

CPA@25: **Reform** *and* **Reconciliation**

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CPA@25: Reform and Reconciliation

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The Centre for Policy Alternatives (CPA) is an independent, non-partisan organisation that focuses primarily on issues of governance and conflict resolution. Formed in 1996 in the firm belief that the vital contribution of civil society to the public policy debate is in need of strengthening, CPA is committed to programmes of research and advocacy through which public policy is critiqued, alternatives identified and disseminated.

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Editor's note

Congratulations to the Centre for Policy Alternatives (CPA) on its 25th Anniversary and the launch of this publication, *Reform and Reconciliation*. This collection of articles is particularly timely and momentous, not only because of the many milestones CPA has achieved, but also considering where Sri Lanka is as a country today.

Perhaps there is no other institution in our land which has had such a remarkable impact with its work, and also on its staff. This is not a claim CPA will ever make, but I attest to as a former employee and life-long admirer of the organisation, its founder, and all they stand for.

It is memorable how CPA came into being over a drink and an informal conversation. And these drinks and informal conversations have continued to lead to deep intellectual discourse and to the achievement of some of its greatest work.

As you weave your way through the fabric of this publication, you will observe that Dr. Paikiasothy Saravanamuttu or Sara, has manifested in various forms throughout. Not only as the steadfast, committed founding executive director but, also mentor and friend. He has steered the organisation through murky waters, sometimes at much personal cost. I remember vividly how he was advised to move his chair in the office away from a window, to avert a possible targeted assassination. It was chilling.

CPA's contribution to public policy is unparalleled. Hence it would be feeble to confine CPA's contribution to constitutional reform, social policy, advocacy or any of the major sections of this publication – it is more than the sum of its parts. CPA with its vision and mission has taken its commitment beyond Sri Lanka's shores to represent and infuse the issues plaguing our country at many international fora.

On a personal note, the unmistakable and lasting impression Sara has had on me, I will always cherish. It's been my honor to have reviewed and collated these articles that have also taken me down memory lane with much pleasure. For many of us, CPA has also made a personal difference by helping chart a path otherwise, we may not have encountered. The young blood CPA and Sara has nurtured and groomed, have already left an indelible mark in Sri Lanka and globally. You will see it for yourself with some attention to the short biographies of the contributors at the base of each article.

The 40+ articles reflected in this publication provide a wealth of valuable insights and experiences in CPA's application of its mandate. They are a repository of achievements, reflections, memories, anecdotes, and critiques. May I take this opportunity to invite you, the reader, dotted in many corners of the world to read, listen and support CPA as it charts waters familiar and unknown, firm in its beliefs and steadfast in its commitment.

It is our collective hope that Sara, as the founding executive director, will continue to lead CPA, and the organisation continues to replicate and upscale its work in the coming years.

Shimali Senanayake

Head, External Relations at the Western Academy of Beijing, China.
Former International Correspondent for the New York Times and Associated Press.

Introduction

Twenty -five years!

Dr Paikiasothy Saravanamuttu

Founding Executive Director

It has been a long journey of patient plodding and frequent frustration and then, in the memory, a shorter and exciting one too, of upholding principles in public interest litigation, electoral violence and malpractice, the ravages of war, a constitutional coup, death threats and public vilification, amongst other excesses of executive power and authority.

The Centre for Policy Alternatives (CPA) was founded in the belief that civil society has an important role to play in the making of public policy. Civil society in this respect is not about capturing state power, but rather about setting an agenda for public policy for the government of the day to adopt and implement and of ensuring a context of rights enjoyment, protection and enhancement, which underpins this. As the title of this volume indicates this is a story of the protection and strengthening of the rights of citizens against violation by the state, of resistance to illiberal and unconstitutional encroachments on basic rights and freedoms, of reform of the public policy agenda to acknowledge and institutionalize the Rule of Law and Equality before the Law without fear or favour in the architecture and practice of governance and government and to reconcile all the peoples of this island in the celebration of Unity in Diversity. In this respect and twenty-five years notwithstanding, the work of CPA will always be a work in the state of becoming. Not of being.

Criticism

I would like, at the onset, to address some of the criticisms made against us. The first of these is that we are and continue to be an elitist and Colombo based organisation unconcerned with what affects the average citizen.

It is true that we have prioritized fundamental rights. We totally disagree that this is not of concern to the average citizen for, it is her rights that we are fighting for and without a sound constitutional framework of fundamental rights the average citizen will not attain the unity, peace and prosperity she desires and deserves. Admittedly, perhaps we have not made this point sufficiently or adequately to the population at large. However, we have tried and will continue to ensure that all our work is carried out in all the three languages of Sinhala, Tamil and English and in this regard we would like to remind our critics that the work of the Outreach Unit and the Centre for Monitoring Election Violence (CMEV) with an island-wide network, is done mainly in the official languages. Moreover, we have *Vikalpa* and *Maatram*, our two websites in Sinhala and Tamil, respectively.

A second criticism is that we work according to the agenda of foreign governments, since they are our main funders. Yes, they are our main funders because there is no funding in Sri Lanka for civil society work in the fields of human rights and governance. if only there were! Furthermore, the allegation that we take their money to implement their projects is completely untrue in that we identify our priorities and go out and seek funds to implement them. That there is a congruence, between Western donor priorities and ours, is not a coincidence, because they too are formally committed to a world of human rights protection, the Rule of Law and constitutionalism.

And yet another criticism is that we are too confrontational with governments and a cat's paw for the opposition.

It should be noted that for the twenty-five years of our existence, some twenty have been under a UPFA government headed by President Kumaratunga and the Rajapaksa brothers, Mahinda and Gotabaya. Throughout this period the UNP has been the Opposition for over twelve years with another eight years in government. The mission and mandate of CPA is policy research and advocacy on governance and conflict transformation from a human rights perspective and in these turbulent times, the Opposition was more in accord with our views than the government of the day. Moreover, the policy platform on which the government was formed in 2015, was defined and designed by liberal civil society research and advocacy over two decades at least and liberal civil society had a duty to ensure that it would not be jettisoned. Accordingly, the distinction between working with government as opposed to working for them and losing one's independence and credibility was a position we upheld during the tenure of that government.

Earlier on, the call for the annulment of the Wayamba election in 1999 blotted our copybook with the Kumaratunga government, which set up a rival organisation to contest every media communiqué CMEV put out; advocacy for human rights protection and accountability did not sit well and perhaps still does not sit well, with either Rajapaksa regime. That we are partisan towards the UNP, stands in stark contrast to our public interest litigation when they were in office and our continued human rights advocacy.

Achievements

Over the twenty-five years we have pioneered civic media in Sri Lanka with our award winning Groundviews website, which serves as a platform for the counter-narrative of the day and for news and opinions insufficiently covered in the mainstream media or not covered by the latter at all. Social Indicator is the only civil society polling unit which polls public

opinion on contemporary social and political issues, island wide. It also has seven years of data on the public's views with regard to war and peace in the country. CMEV which arose out of the very first activity of the organisation - monitoring of election violence - and which encountered censure and sanction from the government when it called for the annulment of the infamous Wayamba election, is now one of two nationally recognised election monitoring organisations in the country.

We have a rich reserve of data on constitutional issues including strengthening of parliament, federalism and devolution and our public interest litigation programme, has as much highlighted issues of current importance and raised awareness of rights violations, as it has succeeded in winning cases. Of particular importance is the spearheading of advocacy for human rights protection and accountability, bringing together civil society organisations from around the country.

Origins and Acknowledgements

CPA grew out of the Centre for Policy Research and Analysis (CEPRA), set up by the Vice Chancellor of the University of Colombo, Professor G.L. Peiris. CEPRA held the first public meeting on the 1995 proposals of the government for a new constitution. When CEPRA wanted to hold a similar meeting in Sinhala, we were told by the student body that we would not be allowed to do so. In any event the ethic on campus and the bureaucracy stood in the way of CEPRA achieving the objectives of its founders as an innovative research institute. Jayadeva Uyangoda, Rohan Edrisinha and I, all working at CEPRA, decided to move out and set up an organisation that would not encounter such impediments. We decided that our board would reflect the political opinions of the day and that I would be the Executive Director. CPA

owes its name and initial articles of association to Uyan. Our founding grant was from the Asia Foundation and a loan from INFORM facilitated by Charlie Abeysekere, a founder Director. I must acknowledge the support and solidarity from Ed Anderson, the Representative of the Asia Foundation.

I must place on record my appreciation for two founder Directors - Charlie Abeysekere and Bradman Weerakoon. Their wealth of experience, their enthusiasm and encouragement for the aims and work of CPA and their commitment to the organisation, was invaluable. CPA will always be indebted to them. Likewise, Shelton Wannasinghe who was also a particular pleasure to work with as a senior member of the Board, especially when the organisation came under attack in the years after the war. Another former Director who I must acknowledge is Dr Arjuna Parakrama who designed the methodology of CMEV, which CMEV follows to the present day and who also set up a translation programme Vibasha and the first Media Monitors –both of which are still spoken about. Finally, amongst former members of the Board I must acknowledge CPA's debt to Kethesh Loganathan who headed the Peace and Conflict Unit. Kethesh brought to CPA his years of experience of the Tamil struggle for self-determination and his personal knowledge of the key LTTE and other guerilla leaders of the time. Accordingly, in his years at CPA he deepened our knowledge of peace and conflict and sometimes, not easily.

A special mention must be made of founder Director Rohan Edrisinha, who was the founder of the Legal Unit, now the Research and Advocacy Unit and the programme of Public Interest Litigation. Rohan's vast knowledge of constitutional and public law attracted many a young researcher to CPA and laid the foundations for the work on federalism and devolution as well as the now well -established programme of Public Interest Litigation.

CPA^{at25}

Many of the older members of CPA will remember Jean Godlieb head of Administration and a veritable mother to the staff. Her patience, efficiency and warmth made the organisation, from the outset, a happier workplace.

Over the twenty-five years, CPA has had many friends amongst the international human rights organisations, international NGOs and universities. To them we offer our thanks for their support and solidarity, in good times and bad and express the hope that when the need arises, we can work together again.

I must thank all the staff of CPA and our interns both foreign and national, for their dedication to our values and excellent work. For many of them, working for CPA was their first and only job. In particular I must thank Lionel, Asanga, Bhavani, Sanjana, Pradeep, Dev, Mirak, Sriyane and Renuka for their brilliant work, which, in some cases, was unprecedented and for their commitment and sustained dedication to the

work and values of CPA. Many of them have gone on to excel themselves in work for the United Nations as Resident Representatives and in election monitoring, for their own governments as Deputy Assistant Secretary of Defence, for our own national institutions like the first Office for Missing Persons and in academia abroad. The staff of CPA makes CPA and CPA in turn has changed their lives, I hope they will agree, for the better.

I hope and trust that CPA will continue its work into the future. And that it will keep working better. In conclusion, I would like to quote the poet Robert Browning as I did when I delivered the Gandhi Memorial Oration:

"Ah but a man's reach should exceed his grasp; Or what's a heaven for?"

So be it for the Centre for Policy Alternatives for the next twenty-five years and more!

Acknowledgements

On behalf of CPA, let me register my fulsome thanks to Shimali Senanayake and Lionel Guruge, the two editors of this commemorative volume. Their patience, understanding and commitment to the volume and to their dedication to CPA is second to none. I must also thank Suji for his tireless efforts in putting together the photographs in particular, and Professor Chandraguptha Thenuwara, the Chairperson of our Board, for the attractive cover design. My thanks to the printers for doing an excellent job and to the Friedrich Naumann Stiftung (FNF), for its generous financial support. A very special thanks to Hubertus von Welk of FNF for his support and solidarity throughout the years.

Finally, a big thank you to the contributors, for making this not only the commemorative volume it was intended to be, but for together providing a glimpse into the world of civil society, of the challenges and opportunities for better governance, a durable peace and prosperity.

To my colleagues at CPA and the members of our Board, past and present, the biggest thank you. You made all of this possible and may you continue to do so in the future.

Dr Paikiasothy Saravanamuttu

Founding Executive Director
Centre for Policy Alternatives



CPA at 25: Back to the beginning

Rohan Edrisinha

Since it is said that the beginning is the most important part of the work, I thought I would reflect on the founding of Centre for Policy Alternatives (CPA) twenty-five years ago. An interesting combination of circumstances, political, institutional and personal, contributed to its formation in 1996. The first five years were key to forging a distinctive identity, an implicit political orientation and a principled approach to public policy. This, in turn, drew younger people of commitment and capacity to the organization which was vital for the organisation's future success.

Sara and I were actively involved in the Liberal movement in Sri Lanka, the brainchild of our friend, Chanaka Amaratunga, that commenced with the formation of the Council for Liberal Democracy (CLD) in 1981 and the Liberal Party in 1987.¹ While the CLD contributed to the public discussion on political and constitutional issues through its seminars and publications, the party struggled to make an impact in electoral politics.² This meant that

1 The previous attempt at forming an explicitly Liberal movement was in the late 1920s with the formation of the Liberal League led by Sir James Peiris, E.W. Perera, G.G. Ponnambalam and Peri Sunderam. Several of them contested the first State Council election in 1931 as Liberals.

2 The CLD and the Liberal Party identified with a reformist or revisionist Liberalism as opposed to classical liberalism that is closer to the neo-liberalism that is often critiqued by political commentators in Sri Lanka today. Reformist Liberalism, similar to the liberalism of the British and Canadian Liberal Parties, accepts an important role for the state in the areas of market regulation, welfare,

the party had to align itself with a larger political party/ grouping where it could wield influence in terms of ideas and policies. An example of the party playing such a role was in the drafting of the manifesto of the Democratic People's Alliance a coalition of eight parties that supported Ms. Sirimavo Bandaranaike at the Presidential election of 1988. However, aligning with larger parties and coalitions inevitably generated challenges with respect to principle and strategy; difficult decisions had to be made that entailed risks, predictions about both the conduct of political partners and the ability to influence them. In early 1993, the decision as to whether to align with Premadasa's UNP or the People's Alliance of Kumaratunga proved to be especially difficult and when the party decided to support Premadasa, several of us including Sara and Tissa Jayatilaka (who served on the CPA Board later) decided to leave the party and explore other ways to promote liberal ideals.

In 1993, the Vice Chancellor of the University of Colombo, Professor G.L. Peiris requested Jayadeva Uyangoda and me to establish and direct a centre within the university, the Centre for Policy Research and Analysis (CEPRA). It was meant to facilitate inter disciplinary collaboration, research on constitutional and political reform and more specifically serve as a regional focal point for a project on HIV/AIDS and Human Rights in association with United Nations Development Programme. Sara, who had returned from the U.K. in late 1992, unfortunately found it difficult to obtain meaningful work in the local university system. We invited him to join CEPRA as a consultant. CEPRA was able to engage in some useful work for the first few years of its existence³ but once G.L. Peiris left the

economic redistribution and the protection of the environment among others.

3 This included the preparation of materials for new courses on comparative constitutional law and conflict resolution, engaging with legal and medical professionals on HIV/AIDS and stigma and discrimination and organizing interaction between political

academy for politics, it ceased to have the support from the top that enabled it to navigate the often illogical bureaucratic hurdles that were part of a Sri Lankan state university system, and we all became frustrated and wondered whether the effort was worth it. It was then that we thought of setting up "a CEPRA outside the university system and free from the stifling state bureaucracy."

1994 was the year of political change too. The Liberal Movement had commenced at a time when the J.R. Jayewardene government had started to engage in constitutional manipulation including the deprivation of Ms. Sirimavo Bandaranaike's civic rights and the Referendum of 1982. The democratic change ushered in through the elections of 1994 was therefore a welcome development but some of us realized the importance of strengthening civil society at a time when the space for doing so was available and at a time when some of the older civil society organisations that had played an important role in the previous twenty to thirty years such as the Civil Rights Movement, MIRJE and the Marga Institute were declining in influence.⁴ Twenty five years later, with the benefit of hindsight, I think this decision has been vindicated.

Given Uyan's and my commitments as full-time staff at the university, it was obvious from the beginning that Sara had to assume the responsibility of being the full-time head of the new organization. We turned to two people with more experience and knowledge than us for advice on how to proceed and asked them to be part of the new initiative: Sunil

leaders, government officials and academics on issues relating to the 13th Amendment to the Constitution, local government and the state of emergency and human rights. CEPRA's location in the state university system facilitated access to political leaders and government officials.

4 This raises the interesting and challenging question of whether any civil society organization has a shelf life, a time period during which its work needs to be accomplished.

Bastian and Charles Abeysekera. Their wisdom and guidance were invaluable and they brought a set of important skills into the team. Thereafter, we thought it important to bring some diversity in terms of background into the Board. We had engaged with Bradman Weerakoon when he served as the Secretary of the All-Party Conference chaired by President Premadasa in the early 1990s; he always understood even if he did not always agree and was a different kind of government bureaucrat who reached its zenith before its politicization in 1972. We persuaded him to join the Board as well as Cyrene Siriwardhana, a young lawyer who had returned recently from the U.K.⁵ This team, the first Board of Directors of the CPA, then used their contacts to bring in the first staff to begin the work of the organization. They included several persons who had been associated with CEPRA: Altaf Hussein, Kethesh Loganathan, Sundari de Alwis, Savitri Walatara and subsequently Pradeep Peiris. The work of CPA had begun.

The latter half of the 1990s provided plenty of scope for CPA to forge a distinctive identity as an organization that sought to combine research and advocacy and provide constructive alternatives when it critiqued a law or policy.⁶ The constitution reform project initiated by the Kumaratunga Administration stalled due to the poor and unimaginative leadership of those in charge, the irresponsible response of the United National Party under the leadership of Ranil Wickremesinghe, who succeeded Gamini Dissanayake (who had a more reformist platform for constitutional reform), and the conservative mindset of the country's legal community. While the government campaigned for a Thirteenth Amendment plus reform, CPA went further, openly advocating a federal state (as the Liberal Movement had done from

the early 1980s) and sought to deal with the myths and misconceptions about the concept of federalism.⁷

It also engaged in useful work exploring constitutional options to narrow the gap between the constitutional status quo and the Thimpu Principles that nearly all Tamil parties had subscribed to.

CPA's constitution reform project also highlighted the link between presidentialism and authoritarianism, stood unequivocally for a parliamentary executive, a strong Bill of Rights and the recognition of the supremacy of the constitution through the reintroduction of judicial review of legislation. Most of these were part of the Liberal movement's platform throughout the 1980s and during the deliberations of the All-Party Conference in the early 1990s. CPA also provided a principled critique of the process of constitutional reform during this period: the conceptual incongruity of a group of politicians discussing constitutional reform in a closed Select Committee room, the lack of transparency and engagement with the people.

The centre's legal advocacy work gained credibility with its legal challenges to the Voluntary Social Services and the Sri Lanka Broadcasting Authority Bills, several cases to uphold the principle of free and fair elections, facilitating petitions against amendments to the Universities Act that would have undermined academic freedom, and its opposition to the controversial appointment of Sarath Silva as Chief Justice in 1999, which had disastrous consequences for the Rule of law in the country. Law students from Sri Lanka and universities in the U.S. and Canada sought internships with the organization

5 She worked in the Rapporteur's team for the LAWASIA conference that was held in Colombo in 1993.

6 This was important as NGOs were often accused of "merely criticising", an easy course of action. CPA from its inception was sensitive to this allegation.

7 The decision to deal with the "F-Word" up front with all its baggage rather than use alternative terms such as power sharing, maximum devolution of power or subsidiarity was a conscious decision taken by CLD in 1981 and CPA in 1996. The decision to use the term "power sharing" in the publication *Power Sharing in Sri Lanka 1908-2008* was deliberate as the documents reviewed covered a wider range of issues.

and wrote case notes and legal commentaries for the purpose of public education through publications such as *Moot Point*.

The establishment of the CPA in the same year as the tragic and untimely death of Chanaka Amaratunga can be seen as a new phase in the attempt begun fifteen years earlier to promote a Liberal movement in the country. The role of CPA assumed greater importance after Chanaka's death as the organisations that he established to lead the movement were taken over by a new leadership that over the years compromised the movement's founding principles. The Liberal values promoted by CPA were obviously focused on the constitutional, political and human rights aspects unlike the CLD and the Liberal Party that were explicitly political and

could therefore advocate a more holistic Liberal agenda.

The establishment of CPA and its work in the first five years were key to laying the foundation for the future. The political context at the time, the connections with the challenges experienced by other organisations and the conjunction of various circumstances, both personal and institutional, had a significant impact on its establishment. Thereafter, in the first five years, CPA developed a distinct ethos and identity, demonstrated a sound justification for its work both in the fields of research and advocacy and thereby attracted idealistic, young and exceptional staff that consolidated and expanded its work. The foundation was thereby laid for the organization to progress in the new millennium.

ROHAN EDRISINHA

Formerly a lecturer in the Law Faculty, University of Colombo. A prominent academic specialising in Constitutional Law, and founding Director of the Centre for Policy Alternatives. Presently working as a Consultant in Constitutional Law to the United Nations Organisation.



A founder's perspective

Prof. Jayadeva Uyangoda

I happen to be one of the founder members of the Centre for Policy Alternatives (CPA) in 1996. There was an interesting background to the launching of the CPA. Sara, Rohan and I – three of the founder members – were involved in the activities of the Centre for Policy Research and Analysis (CEPRA) at the University of Colombo. While Rohan and I were in its Board of Directors, Sara worked there as Consultant and Researcher. Kethesh Loganathan, another founder member of CPA, had also worked with us at CEPRA as a senior researcher. Sunil Bastian, Cyrene Siriwardena and Bradman Weerakoon were the other three founder members. Sunil and Cyrene too were in our research and resource team at CEPRA. Bradman by this time had retired from public service and was a regular participant in seminars and discussions organised by CEPRA.

At CEPRA, we were doing quite a bit of policy-oriented work that included advocacy, research and dissemination of knowledge. While we wanted to broaden the scope and activities of CEPRA, we realised through experience that there were certain administrative constraints to the realisation of our goals. Being an entity attached to a public university, the constraints were also institutional, political and managerial.

Our option was to set up a new independent institution as a civil society entity supported by non-state funding and guided by a declared commitment to democracy, human rights, peacebuilding and activism. That is when CPA was set up in 1996 in an office

down Inner Flower Road, not very far from the University of Colombo. Thus, the CPA in a way continued some of the work we had been doing at the CERPA on a bigger scale, backed by more human and material resources.

The setting up of CPA also meant to address some gaps in the civil society activities that had been flourishing during the early 1990s. Most of the civil society groups, except a very few, were dedicated to regular social activism, advocacy and community education with no programmes for research, publication, and dialogues with policy makers and officials. The CPA began to engage in these activities no sooner than it was established in a general political atmosphere in which there was much space for innovative civil society interventions.

Three innovative activities the CPA launched were (a) setting up a unit for monitoring and reporting election violence (CMEV); (b) challenging before the judiciary draft legislative bills for their constitutionality and certain government actions for their legality (Legal Unit); and (c) conducting regular surveys of public views on current important policy and political issues and publishing the survey reports through the unit, (Social Indicator). The CPA through its Legal Unit has also become a pioneer in public interest litigation in Sri Lanka. Monitoring and publicizing incidents of election violence, advocacy of constitutional reforms for resolving the ethnic conflict through a political solution as well as challenging the government in courts, not unexpectedly, aroused the wrath of some governments and politicians. As a result, the CPA and its Executive Director were often at the receiving end of threats, police interest, malicious media attacks and hate speech.

This specific experience of the CPA and its Executive Director also reveals some challenges that activist civil society movements had to confront in contemporary Sri Lanka.

The Sarvodaya moment and its leader, Dr. A. T. Ariyaratne, were harassed for about two years by the then President, Mr. Premadasa through a police investigation and a presidential commission of inquiry into NGOs. The Sinhalese nationalist political and intellectual groups as well as media have been carrying on since the early 1960s an incessant campaign against civil society groups and activists publicly branding them as traitors, foreign or LTTE agents. There were two informal non-governmental commissions of inquiry and even a parliamentary select committee on the NGOs, and in many of these initiatives, the CPA has invariably been a major target of attack.

One way to make sense of this Sinhalese nationalist hostility to human rights and activist NGOs is to see it as an extension of the intolerant and hate-generating nationalist politics that does not leave room for dissent, difference and pluralism. There was also a specific sense of insecurity expressed by nationalist political parties that civil society activism was a threat to the monopoly that the political parties had sought to maintain in the domain of political ideology and public policy.

Another key contribution that the CPA has been making is the enriching of the quality of public discourse on political, constitutional and public policy issues. High quality publications, regular and well-thought-out media statements on current political and policy issues, seminars with wide participation by experts as well as members of the public were areas of activity that also contributed to the CPA to build and maintain a unique institutional identity.

The publication programme is another flagship initiative of the CPA. Its hallmark is the high quality of publications in terms of both content and publication standards, as well as their thematic relevance to most current political and policy issues that dominated the country's political debate. The

three-volume publication, *The Sri Lankan Republic at 40: Reflections on Constitutional History, Theory and Practice* (2012), is a compendium of critical studies on Sri Lanka's political and constitutional issues written by scholars from Sri Lanka and abroad.

Meanwhile, it is to the credit of the CPA and its leadership to be able to respond constructively to the criticism of being Colombo-centric, urban-oriented and elitist. This has been a charge commonly levelled against civil society organisations by their distractors. The CPA was particularly vulnerable to this accusation because of the visibility of its work with Colombo-based policy-makers, professional communities, international actors and academia. Less known to critics were the CPA's work with grass-roots social activists engaged in human rights and peace education, reconciliation, community-level peace-building, and citizens' right to information. Lionel Guruge,

one of the senior-most members of the CPA staff, played a pioneering role in the CPA's community outreach programmes for citizen empowerment with the Sinhalese and Tamil speaking communities in Sri Lanka's rural districts.

Finally, the indispensability of the leadership provided by Dr. P. Saravanamuttu to CPA as its Executive Director needs acknowledgement. He ably, patiently, courageously and with a long-term vision gave leadership and direction to the CPA and its dedicated staff. That enabled the CPA to successfully negotiate many a hostile environment and thus to protect itself without compromising any of the founding principles or normative bearings. Thus, Sara is an exemplary civil society institution-builder and activist leader. The fact that the CPA is largely identified with his name and individuality is a tribute to his single most achievement as a citizen leader with a conscience.

Prof. JAYADEVA UYANGODA

Formerly Senior Professor at the Department of Political Science and Public Policy, University of Colombo, Prof. Uyangoda is founding director/board member at CPA. He is a co-editor of the PRAVAADA magazine and has authored several books on Political Science in Sinhala and English. He was also an activist in left politics. A former Chairman of the Sri Lanka Foundation. Former Governing Council member, University of Jaffna. Former Chairman of the Academic Affairs Committee of the National Institute of Education. He is also a film and art critic.



25 years of proactive interventions

Tissa Jayatilake

The Centre for Policy Alternatives (CPA) of Sri Lanka, headed by my friend Dr. Paikiasothy Saravanamuttu, marks its 25th year of active and productive existence this year. The CPA, on whose board I served for some years, is an independent and non-partisan organisation devoted to the furtherance of democratic governance and conflict transformation in the country. It sees its primary role in the sphere of public policy to be *“a pro-active and interventionary one, aimed at the dissemination and advocacy of policy alternatives for non-violent conflict resolution and democratic governance”*.

In the quarter century of its existence the CPA has played the role of a gadfly. It has attacked political orthodoxies, held governments to account, challenged legislation inimical to democratic governance and influenced decision-making in a non-violent manner so as to safeguard and promote the rights of all citizens. In the process, the CPA has championed “the politics of causes rather than those of persons”.

In pursuance of its goals, the work of the CPA has been, and is centred, on the following key areas:

- a. Capacity Building by means of working closely with local government and community-based organisations to raise awareness of social issues and advocate for change;

- b. Public Interest Litigation whereby legal action is instituted on fundamental rights as well as on the pre-enactment review of legislation;
- c. Civic Media whereby through Maatram, Vikalpa and Groundviews, space is provided for the expression of diverse views of citizens, especially of those citizens marginalised by and excluded from mainstream media;
- d. Research and Advocacy through which the CPA scrutinizes public policy, identifies and advocates alternatives for democratic governance—especially for those policies in which peace and human rights form a key component; and
- e. Public Opinion through the CPA's research unit, the Social Indicator, the organisation conducts polling on a range of social and political issues. The findings of these polls serve to strengthen the CPA'S research agenda. The Social Indicator also serves as a channel through which the general public can communicate their concern on issues that matter in their day-to-day lives. Thus, the CPA's Social Indicator serves to empower the citizens of Sri Lanka to influence policy makers even in between elections.

The CPA also functions as the secretariat for the Centre for Monitoring Election Violence (CMEV) formed together with the Free Media Movement and the Coalition Against Political Violence. The translation unit of the CPA runs a programme called Vibhasha which provides translation training and certification in translation studies.

The past projects and programmes of the CPA, among others, include the following:

- Monitoring the Factors Affecting the Peace Process
- Elections and Minorities: Present Problems and Alternatives for the Future
- Power –Sharing in Sri Lanka, Constitutional and Political Documents 1926-2008.
- Home away from Home: Children, displacement and protection in Sri Lanka, What Next?
- Trincomalee High Security Zone and Special Economic Zone 2008.
- HIV/AIDS in Sri Lanka: A Profile on Policy and Practice 2007.

The CPA's publications on a variety of social and political issues of the day are many and all of them are of very high quality. Listed below are some of these:

- Is the Covid Cure Worse than the Disease? Reflections on Covid Governance in Sri Lanka (2021) edited by Pradeep Peiris.
- A Brief Guide to the 20th Amendment to the Constitution (2021), a publication of the CPA.
- Transitional Justice: Moving Beyond Promises (2017). Edited by Bhavani Fonseka.
- The 19th Amendment to the Constitution – Content and Context (2016). Edited by Asanga Welikala.
- Reforming Sri Lankan Presidentialism / Provenance, Problems and Prospects Vols 1&2 (2015). Edited by Asanga Welikala.
- The Sri Lankan Republic at 40: Reflections on Constitutional History, Theory and Practice. Vols. 1&2 (2012). Edited by Asanga Welikala.
- The 18th Amendment to the Constitution / Substance and Process (2011). Edited by Rohan Edrisinha and Aruni Jayakody.

Among the CPA's more recent responses to issues in the public policy arena are the following:

- Files Petition in the Supreme Court (SC) 28/21 against proposed Finance Bill (2021).
- Civil Society statement calling on an end to impunity on child labour, trafficking, and sexual exploitation (2021).
- Sri Lanka's Vistas of Prosperity and Splendour: A Critique of Promises Made and Present Trends (2021).
- CPA Commentary on the Port City Bill 2021.
- A Commentary on the PCol and the special PCol on Political Victimization (2021).

Going by the outlined activities of the CPA highlighted above, its contribution to the cause of democratic governance, promotion of peace and human rights in Sri Lanka, in the 25 years since its founding, is stupendous. The CPA's achievement becomes all the more laudable when we realise that the socio-political environment it has functioned in has not always been helpful to the causes it has espoused. On more occasions than one, the organisation has had to contend with intimidation, harassment, coercion and hostility of authoritarian governments in the discharge of its mandate. The executive director of the CPA has even had to weather death threats over the years. Lesser men and women would

have given up in the face of the impediments placed in their way. But the CPA and its staff have prevailed. They have had the courage of their convictions to forge ahead undaunted in championing liberal democratic values they are committed to even in the face of extreme adversity.

The CPA will need once again to marshal its resources to meet current challenges. The present government has rolled back some of the democratic reforms introduced by its predecessor. The 20th Amendment to the Constitution has centralized power in the executive presidency once more. The continued use of counter-terrorism laws, the militarization of administration and assaults on the independence of the judiciary have imperiled the Rule of Law and other fundamental freedoms of a democratic order.

In this context, organisations like the CPA have their work cut out for them as they battle to safeguard democracy and democratic institutions in Sri Lanka, fight for the equality of all of its citizens and pressurise the government of Sri Lanka to respect and uphold the Rule of Law.

I felicitate the organisation on its achievements to date and am confident that it will continue to play a significant role in robustly upholding liberal democratic ideals in the years ahead.

TISSA JAYATILAKE

Tissa Jayatilaka was Executive Director of the US – Sri Lanka Fulbright Commission. Formerly a director/board member of CPA, he has an MA in English from Wake Forest University, North Carolina, USA. He has taught English and American Literature in several universities. He was also a director/board member of the International Centre for Ethnic Studies.



Impact through alternative art forms

Prof. Chandraguptha Thenuwara

It is a great pleasure to write this short note on the 25th anniversary of the Centre for Policy Alternatives (CPA) in Sri Lanka. As an artist and activist, I feel better and comfortable when public and civil society organisations are around me, even though political uncertainty and fear surround me. When I look back, I am happy that the CPA also exists when my annual artistic interventions in the visual language commemorate the un-commemorative consequences of the Black July Pogrom since 1997. However, CPA was established in 1996 to strengthen institutions and capacity-building for good governance and conflict transformation in Sri Lanka; it understands the value of art and its role and impact on society. Artworks surrounding the office of Executive Director Dr. P. Saravanamuttu are testimony to that understanding. I see every year most of the staff members are still visiting my annual exhibitions since 1997. It shows the uniqueness of the organisation. As an artist and activist, I believe that at least a few viewers who recognise artworks beyond so-called beauty, typically not a decorative element of a wall, are crucial to continuing my work.

While keeping its primary objectives, CPA made significant contributions towards art, supporting organizing socio conscious art activism, exhibitions, workshops, and discussions. For example, in August 2010, CPA helped publish the catalogue and organise the art exhibition '*Visual Responses During the War*' that offers a view of Sri Lanka's contemporary artists' response to the war through their work. The catalogue reproduces an image of each

artist's work, and the twenty-two artists participated in artists' statements written when it was created. This exhibition was a landmark of contemporary art in Sri Lanka.

Another example is a residential workshop of artists, an art exhibition to explore transitional justice via the medium of visual art. Fourteen young emerging artists across Sri Lanka discussed and debated transitional justice concepts and their relevance to Sri Lanka at a residential workshop in the same year in February conducted by Bhavani Fonseka and me. The post-workshop exhibition titled *'Truth to Truth'* commenced on 24th March 2016, the International Day for the Right to the Truth concerning Gross Human Rights Violations and the Dignity of Victims. This effort was a collaboration of CPA with the Vibhavi Academy of Fine Arts (VAFA).

The European Union took up the issue of human rights before Sri Lanka regained its Generalized Scheme of Preferences Plus (GSP+) status in May 2017 – following a temporary suspension in 2010 – which grants Sri Lanka duty-free access to the EU on 66% of tariff lines. For countries to obtain GSP+, they must demonstrate that they meet the necessary conditions for entrance. One of the conditions says that *'the country must ratify and effectively implement 27 international conventions on human and labour rights, environmental protection, and good governance without any reservations that are prohibited by those conventions, or which are incompatible with the object and purpose of the conventions.'* Unfortunately, so-called nationalists and patriots misinterpret the word Human Rights as a satanic word and Western Project against independence and the sovereignty and unitary state of Sri Lanka. As a result, Human Rights activists are labelled as traitors.

In 2017, when I was the President of the Arts Council of Sri Lanka, I thought I could change the misguided situation on human rights through all art forms and create a significant impact. Therefore, to celebrate International Human Rights

Day differently on the 10th of December, I initiated and curated the first Human Rights Arts Festival in 2017. It should continue as an annual arts event. In 2018 while I was there, another person was appointed by the new minister. Then the question was raised: how can I do it without Art council support? At this critical juncture, CPA and Neelan Tiruchelvam Trust supported by organizing the Second Human Rights Arts Festival.

There was a constitutional coup attempt in October 2018, removing the Prime Minister and the government unconstitutionally by the President. My co-curator David Cotterrell (Sheffield Hallam University, UK) and I decided to produce artworks within two months to respond to the recent human rights violations. We invited civil society organisations carrying out human rights-related work and ad-hoc groups who participated, to re-establish democracy during the constitutional coup. The Gallery has three floors, and the top floor was dedicated to the 'Protest Art' (banners, posters, placards, photographs, etc.) done by the civil society activists to showcase their contemporary struggle for Human rights issues. Therefore, the focus of this exhibition was Freedom of Expression, Articles 19 and The Right to Democracy, 21 of the Human Rights Declaration.

Other than collaborations related to me, there were two powerful visual narratives supported by CPA, which gave me a memorable visual experience. The first one was *Corridors of Power*, an exhibition curated by Sanjana Hattotuwa. Its research input was led by Asanga Welikala and visualization by architect Channa Daswatta through architectural drawings and models. It is a stunning visual experience depicting encounters of Constitutional reform and tension between centre and periphery, interrogating Sri Lanka's constitutional evolution since 1972 and reflecting the power dynamics enshrined in the 1972 and 1978 constitutions and the 13th, 18th and 19th Amendments.

The second one was the 'Thé Kahata' (Tea Stains) photographic exhibition. To be ready for the exhibition in its process, forty selected skilled youth from estates gave the necessary photographic skills and knowledge to show through their own eyes, by themselves, capturing the livelihoods of their communities. The *Thé Kahata* exhibition was an excellent example of using a visual methodology to expose untold narratives of the upcountry Tamil community through photography to broaden the mass consciousness on social, political, economic and cultural aspects of their lives.

Finally, I would like to mention another contribution and important role of CPA and its civic media Unit. In Sri Lanka it is very difficult to organise traveling exhibitions with original art objects such as large paintings, large sculptures and installations. There are no infrastructure facilities, proper spaces to exhibit them regionally as exhibited in Colombo.

We cannot show an exhibition if it is self-funded for more than two to three days. People living in other provinces do not have a culture of visiting original exhibition space to see contemporary works. The culture of visiting galleries to enjoy or question art is fading away. Exam and certificate-oriented education creates this kind of vacuum. In this situation the media can play a major role in disseminating artistic expressions to some extent. On the contrary, mainstream media rarely features the highly critical voices of artists. Here, I have to give a special mention to CPA who initiated citizen journalism sites 'Groundviews' and *Vikalpa* from their establishment, and gave me space by reporting and reviewing my annual exhibitions. They supported not only my exhibitions but also other critical and important voices of dedicated artists from all other visual and performing arts forms.

Prof. CHANDRAGUPTHA THENUWARA

A professor in the Department of History and Art Theory at the University of Visual and Performing Arts, Colombo, Chairman of the Board of Directors, CPA, and a prominent civil society activist. He did his first degree in Moscow, the former Soviet Union, and a Master's at Kelaniya University. An artist who has held National and International Art Exhibitions, Prof. Thenuwara is the founding member of the Vibhavi Academy of Fine Arts



Excellence, not by chance

Sagarica Delgoda

In 1996, when I took over the mantle of the Country Representative of the Friedrich Naumann Foundation for Freedom (Friedrich Naumann Stiftung für die Freiheit– FNF), one of my first and foremost tasks was to look for new and relevant project partners. The Friedrich Naumann Foundation for Freedom has worked around the world to promote freedom, peace, democracy, the rule of law, human rights, and the social market economy. So, when the Centre for Policy Alternatives (CPA), with a vision for a “liberal democratic Sri Lanka” came our way to cooperate with some programmes of FNF, I realised, here was one “ideal” partner and this should be a long lasting partnership.

I had got to know some senior members of CPA like Rohan Edrisinha from the time he worked with Dr. Chanaka Amaratunga and the Council for Liberal Democracy. Some of the first projects we did with CPA were on decentralization of power and electoral reforms. Since the beginning, when it came to a topic of crucial relevance to upholding democracy, CPA was in the forefront and in most instances, it was the CPA who initiated such projects. I was always eager to cooperate with CPA in most of these projects not only because they aligned with FNF objectives, but mostly because I personally believed these actions were necessary for a truly democratic Sri Lanka, I hoped for.

It was my privilege to have worked with persons like Dr. Neelan Tiruchelvam on reconciliation among communities and with Mr. Ketheshwaran Loganathan on consensus of the main political parties on a new constitution, through CPA-FNF joint programmes.

When it comes to CPA publications that I was able to support on behalf of FNF, I am rather proud that we were able to make valuable academic contributions to not only contemporary scholars, but perhaps also to future generations of students of political science. I believe publications like the *"18th Amendment to the Constitution: Substance & Process"* and *"The Republic @ 40"* are unique, for their exhaustive scholarly research as well as for their relevance to political dilemmas of any period. I also found it refreshingly stimulating to work with Asanga Welikala who authored these publications and who was known to me from his kindergarten days as a classmate of my son's.

Two other spectacular and exceptional projects I was able to partner with CPA is the international award-winning *"Corridors of Power"* and its follow-up *"3D modelling of the Constitution"* with Sanjana Hattotuwa as the lead curator.

I realise that if I were to put down all or even most of the work, I was able to do for FNF with CPA as a partner, it will certainly make a little booklet. I would therefore contain by stating that this partnership spanning nearly two decades was one of the most enriching and rewarding experiences of my professional life.

I have kept the best and most important to the last; that is Dr. Paikiasothy Saravanamuttu, the Executive Director of the CPA. CPA became one of Sri Lanka's premier Think Tanks and more importantly an independent policy research & advocacy body primarily due to the guidance, capacity and contribution of Dr. Saravanamuttu. Similarly, I can proudly speak about the remarkable work FNF did with CPA, mainly thanks to Dr. Sara's guidance, support and contribution.

I would like to end with a quote from Aristotle which fits both Dr. Sara and our partnership - CPA/FNF.

"Excellence is never an accident.

It is always the result of high intention, sincere effort and intelligent execution;

It represents the wise choice of many alternatives – choice not chance, determines your destiny"

SAGARICA DELGODA

Sagarica Delgoda was Resident Representative of the Friedrich-Naumann-Stiftung in Sri Lanka and a former Director of the CPA



25 years of memories

Lionel Guruge

Time flows on its own: we can never hold it back. Our lives too, float along with that flow. The work we have done adds value to the time that has flown. I felt like revisiting the memories linked to a place of work that I have served for twenty-five years. I have a fond list of memories of the challenges and victories we encountered along this period, the active people who were with us, all of which would be enough to fill a book. Yet, all I can do now is to mention a few of them in brief.

A chat over a glass of beer

In my mind, I revisit a certain day in the year of 1996. I was working in a private organisation at that time and got to know that Prof. Jayadeva Uyangoda has sent for me, asking me to meet him soon. I knew him from my university times as a teacher, and he was a person that we all loved and respected. I hurried to meet him. Rohan Edrisinha too was there with him. I joined them for a glass of beer, in a club reserved for lecturers.

Prof. Uyangoda informed me that they were planning to start a new organisation where he also would be a director with the aim of doing some outstanding work and that he wished me to join. He also mentioned that Dr. Paikiasothy Saravanamuttu will be the executive director of the organisation to be established. However, I did not meet him that day.

A well-considered decision

Later, I met Dr Saravanamuttu at CEPRA - the Centre for Policy Research and Analysis, located on the upper floor of the Law Faculty. There we had a profound discussion on socio-political matters. Prof. Uyangoda too, took part in the discussion. Though I initially had my doubts, I hoped I could do something better than what I was already doing in the field of civil society. Dr. Saravanamuttu told me that his monthly salary as the executive director would be Rs.15,000 and he can pay me a monthly salary of Rs. 10,000. This new job offer gave rise to a conflict in my mind, because the place I was working for had provided me with a house and a vehicle along with better pay. I had reasonable worries about leaving that economic security behind. However, I finally decided to accept the offer to work in the new organisation to be formed. My wife's support motivated me a great deal.

Liberal Thamby

We began working at the new organisation in Longdon Place. Kamal Nissanka, who is presently heading the Liberal Party, was with us too as a staff member. We worked on two tables moved from Dr Sara's home (*Sara* was his pet name). Dr Sara worked on one of those tables and we shared the other between ourselves. That cramped space with limited facilities provided ample room for conversation. There, our discussions focused on socio-economic and political matters, and the issues that came up during such discussions provided the foundation for the work we later engaged in. Though I had never met Dr. Sara before, I knew him from what late Journalist and Human Rights activist Richard de Zoysa told us at university. Richard called Dr Sara "*Liberal Thamby*". During human rights related events and lectures at the university, Richard frequently mentioned Dr. Sara as an example. We did a lot of work on human rights at that time.

A Centre for Policy Alternatives

We worked in Longdon place only for a short period. Later, in the beginning of 1997, we moved to 32/3, Flower Road. Flower Road was where the Centre for Policy Alternatives truly started functioning. The staff was limited to five or six. I can remember Shashi, Savithri and Manik among them.

During the period following the establishment, one of the most prominent interventions we did in society was election monitoring. Dr. Arjuna Parakrama acted as the leader of that project by designing processes for information gathering and conducting research. A young man called Sanaka oversaw field related work (Sanaka Samarasinghe is currently holding a high position at the United Nations). Senior Journalist Waruna Karunatilake was another work colleague.

Later, the Social Indicator and Media Unit too were founded at the same place. Pradeep and Uditha also joined us by that time. There are many other spin off stories to be shared, but I will mention the most relevant.

Dr Sara inquired from us how the English name Centre for Policy Alternatives be translated to Sinhala. After considering all aspects of the matter, we came up with "*Vikalpa Prathipaththi Kendraya*". Attorney-at-Law Kamal Nissanka, whose English was better than mine, initially proposed the term "*Vikalpa Prathipaththi Sandahaavoo Madyasthanaya*". Finally, Prof. Jayadeva Uyangoda settled the term as "*Vikalpa Prathipaththi Kendraya*". Accordingly, the Tamil name was settled as "*Maatrak Kolgaigalukkaana Nilayam*".

To the Field

While more and more events were being held in hotels centered in Colombo, I honestly wanted to reach beyond that and start working at the grassroot levels. I met Dr. Sara and asked for Rs 5,000 to start a discussion series at the

Public Library of Colombo. Sara agreed. The youth group who collaborated with us contributed with genuine team spirit. We conducted the discussion series focussing on contemporary socio-political scenarios. This was our first experience in working at the grassroots' level. We were able to conduct the series consecutively for several years, starting from 1997. Some researchers who collaborated with us were surprised to see the public taking part in these discussions, "Without so much as expecting a glass of water." This discussion series became quite popular and was frequently being covered in the national newspapers. After the end of the series, Prof. Uyangoda suggested that we prepare a publication related to those discussions. I composed several small booklets to cater to such demand. These were sent to various organisations and libraries. Kethesh Loganathan, who was once a senior leader in radical Tamil politics and then a Senior Researcher at CPA too, was involved with this.

During the presidency of Chandrika Kumaratunga, the subject of peace and a new constitution became a topic of frequent discussion, even among the public. The idea of publishing a newsletter on this and related subjects came up several times during the discussions between Prof. Uyangoda and Loganathan, and it was the former who named it "*Sama Katha*" (Peace Talks).

The birth of "*Sama Vimarshee*"

Later on, "*Sama Katha*" was published with articles written in all three languages. Journalist Sunanda Deshapriya joined with us while this publication was getting popular in society. I felt that we should develop this into a magazine. We discussed it with Sunanda as well, and later with Dr. Sara. Gradually, "*Sama Katha*" evolved into "*Sama Vimarshee*". I had been involved in publishing a magazine called "*Vimarshee*" as a university student and that was how the name came up.

That was the story of the magazine "*Sama Vimarshee*" that has continued as a CPA publication even upto the present. I consider it a privilege to be a co-editor of "*Sama Vimarshee*" right from its beginning.

"*Sama Vimarshee*" was published in Sinhala, and the Tamil version "*Samaathana Nokku*" was published along with it. After Sanjana Hattotuwa joined, an English version was launched as a separate publication under the name "*Peace Monitor*". It was more popular among English-speaking circles and the international community concerned with the Sri Lankan peace process. During this time, we recognised Sanjana's outstanding talents especially in the area of social media.

Out of Colombo and Down to Earth

Meanwhile, we started working in the outstations, away from Colombo. I began this grassroots' level work from the Badulla district. Besides being my birthplace, having numerous contacts there made it easier for me to carry out my work. I already had contacts with several civil society activists and political activists from the area. Subsequently, we organised programmes in various regions of the Badulla, Monaragala and Ampara districts.

I remember an interesting experience from the field. A young man called Asanga Welikala too was part of our team in those days. We conducted grassroots' level discussions at various places. I was merely conducting the programs and was not a key speaker. Dr. Sarvanamuttu, Sunanda, and Asanga participated in the discussions as the key speakers. During one such event, we had to face an aggressive onslaught of arguments from Buddhist monks. The key speakers failed to answer them, and they could only be countered by preaching Buddhism (*Bana*). I was the only one who could answer those monks. Having studied the Buddhist sermons such as the "*Aggannaphala sutta*", and the "*Maha Parinibbana*

sutta” in depth, it was not too difficult for me to suppress the commotion that they created. I replied to the Buddhist monks who tried to argue with us, using Buddhist philosophy. Out of the crowd of two- to three-hundred participants, a team of around fifty continued to question us. Finally, we gained control of the situation through the Dhamma itself. While I continued to elucidate the Buddha’s teachings on racism and discrimination based on caste and humanity, they began to question who I was because I had not been one of the speakers on the stage. They had arrived at the scene with the intention of humiliating and overcoming Dr. Saravanamuttu and the others. That discussion was a new experience that shifted our work to a new level.

The new path after the battle of Sermons

After that event, we spent the night at an inn in Ella. During the night, we discussed what had happened. The book *“Shree Lankaave Janavaargika Gatuma saha Visandum”* (*The Ethnic Conflict in Sri Lanka and Solutions*), which was compiled later, was a result of that lengthy discussion. Sara and the others suggested I write it in Sinhala. Later, I composed another book called *“Gatum Samathakaranayata Bududahama”* (*Buddhism for Conflict Resolution*). Most of my friends who knew that I was working on it suggested publishing it as an independent publication of mine. But I decided to publish it as a work of CPA.

Afterwards, we had the opportunity to conduct awareness workshops and training on peace, devolution of power, federalism etc. successfully at the grassroot levels. We were able to conduct those events across the country. With that, Sri Lankan society gave more attention to the community-based programs of CPA. That was how the “Outreach Unit” began.

We conducted a lot of programs after the Outreach Unit was established. Many researchers have worked with me,

and Manjula Gajanayake, (who is currently the CMEV National Coordinator) was one of the active young members of our team.

More work with the community

Among the numerous programmes we did as the Outreach team, there are few outstanding memories that I find myself reliving. The intercultural student exchange programmes that we conducted with the participation of school children and undergraduates were quite exciting. We conducted many cultural exchange programs with the participation of Tamil children from the estates, Tamil, and Muslim children from the North and Sinhalese children from the South, with the aim of cultivating inter-ethnic harmony. These programs were proven to be successful and set an example for education on peace building. The government of that time showed signs of accepting them progressively. However, when they formed an alliance with the JVP, their views towards our work seemed to change somewhat.

The positive impact and ripple effects of these programmes can be observed when some of those who took part in those events as undergraduates in the past are now conducting such exchange programs as lecturers.

Afterwards, our office shifted from place to place several times. CPA is now located at its fourth consecutive location. From the first office at Flower Road, we moved again to 24/2, 28th Lane and we were there for a long time. Recently we moved to Layards Rd where the head office is currently located. Within twenty-five years we have moved the head office to four places.

The Outreach office where I work was located somewhat away from the head office and was recently brought close to the head office after more than a decade. While moving from

place to place in this manner, amidst many challenges, we worked continuously to strengthen democratic rights and to create a new political culture. Some of the most successful programs are, in brief:

Official Languages Policy

Ensuring the implementation of the Official Languages Policy has been very rewarding and impactful. We worked tirelessly to ensure that the Official Languages Policy, which was then mostly limited to legislation, started being actively implemented in government institutions and social establishments. We worked in collaboration with many public and private organisations to urge them to display their signs (name boards) which were previously displayed only in one language, in both Sinhala and Tamil. We also pushed the implementation of the Official Languages Policy regarding the name boards of buses and announcements related to trains. We filed several cases in the Supreme Court under the Official Languages Policy. Notable examples include, a case on university education about the receiving of higher education in one's mother tongue, the "National Identity Card (NIC) case" and the "Pharmaceutical Instructions Case". One of our outstanding results was the issuing of the NIC in both languages. We filed cases to ensure that the details on the packages of pharmaceuticals and other consumer goods should be in accordance with the Official Languages Policy. Circulars were issued recently stating that the packaging of several consumer goods should follow the Official Languages Policy. The case on pharmaceuticals is still under review. We also took steps to conduct language audits / research related to the implementation of the Official Languages Policy and identified shortcomings. The audit conducted in 2017 on the implementation of the Official Language Policy within 49 ministries in collaboration with the Ministry of Languages, is especially worth mentioning. We managed to strengthen a

mechanism that was lagging, together with the involvement of the Human Rights Commission and the Official Languages Commission. At present any citizen of Sri Lanka has a higher chance of getting things done in his or her own mother tongue, and we feel glad about that, viewing it as something we also contributed to.

The Right to Information

We are proud to have been involved in the discussion on the Right to Information (RTI) from the very beginning and ensuring the due recognition of RTI. Right to Information was merely a concept when we started work many years ago, and when the RTI Act was finally passed, I travelled across the island to educate government officials, public representatives at Provincial and Local Government levels and citizens in general. It is a great pleasure to see citizens being granted their requests through the Right to Information.

Strengthening the Provincial Council Mechanism

Working with various Local Government Institutions and Provincial Councils was another fruitful, pleasant, and memorable experience. We conducted research and worked with officials of provincial councils towards strengthening the Provincial Council mechanism. The Governors and Chief Ministers of Provincial Councils, and the Ministers irrespective of party differences and Administrative Officers worked together with us in many instances. It is important to mention their unlimited support. Many ministers extended their cooperation towards us. When fierce criticisms were levelled at CPA in Sri Lankan society, governing party politicians in the provincial councils showed much hostility when we tried to work with the PCs. But when they saw our genuine work with those institutions and our impact, they became unbelievably friendly towards us.

Even when criticisms were raised from many sections of society against the Centre for Policy Alternatives on various grounds, our work with the PCs helped to build some confidence among the public representatives about the organisation.

There is a special person who comes to my mind when reflecting on this list of tasks: veteran radio and television journalist Mr. Tilak Jayaratne. He emphasised that it is essential to bring our work to people at the grassroots' level, and that it is an absolute necessity to consider that aspect when trying to create a positive change in society. Therefore, we made a special effort to bring the work we did at the provincial level within the reach of the ordinary people. While strengthening the local government mechanism, implementing the *"Puravasi Sabha"* (Citizen's Council) concept for uplifting the development process, economy and culture was another important outcome. The main intention of the *"Puravasi Sabha"* concept was to create an organised process of development and administration that allows village level organisations to take decisions related to the developmental, administrative, aesthetic, and cultural activities of the village, by collaborating among themselves, without any external influence. This was implemented in many districts.

***"Thé Kahata"* (Tea Stains)**

The Hill Country Tamils are a community who provide a major contribution towards the upliftment of our economy. Our work to strengthen their rights as citizens holds a special place among our memories. Providing postal addresses to citizens with no address was one such major project. We know from our experience within estates that the estate workers face many constraints due to the lack of a valid address. Not receiving important official letters, not receiving letters of notice related to university entrance of students and such, not

receiving letters from banks and other such institutes on time caused many hardships to the community. We felt the pain of living humans who were denied an address, in the context of a country where even deserted concrete buildings would have an address. We were able to conduct the program of providing addresses successfully in many areas of Badulla and Nuwaraeliya districts.

Other than that, the *"Thé Kahata"* exhibition (*"Thé Kahata"* – refers to the bitter aspect of Tea) that gave us a glimpse into the life of a section of the Hill Country Tamils was another successful program held recently. A group of youth from plantations were trained in handling a digital camera for the first time ever, to conduct a national level exhibition at the Lionel Wendt, after offering an insight to them following theoretical discussions and practical training on how the art of photography could be used as a tool to communicate one's problems. The exhibition caught the attention of many. It was a victory for the estate community to finally be able to catch the attention of the plantation companies and administrative authorities.

There are many more stories that I could share, but I summarised just a few of the outstanding achievements. Reflecting on the past 25 years brings a humble satisfaction, about being able to work actively at the grassroots' level for the people, right from the beginning of the CPA.

Dr. Paikiasothy Saravanamuttu deserves a very special tribute for all these achievements. The above-mentioned events became a reality owing to the guidance and freedom he provided us. Without that, it would have been impossible to complete such a huge workload. If it was not for his dedication, the organisation called the Centre for Policy Alternatives could not exist today. His contribution as a warm and humane figure who worked as a friend, tolerating, and accepting different views, rather than being a mere boss or an

administrator, is the main driving force behind this successful journey. We have argued and debated a lot, in the name of work, of course.

Prof. Uyangoda too deserves a special reference here, with my deepest gratitude. If he did not, as one of its founding directors, select and refer me to this organisation, I would not be where I am now.

A long way to go

A long time has been spent without noticing it, mainly due to the plenitude of work. We too are getting old. I never had the heart to leave this place and am continuing to be there because it allowed me to do something worthwhile for the sake of the country and society. Being a member of the family called the Centre for Policy Alternatives allowed me to work for all citizens of all ethnic groups including Sinhala, Tamils, and Muslims. The journey itself was a tedious and challenging one, with enormous grievances and even threats to life. We were faced with the careful inspections of the CID and the government intelligence, the wrath of rulers, marginalisation, being labelled as traitors, and even direct threats to life.

However, that experience has set the foundation of our success.

We have done a lot, yet there is still a lot more to do. When reflecting on our twenty-five years of experience, it is important that we expand our activism to a broader scope. It is important to conduct research and work with the community in areas that have a higher impact on day-to-day life such as education and health, and other issues ranging from deforestation to rural indebtedness, which are timely issues. I hope the Director Board and the Executive Director pay due attention to this matter.

It is the creative and active contribution of our team of young researchers that will decide whether the CPA can continue to function and do some down-to-earth work for the sake of people for another twenty-five years. They have a lot to do in the future that we were unable to accomplish in our time. We hand over the baton to them hoping they will continue the journey with similar spirit. It requires genuine commitment, honesty, dedication, and the desire to make a difference in the field. This is the best time for that. New paths have appeared among the heart-warming memories, along a challenging journey with many twists and turns.

LIONEL GURUGE

Lionel Guruge is Senior Researcher in charge of the Capacity Building and Outreach Monitoring Thematic Group at CPA. A committed human rights activist and changemaker, he has also authored and published several books on subjects such as constitutional reform, reconciliation, and human rights over the last three decades.



25 years of contribution as a CSO in Sri Lanka

Udaya Edirimanne

A person becomes a citizen after receiving membership in the State. The decisions of the State have a direct impact on our lives and determine the living space available to citizens.

It is extremely challenging for us to fully grasp and understand the political, economic and social realities while we live in an underdeveloped country subject to various political, social and economic influences. Therefore, it is difficult to interpret and adequately define these realities from an impartial standpoint within the space where we are also stakeholders in this system by default, willingly or unwillingly. We are exhausted by such an environment and our perception is often limited to the obvious arrogance, folly, or megalomaniac approaches of the leaders.

In such a space and context, interventions and engagement against social, political and economic subjugations are possible through civic dialogue and academic discourse. Similarly, such interventions will have an impact on the root causes for this situation.

The Centre for Policy Alternatives (CPA) has trained and guided citizens based on this conceptual understanding and process for over 25 years, ensuring active participation and engagement. This has been my experience with CPA in this area.

From its inception, CPA was of the conviction that without a process to empower the state and the citizen, existence itself will be an arduous process for both the state and the citizen within the existing nation-state. Therefore, for the past 25 years, CPA has been exploring and analysing contemporary society and facilitating training while engaging with the conceptual understanding that a strong system of democracy and a structure should be designed for the political landscape.

The basic premise and the theme of this effort has been the empowerment of the citizen and the state within a framework of democracy.

In this regard, there have been a vast number of interventions on the level of citizens and civil society organisations as well as from the academic front which have been very significant. It is my understanding that if all the programs implemented by CPA during the last 25 years were to be lined up and counted it would reflect the tremendous value added by CPA to this nation.

It is a great joy and pleasure to note that this discourse which was begun 25 years ago by CPA is being appreciated and recognised today. This has opened vistas for the nation to see with a new 'eye' and provided an avenue for Sri Lankan society to have a new conceptual framework.

In order to face both existing and emerging challenges in the world, the entire *"Sri Lankan Nation and the State-building*

process" needs to be re-visited at a deeper level. This is the perspective of both those that support and oppose CPA as well as the moderate groups at the moment. Accordingly, I believe that the role of a forerunner and a pioneer required for such a process has been, and is being carried out to the maximum extent possible by CPA. Furthermore, I see the interventions and victories obtained for the people by CPA against the social and political exploitations and manipulations faced by citizens during the past period, as a significant contribution made by a civil society organisation to the narrative of the nation.

The journey of 25 years through the various mudslinging, criticisms, baseless allegations, antagonistic attacks, and opposition has not been a smooth path to travel. In such an environment, the contribution made by the senior management in providing the astute strategic direction required for the organisation and the resolute work of the rest of the members has been the secret behind the true success of the organisation. It is a great honour to refer to all of them as co-contributors and companions on this successful journey of 25 years as a civil society organisation.

I consider it a rare privilege to have been able to work and associate with CPA for the past 25 years.

UDAYA EDIRIMANNA

Currently Electoral Officer with the United Nation Assistance Mission in Somalia (UNSOM), Udaya Edrimanne was with CPA almost since its inception, and upon completing his Masters in Sustainable International Development, moved on to work with the UN. Between exciting assignments in various global hotspots, he returns briefly to CPA to touch base whenever he gets the chance.



Candid memories of CPA's early days

Altaf Hussein

I joined the Centre for Policy Alternatives (CPA) a few months after it was founded. Lionel Guruge had joined before me and we were some of the first employees of CPA. The first office was established at Inner Flower Road, at which time we had only a few staff members. Those were memorable and very interesting times. I remember practicing howling like a dog, because some staff who also became friends were very interested in how I could do it so perfectly! Once two female friends came to see me at the office and they caught sight of Sanaka Samarasinghe. He was very handsome, and they were practically salivating when they saw him! They kept pestering me asking who he was. It was fun times that I cherish, and it is rare to get such a fun and exciting working ambiance today.

There were a few outings to Jean's picturesque estate at Belihuloya and the first time we went there it was so cold that I felt I almost died as I had trouble breathing! There were several incidents with leeches and Udaya's shorts almost caught fire due to a chemical reaction between lighter fluid and, if I remember correctly, Siddhalepa!

Once CPA started expanding, there were less and less connection between the staff as everyone was so busy and it was difficult to organise outings and events that could increase the camaraderie of the staff. CPA had grown so much that there were six different units and multiple offices, and it was not the close-knit group anymore.

CPA^{at25}

I am glad that the organisation has grown to be a force to be reckoned with now. No other NGO is as pro-active as CPA. Whenever an attempt is made to erode the rights of citizens, CPA is at the forefront – either through a statement, court case or social media. With the present use of social media, the impact is much more than when CPA started and certainly has made a difference in the civil society fabric of Sri Lanka as a whole.

In the early days of CPA, rights violations in Sri Lanka were a common occurrence. Over the years, the public has become much more aware of their rights and this trend became globally recognised due to the internet. Millennials take

these rights for granted now, but it was not an easy fight. CPA certainly has helped create more awareness than most NGOs could or dared to.

I am glad that I was a part of CPA and the 10 years I was with the organisation have been a very interesting and fulfilling experience. The impact CPA had on me and many others professionally and personally, is manifold.

I do hope that Dr. Saravanamuttu and the staff of CPA keep up the wonderful work they have been doing for the last 25 years and certainly hope that there will be a 50th Anniversary when the time comes.

ALTAF HUSSEIN

Altaf Hussein was with CPA from almost its inception, working as an IT System Officer and then as the Unit Head for IT. He also helped organise events as he maintained a close rapport with all units of CPA. He was particularly noted for his excellent IT skills. He has a cheerful disposition and often livened up the office environment



The impact on electoral violence and free and fair elections

Devanand Ramiah

"Violence or the threat of violence, intimidation or harassment, or incitement of such acts through hate speech and aggressive political rhetoric are incompatible with democratic elections."
Handbook for European Union Election Observation

As I reflect on the several seminal contributions of the Centre for Policy Alternatives (CPA) to democratic governance in the last 25 years, one of the most important and impactful work has undoubtedly been on promoting free and fair elections in Sri Lanka - spearheaded by the Centre for Monitoring Election Violence (CMEV).

CMEV was established by CPA, the Free Media Movement (FMM) and the Coalition Against Political Violence to monitor election related violence in 1997. I joined CPA/CMEV in 1998 and had the privilege of being part of one of CMEV's pioneering efforts – monitoring the infamous North Western Provincial Council Elections in January 1999. What an election it was! The most violent in the history of Sri Lanka. For me, as a young person just coming out of university, it was a baptism by fire. CMEV called for this election to be declared null and void as it irrevocably undermined the public's free and fair choice.

Penning this article in 2021, I can say with conviction that the recent national elections in Sri Lanka have been largely free and fair, and that CMEV has had a transformational impact in changing the trajectory of election violence in Sri Lanka. As a development

practitioner, I am often asked to measure and verify impact as well as demonstrate value for money, especially for donor contributions. On this front, CMEV has hit it out of the park. All one must do is plot the data related to election violence over time to measure the impact. It is not my contention that the drastic reduction or absence of violence is the singular indicator of free and fair elections or the maturity of electoral politics, but rather on that one metric, which was a primary objective of CMEV during inception, the results speak for itself. CMEV has also evolved with the time and needs, focusing on broader electoral reform processes and incorporating technology into the monitoring process.

The strategic vision of CPA was to take an integrated approach towards democratic governance in Sri Lanka. CMEV was only one pathway, but when collectively assessed with the free and fair elections related contributions of CPA through its legal and constitutional reform, public interest litigation, peace and conflict, and civic media related interventions, it has had a monumental impact. And all for an organisation that is only 25 years old. However, there is much work to be done if Sri Lanka is to reach its full potential and promise as a democracy. The glass is only a quarter full. In this regard, CPA has a central role to play in the future.

My first role at CMEV as an election monitor entailed going to the National Police Headquarters to tabulate election violence data. When I moved on from CMEV, I rose to the rank of National Coordinator and during that time I have done every conceivable task in CMEV, including contributing

to the development of the methodology together with the inimitable Dr. Arjuna Parakrama. In between elections, I was with CPA and worked in the Peace and Conflict Analysis Unit and Social Indicator.

CPA/CMEV was my first job, and I spent the formative years of my professional life in CPA. No university, professional qualification or training programme can match CPA when it comes to molding young minds and inculcating the values of citizenship and civic duty. CPA was the best education and experience I had, period. I benefited greatly and was inspired by the people in CPA who are some of the best minds and bravest people I will ever know. To date, they remain my friends and mentors – Sara is a constant to anyone whose life has journeyed through CPA, certainly for me. Arjuna played an important role in my CMEV experience. I could write a book about the memories, friendships, banter, intellectual debates into the wee hours of the morning aided by a glass of whiskey; travel into some of the remotest parts of the country; the close shaves that I have had; and our work in the height of the civil war etc. These memories and experiences are priceless and remain a core part of who I am.

No one ever leaves CPA. Once you join CPA, you become part of its DNA and will remain so. At least that is the way I feel. For me, at a young age CPA made me see the best of what I can be. For that I am always grateful. Looking ahead I want to wish CPA the best as they embark into the next 25 years. May CPA's resilience and courage continue to serve as an inspiration to others.

DEVANAND RAMIAH

Devanand Ramiah (Dev) is a development practitioner with the United Nations Development Programme (UNDP). He is currently the Deputy Resident Representative for UNDP. Previously, he has worked for UNDP and United Nations Peacekeeping Missions in several countries. Before joining the UN, Dev worked for the Center for Policy Alternatives as a senior researcher.



Social Indicator: An experiment in participatory democracy

Dr. Pradeep Peiris & Sakina Moinudeen

Social Indicator (SI) was founded in November 1999 following discussions that had been ongoing for some time between Dr Saravanamuttu and few donors on the need to establish an institute for public opinion polling in the country. The Governance and Institutional Strengthening Programme (GISP), an implementing partner of the Canadian International Development Assistance (CIDA) came forward to assist CPA in setting up its polling unit. The GISP not only provided the initial capital to invest in a public opinion polling unit consisting of modern equipment, but also provided funding for the first three years of its operations. The continuous flexible funding provided by the GISP allowed SI to not only experiment its novel project, but also be the country's first self-sustainable not-for-profit polling agency.

Pioneering an opinion polling institution at the time was a bold experiment, only someone like Dr. Saravanamuttu would venture into. The science, the technology and the human resource needed to conduct public opinion polling was very rare in the country, let alone at CPA during the late 1990's. However, his willingness to take the risk for what he believed in, his network across and outside the region, coupled with his charismatic personality paved the way for an innovative idea such as the work of SI to commence its operations in CPA.

SI's contribution to Sri Lanka's Public Opinion Polling Sector

Social Weather Station (SWS), a renowned Manila based polling institute trained the first team of researchers who were recruited for SI. In 2000, within its first year of operation, SI joined the World Association for Public Opinion Research (WAPOR), a global collective of pollsters. This collaboration not only created the main foundation for SI's professional legitimacy, but also contributed to the professional development of the staff at SI. Since then, many researchers have attended WAPOR events held in the USA, Europe and Asia, and received invaluable exposure to new methodological debates and state-of-the-art opinion polling technologies. With this foreign training and exposure, SI has fueled a radically new public opinion polling culture in Sri Lanka. Since its inception in 1999, SI has employed both quantitative and qualitative methods of research and conducted a number of Large –N surveys, report card surveys, needs assessments, monitoring and evaluations and mappings on a variety of areas ranging from Sri Lanka's peace process, corruption, democracy, pre-election polls, constitutional reform, post war reconciliation and transitional justice, socioeconomic and political implications of the COVID-19 pandemic, Tsunami recovery, gender and gender based violence, child labour, HIV/ AIDs, and labour market surveys.

Whilst SI initiates a significant proportion of its research studies, it also conducts collaborative research with a range of government and non-governmental organisations (both local and international), private firms and various academic institutions. SI is the first not-for-profit public opinion polling agency that is committed to strengthen democracy in the country by providing a channel through which the silent

majority can voice their concerns on issues that matter to them in their day to day lives. At the time, there were a few non-systematic polling studies conducted by some market research companies for their clients. However, due to many reasons SI's polling became extremely popular during the early 2000's and captured frequent attention from local and international media, which were a combination of both praise as well as criticism from ruling and opposition party politicians at the time. This popularity triggered a huge interest amongst donor agencies and development agencies on public opinion polling and they began to commission opinion polling studies more frequently than before to support their various initiatives. This opened up new funding opportunities for civil society organisations, triggering many NGOs to join the bandwagon in conducting public opinion polling irrespective of having no technical or theoretical knowledge. In addition to NGOs, many marketing research agencies also ventured into conducting opinion polls on areas such as the peace process, democracy and governance.

Contribution to the Democratic Discourse within and beyond the country

SI was formed with a firm belief that opinion research can be used as an instrument to strengthen the country's democracy. The state-of-the-art scientific polling introduced by SI enabled policy makers to capture public opinion pertaining to government policies from a large cross section of the population within a limited period of time, with a great deal of accuracy. In 2001, SI introduced its flagship survey project, the Peace Confidence Index (PCI, 2001-2008) to capture the changing public perceptions and attitudes towards the peace process. Consecutively for eight years, the PCI survey contributed to public discourse on the country's

conflict resolution process. Numerous governance related surveys that SI has been conducting over the past 20 years have not only triggered public debate on the service delivery of respective governments but has also been a means by which the public get involved and contribute to the institutional reformation debates prevalent in the country. During the past 20 years, SI's surveys have informed politicians, key policy makers, and media –including international media

institutions such as the New York Times and the Economist - and also the international community at large. Many local and foreign scholars – Professor Donald Horowitz, Professor Kristian Sokke, Professor Michael Schulz, Professor William Mishler, Professor Ashuthosh Varshney, Professor Jayadeva Uyangoda to name a few, have engaged with SI's data in the scholarship of analysing both national and global political trends.

Dr. Pradeep Peiris is the Head of the Department and Senior Lecturer at the Department of Political Science and Public Policy, University of Colombo, and founder and former head of Social Indicator, the survey research arm of the Centre for Policy Alternatives.

Sakina Moinudeen is a Senior Researcher at Social Indicator, the survey research arm of the Centre for Policy Alternatives.



Retrospection on the Local Government Programme

Sriyanie Ruwanara Wijesundara

In a country with a volatile political environment, a dynamic bureaucracy and a dependent society, the success of a civil society organisation for two and a half decades, is dependent on its scope of action.

The Local Government Programme of the Centre for Policy Alternatives was launched mid-2007 with the aim of strengthening the development approach from the grassroot levels reaching up to the national level, with the objective of devising a more practical and feasible plan for sustainable development. Thus, the main objective of the programme is to create a successful foundation for sustainable development through mechanisms relating to rural development, regional development and by extension national development, which would create the environment conducive to bringing about the desired changes.

This programme is implemented in collaboration with the three main active political structures that are legally responsible for initiating the existing development activities in the Local Government Institutions. As a result of this program rural political institutions such as Municipal Councils, Urban Councils and Pradeshiya Sabhas and the functioning of public service agencies, were strengthened and rural taxpayers were equipped with the latest knowledge regarding political institutions and the local budget process. Technical assistance was provided to strengthen the transparent and participatory approach, rural income management and by-laws. It also aimed to enhance and update the knowledge

of the council members and officials on the Ordinances, Acts, Financial Regulations, Orders and Directives which are instrumental for the proper functioning of the Local Government Institutions.

These interventions have thus far covered about 90% of the existing 341 Local Government Institutions. A vast range of outcomes and positive changes have resulted and can be traced through the councils' new budgeting processes which have evolved to become participatory processes, where previously only the Mayor / Chairman and secretaries of the councils participated. Other positive changes include the establishment of appropriate by-laws to promote the revenue base of the council, using the potential resources of the jurisdiction, the proper activation of main committees in the councils, as well as the increased public participation in it, the establishment and galvanization of the public gallery, maintenance of council and meeting records, the formalisation of council affairs, the improved disciplines of the councils through the presence of women members, and the formation of a minimum foundation for creation of a culture of recognising women members.

Perhaps the most attractive of these activities which manifested productive change are the mechanisms devised to protect the political rights of rural women, and to provide support in introducing their involvement in the political process. Although universal franchise in 1931 opened the door for Sri Lankan women to enter politics, equality and justice have not been served for the past eight decades. Therefore, CPA's Local Government Programme aimed at supporting and

strengthening the movement introducing a 25% quota to protect the rights of women in politics.

As a result of this extensive campaign, the 25% quota required for women was enacted in the Local Government Elections Act as a legal provision. CPA became one of the pioneers in launching the **"Vote for a Woman"** campaign to support the process, paving the way for **her** to reach a significant milestone in Sri Lanka's political journey. This effort by CPA is recognised and appreciated to this very day.

Out of the total 4486 members who entered Local Government Institutions in the 2011 Local Government Elections, 82 were female members which was 1.83%. The 2018 local government elections brought about a very positive increase via the introduction of the women's quota. Of the 8690 members elected in this election, 1926 (23.3%) were female members. This was a notable increase from 1.83% in 2011. This constructive outcome was supported by the contributions made by the Local Government Programme at the Centre for Policy Alternatives along with other activists, eminent citizens, CSOs, and CBOs which were in the battle

However, due to the political changes that took place at the end of 2020, the focus on the 25% quota for women that we have strengthened, seems to be declining in some way. Therefore, we recognise and are committed to continuing to work with other civil society organisations to protect the political rights of women and that quota. The main objective of this attempt is to establish at least 25% representation of women in the Provincial Councils and Parliament.

SRIYANIE RUWANARA WIJESUNDARA

Sriyanie Wijesundera has been with CPA since 2003, heading first the Anti-Corruption Programme and then the Governance Unit (part of CBOM/CPA). She is passionate about eradicating corruption, improvement of service delivery and increasing women's political participation. In her personal time she is also an advocate of animal rights and an environmentalist.



CPA and Sri Lankan constitutionalism: A 25th anniversary essay

Dr. Asanga Welikala

As the Centre for Policy Alternatives (CPA) celebrates its 25th anniversary with this volume of essays, I want to reflect on CPA's contribution to the shaping of Sri Lankan constitutionalism over the course of its existence. Constitutional law and practice, broadly conceived, is the institutional and epistemic domain within which CPA's strongest claims to impact lie, through its work in research, advocacy, and outreach.

I would like, however, to begin with a few personal recollections about how my association with CPA began. I joined CPA in March 2000, and despite spending most of the ensuing two decades abroad, I have never severed my connection to it, and the development of my own personal and professional self has been closely linked to that of the organisation and colleagues within it. There have been many good times, but also bad times, and some terrible times over these 25 years. I have, in fact, produced most of my academic output published through CPA from abroad. And as I write this from Edinburgh, teams from CPA and the Edinburgh Centre for Constitutional Law, which I direct, are collaborating on ambitious research projects that may well have a significant impact on Sri Lankan democratisation in the years to come.

I returned to Sri Lanka from undergraduate law studies in the UK in the summer of 1999. Through the kind intercession of the late Eardley Seneviratne, my father's proctor, I joined Ranil Wickremesinghe's presidential campaign when President Kumaratunga fixed a

presidential election for December 1999. During the campaign I mostly worked with Akila Kariyawasam, then the General Secretary of the UNP Youth Front, driving across the country for meetings and rallies. On the closing night of the campaign after the final rally at Maradana, a few friends who had supported the campaign and I went for drinks at the CH&FC. Waruna Karunatileke, Victor Ivan, and Sinha Ratnatunga were at an adjoining table. I think I was exchanging some pleasantries with them when we heard the loud bang which turned out to be the LTTE suicide attack on the PA rally in the nearby Town Hall grounds. President Kumaratunga survived the attack and won re-election a few days later.

With the UNP remaining in Opposition, I turned my attention to attending lectures at the Law College, with a view to sitting the attorneys examinations. In January 2000, Kumar Ponnambalam was assassinated in Colombo. One night soon after his death, I had returned from an evening out at the Old Thomians' Swimming Club, and, unable to sleep, found myself writing down some reflections on the tragedy of yet another act of political violence. I thought nothing much of this piece and it was lying around on my desk. A university friend, Manjuka Fernandopulle, had joined CMEV to monitor the presidential election. He saw the handwritten draft on my desk one day and said he would like to show it to his boss, Dr Paikiasothy Saravanamuttu, the Executive Director of CPA.

I didn't know Sara at that point, although as a Thomian I was familiar with the legendary stories surrounding the Saravanamuttu family's multi-generational association with S. Thomas'. Many years previously, Sara had judged a school debate at the British Council, giving the Thomians at least an epiphanic glimpse into how the Thomian *Übermensch* looks like in both style and substance. So I had no objection to Manjuka's offer of arranging a meeting with Sara to discuss my reflections on Kumar Ponnambalam.

The conversation at the meeting culminated in a job offer, and on my acceptance of it, it was a type of conversation that I would become extremely familiar with over the next two and a half decades: a mix of Apollonian learning and ideas and a Dionysian curiosity and sensuality, an always intriguing interplay of moral seriousness and witty cynicism. An experience akin to one's first sip of good champagne, or hearing the first few bars of a Chopin nocturne, or beginning to comprehend the full import of the difficult words and ideas of a philosopher like Oakeshott or a poet like Eliot, it was both intoxicating and addictive. Suffice it to be said here that I never went back seriously to my plans to enter the Bar or electoral politics, and my career in Sri Lanka turned out to be entirely based at CPA. Incidentally, my first published newspaper piece was the Ponnambalam article, which Sara facilitated through a phone call to the late Lasantha Wickrematunga, the feisty editor of *The Sunday Leader*, murdered by the populist authoritarians that govern Sri Lanka today.

The CPA I joined in 2000 was very much a fledgling organisation, in the first of two broad phases of its approach to constitutionalism in the last 25 years. In my reckoning, the first phase lasted from its inception in 1996 to the aftermath of the post-war period in 2014, and the second phase commenced with the regime change in 2015 and continues to date. The first phase was characterised by a highly orthodox adoption of the model of liberal constitutionalism that was at the height of its prestige in the immediate post-Cold War period, although that adoption was based on a very contextual understanding of what was required for democratisation in Sri Lanka. The post-Cold War transnational model of liberal constitutionalism involved commitments to constitutional supremacy, an extensive bill of fundamental rights drawing from the expanding catalogue of international human rights law, strong-form judicial review, fourth pillar de-politicisation

frameworks, and more generally, an underlying political philosophy in which Locke, Rousseau, Kant, Madison, J.S. Mill, Rawls, Dworkin, and John Hart Ely were the leading lights. And because Sri Lanka was an ethnically plural conflict-affected society, CPA's liberals were the country's leading federalists, although often uncomfortable with the nature and behaviour of the ethnonationalisms that drove that debate.

This then was the foundation in constitutional ideology that informed virtually every reform initiative that was championed as well as opposed by CPA in the first phase. This ideology was the basis of CPA's opposition to majoritarian ethnonationalism and the unitary state, and its championing of human rights as the antidote to the murderous militarism of the LTTE's brand of minority ethnonationalism. CPA scored both its successes and its occasional failures on account of its commitments to the normative tenets of this constitutional ideology. There is no space here for a detailed analysis, but illustrations of key successes in the pursuit of this vision include CPA's many public interest litigation victories, its central civil society role during the Norwegian-facilitated peace process, its influential international advocacy including in UN forums, its outreach programmes with provincial and local government bodies and civil society beyond the Western Province, its role in the drafting of freedom of information legislation and in reforming language policies, and its research outputs that together constitute a remarkably coherent body of both policy-oriented as well as more academic knowledge that only few thinktanks have succeeded in producing in Sri Lanka.

A notable failure as a result of what was perhaps a somewhat overzealous commitment to normative purity, from a retrospective point of view, was arguably CPA's opposition to the 2000 Constitution Bill. CPA's opposition may not have been decisive in the rejection of that Bill, but it was almost certainly the wrong call historically. Sri Lanka's path of constitutional

development, and its trajectory of democratic resilience and backsliding since, may have been materially different if that Bill had become the country's Constitution in 2000.

A lesson however was learnt from that experience, and the more pragmatic and less normativist character of CPA's constitutional advocacy in its second phase after 2015 has been informed by this. It is not that in this second phase the essential integrity of CPA's core constitutional ideology has been abandoned or sacrificed; it certainly retains its fundamentally liberal democratic character. But constitutional liberalism has many forms and I do think that CPA's governing ideology has become – or at least is in the process of becoming – more discriminating, nuanced, and more alive to the limits imposed by the realities of Sri Lankan politics in the interpretation and application of normative commitments, than it was in the past. That of course is the sign of a maturing organisation, learning from experience and adapting itself, so that its role in the shaping of constitutional and public policy can become more effective.

But it is also a reflection of the very different global realities that determined its first 25 years, and those that will shape its next 25 years. The first phase was characterised by the West's victory in the Cold War, when liberal constitutional democracy was the only respectable show in town. The next one is a much more ominous environment in which an ascendant China provides greater scope than ever since the end of the Cold War for the fostering of competitive authoritarian regimes, which it is the very purpose of organisations like CPA to oppose. This requires therefore a much more realpolitik-centred (and much less ideals-centred) approach to the defence of constitutional democracy in Sri Lanka. It involves a more acute awareness of strategic politics, a more interest-based approach to coalition-building, as well as a more refined re-conceptualisation of the substance of constitutional democracy. Most of all, a reformed approach understands

that desirable change happens through the wilful exercise of political power, not the shrill activism of the wilfully powerless. Taken together, these readjustments and realignments constitute a substantially, but not radically, different approach by the organisation to its role.

I for one would welcome and encourage this new direction and firmly believe it bodes well, for both the resilience of the organisation, as well as the enhancement of its scope in shaping the constitutional development of Sri Lanka towards deeper democratisation. Like a human being, it is a fine thing that an organisation in its youth should be driven by idealism, but the measure of its adulthood is its

ability to blend reform with realism, principle with power. As CPA turns 25, the time for preaching from the moral high ground, for the championing of lost causes, for the politics of noble idealism, comes to an end. It is time now for CPA to build upon its achievements and commitments to the law and politics of justice and take seriously its coming role and responsibility in dealing with the vernacular politics of power: the only real and viable site of constitutional democratisation in post-war Sri Lanka. How well CPA pursues this agenda could well turn out to be the determinant of its very relevance, quite apart from its success or failure, in the next 25 years of its existence.

DR. ASANGA WELIKALA

Dr Asanga Welikala is Lecturer in Public Law and the Head of Public Law at the School of Law, University of Edinburgh, and the Director of the Edinburgh Centre for Constitutional Law. He is a Research Fellow of the Centre for Policy Alternatives.



15 years of shaping civic media

Dr. Sanjana Hattotuwa

On 28th November 2006, the first article on Groundviews offered a perspective from Vakarai traditional print and broadcast media did not frame or feature. In tone and thrust, this article was the foundation for what Groundviews (re)presents and seeks to amplify. Initially conceived of as a trilingual website, it was quickly evident that Tamil and Sinhala readers were more comfortable engaging with websites in their respective languages. Sri Lanka's media and information ecologies remain deeply divided on ethnolinguistic lines that, in turn, reflect decades-old socio-political division and systemic racism. Launched before the advent of social media or smartphones, Groundviews was followed up with *Vikalpa* in 2007 and *Maatram* in 2008. Individually or collectively assessed, these three platforms are a unique civic media ecosystem from the time of launch to date.

Deeply influenced and inspired by OhMyNews in South Korea and Malaysiakini in Malaysia, Groundviews, upon launch, sought to leverage ground-truth reports by citizen journalists to interrogate issues related to governance, democracy and human rights in a country inexorably heading into what was a bloody denouement to a nearly three-decade war. To curry favour or out of fear, traditional print and broadcast media platforms did not or could not feature content critical of the government, the timbre of governance or excesses of the military. National security frames, along with statements from the government tinged with violent nationalism, dominated media frames. Counter-narratives were rare and hard to

access. The world wide web was the only platform available to freely publish content from authors around Sri Lanka, including in the North and East. Eye-witness testimonies, ground-truth reports, critical civil society perspectives and multimedia content bearing witness to violence, human rights violations and awful conditions faced by Internally Displaced Persons dominated the early years of Groundviews. This content was translated into Tamil and Sinhala for publication on *Maatram* and *Vikalpa*, respectively. Reciprocally, stories first published on *Maatram* or *Vikalpa*, including long-form journalism, were translated into English and published on Groundviews. Featuring Sri Lanka's first editorial and community engagement guidelines for a media website, the three sites – independently and in concert - published content that consistently challenged the status quo and inconvenient truths for successive governments.

A good example of the kind of journalism that civic media initiatives at the Centre for Policy Alternatives (CPA) came to be associated with was in how Groundviews featured the inhuman conditions of the Menik Farm IDP camp a few months after the end of the war. On 15th August 2009, Groundviews published 7 photos of significant flooding in the camp. Tens of thousands of inhabitants were forced to endure hellish conditions because of non-existent drainage and sanitation infrastructure. As noted on Groundviews, "... local print, broadcast and web media are not covering this story. Only the Daily Mirror republished a BBC news item. No Government newspaper or TV station has even referred to the situation in Menik Camp today."

In 2008, Groundviews created South Asia's first Facebook and Twitter accounts for civic media content, realising the verdant potential for independent and investigative journalism using these platforms. CPA's civic media initiatives pioneered the use of other web and internet technologies. *Vikalpa* was the first media platform to feature Unicode

Sinhala, allowing site content to be indexed on all leading search engines and accurate rendering on mobile devices – years before the primary consumption of media switched to smartphones. From long-form journalism to satire, interactive, immersive, multimedia productions to the adoption of cutting-edge web platforms and services to render content on tablets and smartphones, CPA's civic media was consistently years ahead of traditional media in leveraging the potential of web, internet and social media to reach wider audiences, within and outside of Sri Lanka. Furthermore, by creating and openly documenting technical architectures to host inconvenient truths, CPA's civic media platforms demonstrate how to establish resilient civic media infrastructures in the face of arbitrary censorship and disruption by malevolent state or non-state actors.

Not all came to pass as expected. Social media's potential to increase the reach of critical content was quickly adapted and abused to amplify hate and violence. On this front, CPA's civic media team produced in 2014 the first rigorous research in Sri Lanka to highlight growing evidence of Facebook's instrumentalisation by violent Buddhist extremism, precisely mirroring developments in Myanmar at the time. Over the subsequent years, two more reports looking at Facebook platform abuse, prefiguring what at greater scope and scale would define news cycles on both sides of the Atlantic a few years hence. This combination of content production and significant innovations around web-based journalism with simultaneous primary research into (social) media ecologies, focussing on violent extremism, was unique to CPA. An open letter to Facebook in 2018 after the horrific violence earlier that year in Ampara and Digana resulted in the first response by the company addressing platform harms, leading to an independent human rights impact assessment. Subsequent critical engagement with Facebook's product and platform teams worldwide helped shape the company's on-going

efforts against disinformation, misinformation and content inciting hate.

Having joined CPA in 2002, I formally resigned in mid-2020. For 14 years of the 18 at the institution, I oversaw the civic media team's research and the curation of Groundviews daily. It was an extraordinary privilege to lead a group of individuals mad enough to believe that the content featured across CPA's civic media platforms helped more fully realise Sri Lanka's democratic potential. At the same time, this long arc of engagement and experience highlights the degree to which Sri Lanka's media discourse risks what Chimamanda Ngozi Adichie calls the danger of the single-story. With growing

sophistication and clear strategic intent, the success of racist propaganda is not just in the increasing delivery of divisive content but the cultivation of a mindset that normalises militarisation and racism.

The only way to effectively combat this cancer, destroying democratic pathways and discourse, is to reaffirm and redouble efforts around CPA's mandate - to proactively intervene in public policy debates through programmes of research and advocacy. Civic media and strategic communication are at the heart of this endeavour. I look forward to what comes next.

DR. SANJANA HATTOTUWA

An Ashoka, Rotary World Peace and TED Fellow, Dr. Sanjana Hattotuwa founded in 2006 the award-winning Groundviews, Sri Lanka's first civic media website, which he curated for over eleven years. Dr. Hattotuwa was with the Centre for Policy Alternatives from 2002 to 2020, where as a Senior Researcher, he focussed on civic media, social media tactics and strategy, digital activism and digital security for activists. He also helped establish and was a technical Advisor to Vikalpa, the sister site of Groundviews operating in Sinhala and Maatram, the Tamil equivalent of Groundviews. He recently completed doctoral studies at the University of Otago, New Zealand, focussed on the symbiotic relationship between online content on social media and consequential offline socio-political developments in post-war Sri Lanka. He is currently a Special Advisor at the ICT4Peace Foundation, Geneva, Switzerland and a Research Fellow at Te Pūnaha Matatini, a complex systems think tank and Centre of Research Excellence hosted by the University of Auckland.



An exceptional 25 years of courage, leadership and so much more!

Bhavani Fonseka

This year is a special one for the Centre for Policy Alternatives (CPA) when it marks 25 years of working towards promoting human rights, peace, justice and democracy in Sri Lanka. It is also a year which has reminded us of the numerous challenges in Sri Lanka- from an increasingly authoritarian and military style of governance to a steady erosion of the rule of law and threats to rights and reconciliation. These are compounded by a global pandemic that has set in motion new challenges and reinforced the old. It is in the midst of a pandemic and unresolved conflicts that CPA has stood firm and been a rare voice of reason.

The last 25 years witnessed CPA's cutting-edge research and advocacy thrive and informal political debates in a range of areas including constitutional reform, electoral reforms, transitional justice, language rights to a host of other policy dimensions. CPA's rich and diverse expertise is evident, be it providing ideas and alternative proposals, survey research, outreach activities, election monitoring, citizen journalism and public interest litigation. Moreover, CPA's steadfast and principled positions, often taken in the face of threats and other challenges, is recognised as a trusted voice that has stood for liberal democratic values and its unwavering stand on dignity, equality, freedom and justice.

At a personal level, CPA's most memorable and tangible impact has been in its persistent and courageous interventions in public interest litigation (PIL). This has truly been a remarkable contribution of over two decades, with CPA having consistently petitioned the

courts in Sri Lanka on proposed constitutional amendments, laws and policies and unjust and discriminatory practices. CPA's contribution in this area and support to victims and affected communities has resulted in striking down arbitrary and discriminatory practices such as the pass system that restricted movement of citizens, arbitrary evictions, discrimination based on language rights and several challenges over the years against successive governments who attempted land grabs either in the guise of national security or economic activities, among many other issues.

When reflecting CPA's past work, its tenacity needs mention as several cases took years, some over a decade, to reach a conclusion. In some instances, multiple cases had to be filed over the years but such persistence had a tangible impact. This was evident in the case of Sampur when thousands, displaced due to an ad hoc high security area and subsequent zoning for development purposes, were able to return to their homes after over a decade living in displacement. CPA has also petitioned courts challenging proposed laws and policies, which if implemented, would have undermined the rule of law and fundamental rights. Several successful challenges resulted in authorities having to withdraw draft laws and policies.

A key aspect of CPA's litigation is its agility and courage to challenge in the face of numerous threats and other setbacks. Cases such as the Eviction Case in 2007 when hundreds of Tamils living in temporary housing in-and-around Colombo were evicted on the orders of the then Secretary of Defence. A few of us decided this arbitrary action must be challenged and halt such practices from recurring. This resulted in CPA and Dr. Saravanamuttu petitioning the courts with evictions halted as a direct result of the case. Remarkable also is the fact that this result was even possible at a time of heightened authoritarian rule.

Reflecting on CPA's track record of over two decades of public litigation also raises an important point as to how it has impacted the space to litigate in Sri Lanka. One has to only look at the number of cases filed in the name of public interest litigation at present to realise many perceive it as providing some tangible results. Yet, the enthusiasm to litigate was not always the case, especially during years when challenging the authorities often came with security threats. Regardless of the obstacles, CPA stood firm in this area, with it earning recognition from both its supporters and detractors. One can safely say that CPA's long-standing commitment to justice and countering impunity, to promote human rights and the rule of law has set in motion a culture where many now feel safe and able to petition court.

Further, in most major legal challenges CPA has been a constant in petitioning courts. Recent challenges such as the constitutional coup (2018), Twentieth Amendment to the Constitution (2020) and Port City Bill (2021) witnessed a range of diverse petitioners in court. Amidst this group, CPA stood out as the one that has consistently petitioned court for over two decades and stood firm despite the numerous challenges and setbacks, and regardless of the political party in power. Thus, one must acknowledge CPA's journey of over twenty years in public interest litigation having transformed a space which was often lonely to one that is now inhabited by many. It has also helped shape a space where many now recognise public interest litigation as a tool that can potentially lead to change.

CPA's consistency and courage has also resulted in a rich jurisprudence that will inform present and future lawyers, judges, academics and others, in and outside Sri Lanka. A few of us are presently compiling a publication that captures CPA's contribution in a range of areas via its public interest litigation and this exercise is a constant reminder of this exceptional body of work that will outlive all of us. It is this

ability to respond quickly, have a tangible impact in the lives of many and create a body of work that can inform present and future generations that makes CPA's interventions unique and exceptional.

These and many other experiences have made CPA's first 25 years an exciting journey. It has also been a journey that has seen hundreds of individuals pass through CPA's doors with many lifelong friendships created over tea or after

work G&Ts. For many, CPA became a safe home where one could give life to a crazy dream that transformed people's lives and informed legal and policy debates. Above all, CPA helped produce an inimitable group of people who will take CPA's vision to the next level. The flame that commenced 25 years ago is moving from strength to strength and with it guaranteeing many more years of unique ideas, boundless energy and intrepid leadership.

BHAVANI FONSEKA

Bhavani Fonseka is a Senior Researcher and Attorney at Law with the Centre for Policy Alternatives, with a focus on research, national and international advocacy and public interest litigation. Her work has revolved around assisting victims and affected populations across Sri Lanka, legal and policy reforms and public interest litigation (PIL). She is the editor of the book Transitional Justice in Sri Lanka: Moving Beyond Promises (2017)



The struggle for peace with rights and dignity

Mirak Raheem

I joined the Centre for Policy Alternatives (CPA) as a researcher with the Peace and Conflict Analysis Unit at a time of hope and optimism. The Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE) had signed a ceasefire agreement (CFA) in February 2002 and were engaged in peace talks to reach a negotiated settlement to the longstanding ethnic conflict. CPA and other civil society organisations who had campaigned for a negotiated settlement, were involved in multiple efforts to support the peace process. Finding a lasting settlement to the ethnic conflict has been the island's most intractable post-independence challenge. Even a decade after the end of the war it continues to be so.

CPA was uniquely poised to play an advisory and watchdog role in the negotiation process: to provide policy options and ideas to the negotiators and others involved at Track 1 (which was the lingo of the day to describe official diplomacy), to create greater public understanding about the peace process, to generate public debate, and to advocate with the international community. CPA had a specialised Peace & Conflict Analysis Unit, which was set up around 2001, to take on this task. It was headed by Kethesh Loganathan, who was formerly a leading member of the militant group turned political party, the Eelam People's Revolutionary Liberation Front (EPRLF), who became a peacenik and researcher. He was a fervent supporter of a constitutional settlement to the ethnic conflict and for human rights, and a vocal critique of the LTTE.

The Unit was created with a specific mission to advocate for a peaceful resolution to the conflict. It was established during a period when conflict resolution and transformation

had become a popular subject in leading universities across the globe, while an emerging body of literature debated the applicability of the concept in different contexts of protracted conflict and structural violence. Organisations using these concepts became part of the second generation of NGOs working on peace.

In order to achieve this mission, the unit used a variety of research and advocacy tools. Peace Monitor was a trilingual magazine with original content on peace-related issues, such as the importance of human rights in a peace process and lessons from other peace processes. A collaborative effort with other units of CPA, the magazine was distributed across the country. When carrying out field work in remote areas we would sometimes encounter appreciative readers who had accessed it at their local public library or at a community based organisation. During the CFA period CPA also organised workshops with different sets of actors, including with activists based in different districts so that they had more information to engage the communities that they worked with. But clearly, a more sustained focus on these types of outreach was required.

The Unit also carried out research in order to develop a better understanding of specific dimensions of the conflict both at macro and local levels. In 2003 CPA carried out a study that I coordinated titled 'Informal Dispute Resolution in the North-East and Puttalam' that examined local dispute resolution mechanisms in order to identify how community-level conflicts could be addressed. In 2005 CPA was involved in a multi-country study headed by Professor Ashutosh Varshney exploring his thesis of communal violence and coexistence based on civic associations and relations, which seemed particularly pertinent for a country like Sri Lanka that had seen a number of 'riots'.

As part of its efforts to influence the peace process, the Unit hosted a series of roundtables, most often after a round of peace talks. These roundtables provided civil society representatives an opportunity to directly raise problems from the ground and other issues with members of the government's negotiating team. In addition to questions of interim arrangements and a final constitutional settlement, a critical concern was human

rights. A range of violations, particularly the abduction and recruitment of children, the killing of political opponents and harassment of civilians by the LTTE, created deep concern that the issue of human rights was being sidelined. Civil society lobbying (such as the statements by the Peace Support Group, a civil society forum that CPA was part of) coupled with international pressure did influence greater attention to human rights, including the appointment of Ian Martin as advisor on human rights to the peace talks. However, CFA and human rights violations continued to mount, and at some roundtables voices reached fever pitch as activists tried to convey the gravity of the situation and the need for urgent action.

Although there was an impression among some quarters of CPA being an unquestioning advocate in the peace process, its position in reality was more complicated. The invitation to Dr Saravanamuttu to represent civil society at the Tokyo Donor Conference in April 2003 marked a significant moment for civil society, and CPA, as the involvement of civil society in the peace process had been a key lobbying point. Yet, the purpose of this intervention was not merely to get access or a seat at the table, but to influence the framework of the process and its outcome. The role of drawing attention to 'difficult' issues that kept getting sidelined was not always looked at favourably, particularly by the LTTE and others, as it was seen as complicating a difficult process. For instance, in the wake of the devastating Tsunami of December 26th 2004, CPA organised a roundtable on the perspectives of Eastern Muslim communities, highlighting their experiences of the CFA and the impact of the tsunami. The question of Muslim representation and participation at the peace talks had been a key issue dogging the process. With the change in government in November 2005, CPA continued engaging policymakers. In March 2006 it held another roundtable, in the wake of talks in Geneva to salvage the CFA, that was attended by a member of the government negotiation team, in order to present perspectives for the next round of talks.

I joined CPA in January 2003 to work for six months before commencing my Masters in Peace Studies. This brief period was

packed with deeply fascinating, satisfying work, which had a profound impact on me. As a young adult in my mid-20s it was an inspiring experience to work in a collegial and supportive environment. Sara and Kethesh both believed in the ‘*dropping off at the deep end*’ approach to mentoring their staff, but their faith in us helped bolster our confidence. CPA provided many of us the space and opportunities to learn and grow. Traveling through the five districts of the Northern Province I witnessed the destruction of a physical infrastructure and landscape, the impacts of large-scale displacement and the efforts of communities, clinging to the promise of peace, to rebuild their lives. My life vocation became clearer. My response was to try finish my Masters as soon as possible and return to Sri Lanka and CPA. I would go on to spend a further eight and a half years working at CPA.

I returned in November 2004, to a peace process in crisis and just a month before the devastating tsunami. As the undeclared war gave way to a full-blown one in July 2006, optimism and hope crumbled in the face of a series of humanitarian crises in the war zone and wave upon wave of human rights violations, including the tragic assassination of Kethesh (who had then joined the Secretariat for Coordinating the Peace Process) on August 11th 2006. The situation on the ground demanded a shift in focus within CPA with greater attention to documenting the impact of the violence on communities and to advocate for redress for victims, including through fact-finding reports and public interest litigation, and to bring an end to the fighting. At times, it was difficult to sustain any hope and we worked almost in its absence to confront the silence, denial, self-censorship and fear, and to insist on the importance of rights and the value of

life. Despite the context of fear and threats, CPA continued to speak out and challenge the actions of the warring parties.

With the end of the war in May 2009, the Unit continued its research and advocacy work, often in close collaboration with the Legal & Constitutional Unit on a range of issues including displacement, transitional justice, land, religious and ethnic violence, among others, both to draw attention to critical issues and the consequences on communities, and to provide policy recommendations. The different members of the unit like K. Thenmozhy, Chandula Kumbukage, Nigel Nugawela, other staff and many interns each contributed to shaping the unit and its work. In 2013 the unit was amalgamated into the Legal and Research Unit as part of a wider effort to streamline the organisation. In terms of advocacy on a number of peace-related issues, particularly transitional justice, CPA continues to remain at the forefront.

Looking back at its work during the first decade of the new millennium in particular, it is remarkable that CPA, in a context of increasing authoritarianism, militarization and a clamping down of dissent, persisted with its demands for public debate, the rule of law and greater recognition of the rights and dignity of affected persons and communities. At a personal level, what sustained me during my time was the comradeship of colleagues and the face-to-face engagements with victims and communities as they shared their problems and challenged our lack of action. Fundamental in the demands of affected communities was that things should and could be better. And that we should all struggle harder to build a Sri Lanka that is more democratic, just, pluralist and peaceful.

MIRAK RAHEEM

Mirak Raheem is a researcher and activist working primarily on issues of human rights and transitional justice. He served as a commissioner with the Office on Missing Persons (OMP) (2018-21) and prior to that as a member of the Consultation Task Force on Reconciliation Mechanisms in 2016. He has been involved in civil society activism since 2003 and served in different capacities with a number of local organisations, including as a researcher with CPA (2003, 2004-2013). He has produced several publications on displacement, land, religious violence, coexistence and Muslim politics in Sri Lanka. He obtained his Undergraduate Degree in International Relations and History from the London School of Economics and Political Sciences (UK), and a Master's Degree in Peace Studies from Notre Dame University (USA).



An unconventional organisation

Chandrika Gadiewasam

I first heard about the Centre for Policy Alternatives in 1999 through Hemitha Jayasinghe, a friend of mine from accountancy class. She said CPA monitored elections and was a kind of research organisation that kept an eye on policy formulation. I was intrigued by the name: Policy Alternatives.? Suited me because I don't believe in the mainstream. I wanted to find out who they were and what they were about. I began work in Admin, and then overheard these other fascinating words going around - *democracy, governance, human rights, pluralism*. What do those words mean? Why was CPA called a "watchdog"? I subsequently moved to Library/Documentation and the Outreach Unit, hoping I would have more opportunities to understand them.

CPA is *unique*. Here, we challenge conventional ideas, we think out of the box, we ask why, and why not. We don't accept the status quo merely because it is widely accepted or always happened to be like that, we ask for reason and for justification. We don't succumb to myths or fall for deception. CPA is formed of qualified, alert experts, liberal thinkers who monitor and critique in the name of democratic governance, peace and pluralism. CPA will be in the news fearlessly challenging unjust developments and unreliable theories, and rapidly alerting on potential legal-policy pitfalls that yawn unexpectedly in front of our fellow citizens. And in Sri Lanka there are many.

As a non-expert, I have learnt how fragile and precious democracy is, how easily human rights can be sidelined if there are no checks and just how much effort it takes to maintain such vigilance. To be ever ready in such a role involves dedicated preparation and continuous study. Of victories that are too numerous to mention, my personal favourites are the innovative Certificates of Absence¹ with potential to help members of families of the disappeared, CPA's decades-long role leading to passing of the RTI Act in Sri Lanka, initiatives promoting language equality, and the gradual eradication of most election violence and malpractice due to consistent monitoring².

Over the years, CPA has contributed more than a thousand research documents and countless articles, briefs, infographics, multimedia clips and databases in areas such as constitution building, human rights, democratic and electoral reform, transitional justice and media freedom. As Librarian, my goal is to support researchers in their search for information in these areas, whether it is from CPA or other sources to which I have gained access. Our research travels in all three languages to schools, universities, among diaspora, academics, peers and anyone who wants to know. Hundreds of students pass through our library each year searching for knowledge in these areas. Dozens of emails, letters and personal callers request our reports and updates each month. Numerous talented students who have interned with CPA over the years and moved on to prestigious institutions, continue to work in the spirit of these shared ideals. Contacts affiliated to internationally renowned global organisations

communicate with us each year to share lessons, collaborate and cooperate in our work.

Al Jazeera, the BBC and Bloomberg are just a few of the many international media outlets that source commentary from CPA. In an average week, we find around half a dozen local press articles highlighting our work or interviewing our senior researchers. Sometimes the same media that attacks CPA on one page will be quoting our findings on another. Often colleagues stand protesting in the sun making a point or make statements on television, while the nation awaits clarifications, or draw attention to matters you may not otherwise notice. CPA will ask that you consider something you may have overlooked in the fray. Are you listening?

Occasionally, these colleagues are physically attacked, harassed and incarcerated by authorities or receive death threats³. Year after year, I have watched with immense respect as my colleagues sacrifice their New Year and Christmas vacations, their weekends, many nights, in fact many weeks at a stretch... to ensure elections are free and fair, to question an unconstitutional ruling, or to deeply study a piece of legislation before it gets smuggled through to the top - so as to challenge various hidden outrages, to speak up for minorities, or stand against impunity. (A word of appreciation here for the long-suffering spouses and families of CPA staff.) And yet no matter how hectic their schedules are, our researchers will always pause to mentor a visiting student, to support a peer or to answer a media query.

My colleagues walk bravely where many will not dare, seeking answers, finding questions and bringing back stories people may not like to hear. For there are stories out there that would otherwise remain untold, or be twisted

¹ <https://www.cpalanka.org/certificates-of-absence-a-practical-step-to-address-challenges-faced-by-the-families-of-the-disappeared-in-sri-lanka/>

² CMEV is the only organisation to maintain statistics on Elections in Sri Lanka over the last two decades.

³ Our esteemed colleague, former Director Kethesh Loganathan, a gentleman who epitomised the core values of CPA, was assassinated in August 2006 a few months after leaving to join the SCOP/ APRC.

beyond recognition. I have watched what we stand for being misrepresented, manipulated and maligned. And yet because of its integrity, authenticity and bravery, CPA prevails.

Over the years I moved onto the IFRC, quickly returned, veered into freelance writing, reported and wrote project proposals for CPA's Outreach Unit, worked with a leading Climate NGO, polished my editing skills with Daily Mirror and Daily FT, and even had a stint in the Tourism sector, while retaining part time duty with CPA... and I developed professionally, always absorbing my colleagues' values of liberalism, empathy and fair-mindedness.

Occasionally people deride CPA, sometimes they jeer and jibe at us pulling out slander they have randomly heard and asking us for explanations... Then they turn around and ask in the same breath if I can please push some cousin's job application through since they need a job and would like to work with us... Well-I'm sorry- one cannot just walk in here. This is a different place to work and we need firm conviction to withstand the challenges we face and keep fighting for what we believe in.

CHANDRIKA GADIEWASAM

Chandrika Gadiewasam has been with CPA since 1999, in a range of capacities the latest of which is as Librarian/Publications Officer. Her main tasks at CPA involve knowledge and information management, communications, reporting and fund-raising. She is keenly interested in human rights, social justice, animal welfare, and environmental conservation.



CPA standing up for the voiceless in a perilous time

Iromi Perera

The Centre for Policy Alternatives (CPA) is associated with several landmark Public Interest Litigation in Sri Lanka as well as advocacy on many key issues over time. This list of transformative research and advocacy that CPA has led during critical periods for me includes the work done around the evictions of the working class poor communities in Colombo under the Urban Regeneration Project from 2013 onwards. At a time where accessing communities was hard, building civil society and even international support against the evictions were extremely difficult, CPA (together with the late Vijay Nagaraj whose determination and tirelessness was crucial to the work) was able to continuously document the evictions, support communities in their litigation and produce output that ensured that there was a record of what was taking place. What is significant is that this work also serves as a counter narrative to the development discourse of that time, and remains extremely relevant even today.

In its ambition to transform Colombo into a 'world class city', the then Ministry of Defence and Urban Development and then subsequently the Ministry of Megapolis and Western Region Development, spearheaded and implemented a relocation programme that aimed to move 65,000 families in low-income areas or 'wattes' in Colombo, to government built high-rise complexes.

That military-led evictions of around half a million people from the capital city could even be planned, much less implemented with little or no public pushback is the

perfect illustration of Sri Lanka's post war governance and development trajectory. With little recourse or justice for the affected communities who tried various avenues of resistance - protests, courts, Human Rights Commission - it was not only an indicator of the state of democracy but also of the place the city held for its working class poor. There was also little reporting in the mainstream media and less awareness even among civil society and the general public despite the scale and nature of what was disguised as 'beautification'.

In 2014, CPA supported four residents from Wanathamulla to fight for their land. The "34 watta" case was one where private land was acquired by the UDA without following due process, and over 400 families were being forcibly relocated to UDA built high-rises complexes in an adjoining land. From the time that CPA was approached to the time the case was filed, the number of petitioners had reduced to four people due to the intimidation and harassment they faced by authorities and military personnel. While the final outcome in the case was not ideal, for the four petitioners it meant a great deal that there was an organisation who supported their fight for justice at a politically difficult time, and that there is a record of what happened to them. It is that kind of support that also helped us build alliances with other affected communities in Colombo that had no connection to civil society organisations but were familiar with the work that was taking place in other parts of the city.

Looking back at the research that was produced, the advocacy spearheaded, and bearing witness to the impact it has had on affected communities is something I will always be very proud of. I also know that this kind of work could have only taken place in an organisation like CPA and under

the leadership of someone like Sara. Some of the things we were trying to do were hard and peppered with challenges. Documenting and producing work that had to be made public was much harder given the political situation and direct hand of the Defence Secretary. In the initial years, there wasn't even funding for this work. But we were determined to push on and Sara never once held us back in any way, even though it would have been completely reasonable if he did.

I was also doing this work while heading Social Indicator and conducting multiple surveys every year - including the key surveys on democracy in post-war Sri Lanka and the Constitutional reform surveys. None of that would have been possible if not for the fantastic team at Fifth Lane, as well as the dedicated field staff from all over Sri Lanka. I was 25 or 26 when I was asked to head Social Indicator and I'm grateful to everyone I worked with at SI who took a chance on me and allowed me to steer the unit.

I joined CPA less than a month after I graduated from university and the nine years I worked there deeply shaped so much of my activism. I'm very grateful and proud to have worked with people who stood up for justice and for democracy, especially when things in the country were particularly hard. We've seen over the years how easy it is to have support and stand for things when there is no big political and social cost or fallout, and how few are left standing when the stakes are raised. I hope we can take this anniversary and this moment in time to look at the road ahead and see what it would take to build on the incredible work that CPA has done over the last 25 years, as well as build strong allies who will stand with CPA on that journey ahead.

IROMI PERERA

Iromi Perera is a Colombo based researcher and activist. She works on land rights and spatial justice, with a focus on development and dispossession in post war Sri Lanka. She is the founder and director of the Colombo Urban Lab and is currently the Asia Consultant for the Bank Information Center, a Washington D.C based advocacy group working to improve transparency and accountability of development finance. From 2008 - 2017, Iromi was a Senior Researcher at the Centre for Policy Alternatives, where she led the survey research work at Social Indicator.



For the little man and the little vote

Manjula Gajanayake

The dreams we have early in life are not complicated or multifaceted. Most of them are images of the boundaries of the never-pursued. However, there are also times when these beautiful dreams transcend into reality. Having completed my university education, I was fascinated and mesmerized by the way a multi-talented thinker would so freely and articulately communicate in the English language in various discussion panels, television interviews and media forums. His body language, which would synchronise with every word he utters, was so elegant and I had not seen the same effortless manner in others. Whatever the theme, the grace, the succinct eloquence and the depth of his logic and reason would always delight us. Addressing us in plain and simple English with clarity, he was fondly addressed by everyone, big or small, as "Sara". How can we ever deny that one of our childhood dreams was to have the same ability to master the use of the English language in such a free-flowing graceful manner, attainable or not, as a dream we passionately and dearly hold on to, a dream that could maybe even come true. The words of Arvee Robinson reverberate "*The world is waiting for your words*". Sara is truly an inspiring social conversationalist. Therefore, the opportunity to commence our careers at the Centre for Policy Alternatives (CPA) established by the inspirational Dr. Saravanamuttu, a rare personality of charisma and grace, is a dream come true that will also be whispered in celebration during this time and the future.

This year marks the 25th anniversary of the CPA, which was established in 1996. There is very limited room for alternative thinking in the Sri Lankan political culture. The results of the majority of the 74 elections held in the country in the post-universal franchise process, move only between two groups. The voters in this country do not think of an alternative in the changing dynamics of politics, and also remain deadly silent about other alternative practices. It is no coincidence that the CPA is born in a dormant society that unconditionally supports an anti-alternative policy environment. The birth of CPA is the result of the passionate efforts of a number of activists who have liberated themselves from ambition and appropriately grasped the changes of the Sri Lankan political arena. Sara, who supported it, has left such a lasting and a living impression on Sri Lankan civil society that civil society and Sara in Sri Lanka are not two manifestations but one.

It has been 9,248 days since the establishment of the Centre for Policy Alternatives. The author is also an active member of this pioneering organisation and today marks day 5,974 of this partnership. If someone were to summarize the structure and evolution of this organisation, I would conclude that it is certainly the equivalent of a '*vivid rainbow full of colour and character*'. It is a sanctuary for thinkers and intellectuals with different innate abilities and conflicting ideologies, while it continues to perceive society transcending through a consistent and transparent policy framework. This is one way to gain the recognition, approval and acceptance of society instead of the entity being celebrated and revolving around a personality. The Dhammapada states, "*Pathavi samo no virujjati*" the intrinsic quality of unwavering stability like the surface of the earth is to be still through both good and the bad.

What is the identity of the Centre for Policy Alternatives? It is certainly of an ardent critic with an infinite attachment to opposing domains. One of the hallmarks of this identity is the

ability to be present in society with a wide range of programs, from the state reform process that must necessarily exist in a post-conflict society to the sovereignty that can be regarded as the only weapon of a republic.

One of the most laudable efforts under this initiative is the establishment of an election monitoring entity led by the Centre for Policy Alternatives, which is officially named the Centre for Monitoring Election Violence or CMEV.

The formation of the Centre for Monitoring Election Violence takes place in the year 1997. It's not just another registration of an entity. It was a hard-core slap in the face of the political hegemony of an arbitrary political confederate that has no consideration for the values of a representative democracy. The Centre for Monitoring Election Violence over the period of 24 years has made every effort to uphold and defend the citizens' rights granted to the electorate by the Second Republican Constitution. There is another special feature of the Centre for Monitoring Election Violence where it goes beyond the organisational structure of CPA and functions with the unanimous approval of a tripartite partnership. The other two organisations are the Free Media Movement (FMM) and the Human Rights Documentation Center (INFORM). The role of Human Rights activists such as the late Sunila Abeysekera, in shouldering the burdens of forming the Centre for Monitoring Election Violence is noted in honour to all the radical female activists like her defending the rights of all people. Sunila Abeysekera championed for the dignity of the citizen in a society obsessed with a democracy that denies and violates individual rights and freedoms.

CMEV since its inception sought to provide extensive monitoring of election violence and to constantly update data on statistics related to violence. This remains a key objective of the CMEV even today. The number of university students, academics and other research communities enlightened

by these statistics is overwhelming. However, the CMEV has broadened its scope, objectives and role to extend to a wider range. Whatever those innovative approaches may be, there is nothing wrong with a critical consideration of the landscape and architecture that contributed to the formation of CMEV, based on a contemporary requirement.

Local Government Elections for the Jaffna Municipal Council marked the beginning of the journey of CMEV in monitoring elections which was held in 1998. The North Western Provincial Council election held on January 25, 1999, was certainly an election that left a mark with election observers through unprecedented levels of exhaustion and fear probably similar to ascending Mount Everest. It was during this election that a mother was paraded naked in the centre of Kuliapitiya town in the North Western Province. Moreover, it was a context where the attention of the ruthless state-sponsored thugs fell upon the election observers, while they launched an illegal election campaign ranging from abductions to murders. At such a time, the fearless approach and courage of Dr. Saravanamuttu to go to court and seek justice to nullify the results of the North Western Provincial Council elections is an astounding move and amazed us. The lesson and the principle that it teaches and the precedent even to the present generation are priceless.

Around 2004, the then Commissioner of Elections, Dayananda Dissanayake, gave official approval (accreditation) to the Centre for Monitoring Election Violence and the People's Action for Free and Fair Elections (PAFFREL). However, the CMEV has been working closely with the Election Commission, Sri Lanka Police and political parties as well as other stakeholders in a critiquing and appraising but in a collaborative manner even before and after the accreditation. The CMEV in whatever role always considers the Sri Lankan voter as their primary client and customer. A comment made by Sir Winston Churchill more than seven decades

ago beautifully sums up this accurately and simply placing the importance of voters in democracy: *"At the bottom of all tributes paid to democracy is the little man, walking into a little booth, with a little pencil, making a little cross on a little bit of paper—no amount of rhetoric or voluminous discussion can possibly diminish the overwhelming importance of that point."*

Although it is said that elections are a celebration of democracy, in the early days of CMEV, there was a harsh social reaction to the election observer. However, in the face of modern election trends, the collective respect and responsibility bestowed on the election observer cannot not be easily overlooked. The CMEV is living witness to the efforts of civil society organisations in sharpening the weapon of the 'little man' responsible for social change with the 'little vote' that Churchill appreciated.

There are a couple of other reasons why this institution has attracted the attention of the local and foreign election and research community. The CMEV has a proper grasp of the rapidly changing new media space and is tirelessly immersed in the electoral reform process. CMEV has been using it successfully for some time, after a quick confirmation about election violence as soon as it is reported on social media spaces such as Twitter and Facebook. Sanjana Hattotuwa, a pioneer of new media, has been closely associated with the CMEV since its inception and has provided the technological approaches related to the use of that new media. In addition, Dr. Arjuna Parakrama has also made a significant contribution to the creation of a scientific database for systematic election monitoring.

Election monitoring is not a one-off event that takes place only during the election campaign period.

To measure the integrity of an election the representation of the observers should last throughout the year. It is with

this purpose in mind that the CMEV has been involved in the electoral reform process throughout. Among the interventions made by CMEV, a number of public interest litigations (PIL) filed before the courts is a significant step. This was an era when the Commissioner of Elections did not have the power to call for a fresh election of any polling station in case of election irregularities. This power was vested later with the elections department as a result of litigation through the organisation spearheaded by Dr. Saravanamuttu.

On the eve of the 25th anniversary of the Centre for Policy Alternatives, the CMEV is also celebrating its 24th anniversary and a group that needs to be felicitated is the election monitoring team. We are grateful to them for their desire and determination to ensure the conduct of free and fair elections. They are not only exposed to the external elements of the sun and rain, the mosquitoes and insects but also state terrorism, unofficial snipers, the infuriated officials of the state and the political hierarchy and their goons. The mention of the election observers threatened with death by unknown gunmen (actually we know them) during the 2013 Northern Provincial Council election, who spent the night in the dense jungles of Point Pedro with a death warrant on their heads, fearing for their lives, and then coming out at dawn to continue their work, is a tribute to the courage shown by all election observers around the world.

CMEV has expanded its role today to keep pace with the new emerging election trends and values observed around the globe. The promotion of an Inclusive Election Process commenced in 2015. This was in collaboration with a voluntary group called '*Enabled Election Campaign*', where the participation of the community of Persons with Disabilities (PWDs) in the election was promoted. At the same time, in the recent history of the country, the most decisive intervention in the election monitoring process has been the monitoring of

election expenses. The island-wide observation, which began with the last presidential election (2019), was also carried out at the last parliamentary election (2020). It is clear that the estimated expenditure report analysed over four areas of expenditure incurred by political parties during their election campaigns will certainly provide a progressive platform leading towards the efforts to regulate election expenditure.

Today, as members of the CMEV, we observe with great joy the active presentation of many stakeholders regarding the essential elements of an electoral reform process, including women's and youth political representation, the regulation of election spending and advance voting. This is because these issues were raised two decades ago by Dr. Paikiasothy Saravanamuttu, along with other election observers in the country while creating awareness among the public.

As members, we are optimistic and have great aspirations and dreams about a positive electoral culture in this country. The most recent example is the verdict delivered by the Monaragala Provincial High Court. We believe that the victory achieved in this case filed by PAFFREL with the support extended by us as the main plaintiff will be instrumental in overcoming the challenge of changing the direction of the future electoral process in this country. The ruling states that the victory of any of the winning candidates could be reversed if the votes have been obtained by offering bribes or personal benefits to the voter.

It is true that some of the challenges faced by CMEV at the inception have now been resolved. But it also appears that a series of other challenges have converged upon us. In such a new social and political context, Dr. Saravanamuttu's visionary leadership is the legacy and the essential core element of the CMEV while we are also reminded of the exemplary co-conveners Udaya Kalupathirana and Seetha Ranjanee who are currently serving on volunteer basis.



The last 25 years of CPA is testimony to Dr. Saravanamuttu's unshakeable determination and CPA has built a unique identity among all civil society organisations in this country whilst providing the answer to the common question raised - why do we need NGOs in Sri Lanka?

Finally, to quote a phrase from Mahatma Gandhi written by well-known Indian author Shashi Tharoor, in his book entitled *'The Paradoxical Prime Minister - Narendra Modi and His India'*.

"The truest test of a democracy is in the ability of anyone to act as he likes, so long as he does not injure the life or property of anyone else "

Dr. Sara too, by developing the Centre for Policy Alternatives, has so far attempted to bring Sri Lankan citizens closer to democracy. You cannot ask anything more from a renowned liberal thinker and a social activist of our time.

MANJULA GAJANAYAKE,

Manjula Gajanayake, researcher CPA since 2005 and the National Coordinator of CMEV, studied International Relations and power-sharing and devolution at the University of Colombo and Hamdard University, New Delhi in India respectively. He was the United States International Visitors Leadership Programme member representing Sri Lanka in 2019. Manjula has collaboratively authored several research papers and books as well as being a regular article and column writer in newspapers and guest speaker in mainstream media on a range of various topics including elections. He has given leadership to new initiatives in order to strengthen Civic participation in the Electoral Processes such as inclusive election process and the first-ever monitoring of election campaign costs in Sri Lanka. He is a Steering Committee member of the March 12 Movement (M12 M), a voluntary public movement supporting the creation of a clean political culture. <http://manjulagajanayake.blogspot.com>



A consistent record of sturdy independence

Dr. Devanesan Nesiah

I had worked in the public service in Sri Lanka for 35 years and retired on reaching the age of 60 years in April 1995. After retirement I have had a rewarding period working with several non-governmental organisations on academic and policy issues.

In 2004 I joined the Centre for Policy Alternatives (CPA) and stayed with CPA for almost 10 years. I was impressed by its vision and mission, as well as its consistent record of sturdy independence. CPA has demonstrated repeated willingness to boldly challenge aggressively dictatorial governments even in the most fraught security conditions.

I have respected CPA's path-breaking work in many areas, including public interest litigation and advocacy on pivotal issues such as repeal of the Prevention of Terrorism Act and meaningful action to address disappearances. I was also deeply impressed by CPA's citizen journalism site Groundviews, which I have always rated as incomparable among journals in Sri Lanka. For a long time, I was a regular reader and contributor to Groundviews. There were other regular contributors also. Many of our contributions provoked lively responses and initiated a trail of exchanges that continued over several weeks. I appreciated this forum for the exchange of ideas that were central to the political life of the country. Many of my contributions related to society and politics in Sri Lanka. In consequence, I found it difficult to continue my association with Groundviews when I was outside Sri Lanka for long spells. My link with Groundviews was broken.

CPA^{at}25

I am now 86 years old, currently out of the country, and among very many things that I miss, CPA and Groundviews rank very high.

*Academic and Former Civil Servant. **Dr Devanesan Nesiah** has been associated with CPA since 2004, as supporter, consultant and contributor to its work. He is author of a number of books and writes regularly on subjects such as governance, minority rights, and reconciliation.*

Dr. DEVANESAN NESIAH

Formerly a senior SLAS officer. Dr. Nesiah was the government agent of Jaffna during the 1983 period when Tamil militant groups were getting strengthened and the civil war began. He retired as the secretary of the Ministry of Sports and Environment. After retirement he worked for the MARGA Institute and later worked as a consultant to CPA. His first degree in Mathematics was from the University Colombo and later he gained a doctorate from Harvard University in the US. For the doctorate he researched on Affirmative Action Programmes for the Benefit of the Underprivileged Sections of the Society.



'You never leave CPA'

Dr. Kumaravadivel Guruparan

One day in Jaffna, some months after I sat for my GCE Advanced Level exam in 2004, I saw a call for applications for a federalism seminar organised by CPA in association with the Forum of Federations. CPA must have been intrigued to have received an application from a just-out-of-school boy but they invited me. It so happened that I asked some question(s) at the seminar, half-baked ones, no doubt, but enough to catch the attention of my future lecturer in Constitutional Law at the University of Colombo, Mr. Rohan Edrisinha, who asked me during a break, what I was doing. Soon I was taken in as a Research Assistant at CPA. Thus began my association with CPA.

I was awed by the institution, dwarfed by the towering personalities that I found myself in the midst of, and felt very privileged to be part of such a think tank which lay at the centre of the liberal landscape of the capital. I learnt, read, researched and grew at CPA. My formal association was only for a year but as with many of CPA's staff you just don't leave CPA, neither did I.

Over the years my view of the CPA and its politics have evolved but one thing that remains constant is that CPA with Sara at its helm remains after 25 years the centre of gravity in Colombo for liberal discourse, holding those in power to account and for research on constitutional law of the liberal variety. CPA is more than a think tank as the work of Social Indicator, Vibasha and the Outreach unit will testify. It has also been my experience that CPA

and Sara and Rohan in particular, accommodate, celebrate and promote people with different views even where they do not share with their ideology and strategy - which I consider the true hallmark of a liberal (not something that you can find in many who claim to be liberals). I know of many young people for whom CPA has been the first home, who have been inspired by CPA and continue to do good work all over the world. This I think would be the most significant contribution that CPA has made in the last 25 years.

I have no doubt that Sri Lanka needs CPA for many years to come. It's cliché in Sri Lanka to say that we live in a time of

crisis (I have heard it being said all throughout my life) but I do think that there has been no point like the present where the underlying liberal values for which CPA stands, have been subjected to such a fundamental stress - not just from those in power but by wider society which feels that these values are irrelevant. The challenge for CPA and those of who believe in liberal democracy of some variety is how we re-conceptualise liberalism for our troubled times without losing sight of its fundamentals and make it relevant in popular discourse. I believe that CPA has an important role to help us seriously engage in this rethink and I hope and trust they will.

Dr. KUMARAVADIVEL GURUPARAN

Dr. Kumaravadivel Guruparan is an Attorney-at-Law based in Jaffna, Sri Lanka. He was recently Research fellow in International Law at the Royal Institute of International Affairs (Chatham House) and Senior Lecturer and Head of the Department of Law, University of Jaffna. He was Founder-Spokesperson of the Tamil Civil Society Forum between 2010 and 2020 and Founder Executive Director of the Adayaalam Centre for Policy Research in Jaffna between 2016 and 2020. He holds degrees in law from the University of Colombo, University of Oxford and University College London.



Vikalpa: Voices for the voiceless

Sampath Samarakoon

The Centre for Policy Alternatives (CPA), founded in 1996, celebrates its 25th anniversary this year and I am proud and pleased to be associated with this journey as a partner.

CPA has travelled a long and momentous journey, starting soon after the political changes of 1994, to the present grim pandemic context, never losing sight of the inalienable responsibility to protect and nurture the values of liberal democracy that it represents. These democratic values become even more essential in the face of such disasters and emergencies as we are now experiencing.

The present is again a unique moment when state power is being wielded leaning on to political trends based on nationalism, calling into question the very values demanded by the Sri Lankan constituency repeatedly over the years, including democracy, human rights, freedom of expression and justice. Today, Sri Lankan society is more aware than they were in 1996, of the need for the neo-liberal democratic values that CPA represents.

Therefore, on this occasion, I believe that CPA as an intellectual forum and a research and advocacy hub, has an inherent and important responsibility in the existing socio-political context.

A glimpse of history

The then 'Media Unit' of CPA along with the Community Radio Service began a programme many years ago to give voice to the Sinhala, Tamil and Muslim people whose rights were disdainfully disregarded and violated in remote so called border villages.

Even in an era when the Internet was not yet widely used or popular, CPA's Media Unit advocated for the use of a citizen media process to find solutions. CPA also analysed the biased trends in traditional media from a perspective of a healthy media axis, by reviewing the specific content published. CPA questioned when the rights of the Tamil people were being violated and minority rights were being ignored by the traditional media. Findings were disseminated to the public as printed briefs and research papers. Some of these papers are still used as studies among academics in Sri Lankan universities.

Media Unit, being a 'pioneer' in introducing a new experience of 'citizen journalism' to the Sri Lankan community, including the Sri Lankan media fraternity, through the experiences and trends in related activities, is a significant achievement when considered in retrospect. One of the key objectives of the civic media unit was to use the internet to support the process of resolving social and community issues. CPA shared the new media experience in citizen journalism with many civil society organisations and journalists throughout Sri Lanka, using a variety of methods including training. This also provided an opportunity to inculcate in civil society organisations an idea of media strategies required by them, which were not discussed frequently at that time.

At a time when Unicode fonts were not widely used or popular in the Internet space (blogs, email....), CPA had the courage to proclaim with a clear vision that the future was

Unicode. Therefore, all our online publications were released using Unicode. Amidst the ridicule of some web-based media that were using embedded fonts, we took every possible step to create awareness and educate targeted communities regarding the use of Unicode. And what we reiterated and believed at that time has been proved a reality today and it is refreshing to see the widespread use of Unicode by default and practise. We can all humbly appreciate these moments even as we reflect today how Unicode fonts have now become indispensable, and vernacular Unicode fonts have reached an advanced state due to the efforts of many developers.

New trends

The launching of the '*Vikalpa*' website in 2007 grounded on the principles of citizen journalism and using Sinhala Unicode, was a landmark moment. Some of the key achievements of the Media Unit include the launch of the *Groundviews* website, the *Vikalpa* blog, and subsequently the *Maatram* website as a Tamil language site in 2014.

CPA also collaborated with leading media organisations in Sri Lanka to establish a 'Public Service Media' to strengthen media ethics and values, which especially in the state media, were extremely progressive engagements. CPA aimed to achieve this objective by creating awareness, training, conducting dialogues and publishing various research papers on public service media. These efforts have been rewarding since they influenced and contributed to certain levels of duality that are visible today in many traditional media entities, including the state media. While we may not have been able to make it an absolute reality as we envisaged, the core values of that idea are more critical than ever to create a free media environment today.

CPA in association with several other organisations began the push for the Right to Information (RTI) in Sri Lanka with

the drafting of the Right to Information Act. More than two decades later in 2016, the Right to Information was enacted as a law in Sri Lanka. This represents a significant achievement in the landscape of democracy not only for CPA but for the entirety of Sri Lankan society.

Launched in 2007 in the Sinhala medium, the *Vikalpa* website was based on content mainly supplied through citizen journalism covering the post-war situation, human rights violations of the oppressed people in the North and East, and the real-life experiences of those affected by the war. At a time when the entire country was haunted by the senseless practices of militancy, we were able to communicate the suffering of a distant community bringing their human experiences to the attention of their Sri Lankans in the South. This was at a time when the recognition of the pain and the healing power of narrative were mostly ignored by the traditional media of the time, in the face of the various pressure tactics exerted by a hegemonic military. Troops in the Northeast, who viewed a camera with great suspicion, posed the greatest challenge to our citizen journalism process. The ruthlessness of various hostile interrogations underscored the nature and brutality of the war. However, among these challenges we managed to place these strategically collected stories before the world, sharing the dark and bitter experiences and the realities of the oppressed and victimised communities.

We also released to a wider audience, the voices of the voiceless people in the South who have been affected, displaced and marginalised in various ways by more recent mega development projects and policies that grossly disregarded man and the environment. These stories and information captured using the latest technological tools, including high resolution photography and 360 surround camera systems, are still used by a variety of people and

groups accessing our online archives. The *Vikalpa* citizen's website has produced hundreds of documentaries, citizen reports, short films, as well as political dialogues and discussions highlighting bitter realities. Most of the content includes information and stories that have been overlooked or have been conveniently ignored by the dominant traditional media. However, we believe that the political meaning of those oppressed voices hidden and crushed by hegemonic ideologies, are the real human voices essential to ensure that Sri Lanka becomes a more vibrant democratic nation.

International organisations have drawn attention to the content revealed through our media spaces. The Freedom of the Net 2020 Annual Report on Internet Freedom¹, released in 2020 by the United States-based Freedom House, notes the work of *Vikalpa*, *Groundviews* and *Maatram*

"...Various content is usually available through online platforms. Social media, communication platforms and blogs are easily and widely available, diversifying the media landscape and opening up spaces for debates locally. There is a history of censorship of information and while the intimidation of journalists operating on Internet platforms continues during the reporting period, information from various sources has been made available over the Internet in English, Sinhala and Tamil."

*"Content generated and created by citizens who are ignored by the mainstream media is released by websites such as *Vikalpa*, *Groundviews* and *Maatram*."*

One of *Vikalpa*'s main aims was to focus more on the harassment and discrimination unleashed in the context of human rights violations in post-war Sri Lanka, including forced disappearances, media suppression, land grabbing, militarisation, the issue of political prisoners, internally displaced persons, issues of upcountry plantation

1 <https://freedomhouse.org/country/sri-lanka/freedom-net/2020>

communities and the post-war violence (after 2009) unleashed on Sri Lankan Muslims. We were able to capture all the key issues into one platform. This was through the platform of the *Unframed* Photo Exhibition. (<http://unframedsl.org/>) The '*Unframed*' Photo Exhibition, which opened to the public in January 2018, was a compilation of experiences of the people from several districts in Sri Lanka, under the theme *Exhibits from Post War Sri Lanka for Justice and Life*. We penned the introduction to the photo exhibition as follows:

Questions may be raised on whether justice can or cannot be achieved through photos and pictures, but it cannot be denied that these help outline the nature of the struggle for justice. We cannot escape from a photo that captures and confronts us with our own flaws and inaction. A photograph is an instrument to remind and question the collective accountability of communities in order to avoid potential violence and terror in the country.

Our plea to you now is to stand with those who fight for justice, in commitment to those who wait for answers and solutions. That we will not be silenced until the victory is won, until we can hear the gospel of justice and love ring true.

This effort for a civilised Sri Lanka came, as always, under heavy attack by racists on social media. As an extension of those attacks, the *Unframed* Photo Exhibition was censored at the University of Peradeniya, which had been a haven for new cultural expressions and free ideologies. We believe that the censorship was a result of the impact generated through the raging emotions of photographs and ideas demanding justice and life from the bigoted minds. However, in many places warm-hearted people embraced, bonded, and identified with those photographs extending their best wishes for the quest for justice.

Ten years after the launch of the *Vikalpa* website, a significant number of people in Sri Lanka, like us, are rapidly making social media platforms one of their main publishing spaces. The discrimination and harassment of minorities and people with unique individualities by using social media has been growing rapidly. The orchestration of these acts by the oppressors has escalated into violence where human lives and property were lost. There were times when it appeared that there was tacit approval from the State for these violent and aggressive actions. Authorities occasionally censored, blocked, or banned internet spaces and social media platforms in Sri Lanka. Analysing this situation, in April 2019, after a series of discussions and dialogues spanning nearly 2 years, we were able to launch the first-ever *Social Media Declaration* (www.socialmedialanka.org) with the contribution of 19 organisations across Sri Lanka. Under the heading *Guidelines for Responsible Social Media Usage*, we note the essence of the declaration:

'...Governments and other entities, including social media companies themselves, are trying hard to rein in the abuse of social media. This too has its dangers, since authoritarian regimes can and will use the threat of misinformation to generate their own digital propaganda or seek to introduce new legislation ultimately aimed at silencing dissent.

This declaration is an attempt to recognise the inviolable importance of the freedom of expression on or over social media, yet at the same time, encourage and strengthen the ethical, progressive, democratic, and pro-social use of social media

The main objective is to ensure the right to access an information society with digital literacy based upon responsible social media use, to exclude the potential for negative use of social media, and to protect *human rights*-

based dynamics, including social justice and human dignity. Its main purpose is to encourage the media community.

The declaration continues to receive considerable attention at a time when many activities around the world, including communication, discourse and fora have moved to the online space in the backdrop of the COVID-19 pandemic. The value of the declaration will be greater in a context where attempts to introduce legislation for social media in Sri Lanka have been mentioned from time to time by those in power. Also, at a time when civil society organisations are showing a greater interest in their social media platforms, the importance of this declaration or similar declarations will be felt by society in terms of freedom of expression, digital rights and democracy. At the time when CPA is celebrating 25 years, the Civic Media team is delighted to have been able to pioneer this initiative in Sri Lanka.

We have also been continuously training regional Sri Lankan journalists and civil society activists on topics such as social media literacy and cyber security. The main objective being to develop ethical online media activism and pioneer new trends related to online journalism. We develop their capacities in terms of new trends in the world of online media, and our research, while translating the material into local languages, supports greater learning.

This has provided an opportunity to collaborate and to network with organisations within and out of Colombo on the use of online spaces, including social media, to complement their activities. However, when observing the use of social media, we are not overly excited about the results of these trainings conducted over the years. In isolation, social media alone does not eliminate these prejudicial trends; the erosion of the media, democracy and human rights in Sri Lanka has combined influence.

The workstation for the *Vikalpa* website (www.vikalpa.org) launched in 2007 was primarily an online space. New technological tools in online media have been introduced in the local languages and their use popularised through the content itself, which has been significant.

The content produced aimed to support struggles for democracy and human rights. This space has also been used to contribute to seeking justice for the crimes committed against journalists and media institutions in the recent past. It was also sometimes instrumental in organising interventions and activities pursuing justice. *Vikalpa* also supported the struggles for justice in the North and the South, regarding missing persons, forced disappearances, and those who were rendered landless. It also directly contributed to the collective efforts against escalating racist and extremist nationalistic trends. The political and social aspirations of the victimised people of the North and East and the violations of their rights after the conclusion of the war in 2009, were placed before the country and the world through this media space. We stood in solidarity for justice when social media activists and journalists were arrested. We also continued to do our best to be the voice for the voiceless with their media activities.

There were times when we were threatened by the security forces during these activities. However, despite these challenges, the non-violent struggles for collective human rights (from Panama, Badulla, Monaragala, Ampara to Vavuniya, Batticaloa, Mannar and Jaffna) were the main sites of the work of '*Vikalpa*'. The alternative media/citizen journalism process was in operation through the agitations that were spread from the streets to the far corners of the rural villages. The use of alternative media was a process that did not deviate nor alienate from the struggles of the people fighting for their rights. The civic media process was carried out with the people as part of their non-violent struggles and the

interventions. As a result, the social media space was rife with intensely obscene threats and intimidation. Threats on the ground that went beyond social media intimidations cannot be ignored either. The 'Vikalpa' website has been recognised for its media work carried out for the betterment of society. We are pleased as the civic media team that our sister websites *Groundviews* and *Maatram* have also been recognised for their work at a time when CPA is celebrating its 25th anniversary.

I must highlight key factors that contributed to the *Vikalpa* website and civic media team implementing highly impactful activities over the years: these are the result of the core values of the CPA. All of this was possible because of the prevailing work culture, opportunities afforded for the freedom of thinking and ideology, and the modern culture within CPA. If this was not so we would have been left with limited results. Instead, I am proud to have been active in the CPA for almost half of its 25-year journey in advocating for the space for collective human rights. However, I think there are many challenges ahead of us now.

It has been almost 12 years since the end of the war in May 2009. Justice has not been served to the people who have been directly affected and victimised in the North and East, or the affected people in the rest of the Island. Justice does not seem to be served to the Muslims who are suffering from the violence that has erupted in various parts of the South during the post-war period. Also, those affected by the attacks on peaceful protests in areas including Chilaw, Katunayake and Rathupaswala have not been served with reasonable and acceptable justice. These are just a few instances mentioned.

Therefore, there is a sense that the target of ensuring internal justice in Sri Lanka has seen a reverse gain.

There are attempts by the present government to introduce new laws into the media landscape and social media, and many media outlets in Sri Lanka display their racist tendencies in a very diabolical manner. The space that shrinks further due to all these conditions is democracy and the freedom of expression of the people because these are essential democratic values for a civilised society as a whole. Therefore, it is imperative that the citizens as well as civil society organisations in Sri Lanka intervene to strategically address these issues and collectively come up with reasonable solutions. Therefore, for CPA, it is a continuing challenge to contribute even more decisively to protecting the democratic value systems and to promote reform even as we have been guardians for these for over 25 years. At the same time, we have an unwavering responsibility just as we have done throughout the past, for a deeper and broader intervention to achieve the internal justice that Sri Lankans have been repeatedly seeking.

Nelson Mandela once said, "*If there is one lesson we can learn from the struggle against racism, in our country as well as yours, it is that racism must be consciously combatted, and not discreetly tolerated.*"

Isn't Mandela's statement still valid for Sri Lanka today?

Active involvement in liberal democratic value systems is an essential factor along with new strategies today and tomorrow, more than even in the past 25 years for CPA.

SAMPATH SAMARAKOON

Sampath Samarakoon is Editor of Vikalpa.org, Sri Lanka's first Sinhala Citizen Journalism website and is a researcher in the Civic Media unit at Center for Policy Alternatives. He is a Trainer and facilitator in Web-based Journalism/social media/ Digital Safety/Peace Building and Conflict Resolution.



Maatram: A space for alternative ideology with a different approach

Selvaraja Rajasegar

The Centre for Policy Alternatives (CPA) was established with the intention of promoting good governance – this was done with a firm belief that there was a need to strengthen initiatives that were in place to solve the various conflict-related issues that were prevalent in the country at the time, and to reiterate the notion that citizens had a role to play in achieving that goal.

Since its inception, CPA has undertaken numerous measures to critically review public policy, identify alternative solutions, and exert pressure on authorities in its quest for establishing truth, justice and equality. It was at this point that CPA identified the need for a platform for alternative opinions of citizens who were disgruntled as a result of the ‘colour-blind’ media culture.

In order to fill this vacuum, CPA established Groundviews, an online-based English language platform for citizen journalism, which was founded by Sanjana Hattotuwa. Groundviews was Sri Lanka’s first platform dedicated to citizen journalism. Subsequently, the Sinhala website *Vikalpa* too was launched and published several articles that were originally written in Tamil.

As there was no a platform at the time that published articles with alternative opinions in the Tamil language, *Maatram* was established in 2014 as Sri Lanka’s first Tamil platform

for citizen's journalism and alternative opinions in the Tamil language. The website was launched under the guidance of the Executive Director of CPA Dr Paikiasothy Saravanamuttu and Sanjana Hattotuwa.

Maatram was designed to communicate alternative narratives and opinions in Tamil on aspects such as peace building, governance, human rights, art and literature. At the same time, *Maatram* committed itself to be a platform which adhered strictly to media ethics, guidelines and values at all times. Within the past seven years, *Maatram* has stood by its principles and values, and thereby accrued many accomplishments compared to both mainstream and online media outlets:

Maatram was able to create a revolution across online media platforms and was the first to highlight problems faced by people on a micro site (<https://maatram.org/unfinishedwar/>). It was seen as a new form of technology at the time, and an innovative mode of storytelling which gave the reader a whole new experience. *Maatram* launched in 2014, five years after the end of the war, and therefore the platform was published under the heading 'Unfinished War'. Amidst numerous challenges, *Maatram* visited people on the ground and published stories in alternative formats. The stories focused on issues such as displacement, grievances of relatives of those who disappeared as a result of the war, militarisation, and land grabbing issues.

A voice to the voiceless

Maatram has continuously given prominence to the voices of the discriminated voiceless including, individuals deemed 'different' because of their gender, those affected by the Muslim Marriage and Personal Law, and those who have been affected by the nearly three decade long civil conflict. Most importantly, *Maatram* has been a strong advocate for

one of the most marginalised communities in Sri Lanka – the Up Country Tamil community. For the past 200 years, the Up Country Tamils of Indian origin have been carrying the country's economy on their shoulders and have faced numerous forms of discrimination politically, socially and economically. *Maatram* has been critical of the community being sidelined from not only consecutive governments, but also been vocal against the lack of much support provided by civil society organisations that work towards combatting discrimination and fighting for justice. *Maatram* continues to highlight the problems faced by the people of this community. It digs deep into issues and reveals the reality of how people in this community are continuously cheated by ruling administrations and those who claim to represent them. Most importantly, *Maatram* used the Right to Information Act to reveal how trade unions have collected millions of rupees through their yearly membership fees with no benefits to the communities their claim to represent. (<https://maatram.org/?p=7654>).

Maatram's coverage also focused on the way in which the 150th year celebration of tea production in Sri Lanka was commemorated. *Maatram* revealed that the event did not invite a single worker who toiled amidst many challenges. Among the various articles that were published on the issue, the photo essay 'Valichcha velakkenna than marunthu' (<https://maatram.org/?p=6260>) was reproduced in many local and international websites and garnered the attention of many.

As far as the tea industry is concerned, 70% of the land in which tea is planted belongs to the plantation companies, whereas the remaining 30% belongs to small tea holders. As far as export revenue is concerned, 75% of the revenue comes from the 30% estates which are 99.9% owned by Sinhalese. Twenty five percent of the income is earned from the 70% owned by the plantation companies which consist of 99.9%

Tamils of Indian origin. Therefore, the political ideology behind this situation is to continue to suppress the people, keep them as workers, prevent them from getting their fair wages, and keep their standard of living the same way. *Maatram* has not only highlighted these issues, but has also contributed towards many discussions that have aimed to make the plantation worker a small -time estate owner.



A space for the disappeared

For the past seven years *Maatram* has been travelling together with the families of those who have been forcibly disappeared. *Maatram* has documented and published their grievances in various forms. *Maatram* has been with the victims during significant events such as international days, protests, and commemorations - and continues to be committed to stand by the victims' struggle for justice without any compromise. *Maatram* has published several articles and publications which have continuously called for justice for the families of the disappeared. For instance,

A publication titled '*Loved ones and memories*' (part 01 - <https://maatram.org/?p=5937> and part 02 - <https://maatram.org/?p=5975>) published in 2017 uses objects that memorialised those who disappeared. This documentation

not only brought out the agony experienced by loved ones of those who had disappeared, but also highlighted the trauma of those left behind, as they continue to keep an object they use as a memory of their missing loved one -patiently awaiting their return. This documentation which brought out the suffering buried deep in their minds, was published in Groundviews and several international platforms.



Maatram conducted an interview with an elderly grandmother who, despite her age, continued her quest to locate her missing grandson, taking part in various protests. Her interaction with *Maatram* was published as a Virtual Reality – 360 degree video interview (<https://maatram.org/?p=7089>). "Who will continue the search for my grandson after I die?" the grandmother asked, as she wept. Her eyes had dark circles due to continuous weeping and the stress of searching for the grandson. Although the image of this lady is still fresh in the mind - she is not alive anymore. *Maatram* was the first platform which highlighted stories of people, especially of those whose loved ones were missing, using the Virtual Reality – 360 degree technique.

In the same way, *Maatram* published a photo essay titled '*One question, Two people, a Shared Pain*', which depicted

the pain of the families of those who had disappeared regardless of race, religion and the region. The aim of the photo essay was to reiterate that the agony and tears of those who wait to know the fate of their loved ones was the same (<https://maatram.org/?p=8065>). This photo essay was published to mark International Day of the Victims of Enforced Disappearances. This article too caught the attention of many and was reproduced in numerous websites.

The recognition received

Maatram was rewarded by the International Association of Tamil Journalists for its continuous efforts to convey the problems and challenges faced by people. The award was presented to the Editor of *Maatram* by the International Association of Tamil Journalists to honour journalists who strive to bring out the truth with dedication and courage amidst many challenges.



As CPA completes 25 years, *Maatram* is privileged to have been part of CPA's journey and contribute towards achieving CPA's overarching goal for seven years.

Maatram congratulates and thanks the Executive Director, Dr. Paikiasothy Saravanamuttu for creating a conducive environment and space for these valuable views.

SELVARAJA RAJASEGAR

Selvaraja Rajasegar is founder and editor of the Tamil Language Citizen Journalism website, Maatram, and Researcher, Civic Media at the Centre for Policy Alternatives



A bulwark between democracy and dictatorship

Dr. Radhika Coomaraswamy

All great thinkers from the Ancient Greek to Antonio Gramsci have argued that representative democracy cannot function without an active civil society and an active civil society cannot exist without committed citizens. A rights-aware, conscious, deliberative citizenship is sometimes the buffer between democracy and dictatorship.

For the last few decades, during the armed conflict and after, Sri Lanka has faced major challenges to its democracy. Since the 1990s, the Centre for Policy Alternatives (CPA) has played that role of active citizenship in Sri Lanka being guardians of our democratic institutions and structures.

One of the primary ways in which they have played this role is through litigation. CPA has been involved in some of the most important cases of our times before the Sri Lankan Supreme Court. Preventing illegal eviction of Tamil civilians during the war and arguing for parliamentary rights and privileges during “the coup” of 2018 were some of the cases that resulted in positive Supreme Court judgments. Given the circumstances, the Supreme Court in many other cases, often made negative rulings but CPA advocacy ensured that at least the issues were in the public domain. They mounted campaigns around them with op-ed pages and awareness raising workshops. As a result the discourse of democracy remains very much alive even during the worst of times.

CPA is also one of the few organisations that have urged a political solution to Sri Lanka's ethnic question. Since the ceasefire period, they have formulated alternative packages of devolution that would give rights to territorially placed minorities while protecting the security interests of the majority. After the end of the war, the government seemed uninterested in devolution but recent statements from stakeholders indicate that a political solution based on power sharing will be the only way forward. The groundwork laid by CPA, and earlier by ICES, will provide the intellectual basis for any negotiations that are to come.

In the 2000s, after the death of Dr. Neelan Tiruchelvam, CPA became the main location for constitutional discussion and debate. Fierce exchanges took place on the contours of the executive presidency, the nature of the electoral process and the content of arrangements for the sharing of power. Fundamental rights and freedoms were challenged to reach further heights and the discourse and debate around these issues were often cutting edge. Leading constitutional lawyers and jurists took part in this conversation. Creative pathways like linking Constitutional structure to architectural drawings created bridges and new ways of imagining that raised awareness of a topic beyond the usual circles.

Dr. Paikiasothy Saravanamuttu had a vision of creating a Centre that would be in the forefront of research and policy, building on the foundations of a liberal democratic society. Individuals trained at CPA are now in many professions and they continue to press for a liberal process and a more democratic ethos in the places that they work. Today, given

the powerful counter narratives of strong men guiding societies through tough decisions, the collaborative, consultative approach put forward by the philosophy of deliberative democracy is definitely challenged in profound ways. Dr. Saravanamuttu's vision is not only been undermined but frontally assaulted as alternative, authoritarian and populist discourses have seized the imagination of the middle classes. CPA's great contribution has been to keep liberal values alive, to refuse to give in and to make liberal democracy an inalienable brand in the Sri Lankan political firmament.

CPA also posited a modern, secular cosmopolitan vision of Sri Lanka that fundamentally challenged the narrow parochialisms of nationalism and fundamentalism. The excesses of these traditions were judged against the Universal Declaration of Human Rights. There is little patience at CPA for cultural practices that violate fundamental rights. Their cosmopolitan worldview allowed them to link up with broad coalitions and networks of civil society activism around the world, to partake in global discussions and dialogues on some of the most important issues of our times.

During the darkest of times, CPA leaders and staff opened their offices and homes to the larger community of intellectuals and activists. Their hospitality solidified networks and gave strength to many during some of the worst days that Sri Lanka has ever known. This role as enabler and guardian will be greatly appreciated by many and will be recorded in the history books when the record of these turbulent times is written.

Dr. RADHIKA COOMARASWAMY

Deshamanya Dr. Radhika Coomaraswamy is a lawyer, diplomat and human rights advocate who served as the Under-Secretary-General of the United Nations, Special Representative for Children and Armed Conflict until 13 July 2012. Secretary-General Kofi Annan appointed her in April 2006. She also worked as a rapporteur for the United Nations in the subject of Children in Armed Conflict.



CPA and the “*Vibhasha*” translation programme

S. Sivagurunathan

The Centre for Policy Alternatives (CPA) has completed 25 years of fulfilling its mission in the country. I am extremely pleased about its success. The Centre for Policy Alternatives since its inception in 1996 has been accomplishing its purposes in the face of various threats, intimidations and challenges. A continuous and consistent journey for a Sri Lankan NGO for over 25 years in this challenging dynamic socio-political-economic context of Sri Lanka, is not an easy task by any means.

CPA has made constructive contributions in numerous areas while firmly advocating for peace, reconciliation and justice among policymakers even as the nation was grappling with a ruthless war from 1983 to 2009.

There were many reasons including the injustice and discrimination faced by the Tamil people that could be observed as the reason for the war. While it is impossible to intervene in all aspects during the period of war and conflict, CPA was nevertheless committed to critical interventions in matters relating to the constitution of the State, human rights violations, peace, reconciliation, media freedom, election violence monitoring, the inequalities and struggles faced by the Tamil community in the plantations, language rights and the gaps and weaknesses in translations.

It is an opportune time to reflect on the contribution made by CPA to the landscape of translations in our nation as the organisation completes 25 years of service. The objective of

CPA to ensure that all communication from the outset should be in Sinhala, Tamil and English are extremely commendable.

The Sinhala language was given priority and prominence since 1956 despite us being a multi-ethnic country. The law recognised the Sinhala language as the only official language. Tamil was recognised as an official language in the Constitution after 1988, however, governments were never committed to ensuring the practical realisation of the use of both languages.

The shortage of qualified linguists and interpreters in our country was evident at all levels of society. There were no standards or regulations established by the government of that time for translations. There was no official certification in the field of translation, except in the selection of sworn translators by the government through a limited public examination and the recruitment of translators based on the results of a limited public competitive examination conducted among the graduates.

This situation contributed to widening the distance and division between the multilingual and multi-ethnic communities living in Sri Lanka. Effective and fulfilling communication between the communities was hampered. There was no systematic and effective program to suitably implement the language rights of the people of our country.

The Sinhala-Tamil-English publications of the same media institution in the media field in Sri Lanka reflected completely different information and observations. There was a situation where these newspapers did not communicate internally with each other. This communication breakdown has been confirmed by research. Even in universities, bilingual proficiency was a matter of the past.

In this environment, after the signing of the 2002 Ceasefire Agreement, the Centre for Policy Alternatives launched

a program called "*Vibhasha*" to impart translation skills to bilingual individuals. Dr. Paikiasothy Saravanamuttu and Dr. Arjuna Parakrama initiated this project.

At present, a four-year BA (Hons) Degree in translation has been introduced at the Universities of Kelaniya, Jaffna and Sabaragamuwa. However, in 2002 this type of study programmes were not available. Therefore, CPA has the honour of conducting free one-year translation courses for Sinhala - Tamil, English-Sinhala and English -Tamil over four years for the first time in Sri Lanka.

Vision for languages

'*Vibhasha*' is a program developed to promote enrichment of the major languages of Sri Lanka and to inculcate a culture and a model of translation. The objective of the '*Vibhasha*' program was to provide an opportunity for all those interested in translation across the country to further enhance their knowledge and skill in the subject, to award a recognised certificate and to expand subject knowledge by providing access to a broad and diverse community.

Professors, senior lecturers of the Universities of Colombo, Peradeniya, Kelaniya and Ruhuna and freelance translators contributed to this program and were engaged in the course conducting translations and teaching students.

The unique feature of this diploma course was that it was awarded completely free of charge. Therefore, greater attention was given to selecting the most qualified candidates for this course. Ethnicity, gender, district representation, experience in translation, language competence, education and professional qualifications were considered as part of the selection criteria. Priority was given to applicants from districts with limited facilities in comparison while special attention was paid to maintaining gender parity and representation of the major communities.

A one-year diploma course was implemented and the students who qualified after sitting the examinations were awarded certificates. Most of these students are currently engaged in translation and interpretation work in the state sector and non-governmental organisations.

The Diploma course was conducted in Colombo and the teaching of Sinhala and Tamil as the second language was conducted at the regional centers established in Tissamaharama, Galle, Kurunegala, Kandy, Anuradhapura and Vavuniya. Small libraries were established in these centres related to translations and the second language. Discussion forums on the second language and art and literature were held at these centres. The young people who attended made significant contributions.

Although the Ceasefire Agreement was in force at the time, 'Vibhasha' regional centers were not established in Jaffna, Mannar and Batticaloa due to travel restrictions and security operations.

The Diploma course in Translation was structured across six subject areas by way of design for the purpose of training a pool of translators across a wide spectrum, as follows;

1. Art and humanities
2. Business Management and Accounting
3. Common subject areas (including communication studies)

4. Law and Public Administration

5. Science and Technology

6. Sociology

Six central expert advisory committees represented the above subject areas. Fifty-two academics representing these six fields were attached with the 'Vibhasha' program. Six manuals were translated using proficient translators in the above subject areas and published in Sinhala, Tamil and English. A quarterly news magazine was published in three languages under the title "Vibhasha". This was distributed free of charge to students and lecturers of the diploma course and public libraries in Sri Lanka. "Vibhasha" was also placed for reading at the regional centers.

The need to promote ethics in language translations, to establish professional translators and to award them an acceptable certificate was considered as a requirement to justify the translation course as a unique programme.

In addition, the "Vibhasha" project was launched to enhance the standards and quality of translations available to the public. There was also a nationwide discussion maintained on the concept of translation and its functionality. The Centre for Policy Alternatives provided the essential guide for the development of ethics in translations. This effort will be etched in gold into the history of translation in Sri Lanka.

S. SIVAGURUNATHAN

S. Sivagurunathan is a Social Activist, Senior Language Interpreter & Translator. He was the Training Consultant for Vibhasha Translation Programme of CPA



A journey of 25 years for the people of Sri Lanka

S. G. Punchihewa

The Centre for Policy Alternatives (CPA) has been number one among the NGOs in the country that have been treated with disdain, criticism, ridicule, hatred, and malice for the past 25 years. I believe that the main cause for this disparagement is the journey of the organisation in critiquing the activities of the State and raising serious questions about its conduct. This is the reason that seems apparent at surface level. However, the reason that is not visible on the surface is that the leader who perpetuates and promotes the vision has a Tamil name. That name is Paikiasothy Saravanamuttu. The pro-government media, religious and nationalistic elements and those who have been deceived by propaganda are infuriated at the sheer mention of the name that is Tamil and therefore the name of the Centre for Policy Alternatives. The government's opposition can be understood because CPA responds against the arbitrary and unreasonable regulations and decisions of the rulers. However, others oppose it, based on the visible names and surnames which have nothing to do with the organisation's stand against the arbitrary acts of the government. There are no considerations based on the work of the organisation or an in-depth analysis of its activities. In fact, the work is the collective contribution of the organisation with the involvement of

the Tamils and Muslims with the majority who are Sinhalese. All the activities are transparent and clear. Some object to Dr. Saravanamuttu's name, but it is doubtful whether they have anything to object personally regarding the person who carries that name. He is not personally dependent on organisational revenue streams or highly remunerated from the organisational budget. Some believe that CPA's employees are paid at a higher rate than the parallel pay scales of the government. The principles of their work are collective. The results of the work are also collective. Policy-based work is prioritised over the work pursued by individuals. Building such an organisation is an extremely difficult task given our social and cultural traits. It is also evident that most programmes are implemented successfully. However, there are also some programmes conducted by NGOs which have little social use even though substantial funds are spent.

CPA has been engaged in academic and research work in addressing contemporary and pressing issues in the country, for the past twenty-five years. Countless articles, editorials and position papers have been written and published explaining the socio-political and legal context and analysis of a given subject.

It is extremely praiseworthy to note that the finances received have not been wasted since these publications have been distributed free of charge at great expense, a commendable effort.

The above are some of the notions that emerge in general when reminiscing the work of CPA. However, we need to look at the success or failures of what has been done in the specific subject areas and programmes.

The federal system

CPA organised nationwide discussion forums and seminars on the theoretical idea of a federal system. This name itself is abhorrent to some although it was proposed as a solution to the civil war and the violence seen from both sides.

Today many of the major nations in the world have incorporated the federal system successfully into their governance structure. After careful study of this process and considering the advanced highly successful features of the federal systems incorporated around the world, a series of successful documents were designed, developed, and used for a large-scale programme initiated to create awareness and educate the public. The proposals considered the decision-making autonomy in certain sensitive subject areas to be vested with the regional communities, while the primary state power was proposed to be vested in the main administration. The experience of numerous countries around the world has been that when such a decentralisation of powers is in place, there has been no pressing requirement for groups to engage in an armed struggle to seize power or to pursue the establishment of a separate state. However, with the government and two or three armed groups violently opposing the proposals, the academic discourse and diplomatic process were overwhelmed by violence. Prabhakaran suppressed the Tamil groups that agreed with these proposals and intensified the armed struggle for a separate state. At the time, although diplomatic strategies could have vetoed the war, some 'Sinhala Buddhists', who had similar views to Prabhakaran's own extremist ideas, glorified the war.

The parties involved in ruling the country believed that stronger legislation could preclude terrorism. Therefore,

emergency regulations were enacted under the Public Security Ordinance. The Prevention of Terrorism Act was introduced to ensure the control was even more stringent. The law was enacted initially with the expressed purpose of suppressing the LTTE and in a year this was incorporated into the legal system as the common law of the country. What was the outcome of this process? Instead of preventing terrorism, it escalated by a hundredfold. After the Prevention of Terrorism Act, all terrorist activities of the LTTE escalated and they ended up receiving training through their own terrorism initiatives. After the PTA, the LTTE established the sea tigers, the child soldiers, the female battalion, the suicide squad, and the teams for airstrikes, etc. However, they would have had very limited space for such a development under a diplomatic deal with a federal solution. Such a progressive development of the LTTE was likely to develop only in the face of fierce resistance. CPA has already proved the historical accuracy of the proposals for a federal system. If we desire to be a cohesive community in the future, the federal principles must be applied, albeit with differences. The rulers as well as the rest of the advocates for military operation should be ashamed that today we have reached full circle and come back to the very origin of the issue, even after the proclaimed victory of the war. The intelligence required to prevent future wars is this same realisation.

Language rights

Language is an essential factor for social life. The right to use the mother tongue is fundamental to the development of a citizen. When the mother tongue is suppressed, the citizen is branded by law as an inferior human being. During British rule in our country, the Sinhala and Tamil people were second-class citizens. The State Administration was operated

in English. All government official work was in the English language. Higher education was not available without English knowledge. The same was true of health care. Justice was not delivered in Sinhala or Tamil. Therefore, the average Sinhala or Tamil citizen automatically fell into the second-class category. The 1956 change of government provided an opportunity to change this scenario. However, complete, and comprehensive linguistic justice was far from reality. With the adoption of Sinhala as the official language, the Tamil community fell into a category of second-class citizens once again. Sinhala was introduced as the main language in all the above fields. Public administration, official work, higher education, health services etc. were in Sinhala. Therefore, the Tamil citizen lost the advantage of the independence from colonial rule achieved by the country. The basis for the protracted war in our country was the loss of this language right. The inability of the Sinhalese majority to understand or imagine the distress of the Tamil people when they had to succumb to the domination of the Sinhala language after participating cooperatively in unity as a nation to fight for independence from the British, paved the way for this great tragedy.

Subsequently, with the Indo-Lanka Accord of 1987, Tamil was recognised as an official language in the Constitution. However, every successive government has neglected to provide extra facilities required to administer and govern in the Tamil language.

Against this backdrop, CPA researched language usage around the country gathering data and examples and publishing them. CPA worked towards changing the attitudes of the people to the language. It is an astonishing feat that an organisation other than a government could conduct such exhaustive research. The findings revealed that the

Sinhala language was being neglected as well in districts such as Jaffna and Batticaloa. The bilingual (Sinhala-Tamil) administration had been declared in about 40 administrative divisions by this time. However, surveys conducted in those administrative divisions revealed that the required officers and equipment were not adequately provided. It was only after these revelations that many government agencies started publishing information in Sinhala and Tamil. (eg. Consumer Affairs Authority, Medicine Regulatory Authority). After the issue of languages used in the identity cards was taken up in the Supreme Court, bilingual information was introduced for identity documents. The regulated price of a small bottle of water was determined due to the intervention of the CPA.

Monitoring of election violence

The election manifestos that are launched seeking votes to obtain power in our country, state grand plans to make this country a paradise. However, each of those parties that came into power resorted to violence in two ways. One was the use of various forms of coercion and violence before and during elections to obtain power. However, violence did not stop after the election, its appearance changed. It is a well-known fact that the police, the army, the criminals, and the underworld have been used to propagate violence. The police have used '*emergency laws*' and the PTA to carry out '*legalised*' violence.

CPA focused on promoting information on electoral violence for the first time in Sri Lanka. The violence has gradually reduced through such visibility and promotions. The perpetrators had to find new ways and schemes because the monitoring work was implemented at an optimum level of success.

Right to Information

Information is the documentation of how governments govern. The public elects the rulers. The public also provides the finances needed to govern in the form of taxes. Therefore, the real custodian of information about governance should be the public. However, from the time of British rule, the unwritten law was to refrain from providing information to the public. In short, the right to information was owned by rulers and their officials. Sri Lankan NGOs have been waging a long-drawn struggle against this injustice. The advocacy lasted about 10 years. However, because of those continued struggles, a bill was passed in 2016 mandating access to information to the public. At the same time, it was the NGOs that informed the public about the process of obtaining information. The CPA, Sarvodaya and Transparency International have played a pioneering role in this regard. CPA has been educating the public as well as government officials for several years regarding the use of the Right to Information. Publications and training required have been provided while an office was set up to provide information to people across the country and to assist the public by conducting evaluations and follow-ups.

Several legal victories

CPA has always come forward to seek legal redress when problems surface. As mentioned above, the request made by a student for the identity card to contain information in both Sinhala and Tamil languages, since he faced great difficulties when he went to Jaffna after obtaining the National Identity Card in Sinhala was upheld by the Supreme Court. Thereafter the identity card has been issued in both the official languages.

The international disgrace caused by the raids of the lodges in Colombo during the war was averted by the fundamental rights application filed with the Supreme Court by CPA.

Details of various drugs approved by the National Medicines Regulatory Authority were initially published only in English. Details of essential medicines will be available in Sinhala and Tamil in the near future as promised at the Supreme Court. CPA obtained many such court victories. All of this is for the benefit of all ethnicities and religions such as Sinhalese, Tamils and Muslims.

S.G. PUNCHIHEWA

S.G. Punchihewa is an Attorney-at-Law and an Activist in the field of Human Rights. As a human rights lawyer he has appeared in several controversial cases, some of which are landmark cases in the administration of justice, including that of the disappearance of more than thirty students in Embilipitiya in the late nineteen eighties. As a social activist, he has been directly involved in many civil rights movements in Sri Lanka during the last three to four decades. He has also been an active trade unionist. He is an educationist and a trained Trainer on Conflict Resolution, Human Rights, Language Rights and Constitutional Reforms. He is a prolific writer and translator and has authored 35 publications in Sinhala as well as several journal and newspaper articles (source: <http://www.rticommission.lk/>)



Down memory lane with the CPA

Wimal Fernando

I have had a cordial and friendly relationship with the Centre for Policy Alternatives (CPA) since its inception. I was also actively involved in the civil society forums when CPA commenced its work. Therefore, it is a great joy to receive an invitation to pen some thoughts for CPA's 25th anniversary. I believe that most writers will share the history and the many activities in a formal manner. So I would like to take a journey down memory lane reminiscing on some experiences that come to my mind regarding the early stages of the CPA.

This was the time when former President Chandrika Kumaratunga's government was voted into power. During this period, the focus among civil society activists was leaning towards human rights. Litigation was initiated for the disappearances that had taken place when the United National Party (UNP) was in power since 77/78. I was working as the Organising Secretary to the Movement for the Defense of Democratic Rights (MDDR) where Nimal Punchihewa was the head of the legal division while a number of lawyers worked with us. As far as I remember, hundreds of cases regarding disappearances, torture, acquisition of illegal assets, and detentions, were filed with the intervention of MDDR. The case relating to the infamous Embilipitiya school children's disappearances was one of them. It was one of the very few cases where some of the accused were sentenced to life imprisonment. Meanwhile, there was an ongoing discourse for a political solution

to the conflict in the North during this time. A number of organisations were operating from an anti-war perspective, and they were engaged in collective work at various times.

CPA was birthed against such a socio- political context. I remember that the initial discussions to establish the CPA were held in the Law Faculty of the University of Colombo between the pioneers of this movement Paikiasothy Saravanamuttu, Jayadeva Uyangoda, Rohan Edrisinha and Arjuna Parakrama. The discussions in this group were unique since they seemed to be eager and ready to go beyond the traditional framework of the organisations that were active at the time. They were enthusiastic in activism beyond the academic exercise.

After these discussions, a workshop was organised at a hotel in Wattala. I do not remember how I received the invitation but Charles Abeysekera, Sunila Abeysekera, Austin Fernando and several others in addition to those I mentioned before, participated in this workshop. As I recall, after the change of government, Austin Fernando was transferred to the administrative pool.

A team of Canadian trainers facilitated the workshop. It was memorable in that the trainers conducted it extremely efficiently and successfully. I had never seen such successful facilitation of a discussion where the participants were engaged with questions posed to them and ensuring that the answers were recorded on flip charts. The brainstorming sessions felt like they were squeezing every ounce of ideas out of our brains. What I want to state here with all of this is that the CPA stood for quality from its inception and was professional in their conduct.

CPAs goal, as their name implies, was to propose alternative solutions to existing problems. It was a different kind of entity to the organisation that existed at the time and most of the pioneers were academics and experts with doctorates in the fields of politics and social sciences. This

included experts, talented researchers as well as trainers connected to many disciplines such as legal, policymaking, politics and sociology. Some were engaged with the CPA activities while they were working overseas. I remember Arjuna Parakrama to be an extremely versatile trainer. There was a healthy group of young intellectuals who were also involved in the CPA activities and later they moved on to be prominent figures in their respective fields.

The involvement of the CPA in election monitoring is a critically important aspect. At the time election monitoring was not a familiar concept in Sri Lanka. Neither the Elections Act nor the government recognised election monitoring work. To this day, the Act only mentions it but does not affirm it as a right. As a result, it is not difficult to imagine the situation at that time. The establishment of the Centre for Monitoring Election Violence (CMEV) through the collective efforts of the INFORM Organisation, represented by Sunila Abeysekera, the Free Media Movement and the CPA was an extremely important progressive step in the field of election monitoring in Sri Lanka. Arjuna Parakrama played a critical and a pioneering role in this endeavour.

I think it is important to note some of the experiences of the local government elections monitoring work in the North implemented jointly for the first time with representatives of civil society organisations in the South. The local government elections in the North were to be held shortly after the military took control of Jaffna. At that time, the government wanted to portray that the situation had returned to normalcy and that a civilian administration had been established although Jaffna was completely under military rule and there was no room for civil activism. With the exception of the Tamil United Liberation Front (TULF), all the parties contesting the elections were former rebel armed groups supporting the government security forces against the LTTE. Douglas Devananda's EPDP was in control of the surrounding islands. There were clear

indications of how the elections would unfold given this context. There were discussions regarding the election among civil society in the South as well.

When the idea of election monitoring was discussed with civil society organisations in the South, we received a negative response. “The environment is not conducive to conduct an election in Jaffna. This will only be an exercise to make the incumbent regime look good,” they said. My personal opinion was that whatever we speak from Colombo was not valid and that it was important to meet the people in the North and find out their views. I remember there was a lot of debate with Sunila Abeysekera about this matter. However, we were able to move into an agreement with many of them later, to monitor the election. We formed a large group along with about 20 people from MDDR and other representatives from various organisations, and those with connections in the North assisted us in the organising work. We also received the support of several people including our friend S. Sivagurunathan and his friend Prof. Sivachandran and his wife.

Those with PAFFREL also had separate connections in the North, while we received the support of Catholic priests such as Fr. Jayakumar who was in Jaffna and the Bishop of Jaffna. Seneviratne, who was with the Uva Community Centre and Adavan, now domiciled in Canada, were also part of our team.

As far as I remember, Mahinda Deshapriya, the then Assistant Commissioner of Elections, was in charge of the election. The Jaffna Government Agent refused to act as the Returning Officer and handed over his resignation. However, as a civilian, he got involved in the election work. When we went to Jaffna, the situation there was extremely difficult. There was an acute shortage of goods because the government had banned a large number of items. Public facilities were limited and there was a severe fuel shortage. There was no petrol and the vehicles ran on kerosene. A

Church of Ceylon priest who assisted us provided his green Volkswagen car and a van. I am reminded of another priest who operated an orphanage. He told us some of those children were suffering from trauma and were behaving violently towards other children. However, he subsequently went abroad. The Bishop of Jaffna was a person with an extremely intelligent understanding of politics and the signs of the times. He did not support the LTTE but many were of the view that other priests did and we observed the same.

Our team divided ourselves into several groups and engaged in observation and monitoring in different areas, in the midst of various difficulties. I went to Kytes for monitoring work while S.G. Punchihewa, Nimal Punchihewa, Sunila and others monitored the elections in the city of Jaffna. We were able to get a very clear picture of the election and released a report after the monitoring.

In the campaigns seeking a political solution to the war, CPA often worked together with us as a joint initiative. ‘*Stop the war*’ campaign is one such program that I remember. ‘*Stop the war now*’ *Don’t be the first to start the war*’ was our slogan. Political parties such as the People’s Party and civil society organisations were involved in this campaign. The ‘anti-war train’ from Colombo to Vavuniya was a memorable programme that needs a special mention.

Manel Ratnayake of Badulla was a leading activist in the anti-war movement at that time. He had an amazing ability to organise large gatherings and demonstrations. As far as I can remember, the staff of the CPA was not involved in such activities, but Sara was involved in the work.

There were also activities that we did together at the institutional level. The CPA once conducted a series of programs in a number of districts, related to human rights and democracy. While they conducted this programme alone they were unable to do so in Jaffna and we agreed to organise it.

CPA^{at 25}

We were able to conduct the programme with great success and even the TNA MPs were present.

CPA has journeyed courageously during the 25 years through many challenges and difficulties. It has been able to stand firm even during times of insurrection and terror, and continued to challenge the governments in power through litigation. The current political context and environment in Sri Lanka are completely different from that of the past. Society has also evolved and changed drastically. The COVID-19 pandemic is a challenge to the entire world and not only to us. The other critical predicament faced by Sri Lanka at the moment is the Rajapaksa family politics and the direction it is heading. Currently, five members of the same family represent the cabinet. I do not know if there is such an example in any

country in the world where multi-stakeholder, parliamentary democracy is active. Basil Rajapaksa, who did not contest the election, has suddenly become the country's finance minister.

These are serious issues, but there has not been a significant dissent or response from civil society. I think we need to build a wider discourse on these matters. The active participation of all Sinhalese, Tamils and Muslims is very important in all our future endeavours. It is more important now than it was when we were active in the civil society space. Seeking separate solutions to these challenges is no longer valid.

I wish wholeheartedly that the CPA would be able to find alternatives to these current challenges faced by the nation and its people.

WIMAL FERNANDO

Was a teacher and a trade union leader of teachers. A founding pioneer of the MDDR and a human rights activist. One of the most prominent pioneers in election monitoring in Sri Lanka.

Down the years



Dr. Shelton Wanasinghe, Sunil Bastian, Cyrene Siriwardhana, Prof. Jayadeva Uyangoda, Bradman Weerakoon, Dr. P. Saravanamuttu and Rohan Edrisinha at a meeting of the Board of Directors - 1997



Shashi Mendis, Kamal Nissanka, and Lionel Guruge at No. 32/3, the Flower Road Office - 1997



Devanand Ramiah, Sundari de Alwis and Savitri Walatara at the 32/3 Flower Road office - 1997



Staff members including Shashi Mendis, Lionel Guruge, Kamal Nissanka, Udaya Edirimanna, Altaf Hussain and Devanand Ramiah participating at a staff workshop conducted by Dr. Arjuna Parakrama after the Local Government Elections - 1997



Altaf Hussain, Sundari De Alwis, Uditha Senaratne, Savitri Walatara and Devanand Ramiah at a staff workshop facilitated by Dr. Arjuna Parakrama after the Local Government Elections - 1997



Deshini Liyanaarachchi, Menaka Karunarathne, Dilshika Jayamaha and Jean Godlieb at the 32/3 Flower Road Office - 1998



Local Government Elections, Jaffna District - 1998
Sunanda Deshapriya, Waruna Karunatilake, Dr. P. Saravanamuttu and Dr. Arjuna Parakrama,
participating in the post-election press conference convened by CMEV



Ballot boxes being forcibly stuffed during the 1999 North Western Provincial Council (Wayamba) elections despite the presence of election monitors and Police. Photo by a CMEV observer -1999



In Dambane for a discussion on the rights of the indigenous people. The tribal leader Uruwarige Wanniyala Aththo with Samitha Hettige, Lionel Guruge, Sharada De Alwis and Dr. P. Saravanamuttu. P. Vijayan, S. Sivagurunathan, Nuwan and Sisira are in the front row.



Dr. Saravanamuttu with tribal chief Uruwarige Wanniyala Aththo who visited the 32/3 Flower Road Office for a discussion - 1999



A Civil society Consultation on the proposed Interim Administration during the period of the ceasefire agreement between the LTTE and the Government of Sri Lanka. Padmini Rajadurai, Dr. Ponna Wignaraja, Desmond Fernando, PC, Visakha Dharmadasa, Shanthi Sachithanandam and Dr. Jayampathy Wickramaratne PC



Kethesh Loganathan, Hon. Milinda Moragoda, MP, Dr. Saravanamuttu, Hon. Rauff Hakeem, MP, Hon. Prof. G.L. Peiris, MP and Dr. Norbert Ropers (Berghoff Foundation) at the first meeting of the Joint Task Force for a Road Map for Peace- 2002



Conference on Fiscal Federalism and Constitutional Reform in Sri Lanka
Sunil Bastian and Dr. Shelton Wanasinghe, among others - 07.04.2003



Discussion on the report of the Civil Society Consultation on Human Rights Benchmarks
in the Peace Process at the Sri Lanka Foundation Institute
Ian Martin (former Secretary General of Amnesty International, and Human Rights advisor to the Government and the LTTE
during the peace process) Dr. P. Saravanamuttu and Bob Rae, (currently the Permanent Representative for Canada at the
UN, formerly with Forum of Federations)- 11.03.2003



Conference on Peace and Development - The Road to Tokyo- Manouri Muttetuwegama, Nimalka Fernando and Kingsley Rodrigo (PAFFREL) - 26.04.2003



Triton Workshop on Education and Media - Ethics Management - Dr Radhika Coomaraswamy (Centre) – 06.05.2003



Meeting of Community Leaders at Vipulananda Tamil School, Monaragala - Dr.P. Saravanamuttu - 11.10.2003



Civil Society Meeting held at Kotiyagala School, Monaragala - Sunanda Deshapriya addressing a gathering - 15.08.2003



Federal Options for Sri Lanka - Prof. Nicholas Haysom (President Mandela's Legal Adviser),
Dr. P. Saravanamuttu, Prof. Sujith Chowdhury and Prof. Peter Meekison of the Forum of Federations - 26.03.2003



Conference on Fiscal Federalism and Constitutional Reforms in Sri Lanka - 07.04.2003
Dr. Jayampathy Wickramaratne PC, Rohan Edrisinha, Prof. Cheryl Saunders, Asanga Welikala and Jolly Somasundaram



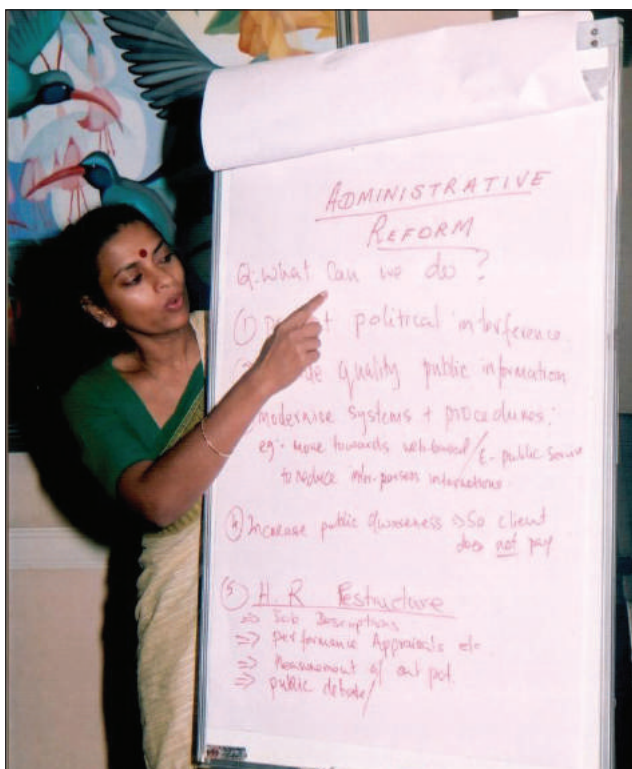
TOT workshop for Federal Trainers - Browns Beach Hotel, Negombo
Attorney-at-Law S.G.Punchihewa, S.Sivagurunathan and Attorney-at-Law Shiral Laktilaka - 2005



National Symposium on *The Future of Sri Lanka and the Federal Idea* - BMICH - 06.02.2006



Dr. P. Saravanamuttu, Hon. R. Sampanthan, MP, Rohan Edrisinha and Hon. Gajendrakumar Ponnambalam, MP, participating in the discussion on Government and LTTE resolutions on an Interim Administration, held at Colombo Hilton Hotel - 07.11.2003



Focus group discussion on Transparency and Accountability- Gowrie Ponniah - 19.05.2003



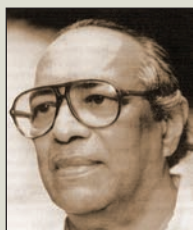
Focus group discussion on Transparency and Accountability - Sanjana Hattotuwa - 19.05.2003



Focus group discussion on *Transparency and Accountability* - Bradman Weerakoon - 19.05.2003



Former Program Assistant at AED, Dr. Gwendolyn Beavis, H.E. Jeffrey Lunstead, US Ambassador to Sri Lanka and the Maldives, CPA ED Dr. P. Saravanamuttu, Kim J Derider, Head of AED Sri Lanka, Prof. William Mishler, University of Arizona and Dr. Pradeep Peiris, Unit Head, Social Indicator, CPA



Charles Abeysekera



Prof. Jayadeva
Uyangoda



Rohan Edrisinha

First Board of Directors in 1996

Board of Directors

Charles Abeysekera

Sunil Bastian

Dr. Mohamed Zameer Careem

Anushya Coomaraswamy

Chandana Lal De Silva

Minoli De Soysa

Sagarica Delgoda

Sunanda Deshapriya

Dr. Sukanya Devarajan

Rohan Edrisinha

Tissa Jayatilaka

Dr. Sakuntala Kadirgamar

Kethesh Loganathan

Farah Mihlar



Sunil Bastian



Cyrene
Siriwardena



Bradman
Weerakoon



Dr Paikiasothy Saravanamuttu
Founding Executive Director
1996



Prof. Chandraguptha
Thenuwara



Aritha
Wickramasinghe



Chandana Lal
de Silva



Minoli de Zoysa

Directors 1996-2021

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Dr. Dinusha Panditaratne

Dr. Arjuna Parakrama

Gowrie Ponniah

Jeanne Samuel

Cyrene Siriwardhana

Arusha Stanislaus

Prof. Chandraguptha Thenuwara

Prof. Jayadeva Uyangoda

Dr. Shelton Wanasinghe

Bradman Weerakoon

Aritha Wickramasinghe

Arittha R Wikramanayake

Javid Yusuf

Present Board of Directors in 2021



Dr. Dinusha
Panditharatne



Dr. Sukanya
Devarajan



Dr. Mohamed
Sameer Kareem



Dr Paikiasothy Saravanamuttu
Founding Executive Director
2021

Sharing a proud journey of 25 years

25TH ANNIVERSARY (AS OF 17th JUNE 2021)



Dr. Paikiasothy Saravanamuttu
Executive Director



P.P.J. Perera
Chief Operations Officer



Ayudhya Gajanayake



Rebecca David



Dilki Madhushika



A.M.N. Victor



Minoli de Soysa



Lionel Guruge



Dilupa Athulawansa



Hasantha Hemali



Dharani Aravinth



Manjula Gajanayake



Sujith Kumara



Nalaka Priyadarshana



P. Vijayan



SHM Shafriz



Nirosha Subhashini



Abdul Wahid Assiraj



Chathuranga Sandaruwan



M. Krishna



I Ramesh



Bhavani Fonseka



Sriyanie Wijesundara



Asoka Herath



S. Kamaladevi



Sampath Samarakoon



Selvaraja Rajasegar



Sumedha Kumar



Nalaka Samarakoon



Sakina Moinudeen



Luwie Ganeshathasan



M Pradeepan



Lahiru Kithalagama



Chandrika Gadiewasam



Harshini Amarasinghe



Hirantha Isuranga



Nadeeka Wittachchy



Uvin Dissanayake



Inoka Perera



Nivedha Jeyaseelan



Kusmila Ranasinghe



Charya Samarakoon



Pranith Wirasinha



Niroshan Kaluarachchi



Inter-University Debate on Democracy and Good Governance - Media Workshop
Lecturers and students who participated including Dr. Rohana Lakshman Piyadasa, Dr. Ariyaratne Athugala, Dr. Sunil Wijesiriwardena and Sunanda Deshapriya - 30.10.2005



Dr. P. Saravanamuttu, Prof. Charitha Herath and the University lecturers at a discussion in the Inter-university debate on Democracy and Good Governance - 30.10.2005



Prof. Jayadeva Uyangoda and Dr. Devanesan Nesiah
Federal Idea - National Conference -BMICH, Colombo- 06.02.2006



Cyrene Siriwardhana, Jaffna Public Library - 16.02.2006



Inter-School Student Exchange Program - Lionel Guruge - Passara - 30.09.2006



Inter School Student Exchange Program - Manjula Gajanayake - Passara - 30.09.2006



Workshop collating concise proposals submitted by all Provincial Councils on the completion of 20 years for Provincial Councils. Rohan Edrisinha, Hon. Shan Wijelal de Silva, MP (former Chief Minister of the Southern Provincial Council) Hon. Rauff Hakeem, Dr. P. Saravanamuttu, Deputy US Ambassador Michael Moore, Sarath Ekanayake (former Chief Minister Central Province), Attorney-at-Law S.G. Punchihewa and Hon. Tissa Attanayake, MP, (former UNP General Secretary) - 2008



Hon. Rauff Hakeem, MP, Hon. Ranil Wickramasinghe, MP, and late Hon. Minister Mangala Samaraweera at the launch of the CPA publication *Power Sharing in Sri Lanka* at the '80 Club, Colombo - 2009



Tissa Jayatilleke, Anusha Coomaraswamy, Bradman Weerakoon, Chandra Jayaratne, Sunethra Bandaranaike, Oosha Saravanamuttu and Kumudini Saravanamuttu among the participants at the book launch of *Power Sharing in Sri Lanka* at the '80 Club - 2009



Austin Fernando, Sanjana Hattotuwa, Sasha Ekanayake, Visakha Dharmadasa and others among the participants at the launch of *Power Sharing in Sri Lanka* at the '80 Club - 2009



Dr. Shelton Wanasinghe and former Speaker, Hon. Karu Jayasuriya
Presentation of findings of the South Asian Regional Open Budget Survey - Cinnamon Grand Hotel - 24.11.2010



Hon. Eran Wickramaratne, MP, among the participants



Group photo at the ceremony awarding the Citizens Peace Award to Dr. Paikiasothy Saravanamuttu.
Sri Lanka Foundation Institute 28.02.2011



Survey on Democracy - Field Officers Program - 2015
Sakina Moinudeen and Dr. Paikiasothy Saravanamuttu



Sriyanie Wijesundara at the Local Government Workshop held at the Alpine Hotel, Nuwara Eliya - 20.05.2014



Prof. Upul Abeyratne participating in a discussion on the new Constitution, in Galle





Model 3 of the award-winning Corridors of Power Exhibition - Lionel Wendt Art Gallery -09.06.2015





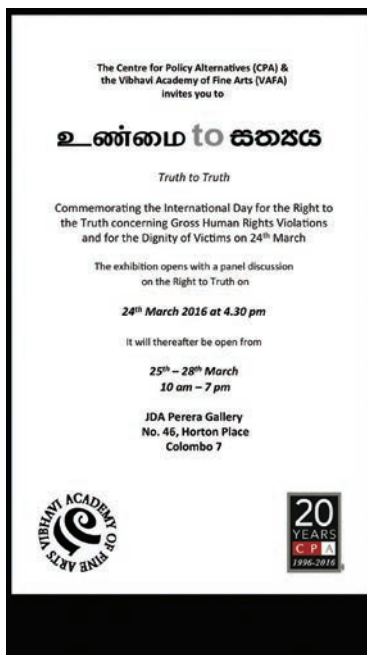
Dr. P. Saravanamuttu attending an opening ceremony before the event to provide addresses to estate sector families at the Mocawatta Estate in Nuwara Eliya - 05.03.2016



During the event organised to provide addresses to the estate sector families at the Mocawatta Estate in Nuwara Eliya - 05.03.2016



During an event to allocate addresses for citizens in the Passara area - 2016



CPA Senior Researcher Bhavani Fonseka, former President Chandrika Bandaranaike Kumaratunga and Prof. Chandraguptha Thenuwara at the launch of the *Truth-to-Truth* exhibition - 2016



Signing of the MOU between the Ministry of National Co-Existence, Dialogue and Official Languages, and CPA, paving the way for a Language Audit of all Ministries.

Udaya Edirimana, Lionel Guruge, Dr. Saravanamuttu, Secretary to the Ministry Ranjith Uyangoda, and Ministry Additional Secretary Uwais - 2016



H.E. Ambassador of the Netherlands attending the launch of the Report of the Language Audit. Distinguished guests include Hon Minister Mano Ganeshan, former Minister Vasudeva Nanayakkara, and Attorney-at-law S. G. Punchihewa
Lakshman Kadirgamar Institute-2017



Dr. Asanga Welikala at the launch of Dr. Harshan Kumarasingham's book 'Road to Temple Trees' at the Orient Club, Colombo, December 2015



District Conference of Local Government Female Councillors held in Hambantota - 2017



Moments after winning the case on the constitutional coup
Viran Corea, Jerusha Crossette-Thambiah, Bhavani Fonseka, Kanag-Isvaran PC, Mohan Balendra, M.A. Sumanthiran, PC, Ermiza Tegal, Inshira Faliq



Launch of the report on *The Global State of Democracy*, in collaboration with International IDEA
Prof. Ratnajeevan Hoole and Dr. P. Saravanamuttu - Colombo- 2019 (Photo source: Internet)



Members of the Asian Network for Free Elections (ANFREL) who joined as international observers to monitor the Presidential Election, following a post-Election discussion, with local counterparts and members of the election administration.

Prof. Kapil Shrestha (NEOC, Nepal) C. Dodawatte (Free Media Movement) Mahinda Deshapriya (Chairman of the Elections Commission) Manjula Gajanayake (National Coordinator - CMEV) Udaya Kalupathirana (INFORM), Prof. Ratnajeewan Hoole (member of the Election Commission), Dr. P. Saravanamuttu (Co-convener CMEV/ED-CPA), Rohana Hettiarachchi (Executive Director, PAFFREL) C. Savarimuthu (Treasurer, PAFFREL) 16.11.2019



Press conference releasing results of the island-wide monitoring of election campaign expenditure at the Parliamentary General Elections August 2020

Seetha Ranjane, Udaya Kalupathirana, Manjula Gajanayake, Dr. P. Saravanamuttu and A. M. N. Victor



Prof. Chandraguptha Thenuwara, Chairman Board of Directors, CPA, launches the 'Thé Kahata' photobook -15.11.2021



Youth Photographers and the Organising Committee of the 'Thé Kahata' photographic Exhibition.



Expert Panel at the Conference on the Right to Information and Media Practice sponsored by FNF
Dilrukshi Handunnetti, Lakshman Gunasekara, Dr. P. Saravanamuttu, Kanchana Dassanayake and Prof. Rohan Samarajeewa.
Renuka Hotel, Colombo - 21.01.2021



Senior media professional Nalaka Gunawardena at the Conference on *The Right to Information and Media Practice* sponsored by FNF



Dr. Paikiasothy Saravanamuttu, ED (CPA) hands over a series of proposals on electoral law reforms prepared by CMEV to Minister Dinesh Gunawardena, Chairperson of Select Committee of Parliament to identify appropriate reforms of the election laws and the electoral system and to recommend necessary amendments – August 2021



Long journey towards a policy alternative

Mahinda Hattaka

Twenty-five years in the annals of human history is only a short interval. Twenty-five years in recent social, economic, and political history of Sri Lanka is a momentous landmark. The corrosive impact of thirty years of internecine war made on the Sri Lankan political thinking and the way of behaviour of the people could not be erased even after a decade since the ending of the armed conflict. In these circumstances twenty-five years of yeoman service rendered by the Centre for Policy Alternatives (CPA) is not only a challenge but also a beacon for a better future.

In a social system where the rules, justice, fairness and accepted and valued norms were thrown away nonchalantly to serve self-serving political ends; to stand and speak for humanity and human dignity and for the basic principles of a civilized and decent society, is truly a daunting and also a dangerous task. In its twenty-five years of existence, I believe the CPA endeavored to propagate and consolidate these noble values of humanity.

Even though we emancipated from the British imperialist yoke seven decades ago with the earnest hope of consolidating national sovereignty and achieving economic prosperity for the people of the country, it is still a distant hope lying beyond the far-off horizon. Even though the people of this country enjoyed the right to choose their own leaders to rule the country in elections with set rules and regulations, retrospectively those chosen

leaders failed miserably to build an inclusive society where the wellbeing and the dignity of every person is respected and guaranteed. Embracing opportunistic and self-serving procedures and practices and undermining principled politics left an unprecedentedly divisive and bickering society. Politicians of every creed and colour tried their best to subvert nationality, religion and language, symbols of civility and humanity, to debase them as opportunistic tools of oppression and cruelty. The 30-year-war was one of its expressions.

It is a tragedy that we are not able yet to make way for a clear-cut path overcoming this darkened ignorance which is created and nourished by us and encouraged by our own misguided leaders. It is our unfortunate experience that the leaders and the political groups elected at the free and fair elections, once they get a taste of power, unabashedly work for their own betterment, forgetting all the promises made through their election manifestos. We must always lament after an election that the past regime was better than the present one. Skyscrapers sprouting in every city and the expressways constructed all over the country take us to an unknown abyss at high speed. The depth we have sunk to is known only when we have to beg with folded arms from Bangladesh, once known as the poorest country in South Asia, to repay or postpone the loans we have taken in the name of development.

Our leaders boast self-indulgently about the independence received without spilling a drop of blood, but they conveniently avoid discussing in mainstream political discourse why we failed to maintain even the living conditions prevailing during the colonial times. Leaders who use politics for their own benefit try to cover the failures and futility of their actions and policies under the smokescreen of nationality, patriotism and religion. Embracing pseudo

nationalism and bogus thinking, they cast aside modern scientific knowledge and methodology, to suppress the fundamental rights of other communities.

They justify this sadistic thinking on the so-called prosperity of days gone by. I can recall the Nobel prize winner and renowned political analyst Amartya Sen, who in his book *The Argumentative Indian* quotes Rabindranath Tagore. *"Whenever we understand and enjoy human products instantly it becomes ours wherever they might have their origin. I am proud of my humanity when I can acknowledge the poets and artists of other countries as my own. Let me feel with unalloyed gladness that all the great glories of man are mine. Therefore, it hurts me deeply when the cry of rejection rings loud against the West in my country with the demand that Western education can only injure us."*

When CPA attempted to explain and offer solutions to the emerging contradictions in our country based on norms and practices in the world, especially from the West, the cry of opposition raised reminds us of the Indian context explained by Tagore. When *Sama Vimarshee*, a publication of the CPA, endeavored to promote reconciliation and a solution to the endless war in the North and East of the country, so-called patriots vilified it as an attempt to impose Western thinking in our country, branding them as a bunch of traitors.

We should appreciate the initiative taken by the CPA to introduce to the people of Sri Lanka, how the Western countries achieved ethnic, religious and language harmony through the federal form of Government, to ensure peace and prosperity for all. CPA has published a collection of in-depth articles on federalism in Sinhala: If our policy makers had cared to read and grasp its contents, we need not worry about the annual meeting of the United Nations Human Rights Council in Geneva.

Whenever there is an attempt to enact laws catering to the nationalist hysteria, disregarding valued norms and international standards, CPA challenges them in Courts of Law and in other forums, to be a beacon shedding light to raise awareness of the dangerous and murky political path we are treading. In some instances, the judiciary and international forums acknowledged and valued these attempts, but these are few and far between. Often people in authority choose to maintain a deafening silence. What is important is the defiant stand taken on behalf of justice and equity. CPA is never taken aback by threats and intimidation issued by authorities and their associates. They steadfastly stood their ground for democracy and the basic rights of all people. They never wavered due to personal threats and dangers that may result.

On looking back the CPA did not succeed in every attempt to achieve its objectives. But there are undoubtedly salient milestones in the path to create an equitable society, firmly

based on democratic structures, where law and order are respected and followed. It may look dangerous and abhorrent to narrow minded political opportunists but is an invaluable and lasting service to people yearning for an equitable society where the dignity of humanity is preserved. It is a strong theoretical and practical foundation to build on.

The attempt to provide a basis for a politically correct and just society is not always a pleasant task. It has faced the condemnation of extremists and the wrath of authorities. It compelled some to leave the country and still others met untimely sudden deaths. The Centre for Policy Alternatives steadfastly faced them all. We unequivocally appreciate its commitment and dedication to lay out a conceptual path to build a just society. Let me end this note by quoting Leo Tolstoy who in his great novel Resurrection said that under a government that imprisons any unjustly the true place for a just man is also a prison.

MAHINDA HATTAKA

Mahinda Hattaka is a human rights activist and one of the founders of the Movement for the Defense of Democratic Rights (MDDR) and its present Secretary. In addition to being a civil society activist he is also a prominent journalist, writer, and a translator



A legal footprint

Viran Corea

Over the past two decades or so, I have been involved as retained counsel in much litigation that the Centre for Policy Alternatives (CPA) has initiated or intervened in. Issues have involved many matters of immense national, public, and systemic importance. This professional acquaintance with the CPA began very soon after I reverted to the Private Bar, having commenced my career as a counsel at the Attorney General's Department, where I had worked for some years as State Counsel.

What struck me from the start, was the fact that the CPA was not reticent to fill a gaping void that existed, for civil society actors willing to take on matters of national, public, and systemic importance based on assessment of the needs of a just, democratic, and liberal society. As a result, many crucial matters involving executive action and legislation affecting fundamental rights, the franchise, judicial independence, and safe government that required to be duly framed from a liberal, democratic, and inclusive perspective and placed before the Supreme Court for due consideration, made it to judicial scrutiny as required, because of CPA's commitment.

The following are among key cases that CPA has filed/intervened in over the years, in which I have been involved as counsel.

(1) SC FR 217/ 2007, the case challenging the eviction of Tamil persons from private lodges in Colombo and the prevention of Tamil persons from entering and / or staying in any part of Colombo.

(2) SC FR 453/ 2011, the case challenging the introduction of new regulations under Section 27 of the Prevention of Terrorism Act (Temporary Provisions) Act No.48 of 1979.

3) SC SD 6 / 2012 and SC SD 15/ 2012, challenging the constitutionality of the Divineguma Bill.

4) CA Writ 283/ 2014, the case filed by a group of residents from "34 Watta", Wanathamulla, Borella challenging the directive issued by the UDA ordering them to move from their homes to an alternative location provided by the UDA or accept the compensation proposed by the UDA.

5) SC SD 24/ 2017 the case challenging the Constitutional amendment titled the 20th amendment, which would have the effect of postponing elections of Provincial Councils.

6) SC FR 353/ 2018 the case challenging the purported dissolution of the Eighth Parliament before its term came to an end."

A commendable rare quality that I observed in the folk who over the years came to define the litigation approach of CPA that I have worked closely with (including significantly, Dr. Paikiasothy Saravanamuttu, Mr. Rohan Edrisinha, Dr. Asanga Welikala, Ms. Bhavani Fonseka and Mr. Luwie Ganeshathasan), has been that the primary consideration in deciding whether a matter should be canvassed in litigation, was whether

the issue(s) warranted it on sound constitutional and legal principles, rather than other considerations, such as how it may be received - by whomsoever. Importantly, this resolve remained consistent and undiminished, regardless of who held the reins of power at a given time. Thus, I have found myself retained as counsel in numerous instances of litigation against every single government that has held power in the last two decades, in matters of seminal importance to constitutionalism, fundamental rights and the rule of law. It would be a failure on my part, to omit to express my appreciation of the fact that on all these issues, I have never seen the imperatives of a just, liberal, democratic society trumped by conflicting considerations of political imperatives of any political party/group or even concerns for personal safety.

I have come to respect the commitment of CPA to consistently stand for the rule of law and justice (even if unfairly decried as unpatriotic), without undue care for the libelous onslaughts of high-powered maligning elements and their apparatus, with resulting misconceptions at times sown in the minds of the less informed/less vigilant citizenry. In that respect, I would consider the work of CPA in the sphere of litigation to protect and uphold constitutionalism and the rule of law, a vital, bold, principled, and truly patriotic contribution to the genuine wellbeing of the People of Sri Lanka.

I wish Dr. Saravanamuttu and the CPA team the very best and many more meaningful years of continued resolve to serve the People of Sri Lanka, as CPA passes the very significant milestone of a quarter century of such existence.

VIRAN COREA

Viran Corea is a prominent lawyer in the area of Fundamental Rights. He has appeared for many FR and public interest cases filed by CPA



Changing mindsets and dismantling authoritarianism

Prof. Jayantha Seneviratne

I am pleased to pen this short note on the 25th anniversary of the Centre for Policy Alternatives (CPA). It is a great joy for me as a person who has contributed as a resource person at times and as an individual who has been inspired by the courageous actions you have taken over the past 25 years, to be able to congratulate the organisation that has worked with great integrity towards the advancement of civil society, human rights and democracy, while making significant contributions to the world of academia in the field of peacebuilding.

CPA is an organisation that has played a significant role in introducing a state ethnic policy to the government at the highest level (Tier 1) of the John Paul Lederach Pyramid of Peacebuilding.

It goes without saying that the research undertaken by your organisation in this regard has been extremely beneficial to civil society as well. Your efforts to publish all your material in the three languages is greatly appreciated and we express our heartfelt gratitude for this work.

Today we live in an age where the State is rapidly moving towards political and religious authoritarianism. This is not a recent phenomenon but a journey that has commenced since

the early 1970s. Since that time, the armed insurrection of the Janatha Vimukthi Peramuna (JVP), the LTTE and the extremist jihadist Muslim organisations attempted to respond violently from another authoritarian perspective against this journey of authoritarianism. However, what transpired, in the end, was nothing more than the consolidation of the political and religious authoritarianism of the state. Today, what can be witnessed is the disgraceful reality of the well-known phrase of the British Politician Lord Acton, *“Power tends to corrupt, and absolute power corrupts absolutely.”*

If there has ever been a civil society organisation that has attempted to tame the trajectory of the State in this authoritarian march, without any debate it has been the Centre for Policy Alternatives at the helm. The resolve and resilience to stand firm in the face of death threats to its leadership due to these actions initiated both locally and internationally, have been a source of great inspiration to all communities who value human rights, democracy and peace. This has been an opportunity for the public to gain a broader understanding of democratic values, while the courage that has been instilled in civil society activists and peacebuilders cannot be quantified. During the past 25 years, these actions have made repressive governments think twice about their oppressive measures and ordinances, provided the opposition an ideal platform to convert them into opportunities and opportune moments, and the backdrop for good governance to proceed with bold action if necessary. However, this did not happen. The state could not be pulled out from this unfortunate predicament while the opposition also fell into a racist and anti-democratic quagmire, wishfully counting the stars in the sky.

The culmination of the war saw a vast majority of Sri Lankan Sinhala Buddhists becoming increasingly desirous

for state power in an attempt to usurp the nation-state. Contrary to the teachings of their religious leaders, they wholeheartedly embraced upon themselves the mantle of greed-hatred-delusion (*Lobha-Dwehsa-Moha*). Therefore, the disillusioned opposition seems to be confused regarding their stand on democracy, human rights and peace. Needless to say, this gap can only be filled by the strength of civil society organisations such as CPA that are outside of the Parliament. The authoritarian regime is granted free reign to act arbitrarily where the opposition is rendered inactive. The media in our country is by no means a free media because it concurs and runs parallel with the ideology of the state.

So it is with religion. Today we are at a stage where the difference between doctrine (Dhamma) and belief is completely misunderstood. The blessing of the state has been bestowed to propagate this confusion. Belief comprises the various expressions of magic, spells, hierarchies, folklore, superstitions, myths, and the various divisions among people being manifested in real life. As long as these are instilled in our heads, it will form an obstacle to our understanding of the religious precepts of the Dhamma, no matter how many interfaith – interreligious programs we conduct. The fear associated with life after death could be a reason for people to hold on to such beliefs. There is a note in the Quran about the ones who have bought the present life in exchange for the World to Come (2 Surah Al-Baqarah 86).

This quote is common to all religions today. The dismantling of the yoke of authoritarianism and the deep-rooted dominant mentality renews civilization. However, religion also becomes a factor that prevents this progressive journey. Sri Lanka is not the only place where religion is utilised to achieve one's own grand political agenda. The combination of politics, ethnicity and religion, can be seen

in despicable national movements that further state a need for religion to be linked to the political destiny of their nation or people. Therefore, these fundamentalists are forcing the acceptance of religion as the source of human identity while positioning religion at the pinnacle of the political, economic, legal and socio-cultural spheres. This is what is happening in our country now. They detest democracy, human rights and

peace. This is the context within which CPA has to work in the future

I believe that you would continue to work boldly under the leadership of Dr. Paikiasothy Saravanamuttu to create a just society through a moral renaissance. I trust that you will be able to join hands with everyone in civil society to create a just society.

Prof. JAYANTHA SENEVIRATNE

Formerly a professor in the philosophy department in the Kelaniya University. He is Executive Director of the Peace Building and Reconciliation Centre (CPBR) and an academic in civil society activism.



The role of public interest litigation: A critical analysis

Victor Ivan

The Centre for Policy Alternatives (CPA) has played a pioneering role in initiating several lawsuits to further the public rights and formalise the system of democratic institutions. There were times it has displayed a great interest and resolute courage in this realm. On the 25th anniversary of CPA, I chose to comment on the public interest litigation policy pursued by CPA for the purpose of public welfare and making the system of governance formal and democratic. This is an important aspect of this organization which I greatly appreciate.

It can be said that there has been a great deal of confusion in the system of governance in Sri Lanka since independence, which to a great extent has been caused by the ignorance and arrogance of the rulers. The reasons include breakdown of the balance between the legislature, the executive, and the judiciary, the three main power centers of the government and the rampant corruption set in these three institutions have also contributed to this situation.

Therefore, the subject of public interest litigation can be considered particularly important for Sri Lanka. Developing a tradition of public interest litigation will certainly add to the societal progress and advancement of the political arena by enhancing the intuitive imagination of the Executive and the Legislature. Above all, it will help sharpen the vision of the Judiciary. Compared to other countries like India, the number of people touching on

this subject is very rare and limited in Sri Lanka. CPA can be considered as one such rare institution playing a leading role in this realm. It has instituted a significant number of lawsuits and society has reaped various benefits in consequence thereof. But I don't intend to talk about that. Instead, I would like to discuss the serious limitations that can be seen in this sphere in Sri Lanka.

The first thing I see is that there are many issues that need to be referred to the judiciary. In fact, there are a large number of issues that ought to be taken to courts. Therefore, it is necessary to select issues that have the most serious or decisive impact on the Constitution and take them to court first. Yet it does not appear that priority is given for issues which are more important in taking the issue before the court of law. So it seems that less important issues are given prominence over the more important ones which appear to have been overshadowed in this process. Here are some examples:

Allowing the plunder of public property

It is clear that a system of plundering public property centered around the Presidents and Parliamentarians of Sri Lanka has been in operation since 1978. This is contrary to the law. The law relevant to this issue is enshrined in the Soulbury Constitution. The Constitutions of '72 or '78 do not include the laws in this regard. Instead, both Constitutions have specifically indicated that the rules and regulations enshrined in the Soulbury Constitution (13.3 c) will apply in this regard.

The judgment on the petition against Albert Silva, MP for Galle is an important precedent in this regard. Dr W.W. Dahanayake, former MP for Galle, filed an election petition against Albert Silva, who had contested and was elected to the Galle electorate in the 1977 election. The allegation was that Albert Silva was not entitled to be elected as a Member

of Parliament as he had possessed a license obtained from the government for distribution of kerosene when he was contesting the election. The panel of judges headed by Neville Samarakoon, then Chief Justice, accepted the argument and deprived Albert Silva of his parliamentary seat. Thereafter, President J.R. Jayewardene instructed the MP for the Kamburupitiya electorate to resign from his parliamentary seat and appointed Albert Silva to fill the vacancy created. It can be described as, not only a serious illegal act committed by the Head of the State, but also a wrong and arbitrary policy adopted, haughtily insulting the judiciary with the view to pursuing the wrong practice further.

Then in the year 2000, a similar situation arose. Rajitha Senaratne, MP was found guilty and was deprived of his parliamentary seat consequent to an election petition filed by Dilan Perera against the former, alleging that he had transacted business with the government through a pharmaceutical company owned by him. On this occasion, Prime Minister Ranil Wickremasinghe, repeating the same mistake done by JR Jayewardene, appointed Rajitha Senaratne to Parliament as a National List MP.

It can be said that the system of governance operating in Sri Lanka today is in a serious crisis. The balance that ought to be maintained between the executive, the legislature, and the judiciary has completely collapsed, and it can be said that the executive and the legislature in particular have deteriorated with corruption. The illegal plunder of public property being carried out by the presidents who ruled the country in collaboration with the ruling party MPs since 1978, can be considered as a major reason for this. This is one of the main reasons for the bankruptcy of the country; and it can be said that this practice has resulted in establishing a corrupt system where the treasury is being deprived persistently of the most important sources of revenue which are instead diverted into

the pockets of the presidents as well as the Ministers and MPs who have ganged up with them. This situation can be said to have corrupted the institutional system, eroded the recognition of the law, disrupted the system of governance, and messed up the country's economy completely.

As a citizen and a political and social critic, the biggest problem I have is that this issue has not received adequate attention from society. It can be said that not only society but especially the institutions which are appearing for rectification of the drawbacks of the system of governance also have completely ignored this serious problem. In both above cases, the Albert Silva case and the Rajitha Senaratne case, the Supreme Court of Sri Lanka has severely criticised the negligence displayed by the authorities in dealing with corruption related offenses committed by public representatives. It can be said that in both these cases the Parliament has been criticised strongly for pursuing a policy of deliberately ignoring the enactment of laws on an important matter pertaining to parliamentary ethics. Despite this situation, it is clear that all political parties have completely ignored this serious issue. Further, the fact that the institutions that are concerned with the inadequacies of the political system in Sri Lanka and interested in rectifying them through lawsuits are not focusing proper attention on this serious issue, and their failure to convey the issue before the Courts to remedy the situation, has led to strengthening the survival of the predatory nature of the system of governance of Sri Lanka.

Allowing the switching of party lines

My second criticism applies in general to the legal community, the lawyers who appear for these issues and CPA as well. The violation of the Constitution was a serious offense being carried out in Sri Lanka since 1948. In fact, the Constitution can be said to have been turned into a toy by the political parties that assume power from time to

time. There have been instances where the Executive, the Parliament and the Judiciary have collectively violated the Constitution. It can also be said that things have happened in a way that completely violates the most important features of the Constitution. For example, during her tenure Chandrika Kumaratunga sought to make up for the lack of a two-thirds majority in Parliament by appointing a Chief Justice she could control easily and violated the Constitution with the connivance of the judiciary.

According to the Constitution, a member of parliament cannot change the political party without losing his seat. It can be considered a main pillar chosen to maintain the stability of the Constitution. However, when in 1999, Sarath Amunugama and five others joined the government and filed a lawsuit against Karu Jayasuriya, when the UNP abolished their seats, the judiciary followed a policy of protecting the seats of the five MPs who joined the government. It can be considered as a very tactical judgment delivered in a surreptitious manner taking into consideration only the fact that the political party they originally belonged to, have expelled them from the party without having a formal disciplinary inquiry. The violation of the Constitution by changing the party line and the distortion it created in the system of governance was completely ignored. Consequently, a corrupt system was established allowing them to join the ruling party without losing their seats. Thus, in the final analysis a new system was established. This too, can be considered as a serious matter which has not been noticed by those who go to Court for constitutional reforms, till to date.

The distortion caused by the judgment in the Singarasa case

The distortion caused by the judgment in the Singarasa case can be considered as another serious error that needs

to be rectified. The opportunity available for Sri Lankan citizens to file a complaint or a case before the Human Rights Committee in Geneva in a situation where they have failed to secure justice from the Supreme Court of Sri Lanka, can be considered as one of the most precious rights they were entitled to under the International Covenant on Civil and Political Rights.

Prior to the Singarasa case, the Supreme Court had given two judgments on the validity of the International Covenant on Civil and Political Rights in two cases. One judgment was given by Justice Dr. A.R.B. Amarasinghe (*Wickramatunga v Anurudha Ratwatte, Minister of Power and Energy* SC FR 228/96 SCM 7th November 1997) and the other by Dr. Mark Fernando (*Weerawansa vs Attorney General and others* 2000 1 SriLR at page 387-408). The judicial practice in Sri Lanka is that if the Supreme Court gives a judgment contrary to a previous ruling, the new judgment should be given only after dismissing the previous judgment. But in regard to the Singarasa case the verdict on the two cases mentioned above had not been taken into consideration at any level. Also, ethically, Chief Justice Sarath Nanda Silva did not have the right to hear the case. Most of the petitioners who had filed cases before the Geneva Human Rights Committee, including me, had filed them against Chief Justice Sarath Nanda Silva. Sarath Nanda Silva was implicated in two of the three judgments already given by the Human Rights Committee. Therefore, he can be considered as one who had a vested interest in sabotaging the system. So much so, it is tantamount to hearing one's own case by himself (Judicature Act 49.3). To date, no one has attempted to rectify this error committed by Chief Justice Sarath Silva in order to protect his own interests.

Limits of Constitutional Reform 2015

I perceive the Constitutional Reforms Program which coincided with the change of the government in 2015 as

the most tragic experience in the realm of governance in Sri Lanka in the recent past. This programme clearly reflects how naive and fatuous our country's political theorists are. It is not difficult to understand why the politicians have fallen to such a level. In the intellectual sense, there is a major decline in every sector, which can be described as a deterioration of critical intelligence. It can be said that this situation has a definite impact on politicians also. The most unfortunate thing is that it has blinded the eyes of the political theorists. It is important to note that even the CPA has played a role of consultation in this fatuous reform programme.

A closer review will reveal that the change of the government in 2020 and the unfortunate events that followed thereafter were largely due to the fatuous reform programme of the 2015 government. For example the abolition of the executive presidency was one of the main demands of the 2015 election line-up. The fundamental principle that the executive presidency should not remain above the law, can be seen as the legal rationale of this demand. In a civilized country in the world, the Head of State cannot be placed above the law. Not only has the President of Sri Lanka been placed above the law, but also, it can be said that he has allegedly used that power to commit large-scale violations of human rights and abuses of other rights as well. The innocent expectation of society was to change that situation.

But there was an element of deception or something illusory in this whole reform programme, ostensibly to mislead the people. The provision added to the 19th Amendment granting the ability to sue the President is one such example that can be cited in this respect. A loud cry was made that the law that prevailed in terms of the 18th Amendment and the previous laws effectively '*precluding any lawsuit being filed against the President*' had been changed. What it really meant was that the Secretary to the President or the Attorney

General could be made the respondents if a case is filed on alleged violations of fundamental rights by the President. Obviously, this has been done with the surreptitious intention of deceiving the public.

Of course, it is not possible to put the President under the law by such a simple provision. In order for the President to be subjected to the law, the judiciary must be empowered to invalidate any illegal activity committed by the President. But the 19th Amendment did not grant such a power to the judiciary. It was because of this deception that it became possible to bring the 20th Amendment later. A cow cannot be tied with a rope used to tie a goat. Similarly, an elephant cannot be tied with a rope which is used to tie a cow. What happened there was a deliberate deception of the people. The price to be paid for falling for this was considerable.

Limits of the Election Commission

There are a large number of election commissions in the world. In almost every country where there is an Election Commission, the responsibility for looking into the internal democracy of the parties is vested in the Election Commission. Also, the power to inspect party funds has been given to the Auditor General or the Election Commission or both. Not only in neighboring India, but also in Bangladesh and Nepal, there are strict rules for party funding. There are strict restrictions on donating to political party funds. At the same time, there are ways in which party funds and election funds are regularly audited. However, the Election Commission of Sri Lanka has been set up in such a way that the Election Commission does not have any power over such matters.

Until 1977, there were strict rules regarding election expenses. Up to 1977, the maximum limit a candidate could spend on an electorate in an election was Rs.5000 only. Exceeding this limit could have resulted in the candidate

losing the seat if he or she had been elected to the Parliament. Also, each candidate was required to submit an audited report to the Elections Department and the Auditor General on the money they received and how it was spent, soon after the election. Removing this requirement is one of the main reasons that has led to corruption of the politicians of Sri Lanka. In a recent presidential election, the average cost incurred by one of the two main candidates was estimated to be around rupees three billion per candidate. From whom do the two main candidates get such a large sum of money? The main sources of the political funds could be traced back to black money. Apparently, most of them are involved in drug trafficking. It can be said that this has enabled the people with black money to even buy over the President of the country.

It appears that the politicians have not sought to address these serious issues even in any of the attempts they have made to change the Constitution. Even the legal experts who have served as advisers to the reforms programmes of the government seem to have adopted a policy of refraining from interfering with those fundamental issues. What was the reason for that? In 2015, if the judiciary had been granted the power to annul any unlawful act committed by the President together with the power of judicial review, certainly, it would have been extremely difficult for anyone, not even Gotabaya to move towards a dictatorship. If so, the president would not have been able to do anything against the law which he does today because the judiciary will not allow the power vested in it to be revoked.

President J.R. Jayewardene distorted the entire system of governance by extending the term of Parliament in 1982 through a corrupt referendum. This provision remains in the Constitution. Even today, any President could extend the term of Parliament through a referendum in terms of this provision. There were serious distortions in the Constitution of

India during the reign of Prime Minister Indira Gandhi. But as soon as she was removed from power, those distortions were completely removed. The members of the Congress party led by Indira too supported the changes. Similarly, when President Eisenhower violated the tradition that a US President could not serve more than two terms, the error was rectified by a Constitutional Amendment in a way that no one else could repeat it. Unfortunately, we do not even hear of any group in Sri Lanka appearing for such a tradition.

All the changes effected in 2015 have been made in an ad-hoc manner so that they could all be reversed by a

simple amendment. If the Constitution had been amended in a formal way, it would not have been easy to reverse the change effected. In fact, what happened in 2015 was a huge deception. It can be considered as a massive fraud committed against the public. The result of the 2020 election can be considered as a punishment for it.

In view of the above, I believe that CPA, at this moment when it celebrates its 25th anniversary, should critically and gravely re-examine the serious mistakes and omissions taking place in the system of governance in the country.

VICTOR IVAN

Victor Ivan is a senior media professional, political commentator, civil society activist and the founding editor of Ravaya political newspaper. He has authored many publications on politics in Sri Lanka. As a youth he took part in the 1971 insurrection and has written widely on that historical incident. Being a fierce advocate of anticorruption and independence of the judiciary, he also founded the PUNARUDAYA movement against racism, religious and caste discrimination in Sri Lanka.



Alternative policies in the new Sri Lanka

K.W. Janaranjana

The Non-Governmental Organisations (NGOs) have become a frightening nightmare to not only the protagonists of nationalistic and extremist ideologist in Sri Lanka, or their various organisations and the political entities that have framed their political policies based on those philosophies, but also to the ordinary people of the country with a reasonable sense of judgment. The way they articulate the word 'NGOs', reveal their deep-rooted aspersions. However, each of these group's object to NGOs for different reasons.

To the nationalist, NGOs are the most potent enemy of pluralism against their ideology. This cluster includes leftist parties, the JVP, and intellectuals, and activists of civil society organisations such as the National People's Power (Jathika Jana Balavegaya), built around them. Their opposition is based on the notion that NGOs propagate liberal or neo-liberal ideologies in the country and thereby naturally become projects that are anti-leftist in nature.

To the nationalist political parties and organisations, NGOs are political rivals who challenge their political power. Interestingly, the 'ordinary people' do not have a weighty apprehension regarding NGOs based on such philosophical reasons. Their perspective is not based on their own opinion, but an opinion that clings on to different ends of the hyped anti-NGO ideology rooted in society by those in the different layers mentioned above. This conclusion is justified since the public does not seem to have any plausible argument or

logical explanation as to the underlying inherent causes or antecedents for the NGO opposition. We have more or less met all the editors-in-chief of Sinhala and English language national newspapers in Sri Lanka and have realised that regrettably they are also in this cluster of 'ordinary people'. This intellectual poverty of the editors is one of the reasons for the proliferation of anti-NGO sentiments expressed by the mainstream media in the country.

The pluralistic approach proposed by NGOs has become the primary reason for the opposition expressed by the nationalistic ideological groups. In addition, this pluralistic approach includes values such as the preference of the principles of democratic governance, the establishment of the rule of law, the participation of minority ethnic and religious groups in governance, the protection and promotion of human rights, and the independence of the judiciary. The leftists and affiliated civil movements such as the National People's Force see these NGOs as a group of liberal and neo-liberal rivals. Accordingly, all these groups are of the view to varying degrees that a great conspiracy against their motherland and themselves have been hatched and this plan is being implemented through NGOs at all times.

During the period of the ethnic conflict in Sri Lanka, NGOs were portrayed as agents of Western imperialism, supporters, and sympathisers of the LTTE, groups endangering national security and misrepresenting Sri Lanka to the world. The Centre for Policy Alternatives (CPA), which was established in 1996, has been the target of similar allegations including physical threats during the period of the ethnic conflict. CPA has been subjected to various forms of harassment, from ideological media attacks against their activists to sabotage and vandalism of meetings and death threats.

It seems that those who champion these allegations against NGOs are not willing to drop them, despite the

culmination of the war in 2009. The NGOs are considered even today as groups opposed to the majority-nationalist ideology and to a strong nation-state that values national security. NGOs have been viewed as outsiders of the majority sections of society for a long time and it will continue to be so. Unfortunately, one of the challenges that NGOs still have to deliberate in their internal forums today is the reason why they, as a cluster, have failed to respond to these wild allegations. Why have NGOs not been able to counter these allegations despite possessing very clear and powerful answers? In general terms, why have they not been able to come up with a response 'Yes, we are NGOs, so what?'

During the pre-2015 government and the government of 2015-2019, outspoken nationalists appeared in various televised discussions where this writer also participated, presenting various statistics and theories about millions of dollars being pumped from the United States into NGOs. According to these proposers, the United States pumped in a colossal amount of dollars to overthrow the patriotic government of the day in 2015. They further claimed that CPA has been a recipient of millions of US dollars from those funds. What haunts in their minds is an equation of millions of US dollars allegedly pumped into Sri Lanka, the CPA and Dr Paikiasothy Saravanamuttu. This shows the extent of their hypocritical nature and assessment of the CPA.

The meaning is very evident when the allegation that millions of US dollars have been received by NGOs to overthrow the government in 2015 is stated. This shows that non-governmental organisations have had strong activism against the rogue agenda of the state that was against democracy, minority participation, human rights, preserving the independence of the judiciary and establishing the rule of law.

The NGOs had to take on the responsibility of championing an ideological opposition to the anti-human rights stance of the pre-2015 government when the opposition political parties failed to act with any vision or resolve.

The political parties that were in opposition at that time and still function today as the opposition unable, now as well as they had been then, to stand decisively for these human values. For example, the regressive and wavering opinion of the current leader of the opposition on the heinous war heroes and the death penalty, as well as the various retrogressive views of parties such as the Janatha Vimukthi Peramuna on minority ethnic rights and sexual orientation of people.

Dr. Saravanamuttu explains why NGOs exist in such a landscape. *'It must be acknowledged that they exist because governments fail to perform the functions originally intended to be performed by them and because some governments do not perform those functions. In a world where governments have gone rogue from being guardians and providers to pirates at various times, NGOs are not a conspiracy but a necessity.'* (NGO 'Billa', Social Scientist Association, 1997)

The approach of the CPA, which stands for a 'liberal democratic' Sri Lanka, is, in a general sense, an elitist approach. Its primary engagement is to formulate alternative policies, to conduct research and make the necessary interventions in those areas. It seems that this elitist approach has so far been instrumental in keeping the CPA secure in the face of various internal issues that surface within the organisation and the external challenges.

I believe the CPA has become the outsider of the previously mentioned nationalistic, leftist political and social organisations as well as the present government affiliated with such forces, is because of its intellectual and

academic intervention in establishing human values with a pluralistic approach. Such an approach has a greater impact on the intellectual strata of society rather than a grassroots networking model of engagement. This is also sustainable. Many people are apprehensive of this intellectual approach since it is a potent challenge to them.

On the other hand, being alert to the constitutional process and implementing the necessary interventions in the legislative process and the formulation of alternative policies are beyond the reach of ordinary NGOs. Most ordinary NGOs do not have the intellectual tradition, working mental discipline, commitment, and financial strength. It is not unreasonable to state that this space is being used to a certain extent by the NGOs involved in the country's environmental issues and the CPA, which is celebrating its 25th anniversary.

The NGOs that play a pivotal role in the democratic ideological viewpoint in society, including the CPA, will have greater challenges before them. The leader of the country today is the aggressor and the primary antagonist of the opposition to the NGOs before 2015. People who traditionally considered NGOs as outsiders and intruders are today in various important positions in the State apparatus. The democratic victories gained during the 2015-2019 era have been reversed. The independent commissions as well as public institutions such as the Office on Missing Persons (OMP) and Office for Reparations which were key milestones in the reconciliation and the democratisation process, have been handed over to individuals whose conceptual ideologies are contrary to the primary purpose of these institutions. The responsibility of the NGO Secretariat is vested with an impulsive university professor who is a prime enemy of NGOs. Legislative provisions to regulate and control NGOs are fast approaching. It is reported that a new constitution will also be introduced. Leftist leaders such as Vijitha Herath, who made recommendations to the parliament select committee

appointed under the Rajapaksa government before 2015, seeking to stranglehold the NGOs are now engaging in formulating the opposition ideologies. There is no assurance that the country's main opposition, the Samagi Jana Balawegaya and its leader, will stand up for NGOs. They are also at the core holding on to anti-NGO sentiments. Therefore, the journey has to be continued in this sea of turbulence and the challenge remains the same.

The work of the Centre for Policy Alternatives is critically important to society now even more than ever before.

K. W. JANARANJANA

K. W. Janaranjana- A lawyer and a senior journalist, he started his media career as a cartoonist. He was former Editor of Ravaya political newspaper and later the founding editor of the Annidda political newspaper. He also is a member of the Sri Lanka Arts Council.



CPA and the role of civil society

Prof. Navarathna Bandara

1. Introduction

This year marks the 25th anniversary of the Centre for Policy Alternatives (CPA). Twenty-five years of presenting alternative policies and programs for public policymaking is not an easy task. I take this opportunity to discuss the role of Civil Society Organisations (CSOs) and to shed light on the responsibilities and functions of organisations such as CPA that are performing the functions of civic citizenship operating in the non-governmental sector. As a prelude to this discussion, we must have an overview on the concept of civil society as presented in the literature.

2. What Is Civil Society?

Drawing from the philosophical discussions on the origin of the state, I will present three philosophical views on civil society for our purpose. The first view has defined the nature of society that existed before the state as 'civil society'. In the field of political philosophy, this was presented by John Locke. In his opinion, society is natural and existed before the state. The individual in natural society was governed by his conscience. The individual governed by his conscience understood what is good and bad for others in relation to himself. So he did not do any harm to others and thus lived peacefully and freely. This provided a natural law that governed every individual in society. As such the natural society was a civilized civil

society and everyone enjoyed the right to life, property, and freedom. Locke named this society 'civil society'.

The second view of civil society was also included in John Locke's discussion. According to his view, the natural civil society did not last long. When the needs of the people became complex, the people themselves realised that the natural law is not precise enough to resolve disputes and solve social problems. When disputes occurred, people entered into conflict with each other as everyone tried to define the law according to their personal likes and dislikes. Members of society by a social contract elected a ruler to play the role of an impartial judge as they realised that civil society alone was unable to resolve the disputes. The state came into being. It was entrusted with the task of resolving social problems and settling disputes. The State was a constitutional state as it was given a limited task. That is to give precision to the natural law and mediate disputes in society as an impartial judge. The people's right to life, property and freedom were not handed over to the State. As such by social contract the people expected the state to carry forward the values and the civility that existed in civil society. The civil society delegated its social power to make the civil society a political organisation entrusted with the task of protecting the natural law without endangering the freedom, property and life of the people. In this way, the state became a civil society. This is the second view of civil society.

Although the state was defined as civil society as it took the responsibility to carry its values forward, over time the state acted contrary to that role and turned into an institution obstructing rather than protecting freedom, property, and life. The result was that members of society formed civil organisations to protect civil society from the encroachment of the state. These organisations functioned outside the state. They were known as civil society organisations. Accordingly,

the civil society organisations were working to protect civility and the values of civil society against the encroachment of the state. Because of this social mandate, these civil organisations are also called "civil society". This is the third version of civil society. This idea was based on the writings of Alexis de Tocqueville and Thomas Paine. Later, civil society organisations are identified as "non-government organisations" because they exist outside the state. They are recognised by the Charter of the United Nations.

3. Public Policy Making

In the beginning of the 20th century, policy making was identified as the main responsibility of the State. It had to become the prime institution guiding society to deal with social and economic problems through policymaking.

With the advent of industrialisation, commerce, market and the state needed a rational organisation to deal with the complex problems they had to deal with. The philosophers argued that "the world is full of puzzles and the solutions to them couldn't be found unless we combine knowledge and the right reason". By policy making now the State had to follow the same approach in policy making.

In the 1920s Charles Maynard Keynes brought this into the field of economics arguing that the market was no longer capable of resolving problems as we need to develop long term strategies. His argument was that the market was unable to forecast the future developments and deal with the complexities attached to socio-economic problems. He argued that 'organising intelligence', meaning, to collect data, analyse it and select the best option available, had become the need of the day. He argued that only the state could be able to do it. In this way the idea of public policy making entered into social science discourse. The state and politics were identified as a policy-making activity.

As the state entered into the policymaking process the state intervention in society was broadened. The welfare state emerged formulating policies such as economic policy, education policy, social service policy, health policy and so on. As a result, powerful groups intervened in the manipulation of state power to benefit by what would be produced by the public policies. The state was catapulted into a more authoritarian role, thereby ordinary society protested at the biases in the policy making. This made the emergence of civil society organisations an inevitable outcome. Civil society organisations advocating alternative policies emerged in democratic societies.

As stated in the previous section, in a democratic environment, the members of society form various voluntary organisations to represent civil society. The emergence of civil society organisations not only as the protectors of civil society but promoters of alternative public policies, became a worldwide phenomenon since the 1950s. The function and role of these civil society organisations (CSOs) are today fulfilled by the entities identified as NGOs.

4. The Civil Society And The Uncivil Society

We use the term civil society with the understanding that it represents the civilized society that existed before the state. However, in society we find organisations that are promoting not civil society but uncivil society. The entities that propagate socially divisive issues such as racism, communalism, and religious extremism to divide society cannot be identified as civil society organisations. They serve the interests of the powerful groups or undemocratic regimes in power. They should be identified as the extended apparatus of the state power. These organisations can also be identified as Non-Government Organisations (NGOs) because they operate outside the State. But we cannot recognise them as civil society organisations because they are promoting

incivility and representing the interests of the uncivil society. Organisations that promote duplicity and an uncivilised nature are not real civil society organisations.

CSOs that advocate for the decorum of human beings and civility have a number of responsibilities. One of the requirements is to ensure that the formulation of public policies should follow the principle of, what Jeremy Bentham once argued as *"Greatest Happiness to the Greatest number"*. CSOs need to create a dialogue in society regarding alternative policies as official public policies could be intrusive and interfere in the lives of the people. Since human rights and freedoms are threatened by such interference of the state, the CSOs are tasked with the mandate of formulating alternative policies and developing proper public opinion to initiate the public policy making process.

It is also imperative to maintain the decency and civic nature of society in the formulation of policies. There is also a moral and an ethical side to policies. The policy formulation must also conform to the morals of society. Professor Harold Lasswell, who introduced policy science commented on this in his book (1939) titled *'Politics: who, what, when, how'*. He noted that the ultimate outcome of politics is policy making, and every public policy decides how to distribute the social rewards among the members of society. Thus, the policies determine what the social reward is, who gets it, how and when. Therefore, he looked at politics as an act that ultimately determines the distribution of social rewards through policy making. This is an explanation of how socio-economic, cultural, and power factors influence policy making and implementation. He pointed out that policymakers also must adhere to the moral and cultural acceptance of society if they need to find legitimacy for their policies. He had discussed the psychological factors that affect the cognitive dimensions of knowledge processing and made an attempt to pay attention to the articulation of knowledge in the

process of policy making. His social, psychological approach focused on the social injustice issues related to public policy making as we have to focus not only on *‘who gets what’*, but questions such as *‘who would get more’* and *‘who is left out’*. This is also the case when certain sections of society are often not considered in the public policies formulated. The poor, vulnerable, minorities, oppressed and marginalised are not visible to policy makers due to their social upbringings or biases towards the influential social segments. It is therefore the responsibility of civil society organisations to make policy advocacies on behalf of social groups neglected by the policy makers.

A policy is not something that can be decided at once. There are matters that need to be decided when formulating long-term strategies. But the implementation of such strategies in the short run needs to address the current problems and deal with multilateral stakeholders. Therefore, the policy makers have to adopt an incremental approach to policy implementation and make compromises with different stakeholders to move forward. So, policy advocacy is a complex and challenging task for civil society organisations.

5. The Social Responsibility Of Civil Society Organisations

As explained above, civil society organisations have a wide range of responsibilities. The protection of rights and freedom which were developed by the original civil society that existed before the state, must be upheld. They must be guarded against state aggression and encroachment. The state was founded on the promise of advancing the aforesaid civilised society.

According to Thomas Hobbes, who spoke of the origin of the state before John Locke, the state came into being on the promise of bringing peace to society - the Peace Promised State. He argues that the state came to being by promising to

usher peace to the troubled society to protect the lives of the people. Later, John Locke added freedom and property to this discussion with the argument that life, property and freedom were natural rights as they originated in natural society. It is therefore the responsibility of civil society organisations to maintain the relationship between the state and the free citizen by constantly reminding the state of its responsibilities for peace, life, property, and freedom.

The United Nations has strengthened CSOs by recognising their responsibilities internationally. The Charter of the UN has specifically referred to the role of Non-Government Organisations in social and economic development. Former Secretary General of the UN, Mr Boutros-Ghali once said that the 21st century would be the Century of NGOs recognizing the partnership of NGOs with international organisations in social development and the protection of human rights. The UN has recognised the constructive role played by NGOs to empower and strengthen people in the field of economic and social development. As a result, civil society organisations are accepted by all civilized societies in the world. They have been recognised by democratic societies based on human rights and civil liberties.

French political writer Alexis de Tocqueville who traveled from France to the United States in the mid-19th century, wrote a book about his travels in various parts of the United States. He stated that Americans were working with different voluntary organisations to fulfill various social needs without government assistance or intervention. According to Tocqueville, *“In America one person participates in a number of organisations. As a result, society was driven by a network of civil society organisations”*. On the basis of these observations, he named America a *‘nation of joiners’*. The civil society he saw in the US can be seen in many democracies today. These societies have a process of doing their work without state intervention, and many democratic states have recognised them as legitimate partners of democracy.

With the advent of neoliberal discourses, civil society has been weakened in recent years as people have isolated themselves in the pursuit of wealth. Therefore, it has become the responsibility of civil society organisations to re-strengthen civil society and to make the necessary interventions to increase the participation of citizens. The current COVID-19 pandemic has also shown that if civil society can be networked with other civil organisations without relying on the government, they have the strength to deal with this situation.

6. Civil Society Organisations In Sri Lanka

During the colonial period CSOs first emerged with the religious revivalism of the 19th century. Organisations such as the Buddhist Theosophical Society, the Buddhist Educational Movement and the Temperance Movement first came into being. Then came the organisations of local entrepreneurs, the English educated middle class and the constitutional agitation movement. By independence the left movement dominated the political space and civil society organisations became secondary organisations. The welfare state emerged in the 1930s and the political elites promoted statism among the masses. As a result, the people of Sri Lanka have become statist, meaning that the people were looking at the state for everything.

Sri Lanka's non-governmental sector received a big boost through the '*Jana Saviya*' program in the 1990s. Similarly, in the face of ethnic conflict and terrorism and later during the civil war, the state resorted to violence and engaged in human rights violations. From the 1980s onwards state interventions resulted in colossal rights abuses in Sri Lanka. There was a discourse on human rights and as a result, civil society organisations were formed to intervene in these matters.

I see the Centre for Policy Alternatives (CPA) itself emerging at a time when the space had surfaced to seek alternative

solutions to public policy questions. CPA has made many social interventions in the past. CPA has also intervened in the areas of peace, devolution, constitutional reform, human rights and the protection of the integrity of the Constitution. The institution has also resorted to judicial proceedings in the face of violations of the Constitution. The Centre for Policy Alternatives has intervened in diverse areas in this manner.

The problem in Sri Lanka is that the citizen does not have a proper understanding of the civil human being in his soul. How to awaken this dormant civil person is also challenging and it is the task of civil society organisations working for the maintenance of civility in society.

During the civil war when civil society organisations worked against the human rights violations and campaigned for a peaceful settlement the political regimes branded CSOs as treacherous organisations and agents working for the Western imperialist tactics against the state. The media campaign organised by the pro-government media popularised this propaganda labelling civil society organisations, '*NGO Karayo*' in a derogatory way.

7. Civil Society Organisations And The State In Sri Lanka

When certain civil liberties and social rights were violated by state interventions during the '71 uprising, the organisations such as MIRJE came to the forefront and campaigned for civil rights. The ruling class of the state at the time identified these organisations as their enemies. The same was true during the JVP insurrection during 1988/89 and the civil war. When the civil organisations like Mothers's Front campaigned against the human rights violations internally and externally during 1989 they were harassed by the government. During the war years the state was involved in propagating against the civil society organisations branding them as organisations engaged in treacherous acts. This created an irrational fear among society regarding CSOs.

In countries like Sri Lanka, the state identifies civil society not as its allies but as its enemies. This is the situation in many Asian countries. However, during the civil war many government agencies used the same civic organisations to reach people in the war-torn areas. Organisations like Seva Lanka, World Vision, Sarvodaya and Sanasa worked in war-torn areas providing services and self-employment to the people. The state as well as the LTTE were agreeable to this involvement since there was a requirement for someone to meet the needs of the people in those areas. Had it not been for the unstinted support offered by civil society organisations the government probably would have failed in delivering the social services in the North and East during the war years. Even today, their assistance is pursued for work in the field of development. Local officials, such as district secretaries, carry out such work through civil society organisations.

But the state is reluctant to see CSOs as its partners in the general state discourse. The harassment of *Sarvodaya* during the *Janasaviya* period is an example. Organisations like *Sarvodaya* have a long-standing social base and they do well because of their strategic approach. But during the Premadasa era, this institution was harassed. Unfortunately, though CSOs working for the betterment of society suffer from various obstacles the organisations which are promoting uncivil society have a free space to work spreading hatred and animosity in society. The state stands idle when these organisations engage in spreading communalism causing racist and religious conflicts.

8. The Challenges Ahead

In the face of the challenges referred to above, civil society organisations have to develop a strategic plan to move forward to overcome their own weaknesses and deal with the difficulties emerging due to various reasons.

CSOs face several internal weaknesses. One weakness is the lack of a strong financial and resources base. What needs to happen, then, is for the state to provide financial support to these organisations, as it is done in other civilized states. This will never happen in this country. Therefore, civil society organisations need to think about their own independent existence.

At the same time, broader cooperation must be created among civil society organisations. Many of our organisations work individually and competitively. These organisations can only be stronger if they work together to formulate a common program and work within a federated organisational system. The civil organisations must form a collective or coalition and establish a strategic team to develop a plan of action. Although they have different objectives and skills, they share the values of civil society. As such, the establishment of an NGO collective would be an added advantage.

The fact that many CSOs are based in Colombo and work with closed groups is also a problem. CSOs need to be extended to the lower strata of society and building a good social network is also essential. Very few organisations like *Sarvodaya*, for example, have such a large network. The reason is that during certain periods the work was carried out without forming large networks. What happens now is most organisations work in isolation. Some have been created during a crisis situation and are confined to Colombo itself. To change this situation, the creation of a civil society collective is a must.

At the same time, many of these organisations need to focus on working openly. Many institutions lack openness. Although CSOs promote the values of democracy, there is a lack of democracy within their organisations. Sometimes it is similar to political parties which do not function as democratic organisations internally. There are times when NGOs also face

some critical challenges within their respective organisations. We see that after leaving some former members criticise the institutions they previously represented pointing to a lack of internal democracy. One way of addressing this issue is maintaining openness and transparency and achieving financial independence.

Institutions working in the field of development move around the villages and they have established close ties with the general public. It is important that other organisations also follow these practices to establish a good rapport with the ordinary people. The civil organisations engaged in policy advocacy on behalf of the citizens also made some inroads to reach the ordinary people. For example, when the constitutional reform debates and demand for the Right to Information Act came to the forefront the Centre for Policy Alternatives and other civil society organisations worked to educate the public.

As the majority of ordinary people are mobilised by state-centric ideologies these activities did not produce good results. There is a constant process of inculcating statism in the minds of the people through mass media, art, education and so on. It is also important, if civil society focuses on working in the fields of arts, culture and social media, to carry an alternative ideology to inculcate the civil society values among the people. The citizens of our country do not have a proper understanding of citizenship, state institutions and NGOs. They lacked what Aristotle called 'understanding the real meaning of citizenship'. He commented: *"You are a citizen not because you are born here. There are foreigners and slaves who are born here. What is the difference between you and them? You participate in the public affairs and administration of justice"*. This shows that citizenship is not just the recognition of the membership of the state but the fulfilment of one's political and social responsibilities towards society – the social citizenship. Our ordinary people do not have this

understanding. They don't even know how to distinguish between a civil society organisation and a state institution.

It is the responsibility of the citizens to participate in the policy making process of the state. This does not occur spontaneously. This idea must be taken to them. They must be awakened from that slumber and turned into rational beings who act on the basis of conscience. In the past, many civil society organisations have largely worked to create this awareness among the people. In our country, this understanding is often created through political conflicts. There have been instances where the responsibilities of the citizen have been introduced through the long-running public campaigns organised by the leftist movement. Since these movements focus on the continuation of power struggles, this awareness does not create proper social consciousness among the people.

Citizens should be prepared to look beyond the state to understand the issues affected by civil society. What democracy needs is the creation of a 'free human being'. Democracy has been understood as our ability to influence the government through the freedom of speech and expression. However, proper democracy will take place if the people use those freedoms as independent citizens without political biases. That citizenship won't emerge automatically, it must be inculcated and developed. It is the task of civil society organisations.

John Locke said that man is by nature a rational animal. However, Rousseau said that the rational animal in man is in a deep sleep when he was an infant. The awakening of the man from this sleep is the responsibility of the system of education. With this argument he advocated for a system of education for the proper functioning of a democratic republic. Teaching the concepts of citizenship alone does not provide a practical understanding of citizenship. This is developed through social

activities. An individual's understanding develops through life experiences. There is a role for the civil society to play in society – educating people to become rational beings. Civil society intellectuals have a role to play in the field of education maintaining an alternative ideology to counter the uncivil propaganda in society.

They can also start their own projects through collective bargaining to find a stronger financial base. Civil society organisations need to reach an agreement and move to independent ways in which they can build a resource base. For this purpose, some organisations can work in the market and do business. Building self-reliance is essential for civil society organisations. Reliance on aid is risky because there is a risk of losing aid. It is not possible to stop working towards their objectives which is what happens when aid is stopped. Therefore, building self-reliance is now an essential issue for civil society organisations.

Another important aspect is that civil society organisations work with the values that exist in the culture and heritage of the country. It is possible to connect with people and earn their trust by working with them. Society is not always

political. At the bottom of society, there are cultural factors that guide the non-political groups of people to think independently. Society exists through the reproduction of that culture. Civil society organisations have largely lost focus on this aspect in society. Most organisations work only on the surface of society. They do not dive to the bottom. New strategies need to be devised for this. In Latin America and India, civil society organisations are not the only ones operating on the basis of aid. Activists work in the villages voluntarily. India's largest non-governmental network operates not on a foreign aid basis alone.

The market also provides assistance to NGOs in some countries. This is an unexplored area in our country. Therefore, CSOs should think of their own strength and take action to maintain their own institutions for these purposes. The primary challenge for civil society organisations is to explore new areas, develop strategies and work together with key institutions to develop a broader programme. The private sector as well as NGOs are faced with tremendous challenges with the ongoing COVID-19 crisis and therefore need to consider the above matter seriously.

Prof. NAVARATNE BANDARA

Prof. Navaratne Bandara was formerly a senior professor in political science in the Peradeniya University and the Deen of its faculty of arts. He received his Bachelors and Masters degrees from the Peradeniya University and his Doctorate from the York University in England. He was a founding member of the National Integration Programme Unit (NIPU).



An organisation that stands for our rights

Nimalka Fernando

I am pleased and honoured to have been invited to write this message and to congratulate the Centre for Policy Alternatives (CPA) as it celebrates the 25th anniversary. What is CPA? There may be many answers. Some positive, some negative, some even antagonistic in an environment that is fraught with an anti-NGO phobia. I have been privileged to work closely with CPA as co-partner in the journey for the protection and promotion of human rights and upholding democratic principles. Why? Is it because we are agents of a massive international conspiracy as some would analyse or because as young academics and activists we chose to dedicate our intellect, experience to be with the critical masses. A choice made deliberately to seek the alternative way of life that definitely brings us to defy the status quo. The hallmark of CPA is that journey where you chose to probe new vistas in the civil engagement in our motherland.

Both personally as well as organisationally we met at the height of the civil war in Sri Lanka. We met on the peace platform searching to build a country that would see the end of armed conflict that rendered thousands homeless, dead and disappeared. We travelled together to check and verify facts. The work of CPA in terms of advocacy and research was always grounded on community-based information. CPA is fortunate to have staff devoted to the main research discipline as well as committed to reaching out to the marginalised fearlessly amidst threats and intimidation. Be it from armed groups or the state. This is

because those who were leading the CPA though they did not come from the movement, experience unconditionally shaped its mission and vision to be with the survivors of human rights violation and linked with the democratic movements and platforms in Sri Lanka as a conscious citizenry. Dr Saravanamuttu was one of five conveners when we established the *Platform for Freedom* soon after the assassination of our dear friend Lasantha in 2009. Sara will never take a step back in the quest for democracy and human rights. He has given that spirit to CPA.

25 years down the road CPA has grown to become an institution building confidence in Sri Lanka and in our minds, encouraging us to stand for our rights and endeavoring to promote legal and policy reforms through intervening in landmark cases. I remember vividly as people were compelled to leave Colombo driven out from their lodges, Bhavani and I rushed to the area. We witnessed the distress and sheer humiliation our own citizens were facing. The next day CPA had filed a fundamental rights case and obtained an interim injunction.

For the past 25 years, I am proud to have been associated with the contribution and attribution that CPA has made in the field of human rights and the rule of law in Sri Lanka.

The commitment and dedication of Dr Saravanamuttu is well reflected in the joint letter we issued on 21st March 2012 facing intimidation due to our involvement at the Human Rights Council in Geneva. *"As human rights defenders working to defeat impunity in Sri Lanka and to build a strong system of justice and accountability for human rights violations, whether committed in the past or in the present, we remain committed to our ideals and to our goals. For us, whether there is a Resolution on Sri Lanka at the UN Human Rights Council or not, our work to defend human rights in Sri Lanka must, and will, go on."*

I salute Dr Saravanamuttu and the dedicated staff at the CPA, past and present, for making CPA uphold the above principle that energises and nurtures your existence as a bold and unbowed institution that takes no nonsense from the authorities and right-wing forces in this country.

NIMALKA FERNANDO

Nimalka Fernando is a lawyer and an activist in the area of women's rights and the Chairperson of the Sri Lankan Chapter of the International Movement Against all forms of Discrimination and Racism (IMADR) and Women's Forum for Peace.



A civil society role model

Chandra Jayaratne

Congratulations and good wishes on the 25th anniversary of the Centre for Policy Alternatives (CPA).

CPA is yet very young; but it has more than delivered on the goals set by its Executive Director, Dr. Paikiasothy Saravanamuttu (Sara). Civil Society shares this proud moment in history with Sara and all other stakeholders of CPA.

Three cheers personally to Dr. Paikiasothy Saravanamuttu! I respectfully recognise his thought leadership and management leadership over these past 25 years, which has enabled CPA to realise unique achievements. I wish for him to be blessed with safety, good health and mindfulness to live the values he cherishes and holds close to his heart, which commitments he recommends the rest of society to follow *"...unless we as a society and we as citizens recommit ourselves to saving what is precious and valuable and worthwhile in this country, we have no right to talk in terms of patriotism, national interest or public interest. We need to act."*

CPA is the most versatile, courageous, and daring CSO in the country, and is a role model unmatched in the CSO sector in Sri Lanka.

The corporate characteristics of CPA under Dr. Paikiasothy Saravanamuttu's leadership in the past 25 years include:

- **Resoluteness** of purpose and living by its core values, irrespective of the challenges from external forces.

- **Daring to be different** and stepping into areas that other CSO's shy away from- the most recent being the foray in to challenging the new Finance Bill.
- **Versatility and flexibility** to adapt to and adopt new strategies in meeting changing needs of society, in the context of socio-political-economic and environmental dynamics of the day.
- **Standing firm on positions**, with cherished values on democracy, rule of law, rights and freedoms, equity and equality, truth, justice, and good governance upheld at all times, irrespective of consequential repercussions.
- **Committing to Human Resource Development and Team Building** - developing a team of equally versatile, professionals as a daring group to support CPA, who have brightly shone by their capabilities and commitments whilst in CPA as well as outside in other positions of responsibility.
- **Being creative and innovative**, as evidenced by the strategic foray into media communications to fill in resource gaps in serving stakeholders – Much hailed initiatives with the launch of Groundviews and its two vernacular social media publications, *Maatram* and *Vikalpa*, at times the main media options were closed and social media options had not developed sufficiently.
- **Having the courage to be Independent** and unafraid to challenge the regimes in governance with pointed advocacy, debate, and public interest litigation action, despite the emerging red flags of possible reprisals by those with power and opposing views.
- **Being a Leading 'Think Tank'**, which has demonstrated its capabilities in strategic and public policy analysis and research, with an ability to envision the future, see the woods for the trees, prioritise substance rather than form and identify risks in a socio-political economic context.
- **Having a wide international network** of high level multi-disciplinary contact persons and institutions, ever ready to extend a hand with strategic best advice, resource support and protective fences in risky situations.
- **Excellence in Advocacy and Presentations** –High quality, impactful and to the point, advocacy, and presentations, in English as well as Tamil and Sinhalese.
- **Being a repository of knowledge and information** with an extensive database of valuable research and analytical data.
- **Consistent High Quality Performance Outcomes**, with 'Think Tank's' impact assessments being based on following Indicators:
 - **Resource Indicators** – ability to obtain human and financial resources and proximity to policy makers.
 - **Utilisation Indicators** – reputation with media and policy influencers,
 - **Output indicators** – policy proposals, ideas, publications, conferences, briefings etc.
 - **Impact indicators** – primarily reflects the degree to which a Think Tank's work has actually influenced policy.

CPA under the leadership of Dr. Paikiasothy Saravanamuttu, being assessed and scored on all such indicators, as being in the 10th decile, and for these unparalleled capabilities, CPA stands out as a role model in civil society in Sri Lanka on par with the best in the international 'Think Tank's' arena too.

With thanks for the societal value addition over the past 25 years and warmly wishing that the next 25 years of the CPA will stand out in the same league!

CHANDRA JAYARATNE

Chandra Jayaratne is a former Chairman of the Chamber of Commerce and a civil society activist.



Fulfilling the vision of a people's movement

Kumudini Samuel

CPA carried forward a legacy inspired in the early 1990s by civil society alliances such as the Movement for Inter Racial Justice and Equality (MIRJE). At the time, constitutional reform, peace with democracy and freedom from fear were the lightning rods of civil society activism. The search for a long-lasting and sustainable solution to what was referred to as the 'national question' was always premised on Constitutional reform and I believe CPA took forward the work initiated by MIRJE which drafted the first prototype for a new Constitution in 1992/93. Since its inception in 1996, CPA has been consistent in its advocacy for constitutional reform and has stressed the importance of enabling a strong culture of plural democracy, multicultural citizenship and respect for human rights and rule of law; elements fundamental to the quest for lasting peace and an inclusive democracy. CPA's analysis of Constitutional law and practice, including the amendments and threats to the Constitution; devolution and federalism have been invaluable to us in our work, as the Women and Media Collective, on Constitutional protections and constitutional and electoral reform. We have also been very appreciative of CPA's analysis and knowledge products on a range of issues. While these have spanned print to audio-visual mediums special mention is due to the innovative presentation of *'Corridors of Power'* that gave us fresh insights into Sri Lanka's Constitutional evolution. We have also been able to garner the support of CPA for our calls

CPA^{at 25}

for gender equality and gender justice during these reform processes.

CPA's work on Media monitoring, internet governance, freedom of speech and dissent merit special mention, and its citizen's journalism portals Groundviews and *Vikalpa* have created much-needed space for a wide range of opinion in a political culture beset by a cowed media.

The importance of enabling and ensuring free and fair elections was another critical aspect of civilian activism in the 1990s which CPA through the formation of CMEV now complements. It goes beyond election monitoring to work with elected representatives particularly at the level of Local Authorities with special reference to women members. In this

work CMEV collaborates with WMC and assists with our efforts to safeguard and strengthen the women's quota which was won through long years of struggle by women's groups in the country.

As the various people's movements of the 1980s waned, I believe CPA stepped in to fill the gap in substantive discourse and practical intervention particularly in the safeguarding of human rights and democratic norms. I congratulate CPA for what it has achieved in the last 25 years, its vision and the creative and politically critical responses it does not shirk to make. I wish it the continued strength to evolve creatively with the times and political need.

KUMUDINI SAMUEL

Kumuduni Samuel is a prominent activist in the feminist movements in Sri Lanka. Kumudini Samuel is joint coordinator of the Women and Media Collective (WMC) and editor of Women's Rights Watch and has contributed immensely to the cause of human rights and especially to women's rights.



Popularisation of constitutionalism

Dr. Jayampathy Wickramaratne PC

It is my pleasure to pen a few words on the 25th anniversary of the Centre for Policy Alternatives, a leader among civil society organisations working on democratic governance in Sri Lanka.

The CPA's work over a quarter of a century has been enormous and diverse. The research it has conducted on matters of public policy has contributed in no small manner to changes in public policy in Sri Lanka. The good work so done was disseminated among the public by way of seminars, conferences and publications using both print as well as electronic media. It is to the credit of the CPA that much of the material it produced is in Sinhala and Tamil as well and thus accessible to a wide readership.

I wish to congratulate the CPA particularly for its contribution to constitutional reform in Sri Lanka. Though much of the reforms it has advocated are yet to be realised, it has been able to keep the issues always current without allowing them to be swept under the carpet.

I consider the CPA's most important contribution towards constitutional reform to be the popularisation of constitutionalism. Both the 1972 Constitution and the 1978 Constitution veered away from the principle of the supremacy of the constitution by not permitting post-enactment of judicial review, by keeping alive provisions of existing law that are inconsistent with fundamental rights and permitting Parliament to pass legislation inconsistent with

the Constitution by a special majority without amending the Constitution. Until the adoption of the Nineteenth Amendment to the Constitution, the 1978 Constitution gave the powerful President blanket immunity from suit. The CPA has consistently raised these issues and contributed to the emerging consensus that the supremacy of the constitution must be a reality that is not confined to the Preamble of the Constitution.

Another area of constitutional reform to which the CPA has made a positive contribution is the need for power-sharing to ensure ethnic peace. Ethnic conflicts emerge essentially due to the various communities not being able to share state power. Most majority communities resist, at least initially, demands to share state power with numerically smaller communities. While some have, sooner or later, realised the

need to restructure the state in order to prevent its break-up, others have arrogantly refused to do so, prolonging the conflict or contributing to eventual break-up. Making a dominant community realise that it must give up its monopoly over state power is no easy task. It is this enormous task that the CPA has taken upon itself together with like-minded organisations and persons.

Another important contribution that the CPA has made to democratic governance is its intervention in courts. CPA has consistently intervened to oppose unconstitutional Bills as well as unconstitutional acts of the executive.

While congratulating the CPA on its past achievements, I wish that it would also focus on the need to introduce constitutional provisions that could be used to ensure at least some social justice.

DR. JAYAMPATHY WICKRAMARATNE PC

A former Member of Parliament, Dr. Jayampathy Wickramaratne PC is an academic specialising in Constitutional Law and formerly the Director of the Centre for Constitutional Studies.



The role of civil society - problems and challenges

Prof. Upul Abeyratne

In modern democratic societies, civil society organisations have a major role to play in empowering citizens. The common domain between the market and the state can be called civil society. The specialty of those in this public domain is that those who join the public domain join on a very voluntary basis. The involvement is based on personal circumstances. Although privately involved, the issues discussed by civil society are common issues. There are several things that a civil society organisation can do in a democratic structure. The first is to make the voices of those who have no voice in society heard in public. One of the most serious problems in the modern world, especially with regard to policy making, is the failure to listen to the views and opinions of marginalised community groups in the state policy-making process. Similarly, some people in the public domain find it difficult to find time and space to talk about common issues. Because the public domain represents people who are burdened by the cost of living. Why should these people be heard? Civil society organisations have a serious responsibility to provide space for these people. Civil society organisations can be involved in this work in several ways.

Increase people's understanding of the public domain or draw public attention to burning issues in society.

Giving a voice to the voiceless.

Create a platform for groups scattered throughout civil society to come together.

Engage in policy consulting work.

A civil society organisation can implement these issues very successfully. There are also allegations when discussing civil society in Sri Lanka. Although civil society organisations seem to be yogis, they are not yogis. On the one hand, these institutions are referred to as end users who utilise what people donate to the public space, motivated by human catalysts. Or there is the criticism that they become a group of beneficiaries. In one sense, I think this criticism is a fair criticism of many NGOs in Sri Lanka. After the 1970s, in the 80s and 90s, the formation of civil society organisations (CSOs) to shape the livelihoods of certain privileged groups in society became fashionable. Although those criticisms can be attributed to some organisations, I think the workings of the Centre for Policy Alternatives (CPA) are different.

Several critical social interventions

The CPA has been instrumental in expanding the democratic space in Sri Lanka throughout the years. It is commendable how they boldly stood up and intervened in issues of social justice and fairness. In particular, CPA can be identified as an organisation that has intervened in large numbers of attempts by certain regimes or the state to bring in anti-democratic legislation, suppress the views of the people and build an authoritarian regime.

In that sense, as a political scholar and a citizen of this country, I respect CPA as an institution that has boldly challenged the existing regimes.

To make a few points in this regard, the first thing to be said is the bold interventions against the attempts to misuse public funds. We see it as timely interventions, especially CPA's interventions when there were attempts to misuse the

money saved in *Samurdhi* banks by the innocent poor people of this country through bills such as the *DiviNeguma* Bill. Just as important are a few examples from the recent past. The organised intervention by CPA in respect of the Port City Act is also significant. Were it not for such interventions, the right of self-determination to control the activities of their own community, which the political community still owns, would have been taken away from us and we would have fallen victim to the disastrous capitalist approach. The interventions made in such cases are highly commendable. Similarly, the challenges before the Supreme Court against detrimental legislation such as the Twentieth Amendment were important.

Is the Sri Lankan judiciary independent? While I have questions about whether it really interferes with the preservation of the dignity of the judiciary, I have had some scholarly critiques of it, but if such a judicial intervention had not occurred, those forces which would have led to a dictatorial regime proposed in the Twentieth Amendment could not have been stopped in a way. Therefore, the interventions made by the CPA in these areas are significant.

I have also seen instances where some non-governmental organisations have changed their positions very opportunistically. One of the burning issues in this country in particular is how to create a system of power-sharing that empowers the multiple social groups living in this country to live together. CPA's interventions to build a political and social philosophy that allows all of us, all sections of society to live together have been significant. I appreciate them because some organisations did not have that courage to defend it while CPA continued its advocacy of these ideals.

One of the most serious challenges, according to Alan Bodiev, is that 'one of the most serious issues of this era is that many CSOs have lost the courage to achieve what they think is impossible for social groups that talk about social justice and

fairness'. Since 2005, Sri Lankan civil society institutions have fallen victim to this challenge from time to time. The courage to stand up for a just and fair society is to be commended when considering the CPA.

This organisation is not limited to policy advice but has made certain social interventions that go beyond that. One of my experiences is working as a consultant on the Local Government Strengthening Program. Local Government members and the public are not aware of the existing law on Local Government bodies. In such a situation, some intervention was made to strengthen the local government institutions by raising that awareness and not only publishing several important books for society but also implementing various practical programs to strengthen the local government institutions from village to village.

Problems and Challenges Facing the CPA

There are many CSOs in this country. Some CSOs that advocate for peace, devolution, justice and multiculturalism do not have the courage to adhere to those ideals. It is this lack of courage that in some instances destroy the good democratic ideals that civil society itself has built up - in Maoist words - the presence of some rats is evident. Rats are the most disturbed when a ship faces an accident. When it comes to civil society, there are some civil society organisations that hesitate like rats within this model of national politics. There are situations where some organisations and even some scholars who have been advocating for the devolution of power for a very long time are discouraged thinking that they cannot go beyond that. Because of this breakdown of courage, discussions for democratic social justice are turned upside down overnight. The reason, I see, is the opportunism of civil society activists. There is deep-seated racist, religious fanaticism within those who believe they stand for social justice. Although they discuss religious coexistence, social

justice, ethnic unity, etc. in the public space, they show opportunistic tendencies in private life.

One example is that there were resource persons who took part in a workshop on peace building, devolution, and strengthening local government institutions organised by the Centre for Policy Alternatives itself, and after taking the remuneration given for their resource contribution came to Colombo in the evening to support the 18th Amendment. The need to make this journey with dedicated people is a challenge facing civil society. Not everyone who comes to work with civil society organisations has a commitment. Academic intellectuals in Sri Lanka in particular are, in a sense, a group of hypocrites. They are constantly thinking about what they can gain by participating in programmes. Therefore, there are various issues regarding the commitment of those who provide resources to civil society organisations in Sri Lanka.

An irrational fear of CSOs is created by the government and so-called intellectuals who receive certain privileges from the government. In addition to the military interest we see, there is another ideological dimension to the state. They have connections with media institutions that have access to the public space. The government, that is, government media and government sponsored media institutions, have the space to manufacture and distribute opinions in the public space. It is through these media institutions that CSOs are socialised as a group that takes money from abroad, advocates for foreign interests, destroys the culture of this country, and destroys the unity of the country. This problem exists in CSOs as well. If we are to think about the existence of CSOs like CPA in the future, they need to think seriously about how to use the alternative media space more effectively in formulating their strategies. Various social media networks can be used to spread the message of social justice and fairness in society. Its advantage is that, no matter what the criticisms, the alternative space

is more accessible for the public to gain information. It is important to pay attention to this when formulating strategies. There is a strong need for a mechanism for dispelling the negative portrayal and misconceptions about civil society built up by the hegemonic media. Otherwise, it will be difficult for CSOs to move forward actively. It is also important for CSOs to be very careful in selecting their resource persons. Obtaining their services without examining whether the group that claims to be intellectuals working in such institutions and bringing the relevant message to society is a group dedicated to ideals or not will destroy the democratic civil society space. If such people appear in the

work of civil society for one ideology and in the private world for another, the legitimacy of the message conveyed by such institutions will disappear immediately. The challenges for CSOs are twofold. On the one hand, there is the repressive state regime, and on the other, there is the hypocrisy of activists who are involved in civil society. Maintaining a good balance between the two can be identified as a challenge facing civil society organisations.

However, in the final analysis, we congratulate the Centre for Policy Alternatives on its work in maintaining a positive socio-political and cultural environment for nearly three decades, and encourage it to continue to do so.

PROF. UPUL ABEYRATNE

Prof. Upul Abeyratne received his Bachelors and Masters degrees from the University of Peradeniya. He followed his doctoral studies and was awarded PhD in Political Science from the University of Bangalore. His postgraduate studies up to PhD have focused on politics in relation to poverty. Currently he is the Head of Department of Political Science in the University of Peradeniya.



A tribute to CPA on its silver jubilee

Dr. Vinya Ariyaratne

Staying true to an organisation's core values and continuing to stand for justice and democracy amidst demanding conditions is no easy task in a nation and polity like ours. Being inconsolably divided between identities of ethnicity, creed, class, language, when such divisions are being exploited to gain and retain political power, it is impossible and even perilous to challenge the status quo of the dominant political ideology and the national discourse. The Centre for Policy Alternatives (CPA) and Dr. Paikiasothy Saravanamuttu's contribution to the ideals of democracy and rights-based approaches in the island has stood tall amidst such a plethora of challenges during different governments in office, contributing to uphold democratic ideals and human rights.

The People's Alliance, led by former President Chandrika Bandaranaike Kumaratunga, took office in late 1994 on a strong human rights platform that promised a negotiated political settlement to Sri Lanka's prolonged civil conflict, increased accountability for past human rights abuses, and an end to government corruption. The enormous popularity of these promises allowed the new alliance to oust a predecessor that had ruled the island for seventeen years. The popular expectation was that a new era will dawn towards creating a vibrant democratic-political landscape in Sri Lanka. In such a context, the need for influential civil society involvement was strongly felt. The Centre for Policy Alternatives (CPA) was established (in 1996) in that light, to strengthen such ideals in contributing to public

policy, through research and advocacy, mainly in the fields of democratic governance, peace and human rights as their institutional vision is to establish a liberal democratic Sri Lanka.

It is noteworthy that since its inception, CPA has demonstrated a firm and sustained commitment in promoting and preserving what they believe as fundamentals of democracy as an organisation. Even during challenging situations, they have never deviated from their mission and core values. In more than two decades of operation, CPA has undoubtedly contributed to broaden and foster the discourse of democracy beyond the limitations of majoritarianism in Sri Lanka, among public intellectuals, activists, policy makers, politicians, and ordinary citizens. Meanwhile, the flexible approach of CPA to work hand in hand with community-based organisations, local government authorities and other civil society partners has increased appreciation of democracy and rights in a meaningful way at the ground level. CPA has also given back by immensely building the capacities of their partnering stakeholders.

As an independent, non- partisan organisation, CPA has engaged in extensive research, public discussions, and strong advocacy on devolution of power as a constitutional settlement for the ethnic conflict in Sri Lanka and in that

regard, they have contributed to countless constructive policy alternatives. In addition, the public interest litigation spearheaded by CPA mainly aimed at fundamental rights violations has been noteworthy. Since the Judiciary of a country is specially committed to protect human rights, democratic values and to assess the legality of executive action within a national system of integrity, those efforts of CPA contributed to ensure peoples' sovereignty by challenging unconstitutional constitutional amendments, government bills as well as government decisions in significant situations of the transformation of the constitutional history of the island. In that light, I have had the privilege of working hand in hand with Sara and CPA when public consultations were made for reconciliation and for constitutional reforms during the period of President Sirisena's government.

The relentless commitment of CPA in creating a plural, diverse and a democratic society in Sri Lanka should be recognised as one of the most precious chapters of civil society involvement in the recent past. I extend my warm wishes and blessings to Sara, his dedicated team, and the Centre for Policy Alternatives, to continue their admirable service for many more years of vibrant civil society action to preserve and to further nourish democracy and human rights in Sri Lanka.

DR. VINYA ARIYARATNE

Dr Vinya S Ariyaratne is the General Secretary of Sarvodaya, perhaps the largest CSO in Sri Lanka- and also a lecturer in Community Medicine Faculty of Medical Sciences University of Sri Jayewardenepura in Sri Lanka. He is a Medical Doctor by profession and specialised in community medicine He lectures in the Department of Community Medicine at the University of Sri Jayawardenepura.



Leadership in the civil society space

Dinesha de Silva Wikramanayake

On behalf of The Asia Foundation, I would like to congratulate The Centre for Policy Alternatives (CPA) on its 25th Anniversary. It has been our privilege to support CPA from its inception in 1996, when a group of young lecturers from the University of Colombo reached out to the then Country Representative, Edward Anderson, to seek support for a new organization that would focus on public policy in a proactive and independent manner.

With start-up grant funding from the Foundation in September of 1996, CPA was formed and embarked on its 25-year journey, growing and expanding in unexpected ways to become the premier civil society organization in Sri Lanka contributing to public policy making through research and advocacy. As the Foundation's Program Officer at the time, I was closely involved in the discussions and grant documentation that led to the start-up of CPA. The Foundation provided a small grant to enable CPA to conduct its first set of seminar/workshops "to encourage policy debate and provide input to policymakers on issues of importance to Sri Lanka". As with all Foundation grants, we made recommendations with hopes that this fledgling organization would "achieve sustainability" by marketing its publications and reports widely! It is therefore with much pride that, as the current Country Representative in Sri Lanka, I take this opportunity, on behalf of my predecessors, Ed Anderson, Mark McKenna and Nilan Fernando, and the senior leadership of The Asia Foundation, to acknowledge the extraordinary success that CPA has achieved over the past 25 years.

Shortly after CPA was set up, their proposed work program was interrupted by the Wayamba Provincial Council Election of 1997, in which the incidence of political violence and accusations of electoral fraud reached unprecedented levels. Given its mandate and the pivotal importance of the issue of political violence, CPA reached out to us once again to seek support for an initiative to monitor election violence. At a time when no other donor was willing to take on this risky proposal, The Asia Foundation provided support to enable CPA to constitute The Centre for Monitoring Election Violence (CMEV), in partnership with the Free Media Movement and the Campaign Against Political Violence. CMEV disseminated information through electronic and print media on a daily basis during that violent local government election as it has continued to do for every election thereafter. CPA felt strongly that the exercise should not be an academic one with the production of a report after the event, but rather should serve as a substantive input into the electoral process as a means by which the electorate could make informed choices. This proactive approach, providing research/analysis and recommendations for reform and intervention in all areas of their work has set CPA apart from other civil society organizations in Sri Lanka.

During the past two and half decades, in addition to its signature publications and thought-provoking workshops/seminars, the Foundation has also been able to support CPA at various times to publish a "Democratic Institutions Monitor", monitor and report on legal judgements, provide legal aid and undertake strategic public interest litigation. Yet, one of the most transformative programs we supported was to enable Dr. Saravanamuttu to undertake an observational visit to the Philippines to spend time with a longstanding Asia Foundation

Philippines grantee, The Social WeatherStation (SWS). Interaction with Dr. Mahar Mahangas, Executive Director, and the SWS team, inspired the creation of CPAs own social analysis and research entity, Social Indicator, enabling CPA to embark on public opinion polling and the design and implementation of social, economic, and political surveys in Sri Lanka.

The past three decades in Sri Lanka have been fraught with crises of political leadership and numerous threats to democracy and governance. The CPA has grown and blossomed during that period, taking leadership in the civil society space to provide independent commentary, legal analysis and review, undertaken pivotal public interest litigation and has served as a non-partisan, powerful voice in the areas of democratic governance, conflict transformation and human rights. Most importantly, in an ethos where politicization, personal privilege and corruption drive behavior, CPA has been a refreshing voice of reason, independence and accountability. CPA has stood its ground and stood tall in difficult times. It has also served as a valuable training ground for numerous young people, both local and international, who have had the opportunity to benefit from interning or working at CPA under the guidance of a committed and passionate leadership.

We at The Asia Foundation, are proud of the small role we have played in the establishment and development of CPA, and we extend our best wishes to Dr. Saravanamuttu and all the staff of CPA, strength and courage to continue their very important work for decades into the future. We wish you continued success and look forward to deepening and growing our strong partnership to promote good governance and accountability in Sri Lanka!

DINESHA DE SILVA WIKRAMANAYAKE

Dinesha de Silva Wikramanayake is Sri Lankan Country Representative of The Asia Foundation (TAF). She has worked as the team leader of the Sri Lanka Local Economy Governance program and an assistant director of the Foundation's Washington D.C. office. She has an avid interest and much experience in the subject areas of Economic Governance, Rule of Law, access to justice and conflict resolution. Her first degree is in Economics from the Georgetown University and post graduate studies were at the University of Colombia.



25 years of struggle for a liberal democratic alternative

Sudarshana Gunawardana

Why do we need an alternative? An alternative is required when the existing norm is insufficient.

After gaining independence breaking away from colonial rule, Sri Lanka struggled to formulate a post-colonial national policy. This national policy was developed revolving around colonial institutional structure on one hand and rising competitive national aspiration on the other.

We see ethno-nationalist alternative projects emerging from the South, as well as from the North of the country to address the inadequacy of the national policy. As a result of the competing struggle between two rival ethnic-nationalist alternatives, the country has been polarised along ethnic fault lines.

Some proposed a Socialist/ Leftist alternative, which focuses on redistributing the national wealth for the benefit of the disadvantaged and oppressed social stratum to replace the existing national policy. However, with the rise of the ethno-nationalist alternatives to a dominant position, the socialist alternative seems to have lost its appeal.

The Centre for Policy Alternatives (CPA) was established twenty-five years ago with the aim to fostering a dialogue on developing alternative policies which can replace the existing inadequate policy framework for the nation.

The electoral victory of the People's Alliance led by Chandrika Bandaranaike Kumaratunga in 1994 resulted in expanding the democratic space. Civil society organisations were able to play an increasingly influential role in promoting good governance. Most of these organisations and the leadership have originated from Leftist/ Socialist tradition. Northern centric civil society was influenced by Tamil ethno-nationalism and as a response we have witnessed an emergence of a Sinhala ethno-nationalist civil society movement in the South.

CPA has emerged as an organisation that advocates alternative policies based on liberal democratic principles as opposed to socialist or ethno-nationalist alternatives. Over the past twenty-five years, CPA has relentlessly engaged in a dialogue to develop an alternative based on tolerance and diversity that can meet the economic, social and cultural challenges faced by society and the Sri Lankan State.

As a nation, Sri Lanka has accepted liberal democracy as the principle of governance. Those principles are enshrined in the Constitution of the Republic. However, our education system, religious institutions, etc. are built on an authoritarian tradition rather than democratic principles. As a result, there is a constant tension between the social forces that do not accept liberal values, and the constitutional framework based on liberal democratic values.

The 17th Amendment to the Constitution, enacted in 2001, as well as the 19th Amendment, enacted in 2015, can be considered as an expression of the desire of civil society to further democratise the Second Republican Constitution. It is true that by enacting the 18th and 20th Amendments in 2010 and 2020, respectively, the authoritarian forces were able to temporarily reverse the reform initiative. However, the spirit of the 17th and 19th Amendments has become a compass for any future initiative for building a just society. CPA played a

pivotal role in promoting and nurturing the values embodied in these constitutional reforms.

The Constitution guarantees the fundamental human rights of citizens. However, if the Legislature introduces laws that infringe on those rights or if the Executive acts in violation of the letter and the spirit of the Constitution, these rights become redundant. If the government intends to bring new law in contravention of the Constitution or if the Executive decides to take actions violating the Constitution, the only remedy is to challenge these excesses in the Supreme Court. CPA has intervened to defend the rights of citizens by challenging unconstitutional measures that potentially violate the Constitution, in the Supreme Court. These interventions were consistent throughout the past 25 years, regardless of whichever government is in power. A few of these challenges resulted in judgements that are considered as judicial precedents that continue to be influencing the future judicial decisions.

Promotion of the *Federal Idea*, based on the principles of power sharing in the centre and the devolution of power to the periphery, as a viable alternative to prevailing ethno-nationalist projects, can be considered another valuable contribution by CPA, as a model for national unity and development. This process of promoting the *Federal Idea* as a model for national unity and development, extensively discussed devolution of land powers, police powers, and financial powers. CPA paid special emphasis to ensure that the discussion was not limited to English-speaking elites but penetrated to the masses who speak in the vernacular, so the project wins the hearts and minds of most of the people.

At the same time, interventions continue in recognising the importance of the proper implementation of the Official Languages Policy, inter-ethnic reconciliation and promoting justice and equality.

Advancement of the Internet saw the multiple media of the analog era overlapping into new digital platforms. CPA was able to grasp early the potential of these technological advancements by migrating to a website that carried text, audio, visual as well as audio-visuals at the same time. The *Groundviews.org* citizens' media can be considered the culmination of this effort. When giant global social media companies such as Twitter, Facebook and WhatsApp emerged as popular platforms by challenging the existence of individual websites, *Groundviews* managed to gain a foothold in those social platforms and through a combination of both generating solid content and strategically posting them, CPA has been able to establish a credible virtual CPA in cyberspace.

CPA was instrumental in developing the Centre for Monitoring Election Violence (CMEV) as a national election observer. This was initiated when the electoral system was marred by electoral fraud and violence. The CMEV has introduced scientific monitoring by employing trained field monitors during the elections, publishing reports with recommendations based on its monitoring, legally challenging the obstacles for conducting Free and Fair Elections, and contributing to legal and institutional reforms. The CMEV, through its impartiality and objectivity has earned the recognition of the Elections Department and the Elections Commission as one of the two independent national election observer organisations.

Out of all the above contributions, the one I believe to

be of particular importance is the involvement of CPA in working with other civil society organisations to make its policy suggestions a reality, without being limited to the mere academic pursuit of alternative policies. In particular, I wish to flag the important role played by CPA's Executive Director Dr. Paikiasothy Saravanamuttu in building the *Platform for Freedom* (PfF) in 2009, as its co-convenor.

To make a policy alternative a reality, civil society needs to engage with the political parties in the country fair and square. In my view CPA has always believed in this and has always been ready to engage with both the Government and the Opposition. CPA always had the capacity and will to support any government when introducing democratic reforms and to openly oppose when democracy is threatened. CPA does not mince words when it comes to challenging misdeeds by any one in power, no matter how closely it works with the political parties in power. CPA distinguishes itself from many other civil society organisations who believe that '*The end justifies the means*,' and hence were unable to speak out when they ought to be. Maybe, it is because CPA firmly believes that means are important, maybe more important than the ends, as how we get to our goal is just as important as getting there.

The Centre for Policy Alternatives has set a robust example of a national civil society organisation that is not neutral in the face of an injustice but always maintains independence, impartiality and objectivity.

SUDHARSHANA GUNAWARDANA

Attorney at Law Sudharshana Gunawardana is a lawyer by profession and a civil society activist. He is former Executive Director, Rights Now Collective for Democracy, Former Co-convenor, Platform for Freedom, Former Chairman, Sri Lanka Broadcasting Corporation, and Former Director General Government Information.



Meeting CPA through 'Sama Vimarshee'

Brito Fernando

The Centre for Policy Alternatives is more popularly known as CPA. I came to know about CPA after receiving the '*Sama Vimarshee*' magazine. As a political activist of the New Leftist movement '*Sama Vimarshee*' was of great value to me. The magazine played an important role of capturing and compiling the views of various scholars on a particular subject and discussing the diverse issues around it. So this was a very powerful tool for studying a particular subject in depth.

Although I heard about CPA through the magazine, I came into a close association with the seniors (eg Sara, Bhavani, Lionel, etc.) only through the activities of the Platform for Freedom which commenced around 2012. The CPA was represented at the Platform for Freedom by Dr. Saravanamuttu (Sara). He was one of its keynote speakers. During those difficult times (2012-2015) the CPA was the cornerstone of the Platform for Freedom.

We as the '*Families of the Disappeared*' have been involved in various activities (street agitations) encouraging families to take to the street. CPA has taken it upon themselves to challenge in courts whenever a government in power would attempt to introduce a piece of legislation that would be detrimental to society. It would be correct to say that these invariably became a major headache for every government. The CPA had the courage to at least make a statement regarding such actions of governments. While those statements often did not lead to a major transformation, the CPA position in solidarity on issues was a

great encouragement and an impetus and stimuli to all those who desired to oppose such atrocities of government, either individually or as an organisation.

Despite the disappointments over the judiciary, such challenges are necessary. I believe CPA is fulfilling this role faithfully as a sacred mandate, fulfilling their responsibility to other activists as well as those who have been oppressed.

Twenty five years is not a short time. Looking at the various divisions and fractions in political parties and organisations, it is a great achievement for an organisation to have thrived for so many years.

We are not in a position nor mature enough to advise CPA but yet we would like to place a suggestion for consideration. While issuing statements against the irregularities of governments and challenging them in courts, it would be good if these could also be used as a means of mobilising activists and to advance the need to develop a common collective action. What is needed at this juncture, is mass

mobilisation not just an occasional pinch. Even litigation can be fashioned as a means to mobilise collective action.

A collective united effort by civil society organisations, especially those working for human rights, is critical at this time. The false allegation levelled against human rights organisations labelling them traitors who betray the country for dollars has been rapidly spreading in the South in the past, this has not yet completely disappeared from society. That is why the stories of the betrayal of the country by these so-called treacherous groups surface from nowhere when the Geneva time is remembered by the State in March-September. They are trying to promote these baseless allegations along with the ideology of Sinhala Buddhist nationalism. Therefore, it would be a great opportunity if an entity such as the CPA with a rich legacy of a 25-year history and experience, can take the lead in formulating a collective effort in addition to the important work that is currently being implemented.

Wishing a blessed Silver Jubilee to the Centre for Policy Alternatives.

BRITO FERNANDO

Brito Fernando is a lawyer by profession and a long-term civil society activist and leader. He is the co-founder of the Collective of Families of the Disappeared and its current President. He was a co-convenor of the Platform for Freedom.



An alternative for an alternative

Uva Shakthi Foundation

Sri Lankans do not recognise the need for alternatives but merely look for substitutes. The general mindset is to use substitutes that meet their own needs, not to try to find an alternative. As a result, the scope of human rights as well as the concept of duty has become imperceptible and invisible.

Although the literacy rate of the people as a whole is high, the political, legal and electoral literacy of rational intelligence is very low. In such an environment it was truly a necessity of the age to improve their logical intellect.

This requires specialised experience as well as intellectual practice. Twenty-five years ago, the need to fill that gap arose in the mind of one person: Paikiasothy Saravanamuttu. He established the Centre for Policy Alternatives (CPA) in 1996 with the objective to emphasise that there is a different way of thinking for the Sri Lankan community.

Here one sensitive incident comes to mind. The ignored rights of the plantation community, which has strengthened the Sri Lankan economy for over 200 years and whose labor has instilled its cultural dimensions and values but who have been treated as second class citizens for 200 years. They did not even have a specific permanent address. One of the strategies to deal with the situation and raise their profile was to get them a permanent address. Uva Shakthi Foundation initiated a project titled *"A Community Achieves an Address of Its Own"* with technical assistance provided by CPA, to balance the legal and social status

of the plantation community in the social movement. The direct result of this project was that the community was able to reflect the long-hidden artistic and aesthetic ideas of the young people in the plantation community and to expose the plantation life they experienced to society as well as the world.

Other excellent examples of this important work by CPA are advocacy for fundamental rights by protecting the language rights of individuals, legal action against legislation that violates the fundamental value systems of the people as well as their rights, interventions in consumer protection, campaigns to achieve a fair electoral process, capacity building for women's representation in local government bodies, advocacy for media freedom and social democracy and awakening the fading aesthetic sensibilities of the people in an attempt to create a common cultural identity for a new Sri Lanka living in peace and harmony. Through the implementation of these interventions and awareness programmes, the Great Tree that is the Centre for Policy Alternatives has already marked its place in Sri Lankan history.

Among the programs implemented by the CPA through its several units, the outreach programme began with the Saama Vimarshi, the Dialogue for Social Transformation, nationalisation of the constitutional reform mechanism, and the transformation of the Right to Information (RTI) into law to facilitate participatory governance.

Other such contributions by CPA include involving voters in the election monitoring process to ensure their voting and accountability, as well as to ensure free and fair elections devoid of violence, strengthening democratic participation and intervening in the electoral reform process. These

approaches further strengthened the political representation and decision-making power of women and youth in local government.

During this journey, we have unforgettable memories of the time of the first local government elections in the Northern Province. Many of the members of the councils were trained through awareness programmes conducted by CPA which included training, from the seating arrangement to the budget, the approach of being accountable and transparent to the people through formal methods and strategies and the implementation of the local government law.

The youngest chairman of the Pradeshiya Sabha was elected from the Point Pedro Pradeshiya Sabha, with limited understanding of politics. It is noteworthy that because of the capacity building of the members by CPA, this chairman was transformed into a distinguished Head of Local Government Institutions in the Northern Province before completing his four years. The exchange of experiences between the Northern and Southern Local Government Institutions also brought about several changes in the Local Government Institutions on both sides.

But the undertaking is not over. What can and should be done is to contribute to building sustainable leadership to bring about a change in the imagination of the people. Human beings cannot be taught, but they can be motivated to think.

Warm greetings from Uva Shakthi Foundation comrades who call for positive governance through proactive citizen activism!

UVA SHAKTHI FOUNDATION

Uva Shakthi Foundation (USF) is a civil society organisation based in the Uva Province of Sri Lanka. It works towards building reconciliation between different communities and giving equal opportunities for development. USF has worked with CPA in inter-school students' programmes, local government programmes, Language Rights, Citizens Councils and RTI based programmes, Election Monitoring activities, and programmes to provide addresses to plantation communities as well as the Thé Kahata photography exhibition project featuring empowerment of plantation sector youth.



Proactive advocacy towards alternative policies

Shreen Abdul Saroor

It is with great pleasure that I write this note on the occasion of the Centre for Policy Alternative (CPA), commemorating its 25th anniversary. My first interaction with CPA was through the late Kethesh Loganathan, in 1999, when looking for the most appropriate word for 'good governance' in Tamil. Since then, I have witnessed with appreciation CPA's remarkable growth to be a voice so essential and heard in terms of governance.

During the last 25 years, withstanding serious challenges and personal risks, CPA has courageously taken on the cause of the displaced, the disappeared, violations of human rights, the culture of impunity, ensuring accountability, preservation of the rule of law including protecting fundamental rights and upholding the constitution, and promoting alternate policies. It has done this by mounting direct legal challenges against discriminatory practices, documenting abuses, mobilising like-minded civil society and activists, and spearheading local and international advocacy.

Rising to current challenges and broadening the scope of CSO activism, CPA has been a pioneer in setting up a citizens' electronic journal, alternative social media, election monitoring body, and tools to conduct surveys. CPA's brave and successful challenge against the repulsive and repugnant attempt to evict all visiting and non-permanent resident Tamils from the city of Colombo in 2007 by the then Secretary of Defence and current president

Gotabaya Rajapakse, is etched in my memory as a single most valiant act for which the entire country needs to be grateful for keeping Sri Lanka united.

Despite the end of the war in 2009, tens of thousands remain disappeared, and efforts by war-affected communities and victims to seek the truth, obtain redress, or pursue justice continue to be stymied. Even the right to mourn death is stifled. In this environment, CPA has shown steadfast leadership in pushing the state to deal with the past through accountability and meaningful reconciliation.

It is also to the singular credit of both Dr. Paikiasothy Saravanamuttu and CPA that one must acknowledge the enabling environment provided for many youngsters who have blossomed into significant opinion makers, constitutional lawyers, legal analysts, constructive critics, social activists, torch

bearers and importantly the go-to persons who hold their own currently in society.

No government in power has ever liked CPA, and the current government is not making life easier for the organisation. With imminent stringent laws to muzzle and constrict CSOs, backsliding of democracy and increased militarisation of civilian administration, other CSOs and activists will look to CPA's leadership to take a strong stance. I am hopeful and confident that under the able leadership of Dr. Paikiasothy Saravanamuttu, CPA will continue to rise to the occasion and be a dependable ally. Civil society, human rights defenders and victim communities need to stick together.

Thank you, CPA. Congratulations. And heartfelt best wishes and good luck.

SHREEN ABDUL SAROOR

Shreen Abdul Saroor is an activist in peace and women's rights. She is founder of the Women's Development Federation of Mannar.



Standing up for LGBTQ rights

Equal Ground

The overarching goal of EQUAL GROUND is to decriminalise same-sex sexual relations between consenting adults in Sri Lanka and repeal Sections 365 and 365A of Sri Lanka's Penal Code. In our fight towards decriminalisation and achieving equal rights for the LGBTIQ community, it is paramount to have a network of supportive allies. In this regard, the Centre for Policy Alternatives (CPA) has been a constant source of support and strength to EQUAL GROUND since the latter's inception in 2004.

As a civil society organisation that has been operating in Sri Lanka for the past 25 years, it has consistently been a powerful voice against discrimination of marginalised groups – including the LGBTIQ community in Sri Lanka. The CPA has been built on values of good governance, democracy, peacebuilding, and the protection of human rights and these values have been exemplified in its work throughout. CPA Executive Director, Dr. Paikiasothy Saravanamuttu and his team have actively taken part in EQUAL GROUND's events and discussions and contributed constructively to strengthen and help build the capacity of our organisation.

One of the objectives of the CPA is to propose constructive policy alternatives aimed at strengthening and safeguarding democracy, human rights and social justice to the Sri Lankan government, parliament, and other policy-making bodies and institutions. To this end, the Centre's efforts on advocating for constructive policy alternatives, lobbying

of decision-makers, and the shaping of public opinion is admirable. One of the noteworthy contributions in this regard has been the CPA's submissions to the United Nations International Covenant on Civil and Political Rights (UN-CCPR) that has highlighted the importance of legal reforms required to ensure the protection of the rights of the LGBTIQ community in Sri Lanka as one of its recommendations.

Furthermore, the CPA's research and public policy advocacy has helped further the efforts of other civil society and human rights organisations, including EQUAL GROUND. Their continued study of public policy and dissemination of research on a variety of topics laid the foundation for other organisations working in similar capacities on which to build and expand their efforts.

Most importantly, the CPA has been at the forefront of consulting with political actors as well as other stakeholders, such as local and international non-governmental

organisations, multilateral organisations, etc, to engage them in useful and timely dialogues on matters of public policy and social justice. EQUAL GROUND has been a part of these discussions on many occasions and have always had our views and recommendations treated with the highest consideration and regard. We are also glad that the CPA has never sidelined LGBTIQ rights within the broad spectrum of human rights and social justice; from the start, the Centre recognised the importance of leaving no marginalised group out of its scope of work and has always lobbied for equality and rights for the LGBTIQ community in Sri Lanka with the same gusto as its other advocacy efforts.

Equality and social justice are not achieved alone. EQUAL GROUND is proud to have partnered with the CPA through the years and we look forward to continued support and collaboration in the future, while wishing the Centre all the best in all of its future endeavours.

EQUAL GROUND:

Equal Ground is a non-profit organisation seeking social, economic, cultural, civil and political rights for the Lesbian, Gay, Bisexual, Transgender, Intersex and Questioning / Queer (LGBTQ) community in Sri Lanka. They are committed to creating a safe space for all LGBTQ individuals and to providing opportunities for self-help including mental wellbeing, economic, social, and political empowerment, access to health, education, housing and legal protection for the LGBTQ community.



CPA redefines a civil society footprint in Sri Lanka

Austin Fernando

My association with the Centre for Policy Alternatives (CPA) extends to the very inception of the organisation. It commenced with the personal association I developed with Dr. Paikiasothy Saravanamuttu. When I reminisce, I must admit that there was another background for relationship building. My involvement in rehabilitation, especially in the North and East, as Secretary to the Ministry of Rehabilitation in the mid-eighties brought me into contact with personalities such as Ms. Radhika Coomaraswamy, Dr. Jayadeva Uyangoda, Rohan Edrisinha, et al who participated in activities focusing on constitution-making, rehabilitation, governance, peacebuilding, human rights, etc. They were forerunners of the CPA. The insights accumulated from their association and involvements enlightened me and were a source of inspiration, enhancing knowledge, and changing attitudes.

This was my gain from CPA then. I attach value to CPA in a much broader sense than personal. It is because of the extent one would flag the service rendered by the CPA to our society. The CPA identifies its mission as: *"To strengthen the civil society contribution to public policymaking through programmes of research and advocacy in the areas of democratic governance and peace with human rights as an overarching priority."* When we examine the roles played by the CPA and the voluminous amounts of service rendered in areas of social, political, legal, rights, governance interests, etc. they are vivid, especially as a public interest

litigator and a contributor to governance institutional building. I believe CPA has overshadowed any other non-governmental organisation in this respect. The number of Rights Cases CPA had initiated or partnered regarding lawmaking exercises of succeeding governments, and the publications done in the fields of governance and rights are testimony.

Although CPA initiated these as a civil society contribution, sometimes they have been misinterpreted as challenges against the establishment. In such scenarios, one may query whether CPA was overstepping its Mission Statement. I may answer, *“Yes, for the good of the country.”* The reasoning and explanation to my answer envelopes the achievements of CPA to be the leader in the sphere for which it was created.

The CPA is an established think tank. Think tanks are not aligned to ethnicities, political parties or leanings, religious groups, or any other. Think tanks should undertake research and advocacy independently, concerning topics such as social policy, political strategy, and publish results obtained from such activity to guide policymakers, even politicians. They should discuss actions of the state or private sector or any other structure, or activity that affects the lives of citizens.

India is a role model for such where persons with expertise originating from State, Private Sector, Military and Civil Society deal with issues related to policy, law, politics, social issues, etc. They are adamantly straightforward and do not fear challenges. They hold meetings, seminars, workshops, publish reports, studies, criticise the government or private organisations, and even review military actions. It is interesting to note that with branded political animosity with China there is space for Chinese intellectuals to interact with the Indian intellectuals through reputed Think Tanks. This could be a lesson that should be nurtured in Sri Lanka too, and I hope that the CPA would enhance its functions to match the Indian status.

To review policy, contribute to public accountability in governance, CPA must be alert on lawmaking, policymaking, institutional structure management, etc. The CPA needs to create societal awareness on one hand and represent matters in courts as appropriate, seeking judicial interventions. These require in-depth study and research, academic and practically in-situ. The CPA engages experts and conducts such research of which the analysed results are used to approach follow-up actions. This assures its involvements to be factual presentations. When such presentations are itchy it does not create a pleasing environment, especially when countering the government's status. It creates conflicts with legislative and administrative bodies and hence requires a strong sense of conviction to face challenges. I am happy to note the CPA has such.

CPA's involvement in safeguarding democracy, pluralism, Rule of Law, human and humanitarian safeguards have been sometimes criticised and deprecated, though on the whole CPA has gained large scale appreciation and kudos. CPA has safeguarded democracy and democratic values on several fronts. I may quote the example of issues related to the 13th Amendment on which an exhaustive discussion has happened in the CPA. The contribution of the CPA regarding devolution, especially in publishing-related documentation would even beat that of the Government. CPA also has many publications in circulation on topics such as peacebuilding, human rights, and reconciliation.

Another aspect of upholding democracy by the CPA is reflected in the formations of the Centre for Monitoring Election Violence (CMEV). It was formed in 1997 by the CPA, the Free Media Movement, and the Coalition Against Political Violence as an independent and non-partisan organisation to monitor election-related violence. CMEV performed yeomen

CPA^{at25}

service along with the Elections Commission and other related organisations. I consider its service a boost for democracy. Similarly, we are aware that any leading foreign organisation (e.g., UNHRC) seeking information did not miss consulting the CPA, knowing its capacity to contribute to rights. In this I find young blood being groomed by the CPA which creates sustainability in the future too.

Twenty-five years of existence as a leading civil society organisation making its presence felt in society and even with the international community is a great achievement. Some of us may not be seeing CPA reaching fifty, but from the manner, it has performed, we predict, a formidable future. CPA- My best wishes are with you.

AUSTIN FERNANDO

Austin Fernando is a former Secretary to the President in Sri Lanka, and former governor in the Eastern Province. As a senior SLAS officer he has held various responsible positions including Defense Secretary. Recently he was the High Commissioner to India.



No alternative but going on a counter-liberal basis!

Prof. Charitha Herath, MP

I had no direct connection with the Centre for Policy Alternatives. I do not remember being involved in their activities in the past. But I had a constant political conversation with those involved. In view of the 25th anniversary of the Centre for Policy Alternatives, I am referring to it from the perspective of an outsider, not an insider.

The political movement that began in Sri Lanka in 1977 was defeated and a new political space was opened up in mainstream politics in 1994. The 1994 general election was the turning point in the creation of that democratic space. That space had a huge impact on many aspects of our society. The main point was the emergence of the concept that the economy developed under the open market system should be mixed with the state to some extent. Conceptually, this can be seen as a shift from the market-dominated liberal concept of 77-94 to a concept of social democracy.

From 77-94, the economy was completely market-dominated and the state was shrinking to a very small scale. The opposite was the case after the '94 political victory. That is, the concept that state intervention should proceed in the same way as the market. The second important point is to oppose the great democratic decline in governance from 77 to 94.

Until then, there had been a major democratic decline in the UNP regime. The introduction of a new constitution, the creation of an executive presidency, the complete control of the judiciary, the subsequent massive attack on Tamil society known as the Black July of '83 and the ensuing revelation of the involvement of the government in these attacks, the provincial council system brought in 88-89 through very serious coercive tactics and the massive popular uprising against it in '89 are examples of this democratic decline. There was also opposition to these anti-democratic practices in the '94 victory. In other words, it was the prospect of a new democratic space. Third, the '94 government was of the view that solutions should be found to both the impact of the youth uprising in the South and the political unrest in the North.

A liberal think tank

It is against this backdrop that the Centre for Policy Alternatives emerges. I see it as a liberal think tank established for the purpose of the theoretical defense of the market system and the liberal system, which were severely suppressed by the social democratic dynamics of the Chandrika government of '94, which was brought in opposition to anti-democratic practices, the inter-ethnic conflict and the aggravated market system created by the UNP government since 1977. It is my observation that several of the leaders involved were also close associates of the then Liberal Party. That was actually the root of this. That was our understanding at that time as those who were engaged in SLFP politics, especially those who were of the opinion that the government should function in a social democratic model.

Since then, a number of other institutions, similar to the Centre for Policy Alternatives, have sprung up in the city of Colombo, operating in various dimensions. The Social Scientists Association is also one of them. But more than any

of these, the Centre for Policy Alternatives was able to act proactively on its own liberal policies. It was active in all three domains, the legal domain, the theoretical domain, and the Procedural domain (Policy domain), but was not active in the social domain, which is particularly noteworthy. Thus, it was always 'Colombo-centred', and from within the SLFP political standpoint it seemed an 'outsider' to us.

It was perceived as an institution with a strong academic orientation, using a technical vocabulary of liberalism, market order, law and policy, and not as a group of people working with grassroots issues in the social sphere. There is no difference today. If a line is drawn, the Centre for Policy Alternatives is not in the social democratic zone I represent, but in a liberal, legal, technical zone beyond the line.

But one of its great features was that they acted on facts (factually) rather than on the prejudices of Sri Lankan society. Prejudice based on language, race or caste is a prominent feature of many social think tanks in Sri Lanka. Apart from this, the Centre for Policy Alternatives contributed to the creation of a very talented, young intellectual generation. My contemporaries such as Asanga Welikala, Sanjana Hattotuwa, Bhavani Fonseka and Pradeep Peiris were able to become giants in their respective fields through this institution.

CPA's studies, court cases, etc. were compendious while the 'Social Indicator' project carried out by the likes of Pradeep Peiris and Lionel Guruge presented excellent data, especially during elections. There were also many good publications. Accordingly, it can be named as an institution that made a great contribution to the theoretical basis of liberalism in Sri Lankan politics during the last 25 years.

Limitations of Democracy

I also have a special observation on the use of the Centre for Policy Alternatives as an institution that is interested and

active in democracy. That is something that needs to be clarified. There are two theoretical approaches to democracy. Namely, Procedural Democracy and Associative Democracy. CPA's reading or approach to democracy is entirely procedural. What happens here is that compliance is checked as in an audit. The Centre for Policy Alternatives sought to conduct a political audit of Sri Lanka's democracy. But they did not pay attention to the other dimension of democracy, namely, communal democracy or the building of social consensus. Therefore, democracy in the sense that CPA sees it is half-baked. Although it is a masterpiece of procedural democracy, its potential impact on communal democracy is small.

This critique can be further extended if necessary. It's about their choices. There have been two occasions since 1994 when the UNP came to power. But when a UNP government was in power the CPA's policy on democracy was not the same as when a SLFP government was in power. When a UNP government was in power, the rapid intervention against its activities was not seen as when an SLFP government was in power. I do not oppose their right to help a party of their own choosing when it comes to power. But I emphasize that the broad model of democracy is not the same in practice.

The best example of this is the crisis over Chief Justice Shirani Bandaranayake. The removal of Shirani Bandaranayake is constitutionally (technically) correct but not politically correct. Also, the reinstatement of Shirani Bandaranayake may be politically correct but technically incorrect. However, the Centre for Policy Alternatives, which was vocal in the first instance, did not say a word in the second instance. So why is that?

The CPA's limited focus on communal democracy as well as the limited impact of their interventions can be seen in the context of their efforts in the constitutional reform process.

Constitutional reform process

The idea of drafting a new constitution to replace the '78 Constitution was vigorously put forward in 1994 and re-emerged in 2000, 2001, 2004, 2010, 2015 and so on. The Centre for Policy Alternatives also continued to advocate for this need. But they were looking for a mostly technical answer to this question. A constitution is not a simple document but a complex one. The focus of the CPA was on the drafting of this complex document. Attempts were made to contact foreign experts to make it a success. But that effort had nothing to do with the grassroots level. They were unable to consolidate their efforts on the ground or at the collective level dealing with public opinion. So far, we have two drafts of the Constitution, the Draft Constitution which was prepared through dialogue from 94-2000, and the Draft Constitution which was prepared during the period of 2015-2019. But the goal has not yet been achieved.

Also, four serious constitutional amendments, 17,18,19,20 were passed during that period. In all four cases, the Centre for Policy Alternatives intervened, either ideologically or proactively; in favor of 17, against 18, again in favor of 19, and against 20. But all these interventions took place on the side of the aforementioned procedural democracy. They had little effect on the grassroots level.

The liberal view on social issues of the Centre for Alternative Policy and my view of social democracy are different. Liberalism, for example, seeks to remove religion, race, and history from politics and treat it as purely data-based. But when you try to do that, all social conventions are broken. Liberals have no faith in these conventions but in data. I once explained in an article: liberals believe that all people are the same. All human beings have equal rights and all are equal before the law. But what we see when we work in society is

that it is not so simple. Some ethnic groups are older than others in a specific territory. Some peoples have different beliefs. Sociologically, the picture is not as simple as that data. For example, the term 'trees in the North Central Province' refers to all species of trees. Accordingly, the Sri Maha Bodhi is also a tree in the North Central Province. But this tree has a great connection to the culture and civilization of one ethnic group. Just as the Sri Maha Bodhi in the North Central Province has a special place by social consensus, so the Nallur Kovil has a separate consensus value from other buildings in Jaffna. The same is true of the question of ethnic groups. Tamils in the North and East think that they are older settlers in those areas than Sinhalese. Sinhalese in the South think that they are the heirs of the South more than other ethnic groups. But none of this succumbs to the mere liberal logic of thinking that all are equal. They only appear when it comes to a social compromise argument. In my understanding, one of the mistakes of organisations like the CPA is to dismiss these social conventions and believe in an equality based on a liberalist data based ideology.

Which way forward?

There are two streams of philosophy, the positivistic approach and the critical approach. The positivistic approach

means looking at something in a data form, such as 'all trees are the same'. But the rhythm of a society can be identified not through this approach but through the critical approach. It seems to people like us on this side of the line that organisations like CPA always forget one part. There is a lot of room for them to work in the social democratic, consensus-based, cultural zone that they have missed. But it is only possible to break free from the liberal view if they escape from the view that 'the world has a problem, we have an answer' and start to think that 'the world has problems, they have different answers'.

In my opinion, the Centre for Policy Alternatives has gone to the furthest possible lengths along the example set in the last 25 years. There is no way forward in that direction except to repeat what has been done before. Its limits are so clearly marked that Sri Lankan liberalism has been decisively defeated in the face of the hegemonic power that now exists. The defeat of Ranil Wickremesinghe symbolizes the defeat of the political camp it represented. I suggest that the Centre for Policy Alternatives should seriously consider the defeat of liberalism as an ideology as well as the failure of the political project in its chosen direction. If the CPA is to move forward from here, it must move in a new direction, that is, on a counter-liberal basis.

Prof. CHARITHA HERATH, MP

Formerly a professor of philosophy at Peradeniya University, Prof. Charitha Herath, MP is a Member of Parliament and the Chairman of the Committee on Public Enterprises (COPE). He was the secretary to the Ministry of Media and a former Chairman of the Central Environment Authority.



Net results and future challenges

Shiral Lakthilaka

As someone who has worked closely with the Centre for Policy Alternatives, I see it as an organisation that, under the most difficult circumstances, continues to work hard to eliminate the repulsion and friction that exists towards new ideas politically and socially in Sri Lanka. Therefore, CPA is an active research organisation representing liberal thought in Sri Lanka. Liberal thinking is not active in Sri Lanka. It is not present in society. In Sri Lanka, leftist nationalism is the most prevalent. In a country where leftist nationalism exists - especially in Sinhala society - it is difficult to advance liberal thought. I am very pleased with the work done by this institution for twenty five years under those difficult circumstances and I would like to extend my congratulations for that.

The role and influence of the CPA among policy-making agencies

In a society where leftist nationalism is entrenched, it is difficult to formulate policies, implement policies or even propose policies based on liberal thinking. In such an environment, one of the main challenges for CPA is that it is a non-governmental organisation. The aforementioned leftist nationalist thinking has labelled the activities of non-governmental organisations as NGOs. Ordinary society looks at NGOs with prejudice. The NGOs are seen as a group that produce concepts that go against the sovereignty of Sri Lanka, the heritage of Sri Lanka, the natural thought of Sri Lanka, and act in accordance with foreign agendas.

Against this backdrop, we must express our respect to Dr. Paikiasothy Saravanamuttu for his tireless and courageous efforts to achieve the objectives of the institution for 25 years. That institution exists because of his courage and commitment. Second, the social class to which he belongs is the upper bourgeoisie. He was able to afford it because the class was not affiliated with ordinary society. If he had lived in this class, it would have been difficult for him to continue doing this work. Third, there are two types of non-governmental organisations in Sri Lanka. One type is development-based organisations and the other type talks about policy making. In Sri Lanka, leftist nationalists are plagued by policy-making organisations, not development organisations. Therefore, the NGO label is always affixed to non governmental organisations advocating for policy making. In that sense, CPA is once again challenged as an organisation that talks about liberal policies. It is also noteworthy that its chief is a Tamil. I do not want to consider him as a Tamil, he is a Sri Lankan. But the fact that his ethnicity is Tamil has exacerbated the problem.

Although the concept of non governmental organisations came to the fore in Sri Lanka in the late 70's, it was actually built on the concept of decentralisation, as its fourth model. The first was the decentralisation of administration (deconcentration), the second was the delegation of power, the third is power sharing and the fourth is privatisation. The discourse of the role of non governmental organisations to formulate government policies arose within the context of privatisation. This concept has been seriously challenged in the country.

Sri Lankan politics is extremely centralised. In a country that has a democratic structure as a result of colonial rule after a transformation of monarchy, this belief in a king-like central government is not surprising. It is therefore extremely difficult to focus on the concept of decentralisation in a society that

believes that all power must be kept within the centre. There is space at the most for it to decentralise the administration and delegation of power. But in a context where Sinhala society is by no means ready to devolve power through provincial councils, when non governmental organisations put forward that conceptual framework, in addition to the labeling we mentioned earlier, it is normal for it to face a challenging situation.

CPA is an organisation that by nature, in thought, action, administration and, in its basic institutional form, opposes leftist nationalism, which Sri Lankan society believes in. Its survival for 25 years within this context is itself commendable.

The challenge for policy making institutions in failing to win the trust of ordinary citizens

Even the liberals in this country were unable to socialise liberal thought in Sri Lanka. From Dudley Senanayake to J.R. Jayewardene of the United National Party, leaders were unable to build a liberal base for their politics. It was like the old left. People lived in it but did not embrace it. The main reason for this is that a major political current does not support that ideology. The absence of a political current means that it does not have the support of Sri Lankan citizens. In Sri Lanka, there are voters, not citizens. There is no civil society in this country and the civil space is filled with voters too. If we call the space between the family and the state a civil space, there are only voters in that space. We have not been able to build activists who have been active as citizens for seventy years. Even we are people who came as civil society activists and later got involved in party politics. The same is true of most organisations. Many organisations in society often work by identifying with political parties. It is a well-known fact that even CPA is largely a policy organisation working closely with the United National Party. In such a situation there are once again challenges.

It is difficult to give a citizenship agenda to non-citizens. It will not be grasped. The stakeholders in the legislature that make policies do not believe in liberal policies, and the majority of those who seem to be liberals are old leftists. They are largely social democrats. Liberal thought in Sri Lanka is rooted in this confusing thinking. In such a situation people do not know what liberal thinking is. The answer to the coming economic catastrophe lies only in liberal thinking. It was Ranil Wickremesinghe who confused the liberal thinking in this country. Liberal thinking and conservative thinking are two. Some sections of society in Sri Lanka think that conservatism is liberal thinking. That is wrong. In particular, the economic part of liberal thought is an extension of the economic outlook of conservatism, but not an extension of the economic outlook of neo-liberalism. But people think that this is a part of liberal thinking. In such a complex backdrop, we see in the final balance that liberal thought exists in this country as an unpolished gem.

Socialization of new policies and concepts and its impact

Whether the policy issues discussed by such organisations over the years have been socialized can be determined by whether those concepts are institutionalized. For 25 years, CPA has been discussing various concepts - devolution, liberal rights, the rule of law, and much more. Such concepts have been released to society. In releasing such concepts, it was possible to maintain the visibility of those concepts. But on the question of whether they are institutionalized, we can say that they have not. We cannot be satisfied with the way in which the views held not only by institutions like CPA but our own views as well are institutionalized. But certain dialogues, such as the devolution of power, have taken place on this small island as a result of the silent struggles waged by institutions such as CPA.

On the whole, the CPA as well as many of the institutions I was involved with have not been creative in utilising the amount of resources they receive. Their strategies are wrong. For example, if someone like Wimal Weerawansa got the money that Kumara Rupasinghe received recently, Wimal Weerawansa would now own this country. The CPA and many other organisations have a lot of resources but they use minimal strategies. It is a problem of those activists, and of the leaders who use their human resources. There are such challenges in moving forward with these institutions. However, liberal thinking is essential for Sri Lanka. If the CPA is depicted in a cartoon, I imagine it as a man drowning in the sea up to his nose, waving a liberal flag.

New dimensions to focus on for a social role

The Centre for Policy Alternatives is not a non-political or apolitical organisation. It is a political organisation. It has a thinking that is inherent to itself, it is an institution that seeks to formulate policies in proportion to that thinking and to articulate those policies. That is a political act. According to me, there is no difference between a political party and the CPA. But CPA is in a dilemma. This is because they are trying to show that they are an independent, non-political organisation while working for a political cause. This institution is a political organisation in relation to the context of the country. If things like acting as a political organizer, building policies based on one's own thinking are political, they should also work in a political form. CPA does not possess that part. CPA has an English-speaking group confined to the city of Colombo. That group does not understand the thinking of the ordinary people. It is difficult for those who do not understand the thinking of ordinary people to think of a political strategy. I do not know if these institutions will be able to solve this problem. But if the CPA is to think about the future, it must largely include the English-speaking community that is being

produced through private schools across the country. Many of them are children with parents who belong to the ordinary class. If these institutions work with them, you have access to the future. Going forward with the current approach is, I think, difficult.

Apart from Dr. Saravanamuttu, this organisation has not created a politically capable figure. Historically, there are people like Rohan Edrisinha and Asanga Welikala, but no other character. When Buddhism was brought to this country, Ven. Mahinda Thera said, 'for Buddhism to survive, someone from the country should enter the Order'. But those who strive for that ideology, and Dr. Saravanamuttu, have failed to build a liberal association with ordinary Sinhala society. It is possible to work in the future if we can build a character in the general society with liberal thinking. Policies must be 'marketed' and socialized. In order to 'market' policies, it is essential to deal with the general class to which those policies apply.

The section CPA calls the Community Participation Programs section is just a piece of adornment. It's just a small device, as I see it. It does not represent real goals. One of the main challenges for CPA is to create an indigenous intelligentsia. We need to create an indigenous intellectual who thinks in Sinhala, thinks in Tamil and, if necessary, thinks in terms of Muslims and lives with ordinary people. In order to achieve the goal for which CPA stands, at least one such person must be created. It will not be an easy task. It is easy for a person living outside Sinhala society to hold a liberal opinion. But being in Sinhala society it is more likely to become diluted with the pressure of leftist nationalists.

The need to get rid of the project mentality

This project concept has often led ordinary people to distance themselves from such policy making institutions. Foreign projects are built as a business. The richest countries

in the world invest one or two percent of their GDP on topics that work in good faith. There are other intermediaries that obtain them. They are institutions outside or in the same countries. Such diverse people bring projects to countries like ours. But none of the officials who bring in those projects have an understanding of the core values on which those projects are based or are responsible for their objectives. It is their job to see whether the project is implemented according to the overall objectives given to them and to find out whether the relevant indicators have been fulfilled. They think of ordinary people as pawns on a chess board. But people are not pawns on a chess board. Even if pawns, they are not stationary pawns, they move here and there. Local or foreign project directors are not in a position to understand that pattern. What they do is allocate the relevant amount and, at the end of the relevant period, write a lie about the impact and outcome of the project and send it to the top. This process is known as dragonology. It is part of a larger business that has spread around the world. But the implementation of liberal policies in Sri Lanka is not part of the aforesaid dragonology. That is something that people really need. The inability to change this situation is the worst negative consequence of the project mentality. Once it is understood by society, society does not believe in such projects.

Lack of understanding of the local context in the implementation of certain policies

It is also problematic to carry out so many projects without implementing them in the context of the country. Let's take a simple example. How did the concept of secularism originate in the world? It originated against the church and the king in the church-centric European society. That concept cannot be brought into the Sri Lankan context. The concept was interpreted differently in India. But it is unfortunate that the liberals in Sri Lanka are trying to inculcate the same concepts in Sri Lanka in the same format as in the European context.

So is the discussion on social and economic rights. As far as I know the CPA is against it. But my opinion is that it is useless to bring in hoardings of what cannot be implemented at once in a state. What I mentioned are questions in the extremes. These are policies that need to be discussed at length, researched and presented. They should not be regurgitated in their entirety. We have a lot to learn from India about this. One can learn from scholars like Ambedkar how to bring liberal concepts into the social context. There are 'parrots' in Sri Lanka who do not understand this and the damage they do is more serious than not being liberal. The same is true of a discourse such as the devolution of power. The concepts we talked

about 25 years ago on issues like devolution have changed in the world today. In this country the context and the attitudes have changed. The devolution of power in 1987-90 cannot be discussed today from the point of view of the Tamil question. There have been many changes. The damage that project-oriented liberals who are unaware of those changes do to these concepts is greater than opposing them or not talking about them. Therefore, the success or failure and the existence of this ideology will depend on the perception of these changes and how closely the strategies used will approach the average Sri Lankan voter.

SHIRAL LAKTHILAKA

Shiral Laktilleke is a lawyer and a political activist. Formerly he was a provincial councilor. He received his LLB degree from the University of Colombo and has a postgraduate degree in Conflict Studies.



Message from the former President of Sri Lanka

Hon. Chandrika Bandaranaike Kumaratunga

It is with much pleasure that I send this message to the Centre for Policy Alternatives on its 25th birthday.

The CPA has played a singularly important role as a major watchdog for the proper functioning of democracy and democratic institutions in Sri Lanka.

In its 25 - year long journey, it has achieved remarkable success in its objectives of protecting Democracy and Human Freedoms. Be it in the sphere of guaranteeing free and fair elections through its Centre for Monitoring Election Violence, or its many engagements in Public Interest Litigation, which has included legal battles against Governments, in instances of corrupt practices or where Governments have acted with impunity against the independence of the Judiciary, as well as legal actions taken to ensure justice and fair play for all communities in the country.

The CPA has also engaged extensively it matters regarding the Constitution of Sri Lanka, as well as with issues of violence and discrimination against ethnic and religious minorities.

The Centre has also successfully engaged in many actions for media freedom and the Right to Information. "Groundviews", the CPA's popular website in all three main languages of Sri Lanka, has achieved remarkable success in disseminating information and academic

opinions and promoting dialogue on subjects ignored by main-stream media or forbidden to them by various types of intimidation by the State.

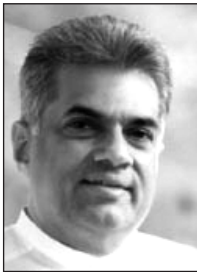
The success achieved by CPA in guaranteeing that Democracy delivers in this land of ours, is admirable, considering the many challenges it has faced from various Governments along their journey.

My sincere congratulations to CPA's Founding Father and Director Dr. P. Saravanamuttu and his staff and associates for their rare dedication and courage.

I wish you good health, continued success as well as safety from the wrath of the authorities you are called upon to face in your battles for Democracy and Freedom.

HON. CHANDRIKA BANDARANAIKE KUMARATUNGA

HE Chandrika Bandaranaike Kumaratunga was the fifth Executive President of Sri Lanka. She received her graduate and postgraduate education in Sorbonne University in France.



Safeguarding political and civil liberties

Hon. Ranil Wickremesinghe, MP

The Centre for Policy Alternatives (CPA) was founded in 1996 amidst the protracted clash of arms between the LTTE and the Government of Sri Lanka, with the objective of promoting cutting-edge policy alternatives to conflict and governance. It was a daring venture introduced by Dr Paikiasothy Saravanamuttu and a few colleagues in a landscape where political research, advocacy, and activism were undertaken by very few organisations. Through this initiative, they challenged the assumption *inter arma enim silent lēgēs* (for among arms, the laws are silent) and worked to uphold and expand the rule of law.

Unlike their Canadian counterpart that focused on economic and social policies, the Sri Lankan CPA ventured into more troubled waters, namely, those of political, constitutional and legal issues. In fact, I can safely state that the CPA confronted many controversial political topics and marginal legal issues that other organisations avoided at the time and their work has spanned the denouncement of terrorism to the promotion of human rights. Most significantly, the CPA fostered the concept of conflict resolution and campaigned to integrate conflict resolution procedures into mainstream Sri Lankan politics.

Apart from conflict resolution, the CPA also advanced democratic ideas, values, and models that were far ahead of the times in terms of power sharing, human rights, media freedom, election monitoring, the prevention of election violence and abuse, constitutional reforms, and transitional justice. I believe that today the organisation can look back at the

progressive role that they have played within the Sri Lankan polity during the last 25 years with a sense of pride and achievement.

As is the function of any neutral political organisation, the CPA had the independence and aptitude to work both with and against a political entity depending on their political standpoint on a given issue at a given time. During my political career, there have been many occasions when I have worked together with the CPA as well as a number of instances when the CPA has taken legal measures against UNP governments. Areas of collaboration included the 2001 peace process, media freedom, the Right to Information Act, the decriminalisation of defamation, the Independent Commissions, the 19th Amendment to the Constitution, and reparation to the relatives of the disappeared. The

CPA has also given valuable support to the sittings of the Steering Committee of the Constitutional Assembly for a new Constitution, especially with regard to Electoral Reforms. I must also acknowledge and appreciate the vital contribution made by Dr Paikiasothy Saravanamuttu as well as his keen political insights on the above endeavors.

When Abbé Sieyès, one of the leading political theorists of the 18th Century was asked what he did during the French Revolution, he replied, *J'ai vécu* (I survived). The CPA has done more than survive during the most arduous of times. In fact, they have been a live wire in strengthening the institutions that safeguard the political and civil liberties that we cherish.

My best wishes to the Centre for Policy Alternatives and I have no doubt that they will celebrate many more triumphs in the years to come.

HON. RANIL WICKREMESINGHE, MP

Ranil Wickremesinghe is a politician and a Member of Parliament from the National List of the United National Party. He was the tenth Prime Minister of Sri Lanka. He is leader of the United National Party.



The mission accomplished is exceptional

Hon. M.A. Sumanthiran, MP, PC

I am very pleased to send this message of congratulations and best wishes to the Centre for Policy Alternatives (CPA) on completing quarter century of exemplary and unique service to the country. I am particularly delighted since I have been associated closely with CPA right through these 25 years.

I first met Sara (Dr. Paikiasothy Saravanamuttu) at the CEPRA office at the University of Colombo along with Rohan Edrisinha (CEPRA was the forerunner to CPA). In 1996 when CPA was established, there was no other entity of its kind in Sri Lanka that dealt with policy and governance issues with tools involving research, advocacy and public interest litigation (PIL). Indeed, after 25 years, there's none that parallels CPA even today.

My association with CPA was mainly to do with their litigation endeavours. CPA retained me as their counsel very early in my career, along with other counsel. It would not be an exaggeration to say that my involvement in PIL is intertwined with that of CPA. There are many landmark battles that CPA won and I have had the privilege of being their counsel in several. One that stands out amongst these many high water marks is the Fundamental Rights Application made by CPA and Sara to the Supreme Court in June 2007, to halt the forced eviction of Tamils from Colombo, which was ordered by the then Defence Secretary Gotabaya Rajapaksa. This application, filed within hours of the evictions with only newspaper reports as evidence, was handled by Mohan Balendra Attorney at Law. I supported it in

open court on the same day of filing and the Supreme Court in a historic interim order halted the unlawful evictions with immediate effect and ordered the authorities to bring back those who were transported in buses to areas in the North and East. It was this result that propelled the then Prime Minister Ratnasiri Wickramanayake to apologise in Parliament for this act of the Government. CPA has many such distinctions, which have become part of the Law of Sri Lanka with a tangible impact in protecting and upholding the rights of citizens in Sri Lanka and promoting political accountability.

Apart from PIL, the CPA has also excelled in varied other ways, making contributions to policy making and governance

in the country. The many publications by CPA have also enriched the public at large. In particular, the publication *"Power-sharing in Sri Lanka: Constitutional and Political Documents 1926 -2008"*, which is a compilation of all important documents dealing with the Tamil National Question in Sri Lanka, has been of immense value in the pursuit of a political solution.

I wish the CPA all the very best for continued contribution to the national life of the country.

HON. M.A SUMANTHIRAN, MP, PC

M.A Sumanthiran, MP, PC is a lawyer, politician and Member of Parliament representing the Jaffna district from Tamil National Alliance. He is specialised in the areas of human rights and constitutional law. He has appeared in several cases on behalf of CPA.



Relentless pursuit of justice for all

Hon. Rauff Hakeem, MP

"We understand that there is no easy way to freedom. We know it well that none of us acting alone can achieve success. We must therefore act together as united people, for national reconciliation, for nation-building, for the birth of a new world. Let there be justice for all". - Nelson Mandela

The foregoing phrases of Nelson Mandela enunciates the ideology that freedom is no easy attainment, as it warrants constant struggle. They best characterize the evolving feats of the Centre for Policy Alternatives (CPA), relentlessly serving as the voice of the voiceless in pursuit of 'justice for all', over the last 25 years.

Every form of human struggle for rights and freedom in Sri Lanka has found protection under CPA's ample fold and vision for a liberal democratic nation with its all-embracing priority for Human Rights. Yes, some make it their lives' vision and goal to be the forerunners of this underlying conviction and in its ensuing consequences for the sake of humanity – CPA, its Leaders and teams have proven no less.

On this occasion of CPA's celebrations of a deeply satisfying 25 years, I wish to take the opportunity to express my profound appreciation and congratulations, as an unabashed ardent admirer of my feisty friend Dr Paikiasothy Saravanamuttu its Executive Director, for his determining imprint on CPA. Wish to also congratulate Ms Bhavani Fonseka and all the

current and former colleagues of CPA and the distinguished Board members of CPA for their outstanding and progressive achievements, courage and commitment. My hearty congratulations also go to CPA's illustrious legal scholars Dr Rohan Edrisinha (a founder Director and Head of CPA's Legal Division) and Dr Asanga Welikala, for their exceptional intellectual contributions and a reverberating legacy in their work at CPA. Needless to say, I have personally derived inspiration from CPA's consistency and steadfastness in its activities, especially in its provision of primacy for safeguarding human rights.

At a time when the majoritarian politics of the day is riven with wiles of winning the votes of the majority alone, the minorities of all sorts, ethnic or otherwise have often felt baffled, bewildered and beleaguered. At such times, CPA has been there to express solidarity, to take the side of the masses and to stand for justice as it represents no particular ethnic community, no particular class or interest groups. It only claims to represent the "peoples" in pursuit of justice, good governance, peace and reconciliation.

CPA's advocacy to strengthen civil society and public policy-making has benefitted many in its function as a Human Rights watchdog. The best result of the work of the CPA over the years is to be seen in the number of advocacy-related work; human rights and fundamental rights litigations that CPA has led to court in pursuit of justice; good governance and democracy. It is a matter of great pleasure for me to state that just as much as CPA has stayed committed to its pursuit of justice, human rights, good governance and democracy, CPA continues to believe in peace and reconciliation as quintessential means for the attainment of a meaningfully democratic state.

We believe that those steps, when positively pursued, would no doubt act as a palpable reminder to the Sri Lankan government to discharge its obligation towards all its citizens fairly and uphold human rights and religious freedom as enshrined in the Sri Lanka Constitution.

Wishing CPA success for many more years of activism for the betterment of all communities.

HON. RAUFF HAKEEM, MP

Abdul Rauff Hibbathul Hakeem MP is a Sri Lankan politician. He is a former Cabinet Minister and Member of Parliament from the Kandy Electoral District since 2010. Rauff Hakeem is the leader of the Sri Lanka Muslim Congress and a lawyer by profession.



Defending democracy

Hon. Eran Wickremaratne, MP

The Centre for Policy Alternatives (CPA) was founded 25 years ago on the premise that the field of public policy should be a proactive and interventionist one that provides policy alternatives for conflict resolution and democratic governance. In those 25 years, Sri Lanka has witnessed many tumultuous times including but not limited to a protracted armed conflict and the fallout that necessitated the presence of a strong civil society. It is in this backdrop that CPA has consistently played a pivotal role in the Civil Society space in areas of constitutional and legislative reform, human rights protection, advocacy and citizen journalism. CPA also collated an extensive portfolio of public interest litigation, outreach and capacity building thereby mobilising and influencing society from high level policy discourse to grassroots organizing.

One of CPA's most noteworthy efforts in its mission of defending democracy was its role in the judicial proceedings during the Constitutional crisis of 2018. Since then, CPA has continued its involvement by way of petitioning against injustices and vigorously defending the Constitution of Sri Lanka while continuing with advocacy, activism and citizen journalism efforts.

Time and time again, CPA elucidates policies and their discursive contexts to the public and legislators. These efforts are commendable in their contribution to localising higher level policy discourse with the general public, particularly the youth who are seemingly rekindling

their social contract and sense of civic responsibility. This contribution is of particular relevance to legislators like myself; we don't have to always agree, but scientific inquiry demands many sources and perspectives.

In a context of increasing threats to democratic values and its institutions, with forces attempting to dissuade democratic public discourse, we find ourselves at crossroads in our fight to protect the values that define us. The task of civil society

organisations such as CPA during such times is huge and vital. Whilst taking this opportunity to congratulate everyone behind CPA on the 25th Anniversary, I would also like to convey my best wishes for the task ahead. Let us continue to engage in conversation, to agree and disagree, to protect the right to agree and disagree, and ensure a democratic Sri Lanka.

HON. ERAN WICKRAMARATNE, MP

Eran Wickramaratne, MP is a Sri Lankan banker and politician. He is the former State Minister of Finance and member of Parliament of Sri Lanka.

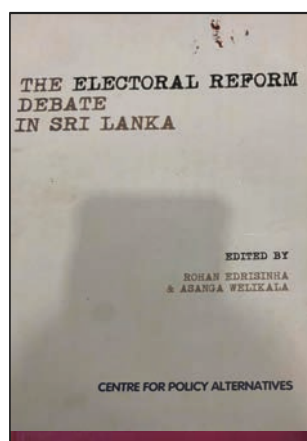
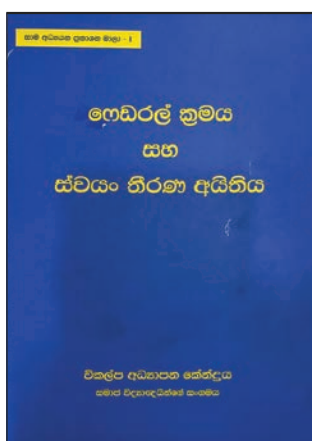
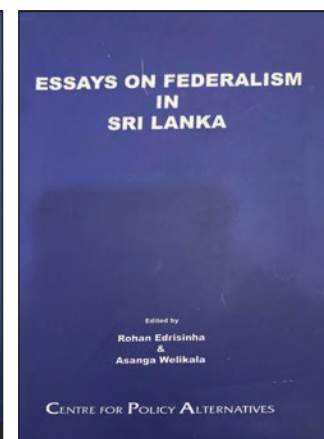
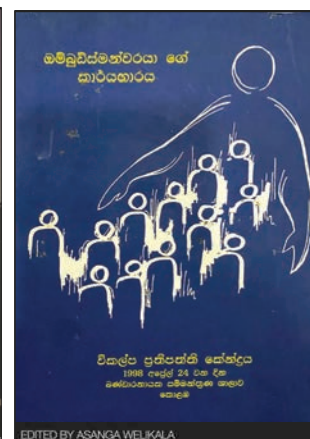
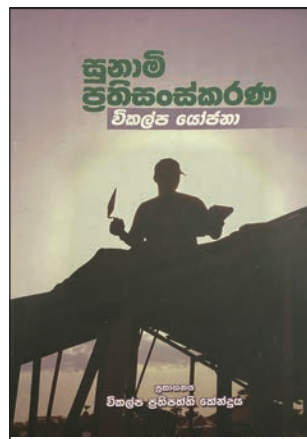
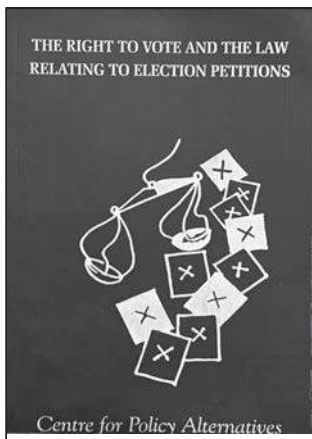
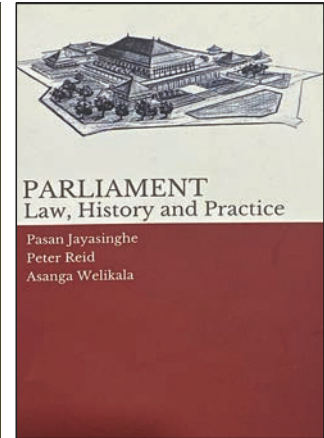
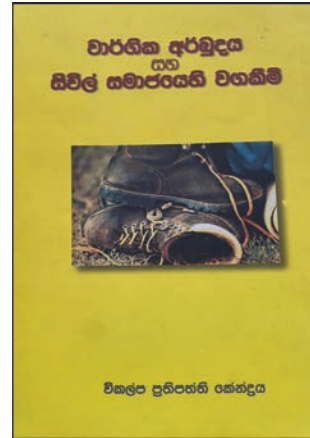
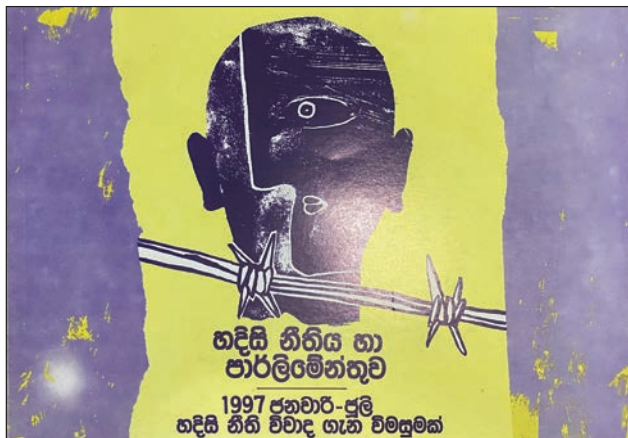
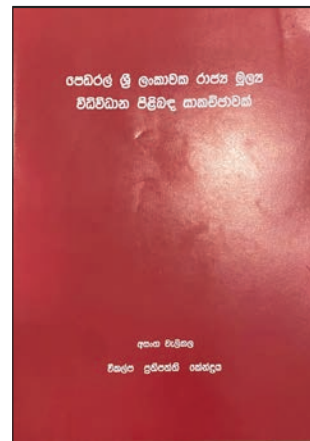
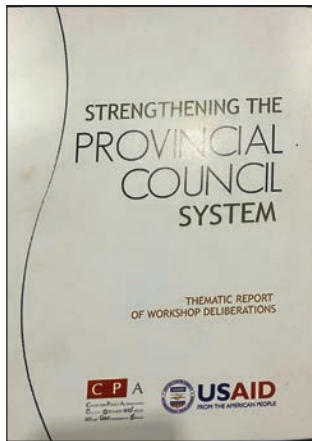
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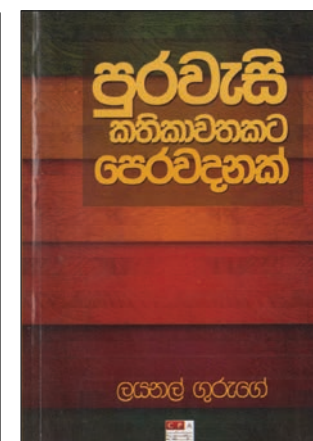
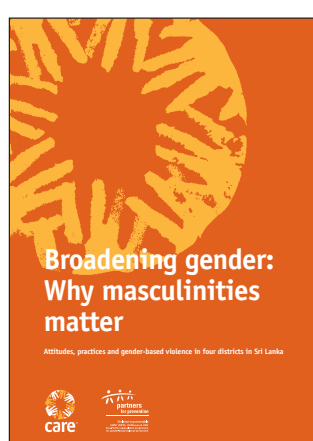
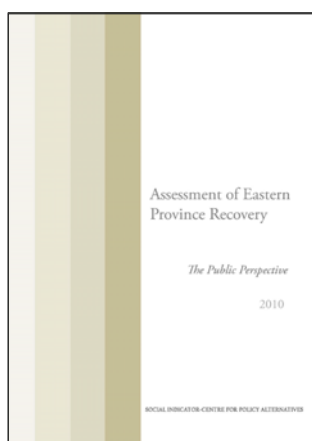
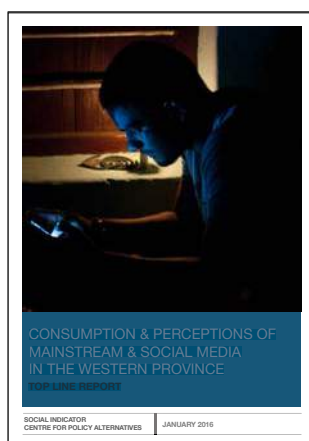
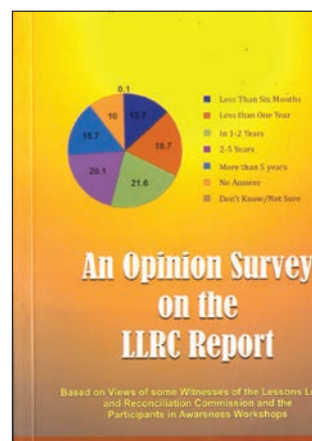
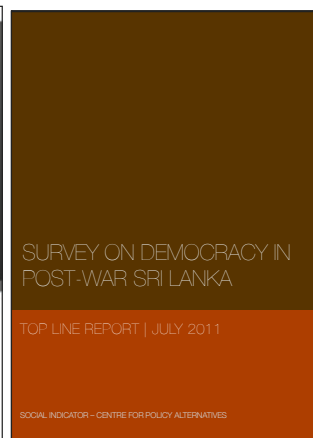
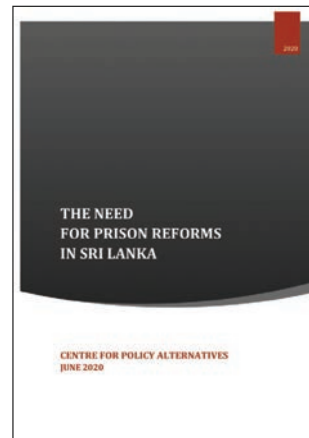
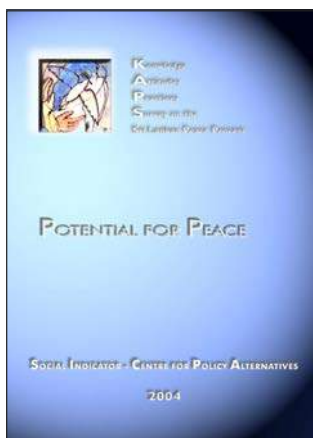
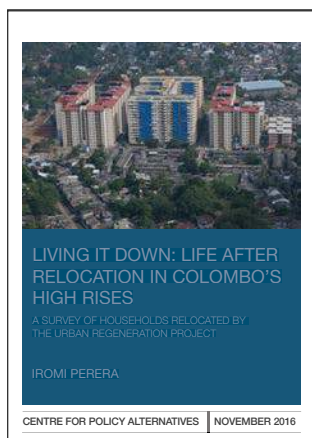
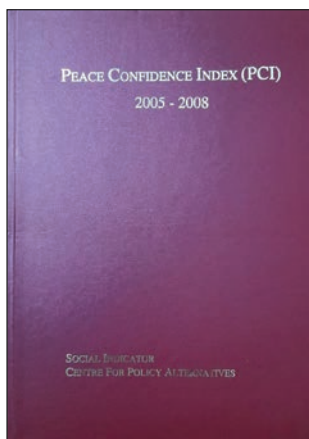
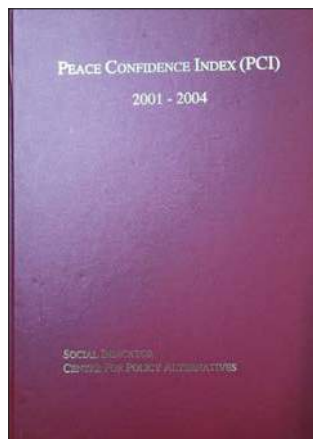
- In re the Finance Bill (SC SD 28/2021)
- In re the Twentieth Amendment to the Constitution (SC SD 03 /2020)
- Centre for Policy Alternatives v Attorney General – Fundamental Rights Application challenging the dissolution of the Eighth Parliament and the decision to hold elections for the Ninth Parliament on the 20th June 2020
- Centre for Policy Alternatives v Attorney General - Fundamental Rights Applications challenging the decision to pardon Sunil Ratnayake
- Centre for Policy Alternatives v Attorney General (SC FR 32 /2020) - Fundamental Rights application challenging some powers granted to the Commission of Inquiry to Investigate Allegations of Political Victimization During the Period Commencing 08th January 2015 and Ending 16th November 2019
- Centre for Policy Alternatives v Attorney General (SC FR 199/2019) - Fundamental Rights application challenging some of the Regulations included in the Emergency (Miscellaneous Provisions and Powers) Regulation No. 1 of 2019.
- Centre for Policy Alternatives v Attorney General (SC FR 353/2018) - Fundamental Rights Application challenging the dissolution of Parliament in October 2018
- Centre for Policy Alternatives v Mangala Samaraweera and Two Others (SC FR 34/2018) & Bhavani Fonseka and Four Others v Mangala Samaraweera and Two Others (SC FR 33/ 2018)
- In re the Twentieth Amendment to the Constitution (SC SD 29/2018) (Centre for Policy Alternatives intervenient- petitioner)
- In re the Twentieth Amendment to the Constitution (SC SD 24/2017)
- Centre for Policy Alternatives v Kabir Hashim and others (SC FR 54/2016)
- Sanjeewa Sudath Perera and two others v H.E. Maithreepala Sirisena (SC FR 67/2016) - Fundamental Rights application challenging the Tamil version of the National Anthem (Centre for Policy Alternatives intervenient- petitioner)
- In re the Penal Code (Amendment) Bill (SC SD 28/2015) (Amendment to section 291 of the Penal Code)
- In re the Code of Criminal Procedure (Special Provisions) Act No 2 of 2013 (Amendment) Bill (SC SD 7/2017)
- In re the Appropriation Bill (SC SD 19/2013)

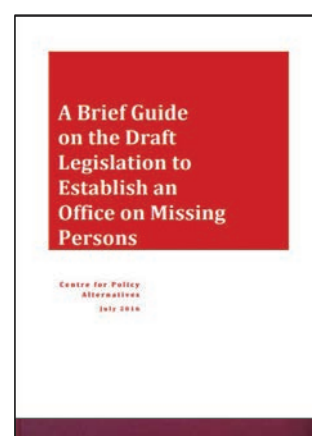
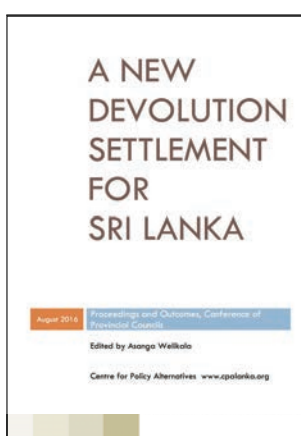
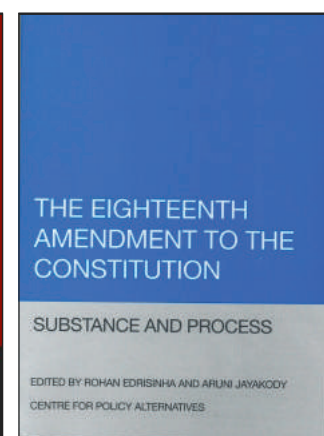
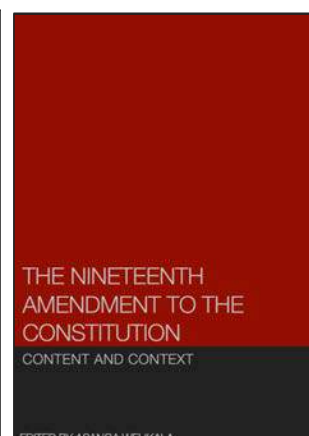
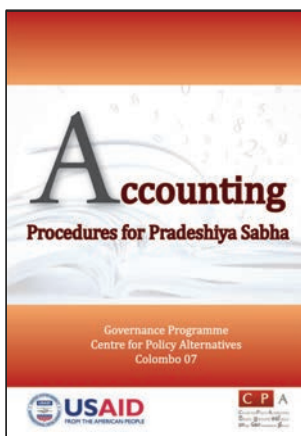
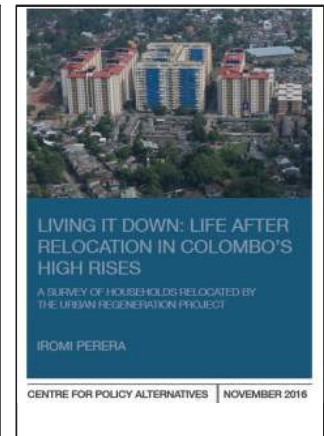
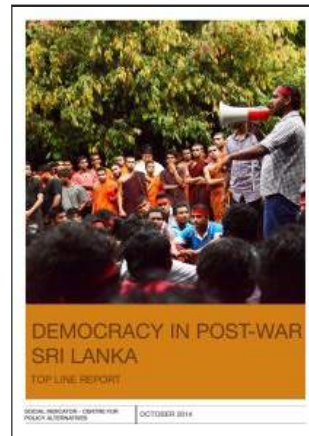
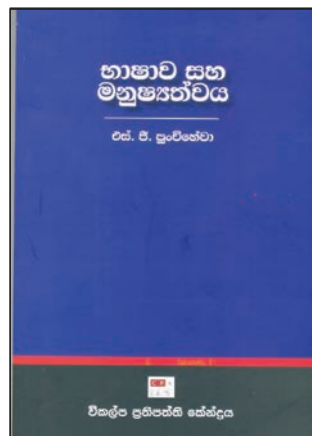
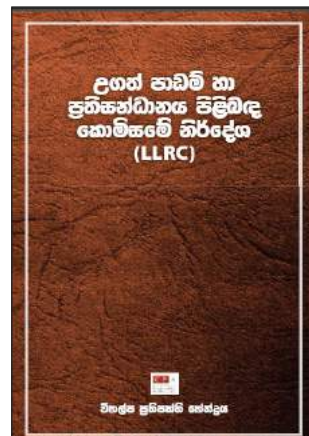
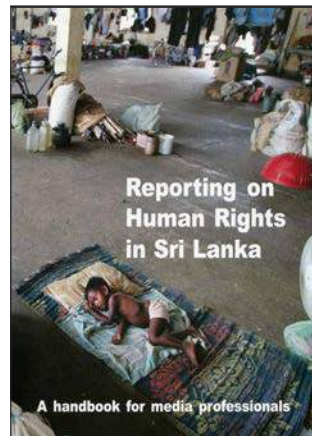
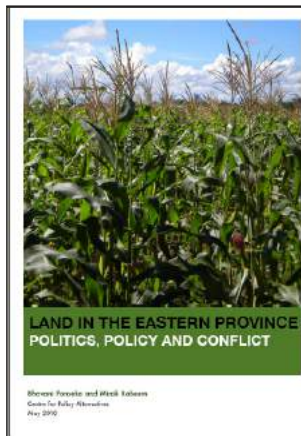
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- Centre for Policy Alternatives and another v D. M. Jayaratne and others (SC FR 23/2013)
- In re the Appropriation Bill (SC SD 15/2012)
- In re the Divinaguma Bill (2) (SC SD 6/2012)
- In re the Divinaguma Bill (2) (SC SD 15/2012)
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- Vinayagamoorthy Kohilampal v Basil Rajapaksa, Minister, Ministry of Economic Development (SC FR 309/2012)
- K.K.P.R Amarasinghe v Chief Minister of Eastern Provincial Council CA (writ) 156/2012
- Abdul Majeed Abdul Fareed v Chandraprapalini Krishnagopal and other CA (writ) 135/2012
- Jovita Arulanantham v University of Colombo (SC FR 40/2012)
- In re the Town and Country Planning Amendment Bill (SC SD 03/2011)
- M.A Sumanthiran v R.P.R Rajapaksha and others (Land Circular Petition) CA (writ) 620/2011
- Centre for Policy Alternatives v Gotabaya Rajapaksha and others (SC FR 453/2011)
- H.M.M Sampath Kumara v Officer in Charge of Police Station Katunayake (SC FR 265/201) and other Free Trade Zone Cases – SC FR- 266, 267, 268, 269, 270, 271, 272, 273, 274, 346, 347, 348 / 2011
- Dr. P. Saravanamuttu v Mahinda Deshapriya (SC FR 251/2011)
- Dr. P. Saravanamuttu v Mahinda Deshapriya (SC FR 161/2011)
- Mariyathas Basilraj v Gotabaya Rajapaksha (SC FR 387/201) and other Navanthurai Fundamental Rights Applications – SC FR 387, 388, 389, 394, 391, 396, 395, 407, 408, 399, 397, 398, 402, 405, 406, 400, 401, 384, 385, 392, 393, 414/2011
- Mavai Somasundaram Senathirajah v Gotabaya Rajapaksha (Registrations in North) (SC FR 73/2011)
- In re the Local Authorities Elections (Amendment) Bill (SC SD 10/2010)

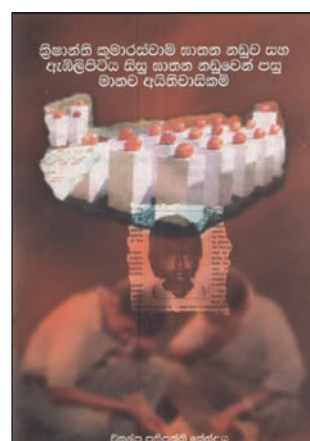
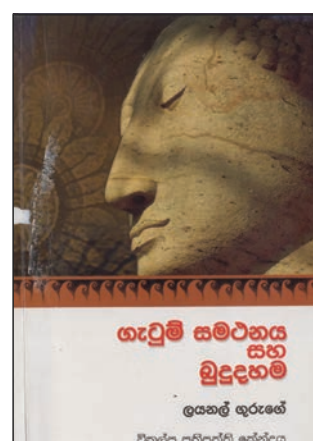
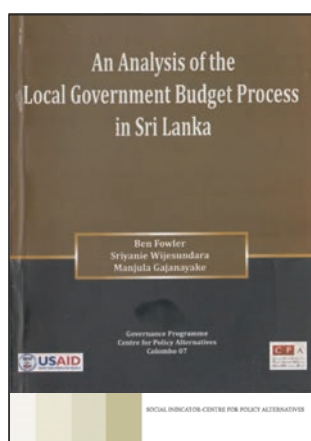
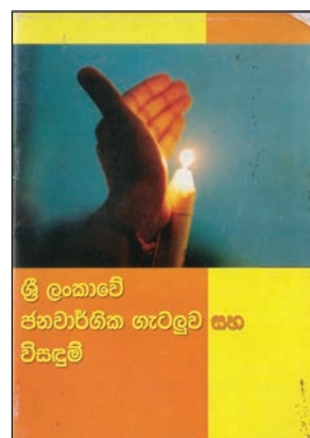
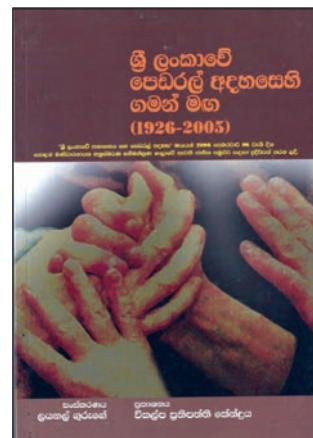
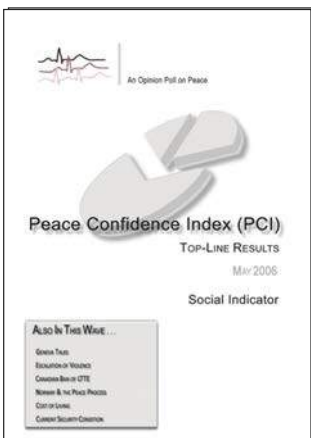
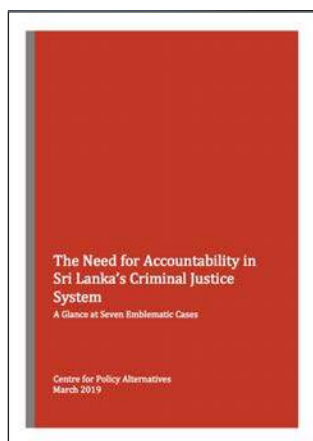
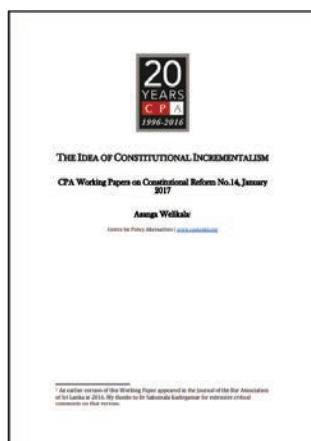
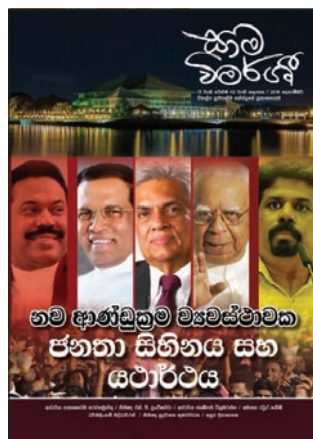
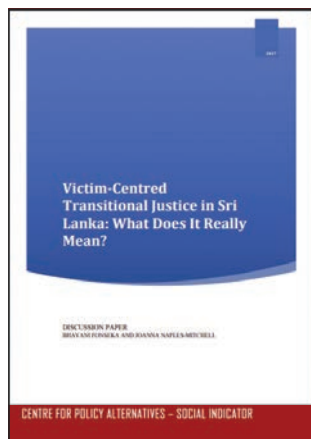
- In re the Eighteenth Amendment to the Constitution (SC SD 05/10)
- Anton Judes v Officer in Charge of Omanthai Camp (SC FR 389/10)
- Gunarathinam Manivannan v Hon.D.M Dayarathne and other (SC FR 393/2010)
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- Centre for Policy Alternatives v Elections Commissioner (SC FR 111/10)
- Alagiyawanna v Rupavahini (SC FR 73/10)
- Ceylon Teachers Union v Public Service Commission (SC FR 367/09)
- Centre for Policy Alternatives v Minister of Defence (SC FR 457/09)
- Jayalath Jayawardena v Attorney General (SC FR 396/09)
- Centre for Policy Alternatives v Attorney General (SC FR 578/2008)
- Centre for Policy Alternatives v Dayananda Dissanayake (SC FR 378/08)
- Centre for Policy Alternatives v Attorney General (SC Ref: No.1/2008)
- Centre for Policy Alternatives v Minister of Mass Media and Information (SC FR 478/2008)
- Centre for Policy Alternatives v Secretary to the Ministry of Defence (SC FR 351/2008)
- Centre for Policy Alternatives v Attorney General (SC FR 359/2008)
- Centre for Policy Alternatives v Minister of Defence (SC FR 424/07)
- Centre for Policy Alternatives v Minister of Defence (SC FR 218/07)
- Centre for Policy Alternatives v Inspector General of Police (SC FR177/2007)
- Kandaswamy Rasalingam v Inspector General of Police (SC FR 217/2007)
- Gnanamuttu v Attorney General (SC FR 152/98)

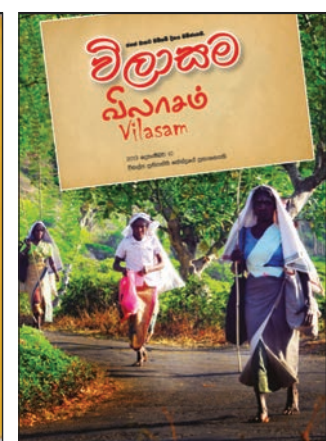
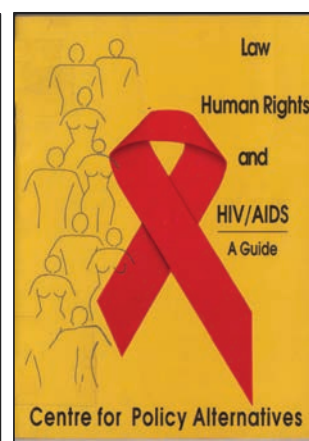
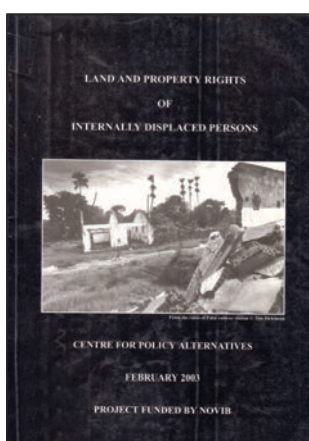
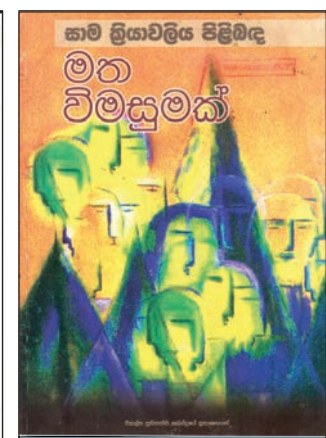
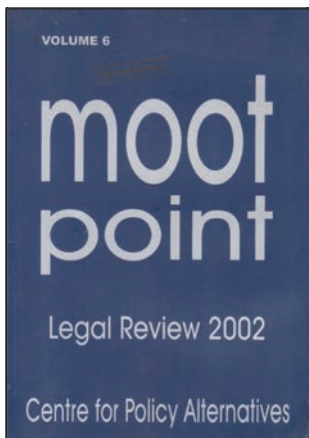
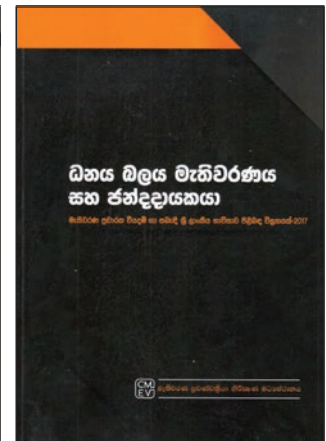
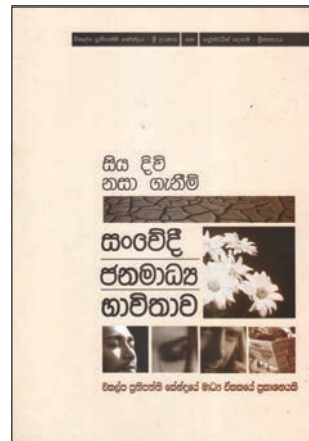
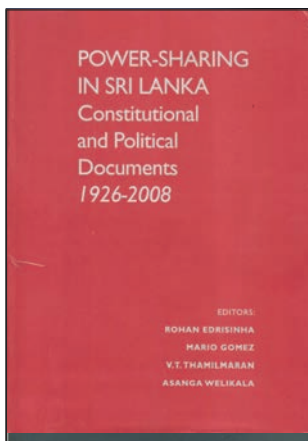
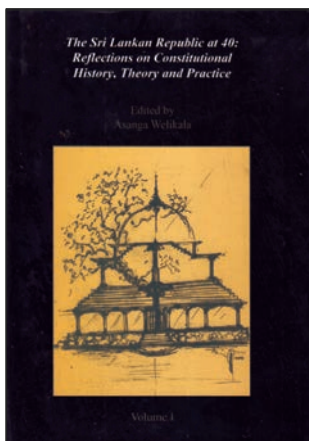
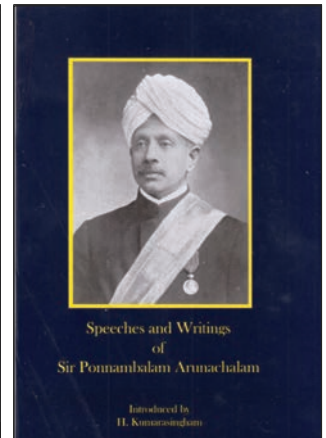
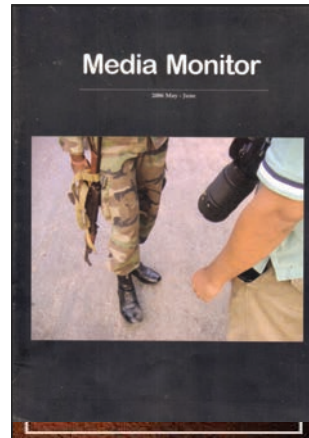
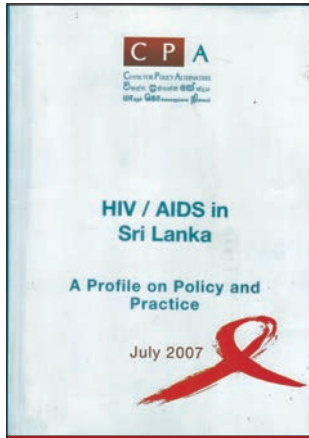
Quarter century of meaningful research



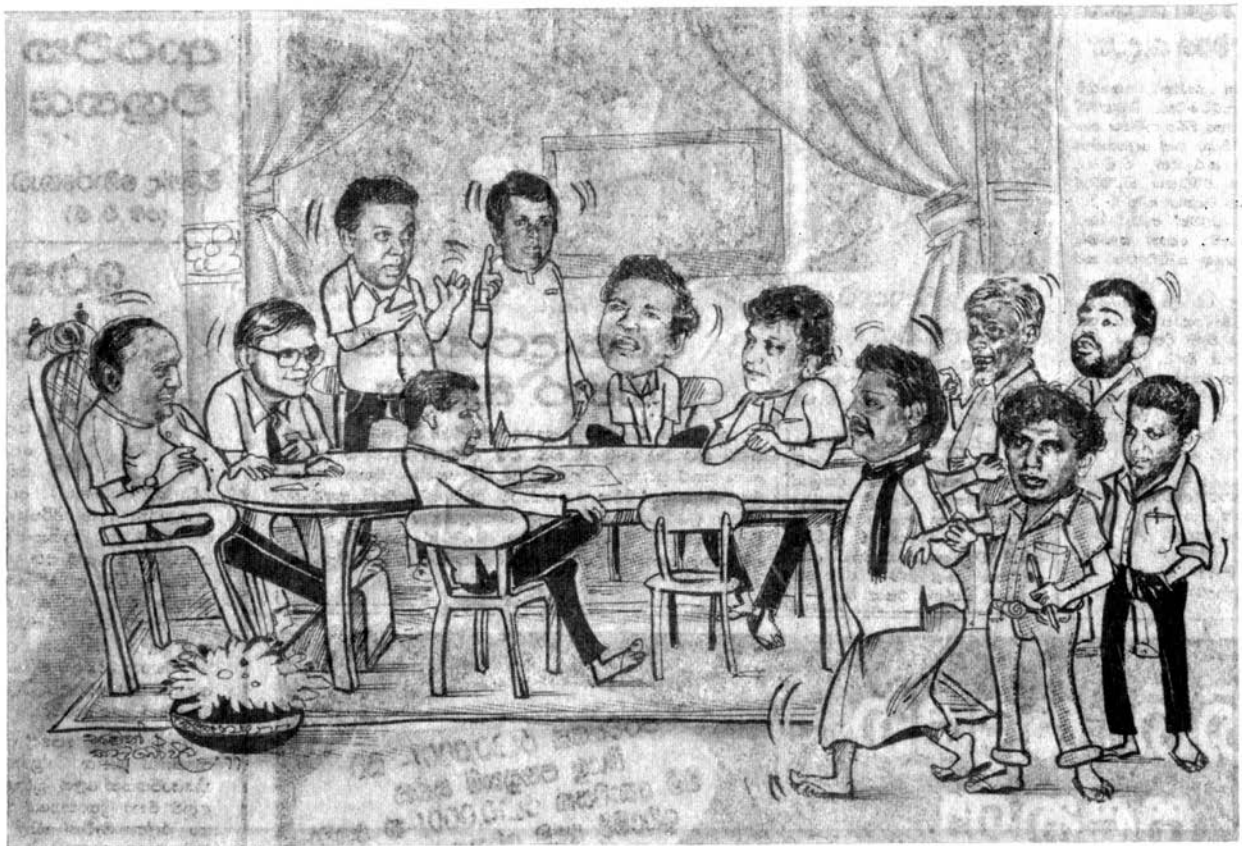








CPA through cartoons



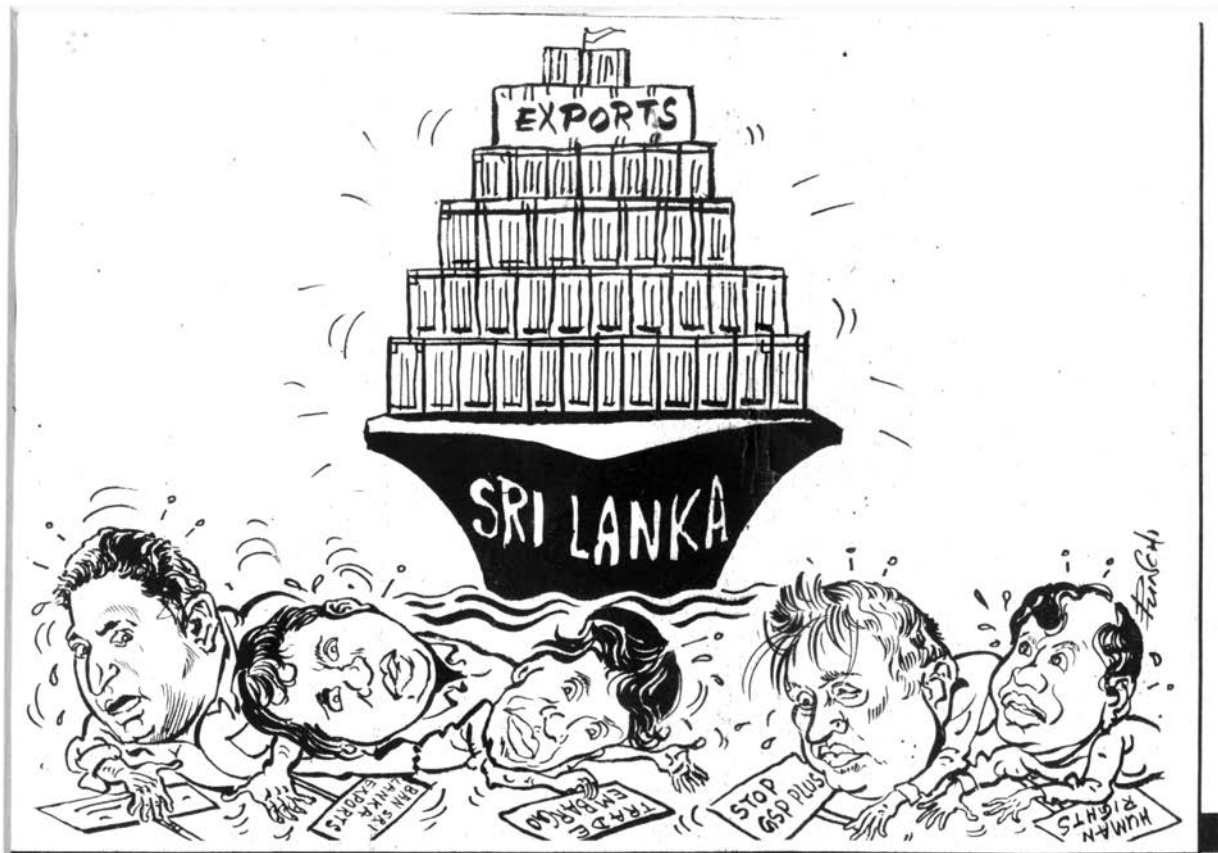
THE ORIGIN OF THE STATEMENT



P. SARAVANAMUTU



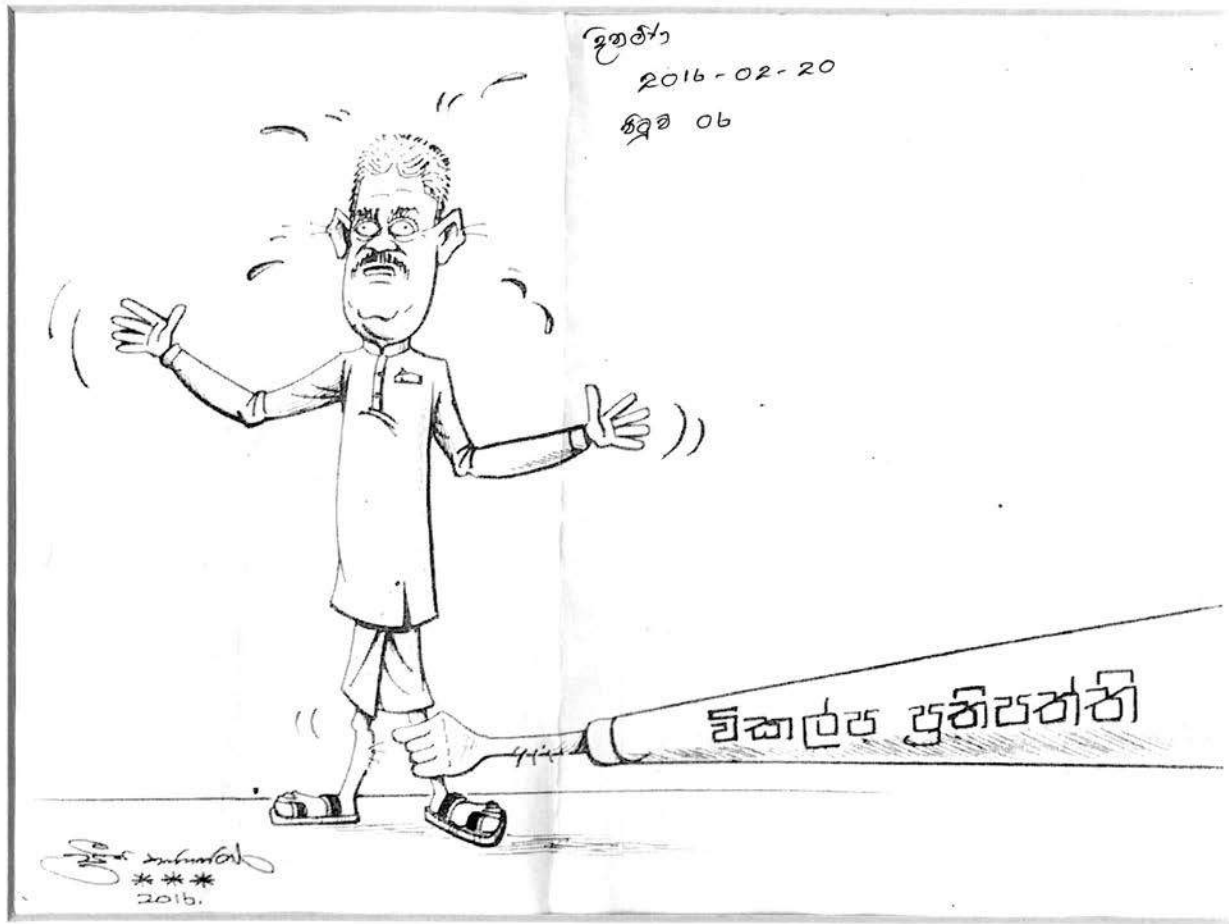
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Sunday Observer - 2011-03-13



Ceylon Today 23-07-2015



Dinamina 2016-02-20



Posters seen islandwide as part of a mudslinging campaign against Dr Saravanamuttu and CPA, following the winning of the fundamental rights case filed by CPA on the Divineguma Bill - 2012

