prevent resettlement. PEARL (2022) categorises this as part of the "Buddhisization" strand of state-sponsored Sinhalisation.

§ MECHANISM 13 — Construction of Buddhist Viharas on Tamil and Muslim Lands

Category: State-facilitated religious infrastructure / Cultural dispossession Target: Tamil Hindu and Muslim communities in the Northern, Eastern, and border provinces

What It Is Since at least the 1990s, and dramatically accelerating after the end of the war in May 2009, Buddhist viharas (temples), dagobas (stupas), and sacred sites have been constructed on land formally designated as Tamil or Muslim-owned, frequently with military assistance, state funding, and Department of Archaeology support claiming ancient Buddhist heritage at the site.

Creator and Stated Purpose A combination of: the Department of Archaeology; individual military commanders operating in the north-east with de facto land authority; the Ministry of Buddhist Affairs; and Buddhist nationalist organisations with state patronage. Stated purpose: restoration of Buddhist heritage, religious freedom.

Actual Effect PEARL (State-Sponsored Sinhalization, 2022, Section on "Buddhisization") documents over 150 Buddhist religious structures constructed in the Northern Province after 2009, many on demonstrably Tamil or Muslim land, often in areas with no historically documented Buddhist population. The CPA (Dynamics of Sinhala Buddhist Ethno-Nationalism in Post-War Sri Lanka, Ayesha Zuhair, April 2016) analyses how the state used Buddhist sacred site designation as a tool of territorial control. The process works as follows: military or civil authorities identify a site, frequently citing the Mahavamsa's claims that the entire island was a dhammadipa (island of the dhamma), construct a dagoba or vihara (often within days), file an Archaeology Department claim for a buffer zone, and then use that zone to prohibit Tamil residents' return or cultivation. Adayaalam has GPS-mapped dozens of such structures in Mullaitivu. HRW ("Why Can't We Go Home?": Military Occupation of Land in Sri Lanka, 2018) documents military resistance to returning appropriated land even after formal commitments to do so.

§4 PART III: SECURITY APPARATUS AND THE ARCHITECTURE OF IMPUNITY

§ MECHANISM 14 — Militarisation of the North and East: Army Divisions, Bases, and Ongoing Occupation

Category: Security sector deployment / Post-war occupation Target: Tamil civilian communities in the Northern and Eastern Provinces

What It Is As of 2017–2022, Sri Lanka maintained 13 of its 21 army divisions stationed in the Northern and Eastern Provinces — provinces that together contain approximately 15% of the country's population. This deployment ratio — one of the highest post-conflict military-to-civilian ratios in South Asia — persists more than 15 years after the end of the armed conflict in May 2009. Military personnel operate farms, hotels, resorts, and commercial enterprises on occupied Tamil land.

Creator and Stated Purpose Successive presidents (Rajapaksa, Sirisena, Wickremesinghe, Rajapaksa II). Stated purpose: national security, counter-terrorism, and post-conflict reconstruction.

Actual Effect Adayaalam Centre for Policy Research and PEARL (Normalising the Abnormal: The Militarisation of Mullaitivu, 2017) found a ratio of approximately one Sri Lankan soldier for every two civilians in Mullaitivu district — the area of the final war. Military personnel operate checkpoints, survey Tamil political activities, attend civilian funerals, monitor memorial events, and run businesses in direct competition with Tamil entrepreneurs. HRW ("Why Can't We Go Home?", 2018) documents that thousands of acres of prime agricultural and coastal

land remain occupied by military and navy establishments, with families unable to return to their homes years after displacement. The Jaffna High Security Zone — surrounding Palali airport and base — occupies approximately 40 square kilometres of Jaffna District and has displaced tens of thousands of Tamil residents since 1990. Tamil Guardian and Adayaalam have documented the military's running of hotels, restaurants, farms, and tour operators on occupied land, creating structural competition that disadvantages Tamil civilian economic recovery. OHCHR/OISL Report (2015, §§ 1210–1228) notes that the continued military presence facilitates continued surveillance and intimidation of Tamil communities.

§ MECHANISM 15 — High Security Zones (HSZs)

Category: Security designation / Residential dispossession Target: Tamil civilian communities, principally in Jaffna and Trincomalee

What It Is High Security Zones were formally declared under Emergency Regulations in various phases from the early 1990s onward. HSZs encompassed large areas of Jaffna town and peninsula (including entire neighbourhoods, churches, schools, and farmland), Trincomalee port area, Mullaitivu, and Mannar. Residents were required to vacate within 24–72 hours and relocate to distant welfare centres. Entry into HSZs was prohibited without military permission.

Creator and Stated Purpose Declared by successive presidents and military commanders under Emergency Regulations and the PSO. Stated purposes: operational security, prevention of LTTE attacks on military installations.

Actual Effect The Jaffna HSZ at its maximum extent displaced approximately 70,000–90,000 Tamil civilians from their homes, businesses, schools, churches, and cemeteries. Land title within the HSZ continued to belong formally to Tamil families, but occupation rights were extinguished indefinitely by military presence. Post-2009, HSZ reductions were announced by multiple governments but implemented minimally: HRW ("Why Can't We Go Home?", 2018) found that the Mullikulam Navy HSZ remained occupied even two years after a formal announcement of land release. The Trincomalee HSZ encircled strategically important port and harbour land, while simultaneously encompassing Tamil and Muslim residential areas. Tamil Guardian and Adayaalam have documented the conversion of HSZ land to permanent military installations, Buddhist viharas, and military commercial enterprises, effectively converting temporary emergency measures into permanent occupation. OHCHR (Report of the High Commissioner for Human Rights on Sri Lanka, A/HRC/43/19, 2020) notes continued displacement from HSZs.

§ MECHANISM 16 — White Van Disappearances and the Enforced Disappearance Apparatus: CID/TID/STF

Category: Security apparatus / Extrajudicial killing and disappearance Target: Tamil political activists, journalists, human rights defenders, LTTE suspects, post-war Tamil community leaders

What It Is The "white van" phenomenon — the abduction of Tamil (and Sinhalese) critics, journalists, lawyers, and political activists by unmarked white vehicles operated by personnel affiliated with state security services (CID: Criminal Investigation Department; TID: Terrorism Investigation Department; STF: Special Task Force; or paramilitary groups operating under state direction) — became a defining feature of the Sri Lankan security apparatus from the 1980s onward. Victims were taken without warrant, often never to be seen again, or found dead days later.

Creator and Stated Purpose The apparatus operated under political direction: documented cases implicate commanding officers of the security forces, with political instruction from presidents' offices. The ITJP (International Truth and Justice Project) has identified named perpetrators in sworn testimony.

Actual Effect Sri Lanka has one of the highest documented enforced disappearance caseloads in world history, registering over 65,000 cases with the UN Working Group on Enforced or Involuntary Disappearances (WGEID) — more than any country except Iraq in the WGEID caseload. HRW (Recurring Nightmare: State Responsibility

for "Disappearances" and Abductions in Sri Lanka, March 2008, Vol. 20 No. 2) documents the systematic pattern: intelligence-led targeting, unacknowledged detention, torture, and murder, with bodies disposed through burning, mass graves, or ocean dumping. The OHCHR/OISL Report (A/HRC/30/CRP.2, 2015) found "reasonable grounds to believe" that enforced disappearances, torture, and extrajudicial executions were "widespread and systematic" and may constitute crimes against humanity. The UN WGEID mission to Sri Lanka (2016, A/HRC/33/51/Add.2) found that families of the disappeared — disproportionately Tamil — faced a state apparatus that denied information, obstructed investigations, and intimidated witnesses. ITJP (Locked Up: Tamil Prisoners in Sri Lanka, 2015; A Still Unfinished War, 2017) documents testimony of survivors of secret detention and torture facilities operated by the TID and military intelligence.

The CID and TID also systematically surveilled and harassed Tamil journalists, diaspora-connected individuals, and human rights advocates — both in Sri Lanka and through intelligence networks abroad. The "white van" phenomenon peaked in 2006–2009 under President Mahinda Rajapaksa and Defence Secretary Gotabaya Rajapaksa.

§ MECHANISM 17 — Pogroms as State-Tolerated Events: 1956, 1958, 1977, 1981, 1983 (Black July)

Category: State tolerance of communal violence; in some instances, active facilitation Target: Tamil communities island-wide

What It Is A series of large-scale communal violence episodes against Tamil civilians in which the state's response — in timing, intensity, and selective enforcement — demonstrated at minimum wilful tolerance and in some cases active facilitation:

- 1956 Gal Oya riots: Anti-Tamil violence in the newly-colonised Gal Oya area, coinciding with protests against the Sinhala Only Act. Police and military response was delayed. Approximately 150 killed.
- 1958 riots: Island-wide anti-Tamil pogrom following incitement by SLFP politicians and press. Prime Minister Bandaranaike declared emergency only after days of violence. Hundreds killed, thousands displaced. ICJ (Leary, 1981/1983 report) documents the state's failure to protect Tamil civilians.
- 1977 riots: Anti-Tamil violence following the UNP's landslide electoral victory. Approximately 100 killed, widespread property destruction in Tamil areas. State response was selective.
- 1981 burning of Jaffna Library: On 31 May 1981, during local government elections, Sri Lankan police and members of the governing UNP (including, per credible reports, Cabinet Minister Cyril Mathew and two other ministers) supervised or participated in the burning of the Jaffna Public Library — one of the most important repositories of Tamil literary, cultural, and historical heritage in South Asia, containing over 97,000 volumes and irreplaceable manuscripts. ICJ (Leary 1981 report) documents the police participation. The library's destruction was an act of cultural genocide.
- 1983 Black July: Between 24–29 July 1983, following the LTTE killing of 13 soldiers in Thirunelveli, mobs — armed with electoral rolls and address lists of Tamil residents in Colombo and the south — killed between 400 and 3,000 Tamil civilians (estimates vary), burned tens of thousands of Tamil homes and businesses, and drove approximately 100,000 Tamils from the south into refugee camps or abroad. President Jayewardene did not address the nation until day three. Cabinet Minister Cyril Mathew (Industries Minister), who had long promoted Sinhala nationalist extremism through the Jathika Sevaka Sangamaya (National Workers Union), is identified by multiple witnesses as having been involved in the organisation of violence. Electoral rolls were used as targeting lists. The pogrom was the direct trigger of the armed conflict.

Evidence of State Complicity in 1983 ICJ (A Mounting Tragedy of Errors, Sieghart, 1984) and ICJ (Leary, 1983 report) document police passivity and evidence of coordination. Tambiah (Sri Lanka: Ethnic Fratricide and the Dismantling of Democracy, 1986, ch. 1) and (Buddhism Betrayed?, 1992) analyse the "organised" character of the violence. The Groundviews analysis ("Misconceptions About the 1983 Riots," 2024) documents the role of

electoral rolls (only available to state authorities) as targeting instruments. UN Panel of Experts (Darusman Report, 2011) identifies 1983 as the origin of the armed conflict and notes evidence of state complicity. The US Embassy cable reprinted at Blackjuly.com quotes a UN civil servant's testimony that the riots were "planned at the orders of his superiors" in the government. UTHR(J) (Report No. 45) analyses the continuity of state-organised violence from 1983 to the war's end.

§5 PART IV: IDEOLOGICAL STATE APPARATUS

§ MECHANISM 18 — Mahavamsa Ideology, Anagarika Dharmapala's Influence, and the "Dharmista Society" Doctrine as State Doctrine

Category: State ideology / Foundational nationalist narrative Target: Non-Sinhalese, non-Buddhist communities as inherently alien

What It Is The Mahavamsa ("Great Chronicle"), a 5th-century Pali text compiled by Buddhist monks, narrates a founding myth of Lanka as the destined dhammadipa — island of the Buddhist dhamma — with the Sinhalese as the chosen people entrusted with its preservation. In the 19th century, Anagarika Dharmapala (1864–1933) weaponised this text for political mobilisation: his writings explicitly called for the "reconquest" of Lanka from Christians, Tamils, and Muslims, whom he characterised as alien parasites on a Sinhalese Buddhist civilisation. The 1972 Constitution's "Dharmista society" formulation and the "foremost place" of Buddhism in both 1972 and 1978 constitutions formally installed Mahavamsa-Dharmapala ideology as state doctrine.

Creator Dharmapala's influence was channelled into the state through the SLFP (Bandaranaike, who was himself killed by a Buddhist monk in 1959), successive governments' patronage of the Mahasangha (Buddhist monastic order), and the institutionalisation of "Buddhist civilisation" narrative in the education curriculum.

Actual Effect DeVotta (Sinhalese Buddhist Nationalist Ideology: Implications for Politics and Conflict Resolution in Sri Lanka, East-West Center Policy Studies 40, 2007) provides the definitive scholarly analysis. He documents how the Mahavamsa narrative: (i) defines Tamil presence in Sri Lanka as inherently invasive and temporary; (ii) frames devolution of political power to Tamils as surrender of the dhammadipa's sacred integrity; (iii) mobilises the Mahanayakes (heads of the principal Buddhist orders) as political veto players against minority accommodation. Wickramasinghe (2014, ch. 4–6) traces Dharmapala's specific rhetorical inheritances in post-independence political speech. Tambiah (Buddhism Betrayed?, 1992) analyses the transformation of pacifist Buddhism into a vehicle for ethnic violence. The South Asianist journal (2018) "Nationalism, Buddhist Revival, and the Sinhala-Buddhist Nation-State" synthesises these analyses.

The doctrine's operational manifestation was visible in: the Mahanayakes publicly opposing the Bandaranaike-Chelvanayakam Pact (1957), the Dudley-Chelvanayakam Pact (1965), the 1995 devolution proposals (Chandrika Kumaratunga), and the 2002 Ceasefire Agreement peace process — each time closing off political accommodation of Tamil demands by invoking the sacred character of the unitary Buddhist state.

§ MECHANISM 19 — The Role of the Mahanayakes and Institutionalised Buddhist Political Veto

Category: Religious institution / Political veto power Target: Tamil political accommodation; minority religious communities

What It Is The heads (Mahanayakes) of Sri Lanka's three principal Nikaya Buddhist orders (Asgiriya, Malwatu, and Amarapura) exercise significant extraconstitutional political authority. Prime ministers and presidents make ritual visits to the Mahanayakes before major policy decisions. The Mahanayakes have historically publicly denounced any proposal for power-sharing with Tamils as a threat to Buddhism and the unitary state.

Creator and Stated Purpose This represents the constitutional privilege of Buddhism under Article 9, the historical relationship between the Sangha and state since the Mahavamsa, and the Bandaranaike-era institutionalisation of this relationship through state patronage of Buddhist institutions.

Actual Effect Suren Raghavan (Defending Buddhism by Fighting Federalism: Ethnoreligious Nationalism of the Sinhala Sangha and Peacemaking in Sri Lanka 1995–2010, PhD thesis, University of Kent, 2013) provides the definitive scholarly analysis: documenting how the Mahanayakes publicly campaigned against the 1995 Chandrika Kumaratunga devolution package and the 2002 Wickremesinghe-LTTE ceasefire, using religious authority to frame political compromise as civilisational betrayal. Roshan de Silva Wijeyeratne (Nation, Constitutionalism and Buddhism in Sri Lanka, Routledge, 2014) analyses how Article 9 creates a structural bias in judicial and executive decision-making. The NUS Centre for Asian Legal Studies Working Paper (Wijayalath, 2018) documents specific cases where the "foremost place" clause was invoked to restrict minority religious practice, deny planning permission for Hindu kovils and mosques, and support archaeological claims on Tamil land.

§ MECHANISM 20 — Sinhala-Buddhist Extremist Organisations: Bodu Bala Sena (BBS) and State-Tolerated Extremism

Category: State-tolerated non-state actors / Ethnic and religious extremism Target: Muslims primarily; Tamil community secondarily

What It Is The Bodu Bala Sena (Buddhist Power Force, founded 2012) is a Buddhist nationalist organisation led by the monk Galagodaaththe Gnanasara, notorious for incendiary anti-Muslim and anti-Tamil rhetoric. It conducted anti-Muslim campaigns including "halal" labelling boycotts, intimidation of Muslim businesses, and culminating in the Aluthgama and Beruwala riots of June 2014, in which three Muslims were killed, over 75 injured, and hundreds of Muslim homes and businesses burned.

State Relationship CPA (Dynamics of Sinhala Buddhist Ethno-Nationalism in Post-War Sri Lanka, Ayesha Zuhair, 2016) documents that under the Mahinda Rajapaksa government, the BBS operated with extensive state patronage: meetings with the defence establishment, political connections to presidential palace, police non-intervention during incitement events. After the Aluthgama riots, a subsequent government convicted Gnanasara of contempt of court (2018), but President Gotabaya Rajapaksa granted him a presidential pardon in 2019, and then — in an act of extraordinary state endorsement — appointed him to chair the OneCountryOneLaw Presidential Task Force in October 2021 (see Mechanism 30). DBS Jeyaraj ("Aluthgama Shows that the Bodu Bala Sena Project Is Approved by the State," 2014) and Kalana Senaratne provide the contemporaneous analysis. ICG (After Sri Lanka's Easter Bombings: Reducing Risks of Future Violence, Report 302, 2019) links BBS-style anti-Muslim incitement to the radicalisation dynamics that preceded the Easter Sunday attacks.

§6 PART V: POST-WAR STRUCTURAL MECHANISMS (2009–2026)

§ MECHANISM 21 — Presidential Task Force for Archaeological Heritage Management in the Eastern Province, 2020

Category: State institutional mechanism / Cultural erasure and land appropriation Target: Tamil and Muslim communities of the Eastern Province

What It Is On 2 June 2020, President Gotabaya Rajapaksa, by Gazette Extraordinary No. 2178/18, established a Presidential Task Force for Archaeological Heritage Management in the Eastern Province — notably, covering only the Eastern Province and none of the island's other provinces. The 11-member Task Force was composed entirely of Sinhalese individuals: Buddhist monks, military officers, and Derana media network head Tiran Alles (a close Rajapaksa associate). No Tamil, Muslim, or Hindu representative was included.

Creator and Stated Purpose President Gotabaya Rajapaksa. Stated purpose: preservation of Sri Lanka's archaeological heritage.

Actual Effect TNA Leader R. Sampanthan's letter to President Rajapaksa (documented by DBS Jeyaraj, 2020) posed the obvious question: why only the Eastern Province, not all nine provinces equally? The composition — all-Sinhala, Buddhist monk-inclusive — and mandate gave the Task Force authority to gazette new archaeological protected areas in the Eastern Province, overriding existing land use and directing the Archaeology Department to

"protect" sites. Tamil Guardian ("All Sinhala Task Force for Sri Lanka's 'Archaeology' in East," 2020) reported community fears that the Task Force would function as a mechanism to: designate Tamil-farmed land as archaeological buffer zones; establish Buddhist heritage claims over Tamil and Hindu sacred sites; and provide legal cover for the construction of Buddhist viharas on Muslim and Tamil land. Dr. Ameer Ali (Colombo Telegraph, "President's Diggers to Eastern Province," 2020) characterised the Task Force as "institutionalised heritage genocide." PARL (People's Action for Free and Fair Elections) Brief Note and Commentary (parlsl.com) provided a legal analysis confirming the Task Force had no parliamentary oversight or minority consultation mechanism. The Task Force operated alongside the Archaeology Department's existing land appropriation activities (see Mechanism 12) to create a compounding effect of displacement.

§ MECHANISM 22 — OneCountryOneLaw Presidential Task Force, 2021

Category: State institutional mechanism / Minority personal law elimination Target: Muslim community (Muslim Marriage and Divorce Act/MMDA), Tamil personal law, minority religious autonomy

What It Is In October 2021, President Gotabaya Rajapaksa established a "One Country One Law" Presidential Task Force, chaired by Galagodaaththe Gnanasara — the BBS monk who had presided over anti-Muslim incitement campaigns and been convicted of contempt of court before receiving a presidential pardon. The Task Force was tasked with recommending the elimination of "parallel legal systems" — specifically the Muslim Marriage and Divorce Act (MMDA) and related provisions — and establishing a unified national personal law.

Creator and Stated Purpose President Gotabaya Rajapaksa. Stated purpose: legal equality, national unity, elimination of discrimination against Muslim women within the MMDA system.

Actual Effect Groundviews ("Unleashing Legal Hegemony with One Country, One Law," 2021) provides the definitive analysis: the stated concern for Muslim women's rights under the MMDA (a legitimate reform demand long pursued by Muslim women's groups within the Muslim community) was weaponised to impose majority-culture legal frameworks that would eliminate Muslim community self-governance and Hindu personal law. The task force chair — a figure convicted of inciting anti-Muslim violence — rendered the stated humanitarian rationale implausible. The WWS ("Sri Lankan President's 'One Country, One Law' Taskforce Will Provoke Racial Tensions," November 2021) noted that the initiative: was announced without consultation with Muslim or Tamil communities; used the language of liberal equality to achieve majoritarian legal homogenisation; and operated as political signalling to Sinhala Buddhist nationalist constituencies during a period of economic crisis. CPA and Frontline (The Hindu) analyses frame it as a strategy of deflecting attention from the Rajapaksa government's economic failures by targeting minority communities. It was also connected to anti-conversion and anti-Muslim legislative campaigns (see Mechanism 23).

§ MECHANISM 23 — Anti-Conversion Bills and Minoritised Religious Practice

Category: Proposed/enacted legislation / Religious freedom restrictions Target: Christian minorities, Muslim communities, Tamil Hindus

What It Is Multiple Bills have been introduced in the Sri Lankan parliament to criminalise or restrict religious conversion: the most prominent being the Prevention of Social Disabilities Act proposals (various years) and the formal Freedom of Religion Bill (drafted 2004, repeatedly reintroduced). These bills targeted "unethical conversions" by Christian evangelical organisations, but were framed and operationally deployed against Tamil Christians, Tamil Hindus, and Muslims.

Creator and Stated Purpose JHU (Jathika Hela Urumaya, the Buddhist monk parliamentary party, founded 2004) as the primary proponent. State patronage through SLFP and SLPP governments. Stated purpose: prevention of "unethical conversions" by "foreign-funded" missionaries exploiting poverty.

Actual Effect The US Department of State International Religious Freedom Report (Sri Lanka 2014) documents that the "foremost place" of Buddhism in Article 9, combined with proposed anti-conversion legislation, created an

environment in which minority religious practice faced regular harassment, planning permission denials, and criminalisation threats. Wijayalath (NUS 2018) analyses specific cases where Article 9 was used to block Christian churches and Muslim mosques in Tamil areas. The BBS and associated groups ran campaigns targeting Muslim halal certification, Muslim business ownership, and mosque construction — with tacit state support documented by CPA (2016). Anti-conversion proposals explicitly linked Buddhist nationalist doctrine to state regulatory power over minority religious expression.

§ MECHANISM 24 — Easter Sunday Attacks of 21 April 2019 and Their Weaponisation Against Muslims

Category: Post-attack state policy / Targeted discrimination Target: Muslim communities island-wide

What It Is The Easter Sunday bombings (21 April 2019), in which ISIS-inspired National Thowheed Jamaath (NTJ) suicide bombers killed 269 people at churches and hotels, were a genuine terrorist atrocity. The subsequent weaponisation of those attacks by Sinhala Buddhist nationalist politicians, the security establishment, and media against the entire Muslim community constitutes a distinct state mechanism of suppression.

Manifestations of Weaponisation ICG (After Sri Lanka's Easter Bombings: Reducing Risks of Future Violence, Report 302, 27 September 2019) documents: (i) anti-Muslim violence in May 2019 (mob attacks on Muslim businesses and homes in Kurunegala, Chilaw, and elsewhere), in which police were slow to respond; (ii) mass arrests of Muslim men under the PTA following the attacks, including Islamic scholars, community leaders, and social media users with no connection to NTJ; (iii) political rhetoric from presidential candidates (including Gotabaya Rajapaksa) explicitly linking Muslim religious identity to terrorism; (iv) intelligence failures that allowed the attacks — despite advance warnings — being used to justify expanded security state powers targeting Muslims rather than to examine intelligence failure. BBC ("Sri Lanka's Muslims 'Demonised' After Easter Bombings," 2019) quotes community members describing a collapse in Muslim economic participation as Sinhalese customers boycotted Muslim-owned businesses. The forced cremation of Muslim COVID-19 victims in 2020–2021 (overriding Islamic burial requirements) under Gotabaya Rajapaksa was directly connected to the anti-Muslim sentiment that Easter Sunday was used to inflame. HRW and Amnesty documented hundreds of Muslim men detained under the PTA on the basis of religious practice rather than operational terrorism links.

§ MECHANISM 25 — Office on Missing Persons (OMP): Structural Inadequacy as a Suppressive Mechanism

Category: Transitional justice institution / Structural design failure Target: Families of the disappeared, disproportionately Tamil

What It Is The Office on Missing Persons was established by Act No. 14 of 2016 under President Maithripala Sirisena, as part of the UNHRC Resolution 30/1 (October 2015) co-sponsored commitments. It is mandated to search for and trace missing persons, clarify their circumstances, and coordinate with law enforcement.

Design Flaws as Suppressive Mechanism CPA (A Brief Guide on the Draft Legislation to Establish an Office on Missing Persons, July 2016) identified critical design flaws from the outset: (i) The OMP has no power to prosecute — it cannot refer cases for criminal prosecution without the Attorney General's consent; (ii) No guaranteed witness protection for those testifying about security force disappearances; (iii) No mechanism to compel the security forces to disclose detention records; (iv) The OMP mandate does not include a "right to the truth" that could be judicially enforced; (v) Appointments to the OMP were subject to political interference. Chulani Kodikara (International Journal of Transitional Justice, 17:1, 2023, "The Office on Missing Persons in Sri Lanka: Why Truth Is a Radical Proposition") argues that the OMP's institutional design reflects the state's fundamental unwillingness to confront security force accountability. Amnesty International ("The Government Cannot Afford to Fail the Office on Missing Persons," October 2018) documented early paralysis. By 2024, over six years after its establishment, the OMP had resolved a negligible fraction of the 65,000+ registered disappearances, and families — disproportionately Tamil women from the north-east — reported no meaningful progress. The OMP thus functions as a substitute for accountability rather than a path to it — allowing the state to present an institutional facade while disappearances remain unaddressed and perpetrators remain in service.

§ MECHANISM 26 — Prevention of Terrorism Act 2022 Amendment Proposals and the Anti-Terrorism Act 2023/2024

Category: Legislation / Continued coercive apparatus Target: Tamil communities, Muslim communities, civil society

What It Is After years of domestic and international pressure to repeal the PTA, the Gotabaya Rajapaksa government published a Bill to amend the PTA on 27 January 2022. The amendment was universally condemned as cosmetic. A subsequent government introduced the Anti-Terrorism Bill (2023), proposed as a full replacement of the PTA, and the Anti-Terrorism Act was enacted in 2024 under President Ranil Wickremesinghe. In December 2025, a further replacement — the Protection of the State from Terrorism Act (PSTA) — was published for comment.

Critique HRW (Sri Lanka: Reject New Counterterrorism Bill, April 2023) found the Anti-Terrorism Bill retained: the broad, vague definition of "terrorism" encompassing acts merely "prejudicial to national security"; administrative detention provisions; inadmissible confession risk; and inadequate judicial oversight. CPA (Commentary Comparing the Proposed Anti-Terrorism Bill to the Prevention of Terrorism Act, October 2023) found the ATB in 35+ provisions to be worse or equivalent to the PTA. Amnesty International (Countering Terrorism at the Expense of Human Rights, 2019/2022) documented that proposed replacements retained the fundamental architecture of presumptive criminality. HRW (January 2026) found the PSTA similarly retaining powers to detain without charge, restrict access to lawyers, and use vague definitions that could encompass political dissent. The pattern across three decades of "reform" proposals is a consistent structural feature: each "replacement" preserves the coercive architecture while changing cosmetic elements sufficient to obtain temporary international credibility.

§ MECHANISM 27 — Online Safety Act No. 9 of 2024

Category: Legislation / Digital surveillance and censorship Target: Tamil diaspora communicators, Tamil journalists, Muslim activists, civil society

What It Is Passed by parliament on 24 January 2024 under President Ranil Wickremesinghe, the Online Safety Act created an Online Safety Commission with powers to: compel platforms to remove content; issue orders against "false statements" affecting national security; require identification of anonymous online speakers; and penalise individuals for online statements deemed to threaten public order or national security.

Creator and Stated Purpose Government of President Ranil Wickremesinghe. Stated purpose: combating online disinformation, protecting children, preventing online harm.

Actual Effect Amnesty International (Online Safety Act Major Blow to Freedom of Expression, January 2024) called it "the newest weapon in the government's arsenal to silence critics." The Global Network Initiative analysis (Sanjana Hattotuwa, 2025) documents how in its first year, the OSA was used primarily to: target Tamil diaspora social media accounts posting on Sri Lanka's wartime accountability; pursue Muslim activists for religious expression; and threaten journalists reporting on military land occupation in the north-east. Freedom House (Freedom on the Net 2024) rated Sri Lanka as "Partly Free" with the OSA cited as a key deterioration factor. The OSA's vague "false statement" provisions — without a requirement of intent to harm or materiality threshold — effectively criminalise the assertion of Tamil historical and political claims about the war. Combined with the PTA/ATA apparatus, it creates a dual legal track: physical and digital suppression of Tamil political voice.

§ MECHANISM 28 — NGO Secretariat Surveillance and Civil Society Control

Category: Administrative mechanism / Surveillance and control of civil society Target: Tamil civil society organisations, human rights defenders, diaspora-funded NGOs

What It Is The National Secretariat for Non-Governmental Organisations, established under the Voluntary Social Service Organisations (Registration and Supervision) Act No. 31 of 1980 and significantly empowered after 2009,

requires all NGOs to register, submit funding disclosures, obtain approval for projects, and report on activities. During and after the Rajapaksa years (2005–2015, 2019–2022), the Secretariat functioned as a surveillance mechanism: NGOs working on Tamil land rights, transitional justice, or post-war documentation were subjected to registration delays, audits, and public labelling as "terrorist-linked" or "anti-national."

Creator and Stated Purpose VSSO Act 1980; expanded post-2009 under Presidential Secretariat oversight. Stated purpose: accountability and transparency for civil society.

Actual Effect ICNL (Sri Lanka Civic Freedom Monitor, continuously updated) documents systematic harassment: organisations like the Centre for Policy Alternatives, Adayaalam, and community groups in the north-east have faced surveillance, raids, and labelling as national security threats. ANGOC (2023) documents the hostile civil society environment. In 2024, under President Wickremesinghe, a new NGO Registration and Supervision Bill was proposed (Groundviews, May 2024) that would have given the state sweeping powers to deregister NGOs based on subjective national security grounds. The Sri Lanka Central Bank's agreement with the Financial Intelligence Unit to share NGO financial data on anti-terrorism financing grounds (Tamil Guardian) created additional chilling effects. Goodhand et al. (2011, LSE Strategic Policy Assessment) and Smith (2013, LSE doctoral thesis) document how the post-war "winner's peace" deliberately targeted civil society organisations as potential accountability advocates.

§ MECHANISM 29 — Sinhalisation of Education Curriculum

Category: State education policy / Cultural erasure Target: Tamil students; Tamil historical and cultural representation

What It Is The Sri Lankan national education curriculum — controlled by the National Institute of Education — teaches history through a framework that: presents the Mahavamsa as accurate historiography; erases or marginalises Tamil contributions to Sri Lankan history and civilisation; presents the war as a "humanitarian operation" with no civilian casualty acknowledgement; and in geography, uses Sinhala place names for Tamil-majority areas. Tamil-medium schools were structurally underfunded relative to Sinhala-medium schools in terms of qualified teacher allocations, infrastructure investment, and examination support.

Creator and Stated Purpose Ministry of Education, National Institute of Education. Stated purpose: national unity, patriotic education, and a shared national identity.

Actual Effect CREATE/University of London research (Politics, Basic Education Policies and Progress in Sri Lanka, Angela W. Little, 2010) documents the systematic underfunding of Tamil-medium education and the political use of language of instruction policy. The UCLA Aleph research paper (2010) documents how curriculum Sinhalisation reinforced the standardisation policy's effects by creating an educational environment hostile to Tamil cultural identity. Rawat (Journal of Language and Linguistics in Society, 2021) analyses how language and education policy operated as an integrated system of Tamil marginalisation. Post-war, school textbooks used in conflict-affected areas present the final stages of the war in terms that directly contradict documented realities — with no Tamil civilian deaths acknowledged and LTTE fighters described as criminals whose elimination was unambiguously positive — creating a curriculum that precludes reconciliation.

§ MECHANISM 30 — SLPP/JVP/SLFP Rhetoric and the Party-Political Perpetuation of Exclusion

Category: Political discourse / Structural reproduction of exclusion Target: Tamil political aspirations, Muslim communal autonomy

What It Is The Sri Lanka Freedom Party (SLFP), the Sri Lanka Podujana Peramuna (SLPP, Rajapaksa's party), and — to a lesser extent and in different form — the Janatha Vimukthi Peramuna (JVP, now NPP) have each structurally reproduced Tamil marginalisation through their governing programmes. The SLFP enacted the Sinhala Only Act (1956), standardisation (1972), and the 1972 Constitution. The SLPP, under the Rajapaksas, presided over post-war occupation, the 20th Amendment, the Archaeological Task Force, OneCountryOneLaw, and the

OSA. The JVP, while rhetorically class-based, historically opposed devolution and Tamil political demands, framing 13A implementation as a threat to national sovereignty.

Evidence DeVotta (2004) and Wickramasinghe (2014) provide comprehensive analyses of party-political ethnic outbidding across all major parties. Goodhand and Klem (2019) document how the post-war "victor's peace" was a cross-party consensus: even the Sirisena/Wickremesinghe "yahapalanaya" government (2015–2019), which made reconciliation commitments to the UNHRC, failed to implement any substantive accountability measures, reduce military presence, release occupied land, or progress on constitutional reform. Uyangoda (2005, 2011) analyses the systemic incentives that prevent any Sinhalese-majority government from engaging in genuine power-sharing.

§7 PART VI: SPECIFIC MECHANISMS TARGETING EASTERN MUSLIMS

§ MECHANISM 31 — Targeted Displacement of Eastern Province Muslims: 1990 Mass Expulsion and Continued Dispossession

Category: State-tolerated violence / Land dispossession Target: Tamil-speaking Muslim community of the Eastern Province (and Northern Province)

What It Is In October 1990, the LTTE forcibly expelled approximately 75,000–100,000 Tamil-speaking Muslims from the Northern Province within 48 hours, in one of the largest forced expulsions in South Asia's modern history. While this was an LTTE atrocity rather than a state action, the Sri Lankan state's failure to secure the return of these displaced Muslims and its conversion of Muslim lands in Mannar and Jaffna to military use constitutes a state mechanism of continued dispossession. In the Eastern Province, state-aided Sinhalese colonisation has historically targeted Muslim-majority areas alongside Tamil areas: the Mahaweli Systems in Trincomalee district affected Muslim villages as well as Tamil ones.

State Role Goodhand and Klem (2019) document how Muslim IDPs from the north were settled in camps in Puttalam and denied resettlement in their lands of origin. After the war, the state's prioritisation of military occupation and Buddhist vihara construction on northern lands effectively prevented Muslim return. ICG (Report 302, 2019) notes that post-Easter Sunday, Muslim communities in the Eastern Province faced additional security surveillance, land pressure, and the OneCountryOneLaw threat to Muslim personal law. PEARL (2022, Section on Eastern Province) documents Muslim lands in Batticaloa and Trincomalee being appropriated through the same Mahaweli, Archaeology, and Forest Department mechanisms used against Tamil communities.

§8 CONCLUSION: THE SYSTEMIC CHARACTER OF SUPPRESSION

The mechanisms documented above are not a collection of isolated policy errors or individual political failures. They constitute an integrated, mutually reinforcing system operating across legislative, constitutional, security, territorial, ideological, educational, and demographic dimensions. Their cumulative effect — documented across the Tier-A scholarship of DeVotta, Wickramasinghe, Tambiah, Jayawardena, Spencer, Uyangoda, Goodhand, Klem, and Rampton, and confirmed by UN OHCHR/OISL, HRW, Amnesty, ICG, UTHR(J), ITJP, PEARL, Adayaalam, CPA, and Verité Research — has been:

1. The progressive removal of Tamil political voice from parliament (1949 disenfranchisement -> Sixth Amendment 1983 -> PTA silencing -> OSA 2024);
2. The systematic displacement of Tamil and Muslim communities from their lands (colonisation schemes -> HSZs -> military occupation -> Archaeology/Forest/Wildlife Department grabs -> Buddhist vihara construction);
3. The physical elimination of dissent through enforced disappearances, white van abductions, and the PTA detention architecture;
4. The cultural erasure of Tamil identity through linguistic Sinhalisation, place name changes, curriculum homogenisation, and archaeological claim-staking;

5. The ideological legitimisation of all of the above through the constitutionalisation of Sinhala Buddhist nationalism and the political instrumentalisation of the Mahavamsa narrative;
6. The perpetuation of impunity through the OMP's structural inadequacy, ATA/PSTA perpetuation of PTA architecture, the 20th Amendment's destruction of independent commissions, and the consistent international community acceptance of institutional facades as substitutes for accountability.

The OHCHR/OISL Report (A/HRC/30/CRP.2, 2015, §§ 1268–1275) concluded that the patterns of violations documented may amount to crimes against humanity — a legal threshold that the systemic, widespread, and institutionally-organised character of these mechanisms may indeed satisfy under the Rome Statute's analytical framework, regardless of whether prosecutions have materialised.

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