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**‘The Jewel of the East yet has its Flaws’  
The Deceptive Tranquillity surrounding  
Sri Lankan Independence**

by

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## **‘The Jewel of the East yet has its Flaws’ The Deceptive Tranquillity surrounding Sri Lankan Independence<sup>1</sup>**

**Harshan Kumarasingham<sup>2</sup>**

### **ABSTRACT:**

*This article investigates the period before Sri Lanka was engulfed by civil war and ethnic strife and how things changed so rapidly following colonial rule. Sri Lanka’s independence was seen as a model to be followed in the decolonisation of the British Empire due to the island’s peace, prosperity, indigenous leadership and its preference for British institutions. However, behind this façade the years surrounding Sri Lankan independence also saw the foundations for the vicious civil war that has dominated all recent coverage of this Indian Ocean state. This article assesses how warning signs were misread or ignored and how early political decisions in this era forged the beginnings of the future problems ahead.*

*Keywords: Sri Lanka, Decolonisation, British Empire, Communalism, Ethnic Conflict*

### **I. INTRODUCTION**

In May 2009 the Sri Lankan military defeated the separatist Liberation Tigers of Tamil Eelam (better known as the Tamil Tigers) after a savage civil war that paralysed the island for almost thirty years and left thousands of civilian casualties. Though the military conflict is over tensions remain across all communities with many unresolved issues, grievances and injustices simmering at all levels and little significant rebuilding or reconciliation to allay fears of future discord. News reports on Sri Lanka over the past thirty years showed a state beset by intractable problems and unrelenting violence with little hope of lasting peace. It was not always like this. Sri Lanka was in fact seen as a place of cordial relations between all communities, economic and social opportunity and a land mercifully bereft of brutality and disorder when independence from Britain came in February 1948. This

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<sup>1</sup> For a wider examination of the issues covered in this article see my recently published book *A Political Legacy of the British Empire – Power and the Parliamentary System in Post Colonial India and Sri Lanka*, London: I. B. Tauris, 2013.

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article examines how and why Sri Lanka was seen in this light as a model to be followed in the decolonisation British Empire. It will also survey the years surrounding independence when conditions were established for the future conflict that would ravage the island indelibly.

Britain's first High Commissioner to Sri Lanka<sup>3</sup>, Sir Walter Hankinson, dispatched to London his reflections on the island's affairs just over a year after independence

There have been no startling changes in the domestic political scene; there have been no disturbances among any section of the population; there have been no sudden or sharp alterations in any of the institutions of Government; there have up to the present been no untoward changes in the economic situation ... Nearly all the public institutions, Governmental and other in Ceylon, are based on English models, laid down often many decades ago by the Colonial administration. The result is that an appearance startlingly familiar to English eyes is presented by the political scene. The Cabinet, the House of Representatives, the manner in which Parliamentary business is transacted and relationship of the Civil Service to the political executive all follow the English model. This combined with good relations prevailing between Europeans and Ceylonese has produced an atmosphere in which an English observer feels almost strangely at home.<sup>4</sup>

Across the Palk Strait, up in New Delhi, came a very a different picture. Sir Archibald Nye, who prior to independence had been Governor of Madras, expressed consternation and foreboding in his report as British High Commissioner, written the same month as Hankinson. Nye's assessment of young independent India included phrases like 'fissiparous tendencies', 'little discipline throughout the country', 'communal butchery', 'since the transfer of power one crisis has followed another', 'nepotism and corruption were rife in almost all grades of society'. For the disapproving Nye, India was governed by ministers 'who spent most of their working lives as agitators...who had little or no administrative experiences' and believed the one major qualification for office seemed to be in many cases 'an adequate period spent in jail'. Government across this former prized possession of the British Empire appeared in vast swathes of territory to 'be unable to carry on owing to the breakdown of law and order'.<sup>5</sup>

Despite such early confidence from the British High Commissioner the seeds of Sri Lanka's ethnic conflict, one of the bloodiest and longest-running civil wars in the world, were sown during the colonial era and started to grow within just ten years of independence. Nye's critical description of India would, within a few decades, be more apt when applied to Sri Lanka. However, few at the time predicted such outcomes.

## II. MODEL COLONY

Sri Lanka in British and international eyes had always been seen as the Model Colony. The path to independence was quite different from India's. Sri Lanka's

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<sup>3</sup> To avoid confusion I have used Sri Lanka instead of Ceylon throughout this chapter unless taken from a quote. Sri Lanka became the name of the country in 1972 to coincide with the adoption of a republican constitution.

<sup>4</sup> Sir Walter Hankinson to Noel-Baker, 17 May 1949, DO 35/3123, The National Archives, Kew, United Kingdom [henceforth TNA]

<sup>5</sup> Sir Archibald Nye to Noel-Baker, 6 May 1949, DO 35/3123, TNA.

inter-communal elite, steeped like their brethren in the Indian National Congress (INC) in English law and history, sought greater self-government through constitutional concessions from the imperial power. However, unlike the INC, which under Gandhi's mystical thrall and political astuteness, would eventually break from its gradualist roots towards mass movement and disobedience the Ceylon National Congress, founded in 1919, remained committed to more autonomy within the Empire. The anglophile elite of Sinhalese, Tamils and other minorities were remarkably successful in securing political advancement for the island. From 1833 the Legislative Council, an appointed body, gave modest representation to the island's communities to advise the Governor. By 1911 one member was now elected to the Legislative Council – the first elected member Sir Ponnambalam Ramanathan was a prominent member of the Tamil minority. The election of the silver tongued and silver spooned Ramanathan and that of his scholarly brother Sir Ponnambalam Arunachalam as the inaugural president of the Ceylon National Congress eight years later seemed to augur well for minority relations with the Sinhalese majority, and make a powerful inter-communal vanguard for independence. Arunachalam's successor as president, the erudite Sinhalese Sir James Peiris, could confidently proclaim at this time that the 'past few years have shown us that the Sinhalese and the Tamils are one people. The struggle we are entering today will cement that union stronger and stronger'.<sup>6</sup> Further reforms came to the island's shores. In 1931 Sri Lanka achieved the commendable boast of being the first colony in the British Empire outside the 'white Dominions' to have universal suffrage – well before India. The Donoughmore Constitution established this electoral feat and introduced a governance scheme, not on the expected cabinet-government model, but instead through a system of executive committees based on the London County Council to fill the State Council, which replaced the Legislative Council.

For Sri Lankan politics, however, the most pertinent development from Donoughmore Constitution was the abolition of communal representation. The Donoughmore Report famously described communalism in Sri Lanka as a 'canker on the body politic ... poisoning the new growth of political consciousness and effectively preventing the development of a national or corporate spirit'. The Report endorsed by the Colonial Office postulated that for Sri Lanka there could be 'no hope of binding together the diverse elements of the population in a realisation of their common kinship and an acknowledgment of common obligations to the country of which they are all citizens so long ... communal representation, with all its disintegrating influences, remains a feature of the constitution'.<sup>7</sup> The British judged the abolition of communal representation would foster modern democracy along European lines and remove the shackles of eastern parochialism identified with communal identity.

Instead of using the opportunity of World War II to wrest power from a vulnerable imperial power or create havoc like the 1942 Quit India movement the Sri Lankan elite leadership almost unanimously responded to the wartime conditions with full support. Sri Lanka, due to its strategic position and resources, became a crucial colony in the Allied cause and under the Commander-in-Chief Admiral Sir Geoffrey Layton the civil administration effectively gave way to military needs. After the fall of Malaya Sri Lanka provided over 60 per cent of the Allies' rubber supplies and

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<sup>6</sup> Harshan Kumarasingham, 'A Democratic Paradox: The Communalisation of Politics in Ceylon, 1911-1948', *Asian Affairs*, Vol. XXXVII, No. III, p. 345.

<sup>7</sup> [Donoughmore Report] Colonial Office, *Ceylon: Report of the Special Commission on the Government of Ceylon*, Cmd. 3131, London: His Majesty's Stationery Office, 1928, pp. 18-39.

from April 1944 the South-East Asian Command under Lord Mountbatten was run from Kandy. The Board of Ministers (made of the chairs of the executive committees) decided to support Mountbatten, Layton and Governor Sir Andrew Caldecott in their war aims. This move naturally endeared the Sri Lankan leadership to Britain, who on the outbreak of war had initially embargoed further reform till the war's completion. With the active support of Mountbatten, Layton and Caldecott the Board of Ministers, effectively under D. S. Senanayake 'never ceased to emphasise the value of Ceylon's contribution to the war effort and continually pressed the British to commit themselves to political reform'.<sup>8</sup> Senanayake himself wrote to the Colonial Secretary, George Hall, in August 1945, to stress the point: 'I hope it will not be forgotten that the orders for the surrender of Japanese troops in Malaya and Burma are being sent from the capital of the last Sinhalese kings, that the fleet which stream into Singapore streamed out of Trincomalee, and the aircraft which patrol the skies of Malaya and Sumatra are based on Ceylon'.<sup>9</sup>

Due to their cooperation (and pressure) the Colonial Office sent the Soulbury Commission in 1944 to Colombo to devise constitutional reforms. The Board of Ministers were adamant that full independence was their objective, but they were equally resolute that Sri Lankan independence meant the status akin to the white Dominions – a cabinet based parliamentary system within the Commonwealth. In September 1945 the report recommended for Sri Lanka a Westminster model *par excellence* – a unitary bicameral parliamentary system. Executive power would rest with a cabinet headed by a prime minister and appointed by a governor-general who had special powers concerning defence and external affairs. There would be a 101 member House of Representatives of which 95 were elected by a majoritarian voting system and the remaining six nominated by the Governor-General. The Senate would have typical checking powers, but lacked a veto, and would have 15 members selected by the Governor-General and 15 elected by the lower house. The Governor-General was empowered through these provisions to protect minority groups by ensuring their representation and preventing majority community dominance in parliament and policy. Legally the colonial justice system already used, along with English Common Law, existing indigenous customary laws: Buddhist Ecclesiastical Law, Kandyan law, Muslim law, the Thesavalamai laws of the Jaffna Tamils and even the Roman Dutch law kept from preceding colonial rule of the Netherlands. Minority rights were further to be protected by a clause prohibiting any legislation that discriminated against any ethnicity, language or religion unless a two-thirds majority could be mustered in the House of Representatives. These recommendations largely corresponded to the wishes of D. S. Senanayake and the Board of Ministers. Acculturated through elite instruction and often British education the Sri Lankan elite would only settle for the British Westminster model.

The Soulbury Report recognised this:

It must be borne in mind that a number of the political leaders of Ceylon have been educated in England and have absorbed British political ideas. When they demand responsible government, they mean government on the British parliamentary model and are apt to resent any deviation from it as derogatory to their status as fellow citizens of the British Commonwealth of

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<sup>8</sup> S. R. Ashton, 'Ceylon' in Judith M. Brown and W. Roger Louis, *The Oxford History of the British Empire: Volume IV – The Twentieth Century*, Oxford: Oxford University Press, 2001, pp. 460-461.

<sup>9</sup> D. S. Senanayake to George Hall, 16 August 1945, in *British Documents on the End of Empire, Series B – Sri Lanka, Part II, Towards Independence 1945-48*, K.M. De Silva (ed.), London: Her Majesty's Stationery Office, 1997, p.47.

Nations and as conceding something less than they consider their due. To put it more colloquially, what is good enough for the British people is good enough for them.<sup>10</sup>

The Board of Ministers also took advantage of the extra earnings taken during the war years from the Allied demand for its raw materials, ports, industry and manpower. Sri Lanka's politicians used this windfall to establish the foundations of a welfare state. In particular D. S. Senanayake as Minister of Agriculture directed large-scale developments in irrigation and fertility that benefited many peasants through cultivation of previously arid land while the 1943 report of the Minister of Education, C. W. W. Kannangara, paved the way for universal and compulsory free education for all citizens from kindergarten to university level. This would lead to Sri Lanka having one of the highest literacy rates and educational standards in Asia. The development and demand for Sri Lanka's resources and services during the war led to the remarkable fact of almost zero unemployment in the years 1942-45. Social legislation was enacted during these years that established health care, state-insurance, a minimum wage and food subsidies. Though not without problems, Sri Lanka with its relatively high standards of living became one of the most envied places in Asia and the British Empire.<sup>11</sup> The foundations of an Asian welfare state seemed to fulfil some of the expectations for Sri Lankan society seen in the historical works of indigenous high liberals like Sir James de Alwis and later Ananda Coomaraswamy.<sup>12</sup>

D. S. Senanayake seemed to proclaim the maturity of the Sri Lanka's persuasive claim to independence compared to other less loyal parts of the British Empire

There has been no rebellion in Ceylon, no non-cooperation movement and no fifth-column: we were among the peoples who gave full collaboration while Britain was hard-pressed ... We cannot offer you a rebel general – the experience of South Africa and Burma seems to suggest that it would be easier if we could – but we do suggest that an act of faith and generosity ... will cement the bonds between our people. It will indeed do more. It will add to the powers of the British Commonwealth of Nations.<sup>13</sup>

Reassuringly for the British and their allies the United National Party, under Senanayake, formed from the Ceylon National Congress, was firmly committed to withstand Soviet and communist influence and keep the island's critical bases under British control after independence. The U. N. P. in the elections 1947 was able to prevent the highly cohesive Communist parties at bay and take office in preparation to receive the reins of power.

Therefore, unlike most independence movements in the British Empire, Sri Lanka was able to gain sovereignty territorially intact without violence or even ill-will towards the departing Colonial power. The documenting doyen of transfers of power in the Commonwealth, Nicholas Mansergh, captured the perception and the

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<sup>10</sup> [Soulbury Report] Colonial Office, *Ceylon: Report of the Commission on the Constitution*, Cmd. 6677, London: His Majesty's Stationery Office, 1945, p. 110.

<sup>11</sup> See K. M. De Silva, *A History of Sri Lanka*, Special Sri Lanka edition, Colombo: Vijitha Yapa Publications, 2005, pp. 570-589.

<sup>12</sup> C. A. Bayly, *Recovering Liberties – Indian Thought in the Age of Liberalism and Empire*, Cambridge: Cambridge University Press, 2012, p. 339.

<sup>13</sup> D. S. Senanayake to Mr Hall, 16 August 1945 in 1948 in *British Documents on the End of Empire, Series B – Sri Lanka, Part II, Towards Independence 1945–48*, pp. 40–42.

reality of this legalist approach taken by the Ceylonese elite instead of the more populist mass movements seen elsewhere in the Empire.

ardent nationalists from other less peaceful lands might allude in tones of some condescension to Ceylon's fight for freedom, but the gentlemanly pressure for independence exerted by its conservative nationalist leaders upon Whitehall made up in good sense what it lacked in political passion. As a result Ceylon acquired the status of a dominion of the British Commonwealth without bitterness, by orderly constitutional advance which made the manner of its attainment a source of unflinching satisfaction to British constitutional historians and status in the academic world that of a model dominion.<sup>14</sup>

Not long after Mansergh wrote this evaluation of Sri Lanka's independence and its worthiness of replication the "model dominion" would spew forth the first of many fiery riots that would intensify on each occasion over the years until the wisdom of such assessments became ridiculed. Those foreign observers closer to the ground were beginning to see the false confidence. Not even three years after the glowing report from the first British High Commissioner in Colombo, mentioned above, his successor, Sir Cecil Syers, was already sensing the fallibility of the earlier assurances.

Ceylon must not be judged by Western standards. The political and social scenes are as treacherous to the European observer as the climate. Outwardly bright and gay, they have hidden and dangerous depths. To change the metaphor, the jewel of the East yet has its flaws.<sup>15</sup>

### III. A FLAWED INDEPENDENCE

Contrasting Sri Lanka's situation to India (and Burma) had been a successful strategy to negotiate independence. In order to quell any suspicions of Sinhalisation of Sri Lanka, which could have delayed independence, Senanayake famously appealed to the Tamils and other smaller ethnic groups in a widely reported speech to the State Council in 1945 that somewhat reassured the minorities and Mandarins at Whitehall.

For centuries the Sinhalese and the Tamils have lived together in peace and amity. We have been governed by their kings and they by ours. I cannot believe that they are solidly behind the reactionary elements which have seized the headlines. What is the good of six pages of long-winded resolutions at the stage of our history [referring to Tamil Congress leader G. G. Ponnambalam's appeal to the British to deny independence until more minority guarantees had been made]. I put this question bluntly to my Tamil friends. Do you want to be governed from London or do you want, as Ceylonese, to help govern Ceylon? I appeal to them not to let the ambition of a few politicians stand in the way of the freedom of our dear Lanka. Shall the most ancient of our civilisations sink to the level of dull and dreary

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<sup>14</sup> Nicholas Mansergh, *Survey of British Commonwealth Affairs – Problems of Wartime Co-operation and Post-War Change 1939–1952*, London: Oxford University Press, 1958, p. 246.

<sup>15</sup> High Commissioner to Secretary of State for Commonwealth Relations, 3 April 1952, DO 35/3127, TNA

negation? We all know and admire their special qualities. They are essential to the welfare of this Island, and I ask them to come over and help us.<sup>16</sup>

There was no reason to doubt Senanayake's genuineness in this speech. Senanayake as the preeminent national leader of the country believed in Sri Lanka's ability to govern alone and in the need for all its communities to work together. Despite his patrician and wealthy background and devotion to his Buddhist faith this bucolic Sinhalese squire never strayed in his articulation of Sri Lankan nationalism against the temptations of communal rhetoric. In a debate concerning communal representation Senanayake claimed that 'I don't care if they're all Tamils, provided they are elected as Ceylonese'.<sup>17</sup> Though obviously an example of parliamentary hyperbole, Senanayake once installed as the nation's first prime minister formed a cabinet that prefigured consociationalism by numerically representing the main communities. As will be explored below despite the nobility of Senanayake's sentiment it would prove difficult to hold his successors to such views.

Sri Lankan independence on 4 February 1948 came with peace, prosperity and no partition under an avuncular reliable leader. D. S. Senanayake in his Independence Day broadcast as Prime Minister stressed the calm and continuity of the transfer of power

there are no refugees crossing Elephant pass, the Ceylon Light Infantry is organising a party to welcome its Colonel-in-Chief, and the only explosions we shall hear will be those of the fireworks....independence had been achieved without bloodshed and with no more controversy than was to be expected in so complicated and delicate a process as the framing of a new Constitution. That we owe in part to the British people. They have taken longer than we wished, and I for one have had to say hard things about them in the past, but they have lived up to the liberal traditions of a great people.<sup>18</sup>

However, beneath the veneer of continuity and tranquillity lay very deep problems. The Ceylon National Congress was undoubtedly an elite organisation and never succeeded (if it had really attempted) in becoming a mass movement that excited and mobilised the masses in the fashion of Gandhi's revitalised INC in the 1930s. Organisationally it even failed to represent the elites it so clearly identified with. Sir Ponnambalam Arunachalam and other minority members, like some Muslims, left the Congress in the early 1920s over a dispute regarding territorial representation. They regarded the moves away from "Balanced Representation" to territorial representation as one that would establish the dominance of the majority community. The Tamils, Muslims and other groups, including the Sinhalese, founded and pursued with greater vigour ethnic and religious based parties. Thus over quarter-a-century before independence the Ceylon National Congress and its successor the U.N.P. could not fairly claim to be the carrier of pan-Sri Lankan national aspirations. The Congress movement was 'both artificial and ephemeral' even before the split.<sup>19</sup>

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<sup>16</sup> D.S. Senanayake's Broadcast, 4 February 1948, Sir Ivor Jennings Papers, Ceylon B3, ICS125, Institute of Commonwealth Studies, University of London.

<sup>17</sup> Cited in Sir Ivor Jennings, 'D.S. Senanayake and Independence', *The Ceylon Historical Journal*, D.S. Senanayake Memorial Number, Vol. V, Nos. 1, 2, 3 & 4, July & October 1955 and January & April 1956, p. 18.

<sup>18</sup> Senanayake's Broadcast, 4 February 1948, Jennings Papers, ICS125, Institute of Commonwealth Studies, University of London.

<sup>19</sup> C. R. de Silva, 'Sinhala-Tamil Ethnic Rivalry: The Background' in Robert B. Goldmann and A. Jeyaratnam Wilson, *From Independence to Statehood – Managing Ethnic Conflict in Five African and Asian States*, London: Frances Pinter, 1984, p. 112.

With Congress no longer acting convincingly as a comprehensive and nationalist organisation or its successor no other party was truly capable of being a truly inter-communal party – with the possible exception of the Communists, who the British to the local elites had no intention of transferring power.

As the Cold War enveloped international thinking Senanayake was shrewdly able to dangle the socialist sword of Damocles over Britain's head when they raised objections over the preparedness of Sri Lanka for independence. Writing to a sympathetic Lord Soulbury, and knowing that its contents would be passed to the Colonial Office, Senanayake complained that if power was not transferred soon he would lose his majority to the Communists who had already 'published a complete rejection of Dominion status' and who believed in withdrawal from the Commonwealth and expulsion of the British from the bases.<sup>20</sup> The same day as Senanayake's letter on 5 October 1945 Soulbury himself had wrote to the Colonial Office of the dangers of neglecting Senanayake's claims to office. Soulbury argued that Senanayake was losing ground in the State Council to 'more extreme and less responsible members of the Board of Ministers, under the leadership of Mr. Bandaranaike'. The former Conservative minister told the Colonial Secretary that unless concessions were made the more reliable Senanayake, who had 'passed the prime of life', could be the victim of 'manoeuvring to oust him from the leadership'.<sup>21</sup> George Hall and his successor at the Colonial Office Arthur Creech-Jones were persuaded by the value of transacting the transfer with an indigenous leader in the person of Senanayake that would maintain British defence, commercial and political interests in island over the heads of those perceived as being less amenable. Senanayake and Soulbury had a very close relationship that would culminate with the Soulbury Commission's author being offered the Governor-Generalship of Sri Lanka just a year after independence on the personal recommendation by Senanayake himself.

The British had in effect based independence upon their faith in one individual to keep the peace and maintain the constitutional settlement. Senanayake and his reassuring creed were seen at the best bet. This was repeated before and after in the British Empire. Senanayake, of course, was not the "sole spokesman" for any community that Jinnah could claim for the Muslims and nor was he the head of a great national party and movement like Nehru. The "George Washington of Ceylon", as Senanayake was described by the American State Department, instead made his appeal to the British by being a figure more closely linked to the mould of a traditional Dominion Prime Minister found in Canada, Australia or New Zealand. Patrick Gordon Walker reporting back to the Attlee Cabinet from the independence day celebrations that Sri Lanka's first Prime Minister 'is in the genuine tradition of Dominion Prime Ministers: deeply committed to the British connexion'.<sup>22</sup> That great exemplar of that traditional mould, Sir Robert Menzies, described Senanayake as part of the 'Commonwealth family'<sup>23</sup> – a tribute he would have never have given Nehru for example, who for the Australian Prime Minister, represented the

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<sup>20</sup> D. S. Senanayake to Lord Soulbury, 5 October 1945 in *British Documents on the End of Empire, Series B – Sri Lanka, Part II, Towards Independence 1945–48*, p. 113.

<sup>21</sup> Lord Soulbury to Mr Hall, 5 October 1945 in *British Documents on the End of Empire, Series B – Sri Lanka, Part II, Towards Independence 1945–48*, p. 112.

<sup>22</sup> 'Report on Ceylon': Cabinet Memorandum by Mr Gordon Walker, 17 March 1948 in *British Documents on the End of Empire, Series B – Sri Lanka, Part II, Towards Independence 1945–48*, p. 365.

<sup>23</sup> Robert Menzies, 'D. S. Senanayake, A Great Statesman of the Commonwealth', *The Ceylon Historical Journal – D. S. Senanayake Memorial Number*, Vol. V, Nos. 1,2,3 & 4, July and October 1955 & April 1956, p. 10.

dissolution of the values of the 'British' Commonwealth – the long-running antipathy between the two was mutual. Arguably the peculiar provision in the constitution that the Prime Minister would also hold the Defence and External Affairs portfolios demonstrated the faith the British had in the first holder of the premiership in guarding their interests and the transactional nature of the transfer of power.<sup>24</sup> To underline this, independence negotiations were largely made on the Sri Lankan side by just three people. Apart from Senanayake the other two were Sir Oliver Goonetilleke, a canny operator and civil service panjandrum and Sir Ivor Jennings, a Cambridge don in public law and constitutional expert, who had come to Sri Lanka as the first Vice-Chancellor of the University of Ceylon in 1942. Goonetilleke and Jennings however were completely under the command of Senanayake. Jennings, who apart from Sri Lanka's, would go on to play a leading role in the constitutions of Pakistan, Nepal, Malaysia and the Maldives, modestly in terms of his own expert involvement, wrote how much 'Ceylon owes to Mr. [D.S.] Senanayake and to Sir Oliver Goonetilleke. But for them Ceylon would still be a colony'.<sup>25</sup> The elitist enterprise that was Sri Lankan independence was highlighted by the fact that unlike India, independence came legally not by an Act of Parliament, but as De Silva points out, a 'mere Order-in-Council'.<sup>26</sup> An Act would have required more time and deliberation and the Senanayake & co were impatient. However, even after independence, once again in contrast to India and Pakistan, Sri Lanka saw no need to establish a Constituent Assembly to mould a national document through deliberations with representatives of the whole country.

D. S. Senanayake was able through his largely successful stewardship of the state to dismiss any need for such Indian methods or constitutional contemplations. As Jennings, a great admirer, described him the 'bluff old farmer' who had 'never passed Matriculation' was nonetheless a highly capable operator who got on with things 'forcefully and decisively' leaving the details to others.<sup>27</sup> Under his premiership 1948-52 the strategy seemed to work. There were no communal riots, no disorder, no resorting to dictatorship or military rule and no thought of secession. Instead Sri Lanka under Senanayake took an important part in world affairs, the Colombo Plan being the highlight; there were economically prosperous times especially due to the Korean War's demand for local goods; living and educational standards continued to rise; the (inter-communal) cabinet and country accepted the leadership of the prime minister; his political opponents including the Communists seemed incapable of threatening the country or the treasury benches; the political system while criticised was seen to have sufficient safeguards, and all groups, though not without occasional grumbling believed in a united Sri Lanka. However, there were signs of the problems ahead that began simmering after Senanayake's death in 1952 and before the sea change of the 1956 Sinhala Only Act, which launched the first serious episodes of communal violence that paralysed the country for decades after. Before examining the most prominent manifestation of national

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<sup>24</sup> Ceylon Constitution, Section 46(4) in Jennings, *The Constitution of Ceylon*, p. 216. The Soulbury Report pushed for this unique inclusion, arguing that a Prime Minister 'as Head of Government, would be the most suitable repository for the information on Imperial Defence policy ... the Minister of Defence, on instructions when necessary from the Imperial Authorities received through the Governor-General would be the instrument through which Imperial policies would be carried out'. See Soulbury Report, Cmd. 6677, p. 95.

<sup>25</sup> Sir Ivor Jennings (ed.), *The Constitution of Ceylon*, 3<sup>rd</sup> edition, Oxford: Oxford University Press, 1953, p x

<sup>26</sup> K.M. De Silva, 'A Tale of Three Constitutions 1946–8, 1972 and 1978', *The Ceylon Journal of Historical and Social Studies*, Vol. VII, No. 2, June–December 1977, pp. 3–5.

<sup>27</sup> Sir Ivor Jennings, 'D. S. Senanayake and Independence', *The Ceylon Historical Journal – D. S. Senanayake Memorial Number*, Vol. V, Nos. 1,2,3 & 4, July and October 1955 & April 1956, p. 10; pp. 18-20.

crisis – the Tamil-Sinhalese conflict, it is worth looking at the other political and social issues in this period, which did not augur well for the Sri Lankan future.

#### IV. POST-INDEPENDENT POLITICS BEFORE COMMUNAL VIOLENCE

Then came freedom. But how did freedom come? It came not after a fight upon definite principled policies and programmes, but it really came in the normal course of events, that is, attempts to persuade Commissions sent from England to grant this little bit or that little bit extra, and, finally, in the wake of freedom that was granted to countries like India, Pakistan and Burma, our Soulbury Constitution was altered to extend to us the same type of Dominion Status. There was no fight for that freedom which involved a fight for principles, policies and programmes which could not be carried out unless that freedom was obtained. No. It just came overnight. We just woke up one day and we were told, ‘You are a dominion now’.<sup>28</sup>

These were the words of Oxford educated Sinhalese S.W.R.D. Bandaranaike who had been a front-rank politician since the 1920s. Continuity was the goal of the new leaders. The Governor-General, Chief Justice, Commander of the Armed Forces remained British and even British planters sat in the new House of Representatives. Sri Lanka aspired to the parliamentary ideals of the Palace of Westminster. A critical element, which makes the Westminster system work was absent however. Political parties in Sri Lanka were based on personalities not policies. The fact that independence was largely a personal transaction and not a mass movement rendered the party-political system a secondary concern. Parties themselves were largely personalist or single-issue entities that either proved incapable or unwilling to appeal beyond their sectional interests. The fragility of the transfer was such that even the political reach of D. S. Senanayake was limited. Rather than trounce the opposition in elections of August-September 1947 in preparation for independence as the man who delivered freedom, Senanayake was forced to cobble together a coalition of smaller parties and independents to his recently formed U.N.P. to make a bare majority and thus form a government. If the Yamuna Conference of opposition parties had succeeded in uniting, Senanayake and U.N.P. could not only have been denied office, but the Commonwealth could have had its first Trotskyist Prime Minister in Dr. N. M. Perera, who instead became Leader of His Majesty’s Loyal Opposition.

Even ten years after independence the Conservative Prime Minister Harold Macmillan recorded during a visit that Sri Lanka had no conventional Party system on British ideals and instead politics revolved on families, which to this historically minded premier resembled a previous English political era since ‘in a curious way, the political life is more like that of Whig politics in the eighteenth century than one would suppose. The leading figures have a “following” (like the Bedfords or the Rockinghams)’.<sup>29</sup> The Sri Lankan versions of these great aristocratic political families were the Senanayakes and the Bandaranaiques. S.W.R.D. Bandaranaike would leave the Senanayake government in 1951 and form his own party, the Sri Lanka Freedom Party (S.L.F.P.). A key reason for the establishment of the SLFP was the removal of Bandaranaike as Heir Presumptive to Senanayake since Bandaranaike thought the Prime Minister would engineer the succession for his own

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<sup>28</sup> E.F.C. Ludowyk, *The Modern History of Ceylon*, London: Weidenfeld and Nicolson, 1966, p. 204

<sup>29</sup> Harold Macmillan, 19 January 1958, *The Macmillan Diaries*, Vol. II, Peter Catterall (ed.), London: Macmillan, 2011, p. 91.

family. Well before the Nehru-Gandhis or the Bhuttos Sri Lanka practised the political art of keeping power within the family. Inder Malhotra rightly describes Sri Lanka as the ‘birthplace of dynastic rule in the subcontinent’ and ‘pace-setter’ for entrenching political power within the family – a practice that continues.<sup>30</sup> Without mirth a member of the Bandaranaike family could claim that the occupation of the seat of power was ‘a game of musical chairs by which a Bandaranaike (SLFP) or a Senanayake (UNP) can alternatively come to power’.<sup>31</sup> The U.N.P. was known as the uncle-nephew party – with two of D.S. Senanayake’s nephews becoming prime minister, not to forget his own son Dudley, there is truth to the epithet. Aside from the premiership Cabinet also was a natural repository for the family. Lacking the disciplined whipped loyalties of a modern party prime ministers looked instead to their own families for reliance. The blood bonds of family were unquestionably thicker than the watery ones of political parties. This was the case with smaller parties also where the reliance of personalities was equally pronounced such as the Communists under Dr S.A. Wickramasinghe, Dr N.M. Perera’s LSSP, S.J.V. Chelvanayakam’s Federal Party and G.G. Ponnambalam’s Tamil Congress. As Woodward’s study of the party scene in early post independent Sri Lanka concluded parties were based on ‘a group of ambitious men who have chosen politics as a vocation and who seek personal success’.<sup>32</sup> Though this was not true of all politicians the argument is a symptom of an unhealthy democratic party system.

The death of D. S. Senanayake in March 1952 brought to the open the fragility of Westminster conventions and the applicability to Sri Lanka. Rather than follow the practices and conventions of the Westminster system Sri Lanka had very proudly adopted and admired, D. S. Senanayake’s son Dudley became prime minister without passing the all-important Westminster litmus test of demonstrating he had the confidence of the popularly-elected House. The person who was politically senior to him in the Cabinet and the governing Party as well as Leader of the House, (and Dudley’s cousin) Sir John Kotelawala, was passed over without consultation with him or anyone in the Cabinet. The person who broke the rules should have known better and it was not even a Sri Lankan. As Manor argues, ‘the first major violation of the conventions of Westminster to occur in the island was the work of an Englishman’: Lord Soulbury the author of the constitution. Soulbury, Governor-General since 1949, whose report strongly argued for British conventions to be established in Sri Lanka was now party to one of the most extraordinary breakings of British conventions. Soulbury’s reasons for involving the ceremonial position of Governor-General into politics are unclear. Arguments have been made that he was following the instructions of D. S. Senanayake to appoint his son if anything happened to him or that he wanted to prevent the succession of Sir John Kotelawala due to his irascible and unpredictable nature, which the British believed could have led to dictatorship and the annulment of the valuable defence agreements.<sup>33</sup> Regardless of the motives the action showed how easily the political conventions could be manipulated. Kotelawala eventually did succeed his cousin in 1953 and effectively removed Soulbury from Queen’s House not long after – showing how the same conventions could be manipulated the other way – not a good omen for good governance.

<sup>30</sup> Inder Malhotra, *Dynasties of India and Beyond – Pakistan Sri Lanka Bangladesh*, London: Harper Collins, 2003.

<sup>31</sup> James Jupp, *Sri Lanka – Third World Democracy*, London: Frank Cass, 1978, p. 47.

<sup>32</sup> C. A. Woodward, *The Growth of a Party System in Ceylon*, Rhode Island: Brown University Press, 1969, p. 19.

<sup>33</sup> See footnote 1 and James Manor, ‘Setting a Precedent by Breaking a Precedent: Lord Soulbury in Ceylon, 1952’, in D.A. Low (ed.), *Constitutional Heads and Political Crises – Commonwealth Episodes, 1945–85*, London: Macmillan, 1988.

The Sri Lankan Government was also adept at manipulating the rules on who could and could not be citizens of the country. Almost unnoticed at the time and overshadowed by the Sinhalese-Sri Lankan Tamil rivalry was another episode during this early period, which reflected poorly on Sri Lankan national governance. Most Indian Tamils or “Estate Tamils” in Sri Lanka had been brought in the nineteenth century to work as labourers on the Tea Plantations in the central highlands. Sri Lankans, particularly the Kandyan Sinhalese community in the central provinces, were highly concerned about the “swamping” of the Estate Tamils who could numerically outnumber them in their own electorates. Starting with the Ceylon Citizenship Act of 1948 and other laws citizenship was effectively denied to this group of largely illiterate and property-less people whose families had often been working on the island for generations. The Estate Tamils’ inability to get citizenship was coupled with the removal of any right to vote. Therefore almost 12% of the population lost their ability to choose their representatives. D. S. Senanayake justification was that this group were merely ‘birds of passage’ and not tied to the island, but in reality he and his successors did not want this not insignificant numerical group to wield any political power over elections.<sup>34</sup> Despite any ramifications other minority groups could take from this there was little effective defence of the Indian Tamils from the other groups including the Sri Lankan Tamil parties. The lessons of how easily rights could be taken away were not learnt in this case. However, it would not be long before the communal corollary was evident.

## V. THE FRAGILITY OF NATIONAL UNITY

“You know, my dear fellow [smiling broadly], I have never found anything to excite the people in quite the way this language issue does” – S.W.R.D. Bandaranaike interviewed in 1956<sup>35</sup>

Behind the facade of the elite lay what Manor describes of these crucial years as the ‘failure of political integration’, with the mass/elite discontinuity being at this stage more critical than the Sinhalese/Tamil discontinuity.<sup>36</sup> Elite expectations certainly were high and followed the lead of the British commissions sent to Colombo. The Donoughmore Constitution, mentioned above, in 1931 heroically introduced universal suffrage and abolished communal representation, which had been an institutional attribute of all legislative bodies on the island since 1833. The Commissioners had virtuously denounced the primitive parochial connotations of communal representation as being unworthy of a modern democratic state. Though before 1931 it should be remembered (and even for years afterwards) evidence of members voting as a communal group in the Legislative and State Councils, apart from constitutional questions, was not common. Interestingly almost all members of the elite-bodied Legislative Council were against the extension of the electorate to the illiterate masses and many in the chamber, including all the minorities groups, opposed the end of communal representation.

The minorities had proportionately enjoyed, generally, higher representation before the 1931 reforms so were wary of the changes. The critique was that the

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<sup>34</sup> See Amita Shastri, ‘Estate Tamils, the Ceylon Citizenship Act of 1948, and Sri Lankan Politics’, *Contemporary South Asia*, Vol. 8, No. 1, 1999, pp 65-86

<sup>35</sup> James Manor, *The Expedient Utopian – Bandaranaike and Ceylon*, Cambridge: Cambridge University Press, 1989, p. vi.

<sup>36</sup> James Manor, ‘The Failure of Political Integration in Sri Lanka (Ceylon)’, *Journal of Commonwealth and Comparative Politics*, Vol. XVII, No. 1, March 1979, p. 22.

Donoughmore Commission had eliminated communal representation, but had instituted no substantive mechanisms – electoral or constitutional – to ensure representation of minorities and for their interests and identity to be protected. Interestingly, across around the same time as decisions were taken to abolish communal representation the Simon Commission and the Round Table conferences were recommending schemes to strengthen minority representation and rights for India. A paradoxical outcome of this move to eradicate communal representation was the growth of communal organisations, which in turn made pan-community organisations less effective. By the time of the Soulbury Commission in the 1940s there were even more claims for special representation over territorial representation. Nonetheless, the Soulbury Commission rejected not only the Tamil Congress proposal for guaranteed representation for minorities, but also proposals from minority groups as diverse as the Ceylon Moors' Association, the All-Ceylon Scheduled Castes' Federation, the Catholic Union of Ceylon, the Ceylon Malayali Mahajana Sabha, the Ceylon Muslim League, the Dutch Burgher Union, the Malay Political Association and even the Central Fisheries Union of Ceylon, who, using different methods argued for separate and legally stipulated representation in parliament.

The Soulbury Commission and the Colonial Office faced the eloquent, but also the most controversial proposals from the Tamil Congress leader G. G. Ponnambalam. Ponnambalam, whose party did not represent all Tamils, infamously advocated that the 'major community should be given a relative majority and not an absolute majority in the Legislature'. This would in effect mean 'fifty-fifty' representation with the Sinhalese having half the seats and the rest filled by the minorities. Ponnambalam believed that the Sinhalese as the majority community would thus be 'deprived of a primary motive to perpetuate communalism' and end their potential 'domination' as a 'permanent racial majority [that was] unalterable by any appeal to the electorate'. Ponnambalam questioned why Sri Lanka's minorities received no 'weightage in representation' when this principle in plural societies had been accepted by 'His Majesty's Government' in respect to the French Canadians under the Act of Confederation of North America, 1867, Muslims in Cyprus, Māori in New Zealand and Muslims, Sikhs, Christians and others under the Government of India Act 1935 and elsewhere in the Empire. Contrary to the arguments of Senanayake the Tamil Congress leader did not see how the British model could work in Sri Lanka without stringent safeguards.

all the conditions and prerequisites [...] thought [...] necessary for the successful functioning of English Parliamentary institutions are still non-existent. It professes to appreciate the difficulty of applying the principles of Western Democracy to Ceylon. It also admits that the prospect of transplanting British institutions to Ceylon with success may appear remote. Nevertheless because it fears that modifications of the British form of Government may not prove any more successful it recommends for Ceylon a method of Government of which it 'knows something about' and which is a 'result of very long experience'. The obvious reply to this is that the British method of Government of today is the result of the experience of centuries of its working by the British people and adapted to their particular genius. To recommend such a Constitution for Ceylon in the face of the experience of the minorities for the last fourteen years in the anticipation that certain hopes and expectations will be realised will amount to the handing over of

the future welfare of a large section of the people of the Island to the unfettered control of a permanent communal majority.<sup>37</sup>

Ponnambalam, however, did not represent the other minorities or even his own community. The radical idea of “fifty-fifty” was strenuously attacked by Senanayake and his allies and vigorously rejected by the Soulbury Commission as inimical for the functioning of a modern democracy based on the individual and not the outdated atavisms of kinship. Senanayake astutely dulled Ponnambalam’s rhetoric by inviting him to join the first Cabinet. The fact remained however that if the British had listened to the protestations of the Tamil Congress and other Sinhalese groups and many other organisations based on political, ideological, ethnic, religious, linguistic, regional, caste and even commercial communities the British would have heard different arguments on how to construct an independent state. Some of the recommendations the Soulbury Commission had made for minority protection and representation were quietly disposed of or did not eventuate. The provision of the Governor-General to appoint members to both the House of Representatives and the Senate, for instance, who were not adequately represented was a power given to the prime minister instead. Ironically the only racial group that was given special representation in parliament were the European planters. However, with the inclusion of Ponnambalam and other minorities at the Cabinet table under the U.N.P. governments and the lack of any legislative discrimination (with the major exception of the Indian Tamils mentioned above) Sri Lanka’s polity did not produce communal conflict in these years.

However, the election of S. W. R. D. Bandaranaike in 1956 changed Sri Lanka forever with the introduction of the Official Language Act No. 33 of 1956 – better known as the Sinhala Only Act. The election of this government and its signature language policy was a watershed for Sri Lanka and ushered in a more virulent form of communalism and provided the roots for the civil war that imprisoned the island for so long. Bandaranaike’s election was heralded as an important victory. The U.N.P. had appeared too Westernised and removed from the concerns of the people and was completely destroyed in the 1956 election – humiliatingly left with just 8 seats. The peaceful transition to the populist coalition with Bandaranaike’s S.L.F.P. at the helm seemed to show democratic maturity – it was the first time in South Asia the governing party had been ejected by the electorate. Bandaranaike has masterfully campaigned on policies most likely to appeal to the majority Sinhalese hinterland. Eschewing the trappings of the elite Bandaranaike, evoking the powerful Buddhist-Sinhalese nationalism first effectively promoted by the revivalist Anagarika Dharmapala in the early twentieth century, the SLFP leader proclaimed the sacredness of Buddhist Sri Lanka and its inviolably link to the Sinhalese people.

The civic nationalism of D.S. Senanayake never convinced many outside Colombo’s elite suburb of Cinnamon Gardens. The appeal of Blood and Buddhism was more powerful than the lofty, alien and abstract nature of Ceylonese nationalism. The majority of the people now had a government that targeted their concerns and spoke their language – literally. Pandering to minorities and the West held little hold on the masses. Minorities held a disproportionate hold of the sought after civil service jobs where English was the axiomatic medium and key to advancement. The Sinhalese Only Act was a political tool to engage the electorate and shore up support for the prime minister and his allies. The trouble was it worked too well. Ironically Bandaranaike himself was hardly a man of the people. Bandaranaike was born into one of the most prominent and wealthy Sinhalese families in the land. He was

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<sup>37</sup> G. G. Ponnambalam to Mr Hall, 3 November 1945 in *British Documents on the End of Empire, Series B – Sri Lanka, Part II, Towards Independence 1945–48*, pp. 141-157.

christened an Anglican with the Governor, Sir Joseph West Ridgeway as his godparent (and from whom two of his middle names come from) and his knighted father was famously the highest ranked “native” with a highly pro-English sensibility, which manifested itself in sending his son Solomon to Christ Church, Oxford where he studied Classics and ended as Secretary of the Union. Bandaranaike who converted to Buddhism on his return from England and who struggled with the Sinhala script was ironically one of the first advocates of federalism and unity based on diversity. Unlike other members of the elite Bandaranaike saw the clear distinctions of the peoples of the Sri Lanka, which until British rule, had never been under unitary control. Bandaranaike’s arguments for devolved government and recognition of the need to preserve the identities of the main groups of Sri Lanka were ahead of its time. By the 1950s his strategy changed. There was more political capital to be made from appealing to the Sinhalese only – just as the Tamil politicians were departing the main parties to form their own ethnic based ones and appeal directly to their own constituency.

Bandaranaike primarily saw the policy as a way to wrest power away from the Senanayakes and had no intention of inciting ethnic conflict. With his aristocratic and intellectual nonchalance Bandaranaike believed he could control the masses and deal with the minorities later. As DeVotta argues the new SLFP Prime Minister found communalist rhetoric ‘antithetical to his core liberal proclivities’. However, ‘vanity had deluded Bandaranaike into thinking that the chauvinists he was manipulating could be tamed after obtaining power. Such chutzpah was based on his belief that the emotive Sinhala-only demands would dissipate once the Sinhala-only legislation was passed, and that he could thereafter seek to accommodate Tamil’.<sup>38</sup>

This tactic backfired. Bandaranaike forged an agreement with the Tamil Federal Party leader, S. J. V. Chelvanayakam, after a satyagraha by the Tamil MPs and their supporters, which brokered relaxing of the new Act with reasonable use of Tamil and limited local area powers in the north and east. However, Bandaranaike annulled the pact after massive protests led by a combination of Buddhist clergy, opposition parties, and the Sinhalese masses who saw any concession as an affront to their dignity and historic place in the island’s history. Sri Lanka then faced its major inter-ethnic riots for decades. Violence and disorder compelled the government to enact a State of Emergency. Bandaranaike, not wanting to alienate his supporters by appeasing the Tamils, effectively left the governance of the country to Sir Oliver Goonetilleke, Governor-General after Soulbury’s departure in 1954. This abnegation of power to protect the citizens of *all* the country had serious consequences. As Wickramasinghe argues ‘the 1958 riots were the first major outbreak against the Tamils and in many ways a point of no return’.<sup>39</sup> There were three key points that made the success of the Sinhala Only Act and the resultant riots critical for the island’s future and its race relations. Firstly despite giving one language a privileged status above others, including as the language of government and administration – even in Tamil areas, the constitution was judged not to have been breached. Minority rights were therefore unprotected. Secondly, with the exception the Communists no party targeted support from all communities. As a recent theoretical framework of multinational democracies concluded, Sri Lanka ‘ceased to have any major polity-wide parties after the aggressive nation-state-building policies were initiated in 1956’ as the ‘temptation increased for winner-take-all outbidding among Sinhalese parties for the votes of Sinhalese for the control

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<sup>38</sup> Neil DeVotta, *Blowback – Linguistic Nationalism, Institutional Decay, and Ethnic Conflict in Sri Lanka*, Stanford: Stanford University Press, 2004, pp. 52–74.

<sup>39</sup> Nira Wickramasinghe, *Sri Lanka in the Modern Age – A History of Contested Identities*, London: C. Hurst & Co, 2006, p. 273.

of their nation-state'.<sup>40</sup> Thirdly, and related to the preceding point, Sri Lankan nationalism meant Sinhalese nationalism. The UNP and SLFP would begin from this point the dangerous ethnic outbidding of the Sinhalese masses where there was little political or institutional incentive to make concessions to the Tamils – and if the concessions were made they were robustly protested against by their rival parties. In 1956 for the first time there were no Tamils in the Cabinet. The Tamil parties became redundant to national politics and with their failure to achieve meaningful safeguards and opportunities for their community saw their support erode and transfer to more dangerous extra-parliamentary forces, which saw no benefit in national unity.

### ***Conclusion***

Sri Lanka in these early years showed the promise of a peaceful, prosperous and united future. The British and inter-communal elite were almost smug in their confidence that Sri Lanka was the “model”. Decolonisation came to the island through gradualism and a symbiotic relationship with the colonial power, which though lacking the founding story of a populist and sometime violent freedom struggle was no less successful in attaining sovereignty. Sri Lanka willfully seemed to follow the lines of the old Commonwealth settler cases over the Congress model. Unlike India, Sri Lanka embraced its British connections and sought stability and continuity through a “gentlemanly” transfer of power untroubled by mass movements, civil disobedience, nationalist fervour, constituent assembly or even an Act of the British parliament. D. S. Senanayake’s reassuring leadership, the lack of violence and outward fidelity to the British parliamentary model established the false confidence. It would not be long before the foundations of this self-belief unraveled. The political and historic forces had not adequately instilled the roots of integration and cooperation necessary for the state of Sri Lanka to function as envisaged. The abstract appeal to cross-community unity proved no competition for the ready, easy attraction of narrower communal messages. Without constitutional safeguards or political incentives the Sinhalese and Tamil parties saw little point courting the other by at least 1956. The riots of 1958 took the wounds opened by the 1956 Sinhala Only Act to a new level of violence that would soon take the life of Bandaranaike in 1959 – when he was assassinated by a Buddhist monk who represented the very forces he sought to promote, but in the end was unable to satisfy. The negative lesson was learnt and national political leaders abandoned multi-ethnic nation-building policies for fear of alienating their core constituency while soon Tamil extremists saw greater leverage to be made from bombs and not peaceful negotiation. Though there was no partition to scar the face of Sri Lanka on independence like its northern neighbours it would not be long before the assurance of its rhetoric became hollow and conflict engulfed the country to levels thought unimaginable on 4 February 1948.

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<sup>40</sup> Alfred Stepan, Juan L. Linz and Yogendra Yadav, *Crafting State-Nations – India and Other Multinational Democracies*, Baltimore: Johns Hopkins Press, 2011, pp. 150–152.

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