



# Fact-finding Report on the Anti-Muslim Violence in the Kandy District March 2018

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The Law and Society Trust supported this fact-finding mission to place on record the human face of this tragedy and to underscore that such conflicts do not "simply happen" but are often engineered. If we, the public, are not aware of this, the prospects for the continued engineering of hate will recur. Although the tragedy of Digana is eclipsed by the Easter Sunday bombings (2019), and many subsequent developments, we highlight the need now more than ever for dialogue, positive measures to protect all the affected and vulnerable people and a commitment from the state and the communities that they will work towards a non-violent future.

## Executive Summary

This report is an account of the anti-Muslim violence of March 2018 in Digana and adjacent areas in the Kandy district. The anti-Muslim violence resulted in the declaration of a 10-day nationwide state of emergency, restriction of social media access and the arrest of close to 100 persons. Rioters thoroughly damaged 33 houses, partially damaged 256 houses, and destroyed 163 shops and 47 vehicles. In addition, 20 mosques were damaged in various locations. (See Annex 1)

The report is based on five field visits to the area, key informant interviews in Kandy and Colombo, a survey of news reporting on the incident, and media coverage of politicians' responses in the aftermath.

The report situates the mob violence, or the “riot” event in the context of a popular anti-Muslim movement that has a substantial following in both Sinhala and Tamil speaking areas of the country that has been cultivated since the end of the war in 2009. The success of the anti-Muslim movement has been such that periodic anti-Muslim violence can be unleashed generally in keeping with election cycles. The violence in Digana broke out a few weeks after the local government elections during which anti-minority sentiment was widely used as election propaganda. Further, Amith Weerasinghe, convenor of the Mahason Balakaya which has a stated anti-Muslim agenda, has an office located close to the area where violence took place. The local government election that was won by the Rajapaksa lead “Pohottuwa” and the presence of an organization cultivating anti-Muslim sentiment in the area was therefore understood as significant contributory factors to the event.

The report covers the following: the lead up to the events; the violent events themselves as related by affected persons; the context in Kandy prior to the violence as described by community leaders representing a variety of ethno-religious groups, selected government officials' explanations regarding response to the violent events; and news accounts of politicians' responses to the events. The violent events themselves are presented as described by affected persons with the view to validating their experiences as well as to highlight patterns and similarities in the attacks across geographical areas. We provide an overview of political representatives' interventions for the following reasons. In the aftermath of Aluthgama, there was an attempt by state representatives to control the narrative at a variety of levels with Muslim culpability presented as the main cause. There was a coordinated narrative of Muslim culpability presented by the IGP, government representatives at the Human Rights Council and by then President Rajapaksa.<sup>1</sup> In the aftermath of Digana no such attempt by the government was visible. We consider the government's rhetorical response noteworthy in understanding the lack of overt regime complicity in the attack. However, the regime also proved ineffectual in preventing the

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<sup>1</sup>Farzana Haniffa et al, *Where Have All the Neighbours Gone? Aluthgama Riots and Its Aftermath: A Fact-Finding Mission to Aluthgama, Dharga Town, Valipanna, and Beruwela*, Law and Society Trust 2014.



occurrence of violence and controlling it from spreading after the first attacks were reported in the area. The regime's inability to halt the violence and its lackadaisical response indicated to Muslims that such violence was not regime specific. The government's inadequate response to the violence in Kandy led to violence against Muslims becoming a part of the new "normal" in Sri Lanka.

## **Key Findings**

### **Anti-Muslim Violence as the new Normal**

The *Yahapalanaya* government that came to power first through the victory of the common candidate Maithripala Sirisena at the presidential elections of 2015 did so with a substantial Muslim vote against the incumbent Mahinda Rajapaksa. This vote was considered a protest vote in response to the Rajapaksa regime's cultivation of an anti-Muslim movement since 2012, and its tacit consent to the violence unleashed on Muslim communities in Aluthgama in 2014. The Kandy violence carried out during the *Yahapalanaya* regime's term of office was a shock in that it made clear that such violence was not regime specific, and could be unleashed quite easily against small Muslim communities in regional towns regardless of who was in power. There had been several anti-Muslim events under the *Yahapalanaya* government – in Ginthota, Galle in 2017, in Ampara a few weeks prior to Kandy. However, these were somewhat smaller in scale and did not last long. The events in Kandy had a long lead up with tensions mounting since 22 February 2018 when an individual from a small village in Teldeniya—Kumarasinghe—was beaten up by four Muslim youth at a local petrol station. The tension in the area increased further when news of Kumarasinghe's death was released on 2 March 2018 and finally violence broke out on the day of his funeral on 5 March 2018. When the violence finally flared up and continued over several days with authorities unable to control it, it was clear to many observers that having a regime with an ideology different from the Rajapaksas was in itself not a guarantee of preventing anti-Muslim violence in the country.

### **The Pattern to the violence**

The similarities between the violence in Digana and Aluthgama are worth noting. There was an identifiable spike in the hate rhetoric on social media prior to the events and as documented by the Centre for Policy Alternatives, the hate rhetoric continued throughout the days during which the violence spread. There were several anti-Muslim incidents prior to the trigger event in Kandy. In Aluthgama too tensions were apparent for almost a month prior to the outbreak of violence. There were attempts by local community members to prevent the violence. These attempts were futile. In the case of Aluthgama, Muslim activists from Aluthgama and Colombo attended meetings with the police and attempted to halt a possibly incendiary public gathering convened by the Bodu Bala Sena (BBS). They were told that the police had orders from higher authorities to let the meeting take place. Violence broke out as anticipated in the aftermath of the meeting. In the case of Digana the incendiary event was the funeral of Kumarasinghe who died in an altercation with four drunken youth (Muslim). There were attempts by members of the Kandy mosque committee and other community leaders, the police and the monk at the village temple

to mitigate the prevailing tensions. The funeral was stopped from being elevated to a public spectacle by the police obtaining a court order preventing the holding of a public event. The Ven. Upali Gnanissara, the monk in the village where the funeral was to take place, had also intervened forcefully to stop mobs who had gathered to attack Muslim homes. Violence was not permitted in Kumarasinghe's village of Ambala. However; there was insufficient intervention at the village level to prevent the organized violence that spread in other parts of the district and in Teldeniya town a few miles down the road. Whether the authorities took adequate measures to assess the level of threat and respond accordingly remains a question. As some politicians too (see below) had pointed out, it was clear that tensions had been mounting for some time.

There were similarities to the way in which the violence was carried out. Mobs first destroyed CCTV cameras and then damaged houses and shops. Different groups seem to have been relegated different tasks. Different locations reported similar methods being used. In keeping with stories from Aluthgama, affected persons (particularly from the Digana market and Welekade) reported a large police presence in the area while the attacks were ongoing. The police did little to halt the attackers.

Further evidence of similarities with Aluthgama included the fact that very few people were attacked. The attacks targeted property ranging from small lower middle-class homes to large mansions of the wealthy and the upper middle class. Further, 163 large and small businesses ranging from neighbourhood groceries to luxury furniture stores to factories employing many local persons were attacked. In both cases, in Aluthgama and Kandy there was at least one incident of egregious violence against a person. In Aluthgama we encountered a report of one man being hacked to death. In Digana, a Muslim senior citizen was dragged off a bus and beaten unconscious. He never regained consciousness and succumbed to his injuries later in 2018. The fact that there were no more incidents of this nature indicates that the potential for violence was held in check. These incidents also stood out as being exceptional. The norm was to have people leave their homes by various mechanisms and attack and destroy property. Many affected Muslim persons in both Aluthgama and Digana described the attacks as a planned attempt to destroy their businesses and local Muslims' economic wherewithal.

### **Affected Communities' perspectives on events**

We spoke with different groups of affected Muslims across the district in towns and villages where the violence occurred. The diversity among the affected was significant. They included small village communities with limited assets and more middle and upper middle-class families in wealthy semi-urban neighbourhoods. We also spoke to businessmen from the Digana market. While the extent of the damage and the police response etc. varied there was certain uniformity in how different community leaders described their experience. There was dissatisfaction with regards to the actions of the police and the Special Task Force (STF) and there was suspicion regarding the collusion of neighbours. There was also suspicion regarding discrimination by the authorities of the state. Many reported that they encountered issues when accessing compensation and assistance. The attackers, as explained above, severely damaged assets belonging to Muslims in the area and also burnt and desecrated many mosques. The hate with which the acts were carried out was evident in the manner in which the insides of the mosques

were damaged, book cupboards broken in to and copies of the Quran and other religious texts torn up and burnt.

There was great frustration at the manner in which the police had conducted themselves across the districts. The police and the STF were considered complicit in the violence and destruction at a variety of levels. The STF had entered a mosque with their boots on in Hijra Puram and beaten up two moulavis. They had entered the home of a person in Kumbukkandura and dragged him out together with a friend of his on the accusation of inciting tensions. Two men, ASM Fazil and M. Fazil were dragged to Digana from Kumbukkandura by the STF. ASM Fazil was a provincial councilor who had participated in discussions in Teldeniya. In Ambatanne and Welekade, after the mobs had attacked some houses, the STF had asked families to leave their homes and seek shelter with relatives in other nearby villages. After they left, mobs had returned and caused further damage to property. There was CCTV footage circulating on Whatsapp that showed a person in a police uniform letting attackers in to a mosque. Other footage showed attackers on the road stopping and conversing with passing police and army vehicles.

The disaffection of affected Muslims extended beyond the police to all state services and to the political establishment itself. Some individuals that we spoke to mentioned that they were with MP Haleem, a native of Akurana who was an MP for the Kandy District, when violence began on the morning of 4 March. When Haleem had called for assistance to the police in Colombo, he was told that security will be provided for his own safety and that this would be sufficient. They knew then, this person stated, that no one was going to make the effort to stop what was going to happen. The way events were described it was clear that people saw collusion at every level. The police and the STF were accused of standing by while buildings burned. The fire engine turned up in Akurana and the driver said he forgot to load water. When the violence first occurred, there was no electricity and water supplies to Digana and fires could not be put out. After the event, the local administration tasked with assessing damages accused the people of claiming more than was lost. The state's own estimate of damages was laughably low as documented by Zubair et al.<sup>2</sup> The compensation paid by the state at the completion of the research in 2019 amounted to the paltry sum of Rs. 19,000 000.00.

Given the nature of the events over those days in March 2018, it was perhaps understandable that the affected Muslim community representatives were suspicious. However, it also became clear that in the aftermath of the violence the communities in the area could only refer to one another in the terminology of antagonisms. There was almost no other way of articulating a general sense of how Muslims and Sinhala Buddhists lived in those areas. In many neighbourhoods affected Muslims spoke about the fact that no Sinhala friends or neighbours intervened to help during the attacks. There was a sense that the neighbours were complicit. The

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<sup>2</sup>The state has been notorious in its delayed provision of compensation for such events. In a 2014 investigation into violence in Aluthgama we discovered that people were awaiting compensation for events in 2006. REPIA in Colombo informed us of paying compensation for the violence in Aluthgama in 2014 in July 2018. These delays and problematic calculations were understood as state indifference to the plight of affected Muslims. See: L. Zubair et al., "Is the State Grossly Underestimating the Losses from the Mob Violence in Kandy?" *Groundviews*, 24 June 2018, <https://groundviews.org/2018/06/24/is-the-state-grossly-underestimating-the-losses-from-the-mob-violence-in-kandy/>

story of Abdul Basith whose body was discovered on 6 March inside his house from which he could not escape, was a case in point. The family felt that the bystanders watching as their shop burnt could have done more to save Abdul Basith's life. Some villages had strong links with the local temples and monks had given assurances that they would "not let anything happen." However, the monks had not been able to control the crowds. However, the Muslim community felt that they could have done more. In another instance, a moulavi told us that the attackers were people he had known well during his childhood. Muslim women in Welekade talked sadly about the fact that Sinhala mothers whom they thought were friends and whom they regularly interacted with on the bus and in school contexts, appeared to ignore or shy away from them in the aftermath of the violence, pointing to the long-term damage that the incidents had created even among those who had no role in the attacks and probably didn't approve of them either. The stories of their Sinhala neighbours helping affected Muslims were muted. Many were far more eager to point out the story of enmities and the prevalence of anti-Muslim sentiment and emphasise the distancing that seemed to have occurred in the communities in the recent past.

In one village we were told that the monk of the village temple and the Sinhala gramasevaka (GS) were complicit. The GS participated in the attacks and the temple bell had rung a few minutes before the attacks. It was later revealed that the GS was actually trying to minimize the damage. We understood from the stories that in the immediate aftermath of the attacks, the affected Muslim communities saw enemies in all who were not Muslim. It was also clear that together with the sedimentation of anti-Muslim sentiment in the Sinhala consciousness there was a similar sedimenting of a sense of always being under attack among the Muslims. When we interviewed the GS and the monk mentioned above, we saw that their entire conversation regarding Muslims was conducted solely in the language of the anti-Muslim movement. (Both used the term *anthavadi*, meaning extremist, and made reference to Muslims maintaining a distance from Sinhalese). Having such ideas about Muslims did not always mean that the individuals supported violence against Muslims. There seemed to be no language other than that of mutual suspicion and mistrust through which most Muslim and Sinhala community leaders could speak about the violent events and their communities' predicament. (Even the monk in Ambala who had fought to prevent violence in his village spoke of Muslims as *anthavadi*.)

As the report documents through the narratives of women in the village of Enderutenne and an elder in a different village, many affected Muslim communities lived in fear and uncertainty in the aftermath of the violence. Their lives had changed irrevocably. The possible recurrence of violence seemed imminent.

### **Law enforcement response**

Senior law enforcement officials admitted to a flawed response on their part. But we were told that there were reasons for their response and that they were not reducible to police officers' complicity in the attacks or a conspiracy to hurt Muslims. The extenuating circumstances are as follows:

- a) These occurrences were the result of a societal deterioration that the politicians had done little to address and cannot be made the police's responsibility alone.
- b) The police are not equipped to deal with problems of this nature. They are under-trained, under-prepared and under-funded with very few resources at their disposal.
- c) The lack of institutional support prevented constables from taking the initiative to stop violence without direct orders to do so. The police are also wary of responding with force as they have been criticised in the past for excesses.
- d) The principle of containment is what is considered appropriate. Not retaliation. The police through their actions must not escalate the situation.
- e) Five policemen cannot control a mob of 500.
- f) There was an intelligence failure in that there were attacks in two locations and only one had been anticipated and planned for.
- g) There are provisions in the Penal Code – under the section on unlawful assembly -- to take action against mob attacks. However, proper leadership is needed to take such action.
- h) The fact that police constables are usually from the area and may know the perpetrators well is a hindrance to policing occurrences of this nature.

However, as discussed in the body of the report below, these proposed extenuations cannot explain away both the partisan nature of the law enforcement engagement during this period, nor the alleged complicity with select perpetrators, as well as internal policy failures within the Police/STF establishment.

### **Local intellectuals' response**

We spoke to both Sinhala and Muslim civil society representatives, academics and officials in the administration (Divisional Secretaries, representatives of the disaster management unit etc.). In the section on local intellectuals, we offer a composite summary of their perspectives. The local intellectuals we spoke to in the aftermath of the violence in Kandy, articulated their distress at the deteriorating ethnic relations in the country. A helpful comment from a Sinhala intellectual was that while the media propagated lots of damaging information that fed the anti-Muslim sentiment in the country, there were no respected voices in the public sphere that provided a corrective or a different framing through which such rhetoric could be understood. It was also clear in our research that even the most well-meaning Sinhala persons who opposed the violence were unable to speak of Muslims without resorting to the racist rhetoric made popular since 2012 by the anti-Muslim movement. Muslim intellectuals critiqued the tightening of space to practice their religion and particularly to dress according to their accepted religious sensibilities. They also spoke of the deterioration of educational opportunities for Muslims as linked to Muslims' sense of marginalization and disaffection in the area. Muslim admissions into the "good" schools in the district are much less than they used to be and many schools that do admit children have increasingly racist policies with regards to Muslim women's dress. Muslims are compelled therefore to resort only to Muslim schools (of which there aren't enough) and Muslim international schools that are often not very good. Some Sinhala commentators feared that given Muslim patronage of English language schools they will pose a threat to the Sinhalese in the job market in the future.

### **Monks' responses<sup>3</sup>**

The monks that we spoke to in and around the affected area were uniform in their condemnation of the violence and expressed regret that it could not be stopped. Some of them had housed displaced Muslims in the temple premises and provided other forms of assistance. The Ven. Upali Gnanissara had confronted armed crowds that had come to Ambala. However, they were all also uniformly committed to a Sinhala supremacist rhetoric that saw fault for the events squarely at the door of the Muslims. The Muslims' "unacceptable" behaviour was described mobilizing classic anti-Muslim tropes that prevail to date. Reasons spanned issues regarding the economic prowess of Muslims, their excessive indulgence in religious practice, their assumption of superiority over other peoples, their use of strategies such as "vanda pethi" (sterilisation pills) towards achieving their ends. (The monks referenced these notions as if they were established fact, reflecting the manner in which such ideas – first propagated by the BBS – had sedimented to then periodically circulate in society with limited pushback either from Muslim groups, civil society or from the government.). It was stated by one monk that if such incidents were to be prevented in the future, the Muslims must transform their behaviour.

The issue causing the most distress to monks was that of the young men arrested under the ICCPR Act and held without bail. (There were close to 100 persons arrested across the district). They accused the various Muslim village leaders and mosque committees of "not cooperating" to facilitate the release of such young men. They understood the young men to have engaged in an act of foolishness, the enormity of which they (the young men) did not understand. One monk stated that if the young men had been aware of the harsh penalties, they would suffer under the ICCPR Act then they would not engage in such behaviour. The impression was that such events were not egregious and did not merit the usage of harsh laws like the ICCPR Act. The monks also stated that the Muslims, by not helping with obtaining their release, were laying the ground work for greater community disharmony. The monks did not think that the kinds of actions that the young men engaged in merited such harsh treatment.

In an event of this nature where so many had lost so much, the fact that the sole focus of the monks was on the distress of the alleged perpetrators conveyed the impression that they were more than sympathetic to their actions.

### **Larger Muslim community responses**

While there were many anecdotal accounts of the manner in which civil society organisations and charitable groups collected and provided goods for assistance to affected groups in the immediate aftermath of the attacks it is important to document the organized response by civil society organisations, mosque trustee boards and the All Ceylon Jamiatul Ulema. In the aftermath of the attacks on around 12<sup>th</sup> March a committee was established with the participation

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<sup>3</sup>It must also be mentioned that there were groups of monks who organized a silent protest in the aftermath of the incidents of violence. Our account references our interviews at the local level in the Kandy district only. See "Sri Lanka Buddhist Monks Denounce anti-Muslim Riots," *Al Jazeera*, 9 Mar 2018, <https://www.aljazeera.com/news/2018/03/sri-lanka-buddhist-monks-denounce-anti-muslim-riots-180309192840779.html>



of Muslim civil society groups, mosque committees and the Jamiathul Ulema to organize the provision of relief. This committee the Kandy District Relief Coordination Committee organized the distribution of relief and the assistance for reconstruction. There was a substantial mobilization of resources through the use of mosque networks. The money collected served to provide relief to affected people in the immediate aftermath and also provided assistance for the rebuilding of damaged homes and businesses in the absence of meaningful state assistance

## **Government response**

Unlike in the case of Aluthgama,<sup>4</sup> the national government's faults were more of omission rather than of commission. They were remiss in their lack of response to the emerging threat of violence and were slow in their mobilization of the police and the army when the violence broke out. Unlike in the case of Aluthgama, there was no evidence that, in the aftermath, the government attempted a cover up or that it worked to control the narrative regarding the event. The rhetorical response from the government was critical of the outbreak and commiserated with the affected Muslim population. In a meeting with Muslim intellectuals the PM was not supportive of a call for a commission of inquiry but admitted that the government should have had a counter campaign refuting the anti-Muslim ideology. Suspected perpetrators were arrested in the aftermath of the attacks and charged under the ICCPR Act. Many were remanded without bail and their families and the larger communities were highly distressed at what they considered to be treatment far in excess of their actions. The cases have not made much progress and all those arrested were released by the end of 2018. When the leader of the Mahason Balakaya was released from prison in October 2018 he was welcomed back to Digana with fireworks. There were promises made by the military commander from a base in the area that the military would engage in rebuilding (in a manner similar to Aluthgama). However, the military was in the area just for one day of clean up. No rebuilding was carried out by any government institution. The government officials accepted claims by affected persons, visited affected homes and carried out damage assessments and recommended compensation. Affected persons received Rs.100, 000.00 initial payment that was made a few weeks after the attacks.

According to the Rehabilitation of Persons, Properties and Industries Authority (REPPA) records which we accessed in 2019, the number of houses damaged that received compensation within 5 months of the attacks included 249, amounting to Rs. 10.4 million. One hundred twenty-six shops received a collective total of Rs. 5.46 million. Rs.30, 2.45 million was distributed to those with damaged vehicles. This brought the total to Rs.18.32 million handed out by REPPA within the 5-month period. However, claims over Rs. 500,000 took longer to process. As Zubair et al argued, shortly after the events the state estimation of compensation was grossly

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<sup>4</sup> The organised nature of violence in Aluthgama was also clear from evidence of the STF not stopping the attackers or looters, or arresting those violating the curfew, of the pattern of how attacks were carried out. The fact that attackers were armed with weapons that the focus was on the systematic destruction of property, that there were vehicles specially brought to carry away looted goods were further evidence of organization. See: Where Have All the Neighbours Gone? Aluthgama Riots and its Aftermath: A Fact-Finding Mission to Aluthgama, Dharga Town, Valipanna and Beruwela, <https://lankadeepa.org/wp-content/uploads/2017/11/aluthgama-report-final-english.pdf>

inadequate. The shortfall was met by funds collected by Muslim civil society and mosque groups. (See Annex # 1- damage estimates done by civil society organization).

One year and 7 months after the attacks REPPIA claimed 90 per cent of all claims had been covered. The remaining 10 per cent were the result of 16 claims that were large sums pending the committee report. The committee was established by the cabinet to evaluate and inform REPPIA of the exact compensation sums required but delays had prolonged the process.

In the immediate aftermath the President stated that he would appoint a three-member commission to inquire into the incidents. Three retired judges would be appointed to the commission. However, such a commission never materialized and the Prime Minister, meeting with Muslim civil society representatives several weeks after the event stated that the government would not be going ahead with a commission. He referenced the country's long history of ineffective commissions as the reason not to do so.

The lack of a strong and sustained response by the state either in relation to taking cases against perpetrators forward or in providing adequate compensation has meant that there is no message to perpetrators that their action will not be tolerated. There is no message to affected Muslims that the state is committed to ensuring that their rights are protected. The government's response led to the further normalization of anti-Muslim violence.

### **Were 'both sides' culpable?**

Although many of the affected people we interviewed were in shock, many of the people whose opinions we sought were particularly surprised at what happened and seemed quite convinced that more violence could occur. We were told that the reason for such violence was political. But some Sinhala interlocutors also stated that "both sides were to be blamed," and that the Muslims too will need to change if such violence is to be avoided in the future. In general, we found that there was a significant mismatch between platitudes about diversity/religious freedom and the need to reinforce the pre-eminence of Sinhala Buddhism in all aspects of public life, among monks and some local leaders from the majority community. The underlying premise here is that there is an unwritten line that must not be crossed by minorities, and this line can only be determined and policed by the majority. It is this violation of role and responsibility that leads to repercussions, and while violence and property damage is unacceptable, the root cause is still considered to be the violation of the assigned hierarchies of majority-minority relationships.



## CHAPTER 1

### Introduction

In May 2019, Sri Lanka commemorated ten years since the ending of the ethnic war in 2009. In the years since the end of the war, the Sri Lankan polity saw the emergence of a new movement undermining already strained relations among its many communities and impacting its public services and institutions. The new anti-Muslim movement, initiated by the monk-led BBS organisation in 2012, transformed since then with many proxy groups taking on the anti-Muslim message and spreading it in a variety of fora under different names. These groups were so successful in propagating their ideology of othering Sri Lanka's Muslim communities, that several incidents of violence against Muslims have occurred during the ten years since the end of the war.

This report documents the anti-Muslim violence in the Kandy district on 3rd-9th March 2018. This event was the fourth large-scale conflagration of orchestrated anti-Muslim violence perpetrated by Sinhala Buddhist identified groups in the country after the end of the war. The four events are Aluthgama 2014, Ginthota 2017, Ampara 2018 and Kandy 2018.

The incidents in Kandy were surprising to many, and especially shocking for the country's Muslim communities. The presidential elections of January 2015 and the subsequent parliamentary elections saw a very high turnout of Muslim voters. The defeat of the incumbent, Mahinda Rajapaksa and the victory of Maithripala Sirisena, the "common candidate", was seen to have partly been brought about by Muslims voting en masse to get rid of the former regime. Sri Lanka's Muslim communities' voting in the Yahapalanaya regime was seen as the process by which they could stop the constant targetting of their way of life and businesses by the anti-Muslim movement. However, the violence in Digana and the government's lackadaisical response in the face of an obvious escalation of the threat of violence as well as their less than stellar attempts at curtailing the violence once it broke out, demoralized many of the country's Muslims. There had been several signs that the anti-Muslim sentiment continued to be a factor and that violence was a possibility. Gintota and Ampara had already taken place. However, these incidents were limited in scale and had been brought under control. The history of such violent events indicate that for the incident to spread over several days they must be permitted to happen through a collusion of different forces in authority at both the local and national level. The fact that the violence in Digana and adjacent areas lasted for several days indicated there were those in authority even during the time of the Yahapalanaya government that were permitting the violence to take place. The anti-Muslim movement could no longer be attributed to the previous regime's politics. It became suddenly clear that the anti-Muslim "riot," or organized violence against Muslims, had become a reality in the country for the foreseeable future.

This report, compiled after field work in the affected areas in the months after the events, will attempt to do the following:

- Describe the lead up to the carrying out of mob violence;
- Map the occurrences on the different days during which violence occurred.;

- Provide a case study of 8th Milepost Akurana (an example of the breakdown of relations in the aftermath of the violence),
- Present law enforcement authorities' description of their response.
- Analyse perpetrator accounts of the violence;
- Present politicians' and civil society organisations' response in the aftermath;
- Provide a summary analysis of newspaper accounts of the violence in the week following the incident.

Muslim traders in the Digana market did not seem surprised by what had occurred and seemed convinced that something of this nature will happen again. After the incidents in Kandy, it was evident that violence against Muslims in Sri Lanka was a reality for the foreseeable future. This possibility was further exacerbated by the Easter Bombings by 9 Muslim militants and the cultivation of a narrative of general Muslim culpability in the aftermath.

On 21 April 2019, Islamic militant suicide bombers detonated themselves in six places in the country causing the deaths of 269 persons, destroying lives and communities and completely transforming the country's politics. Anti-Muslim sentiment propagated by a movement active in the country since the end of the war gained substantial popular support due to the fact that little was done to counter it. The rhetoric of the movement regarding Muslim perfidy was elevated to the level of a national discourse in the aftermath of the bombings. The following report deals with an instance of anti-Muslim violence that occurred before the bombings. Today hate against Muslims is becoming naturalized as a response to the bombings. It is important to note, however, that there are continuities between the sensibilities that are now popular among many Sinhalese and the thinking within the anti-Muslim movement that was actively propagated for nearly a decade. The violence in Digana is one example of the many such instances that preceded the April bombings and shares similarities with anti-Muslim violence that was unleashed in the district of Kurunegala a few weeks after the bombings. There have been claims that the bombers' "radicalization" was connected to the violence in Aluthgama and Digana. However, the elements of continuity between the anti-Muslim mobilization before and after the bombings are not reducible to seeing a connection with regards to the bombers' motivation alone. We believe, therefore, that being informed of the underlying causes and the social, political and economic consequences of the events in Digana are important for taking forward efforts in the recovery from the April 2019 bombings as well. We believe it is necessary that the anti-Muslim sentiment cultivated to bring about violence in Aluthgama and Digana be recognised as a part of a recurring pattern that requires responses at a variety of levels.

## **Methodology**

The research for the report consisted of a series of field visits during which interviews were carried out with various stakeholders. The team was led by Dr. Farzana Haniffa of the University of Colombo (present for all the visits) and included Dr. Wijeya Jayatilake (University of Peradeniya), Snr. Prof. Arjuna Parakrama (University of Peradeniya), Prof. Sumathy Sivamohan (University of Peradeniya), and Prof. Shamala Kumar (University of Peradeniya). Logistical and technical support was provided by the Law and Society Trust team consisting of Megara Tegal

and Nigel Nugawela. Field work was facilitated by Najah Mohamed and Halim Ishak and we obtained the support of the government agent (GA) of Kandy for our work. The team received support in carrying out field interviews from Disaster Services Centre, Digana.

Interviews were carried out in the affected areas of the Kandy District through 5 two-day field visits spread over a four-month period (March to July 2018). Interviews were carried out in two mosques with Mosque committee and community leaders, individual interviews were carried out in the homes of affected persons, interviews were carried out in temples with 5 monks including the monk in the deceased Kumarasinghe's village. We interviewed M. Fazil and A.S.M Fazil who were assaulted and arrested by the STF (see below) and spoke with the mosque committees in Kandy, Digana and Akurana.

In addition to interviews in the Kandy District, we also conducted interviews at the REPIA (Office of Reparations) with senior officials and with senior police officials in Colombo. Desk research was carried out for a review of the existing literature on the anti-Muslim mobilization, for an overview of newspaper reporting about the event and also for an analysis of various politicians' and civil society actors' commentaries on the event.

The report writing was carried out by Farzana Haniffa with assistance from Megara Tegal. A summary report was provided in August 2018 to the Human Rights Commission of Sri Lanka ((HRCSL), See Annex 2). Five rounds of consultation were carried out with team members while the report was in production.

It is with regret that we note this report is being released two years after the events of March 2018 when many other events have eclipsed the happenings of March 2018 in the public consciousness. We feel, however that the report contains information and analyses of historic importance and will impact activism and policy today. The report contextualises the events in Digana in terms of their contemporary relevance.

## CHAPTER 2

### The Violence in Digana, Teldeniya and Akurana

#### Background: The National and Local Politics at Play

Many of our interlocutors in Digana and adjacent areas saw the local government elections of January 2018 as causal in propagating anti-Muslim sentiment and instigating violence. The elections were significant in that they signaled a “comeback” for the Rajapaksa political dynasty which was defeated in both the Presidential and General Elections of 2015. There was an unprecedented win for those who contested on the Rajapaksa affiliated Sri Lanka Podu Jana Peramuna or the Pohottuwa (the bud) symbol. Of the nearly 350<sup>5</sup> local councils they won a majority of seats in 222 councils while the sitting UNP won 41 and the SLFP, the party led by President Sirisena, won just 7. Members of the previous regime that openly cultivated anti-minority and Sinhala supremacist ideals were emboldened by the election and the violence was seen as a consequence of the validation they received. Newly elected members of local councils were among those who were arrested in the aftermath. Additionally, to many analysts the elections signaled a significant shift in the political arrangement of the country. The President attempted to bring about a no-confidence motion against the Prime Minister. MP Rajapaksa called for a new election. Other analysts (including the leader of the JVP whose position we present in a later chapter) argued that the violence was beneficial to the UNP as well. The event distracted from the proposed no-confidence motion against the Prime Minister, and the glaring failures of the regime, regarding the economy for instance, could be pushed under the carpet temporarily. Commentators in the affected areas saw the local Sinhala business community as well as the local political elite gaining from the destruction of rival businesses. Sri Lanka Muslim Congress leader Rauf Hakeem pointed out (see below) that the coalition government was in serious disarray in the aftermath of the election leaving the entire country unstable. Hakeem suggested that this disarray can be seen to have impacted the management of the violence.

The Kandy district has featured periodically in anti-Muslim agitations by various groups. The BBS held one of its main meetings in Kandy in February 2013 where the Ven. Gnanasara very evocatively compared the BBS and all Sinhalese participating in the anti-Muslim movement to the members of the Kandyan aristocracy that defied the British, thereby suggesting that the Muslims were outsiders like the British Colonials.<sup>6</sup> Then later, in October 2013 there was a motorcade organised from Colombo to Kandy through which the BBS threatened to reawaken anti-Halal agitations that had been dealt with earlier that year.<sup>7</sup> The group Mahason Balakaya had established offices in the Digana town a few years later. Then, more recently there was a controversy over the proposed minaret of one of Kandy’s oldest mosques. On 5 June 2016, there

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<sup>5</sup> There were 341 in 2017.

<sup>6</sup> Haniffa, Farzana (2017) *Conflict legacies and plural histories: what are the possibilities for Sri Lanka’s future?* In *Transitional Justice in Sri Lanka: moving beyond promises*. Edited by Bhavani Fonseka. Colombo: Center for Policy Alternatives.

<sup>7</sup> “BBS Re-launches Anti-Halal Campaign,” *Daily Financial Times*, 23 October 2013.

<http://www.ft.lk/news/bbs-re-launches-anti-halal-campaign/56-204356>

was a protest outside the Malay military mosque alleging that the proposed new minaret will be taller than the Dalada Maligawa.<sup>8</sup> According to a Kandy mosque committee representative, when the BBS was at its most active in Kandy, the local Muslims had organized themselves and met various authorities asking for assurances regarding Muslims' security in the area. They had met with the DIG, the Governor and Chief Minister of the province stating that these activities were a warning to the Muslims of Kandy. The authorities had taken little notice and no active measures had been instituted to prevent the violence that in retrospect seemed inevitable. In the aftermath Muslim interlocutors felt there would be many more such events of violence.<sup>9</sup>

### ***Amith Weerasinghe and the Mahason Balakaya***

The Kandy district, and the Digana Teldeniya area as mentioned earlier was home to the Mahason Balakaya, an anti-Muslim group that was run by Amith Weerasinghe with a local politician accused of being his handler. The Mahason Balakaya, named after the demon Mahasona of Sinhala mythology call themselves demons who have been tamed by Budu Bana or the preachings of the Buddha (*api Budu Banata heela voo yakku bolan*). Their call to arms, available on Facebook and on numerous You Tube videos, aims to mobilize Sinhala youth against the minorities.

A video featuring Weerasinghe in Digana went viral on social media several years prior to the violence and was repeatedly referenced by affected Muslims in Digana. It was a clip where Weerasinghe walks around Digana town distributing Mahason Balakaya leaflets. He states in the clip that he could not find twenty shops owned by Sinhalese to hand out leaflets to. Almost all of the shops were Muslim-owned. "This place is lost" he says in the clip. In another clip,<sup>10</sup> Weerasinghe urges traders to look into how they can protect the Sinhala businesses in their towns. Muslims in Digana saw a connection between the video and the violence. Amith Weerasinghe was arrested in April and spent several months in custody, charged under the ICCPR Act. He was denied bail in April during a hearing, but in October 2018 he was released on a cash bail of Rs.25,000 and a surety bail of Rs.50,000. On his return he was welcomed back to Digana town in a celebratory fashion.

In June 2018 the Colombo Telegraph published a video clip where figures identifiable as the Ven.Gnanasara, Secretary of the BBS and Amith Weerasinghe convenor of the Mahason Balakaya, are shown conversing in the middle of a large crowd of young and middle-aged men about the technicalities of attacking Muslim communities. The discussion was regarding plans to "hit" (*gabanna*) the Muslims.<sup>11</sup> Amith Weerasinghe is seen attempting to persuade the crowd and

<sup>8</sup> Mass L. Usuf, "Protest Opposite the Malay Military Mosque in Kandy," *Colombo Telegraph*, June 9, 2016.

<https://www.colombotelegraph.com/index.php/protest-opposite-the-malay-military-mosque-in-kandy/>

<sup>9</sup> See for instance, the analysis provided by JVP leader Anura Kumara Disanayake as summarised in this report and also the post by blogger Indi Samarajeeva available at <https://medium.com/@indica/riots-will-happen-again-in-sri-lanka-a12510823a1d>

<sup>10</sup> Zaheena Rasheed, "In Sri Lanka, Hate Speech and Impunity Fuel Anti-Muslim Violence," *Aljazeera*, 13 Mar 2018 <https://www.aljazeera.com/news/2018/3/13/in-sri-lanka-hate-speech-and-impunity-fuel-anti-muslim-violence>

<sup>11</sup> "Exclusive: Mahason Balakaya Leader Caught on Video Plotting Anti-Muslim Attacks with BBS Gnanasara," *Colombo Telegraph*, March 7, 2018

Gnanasara against carrying out further attacks in the location they were in. (Ampara) They discuss the possibility and the difficulties of organizing and financing such an endeavor, (having to beg Ampara businessmen to fund lunch packets for the crowds) the possibility of getting caught by the police when engaged in such work, etc. Weerasinghe states that the possibility of the police using tear gas and thereby members of their group getting caught are high, and that helping those who are caught, and providing bail and sureties for them, might be difficult. He asks that they desist for now. He can also be heard saying “*Numarata, kobeta hari Gahamu*” (“let’s hit Kandy or somewhere else”).<sup>12</sup> The imprint of the Mahason Balakaya was also evident some weeks after the attacks. When speaking to people in the area nearly 4 months after the attacks we were told of the prevailing strained atmosphere and feeling of insecurity. We were shown a note through which an anonymous death threat had been made to a family. The note had the words *Api Yakku* (we are demons) written on it.

### **The trigger event and community response**

On 3 March 2018, Kumarasinghe — a resident of the town of Ambala in the Kandy district — passed away due to injuries sustained during an altercation with four drunken Muslim youth in a petrol shed close to the Mahaweli town of Digana, some 25 kilometers from his home. Four intoxicated Muslim youths were trying to overtake Kumarasinghe’s van in a three-wheeler and were outraged when they were not given way. The altercation occurred nine days before Kumarasinghe’s death.

Kumarasinghe’s death occurred in a context of anti-Muslim tensions prevailing throughout the country. Ever since the altercation, anti-Muslim hate rhetoric had been building up on social media. A few days before Kumarasinghe’s death was reported, there had been a conflagration in the eastern town of Ampara where the owner of an eatery was accused of adding *vanda pethi* (sterilization pills) to the food being consumed by a Sinhala patron. The patron then called on his friends and beat up the owner, damaging the eatery and setting it on fire. The mob grew and went on to damage a mosque, four shops and several vehicles in the vicinity that night.<sup>13</sup> This incident occurred on 26 February 2018. Tension had been brewing in the region since the year before “with some hardline Buddhist groups accusing Muslims of forcing people to convert to Islam and of vandalising Buddhist archaeological sites”.<sup>14</sup> On Tuesday (27 February), during a Cabinet meeting, Ministers Rauff Hakeem, Mano Ganesan, Daya Gamage and Rishad Bathiudeen had urged the government to take action against those responsible for communal

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<https://www.colombotelegraph.com/index.php/exclusive-mahason-balakaya-leader-caught-on-video-plotting-anti-muslim-attacks-with-bbs-gnanasara/>

<sup>12</sup>The clip was published by the Colombo Telegraph on 16 June 2018. It is unclear as to how much can be made of a clip of this nature, that is grainy, undated and un-attributed. But at the very least, it gives us a window in to the age of the gathering – young Sinhala men, no older than their early 30s, and that Gnanasara and Amith Weerasinghe maybe seen as committed to the project of inciting anti-Muslim violence, and further, that they depend on funding from business people to carry out their projects. The clip was later discovered to be from 2015.

<sup>13</sup>“Mosque vandalised in Ampara,” *Aljazeera*, 27 Feb 2018

<https://www.aljazeera.com/news/2018/02/mosque-vandalized-sri-lanka-ampara-180227144548660.html>

<sup>14</sup> “Mosque Vandalised in Ampara,” *Aljazeera*, 27 Feb 2018 <https://www.aljazeera.com/news/2018/02/mosque-vandalized-sri-lanka-ampara-180227144548660.html>



violence in Ampara.<sup>15</sup> The Organisation of Islamic Cooperation (OIC) expressed their deep concern over this situation in Sri Lanka after the attack on Muslims, and the vandalism of their property by mobs in the town of Ampara, the Saudi Press Agency reported.<sup>16</sup> Almost a week later, Health Services Director General, Dr. Anil Jasinghe, in a statement, informed the public that sterilisation tablets are a myth, and emphasised that sterilisation could only be achieved via surgery.<sup>17</sup> While tension was mounting in the Kandy district, Prime Minister and Minister of Law and Order, Ranil Wickremesinghe ordered for an inquiry into the occurrences in the East (on 4 March,) as the initial report already submitted by the police was found to be incomplete.<sup>18</sup>

Incidents of ethnic violence have a long history in Sri Lanka and the phenomenon of anti-Muslim violence of which the incidents in Digana were a part, must be recognised as part of such a history. In such incidents there is generally a trigger event to which the violence can be attributed. In Aluthgama, in 2014, the trigger event was an altercation between a monk in a van and a group of young Muslim men over a three-wheeler obstructing the road. In Digana-Teldeniya, it was the attack on Kumarasinghe, who ultimately lost his life. There is also evidence of perpetrators or groups looking for or creating triggers in the time leading up to the event. The issue of finding *vanda pethi* in food in a hotel in Ampara was a prelude to Digana. A similar possible trigger-incident transpired a month before the flare up in Aluthgama in 2014. A Muslim shopkeeper was accused of groping a child of a Sinhala customer. A large crowd gathered in protest and the shop was burnt. This was a month prior to the larger conflagration that occurred in the aftermath of the incident mentioned above and after a meeting presided over by the Secretary of the BBS, the Ven. Galabodatte Gnanasara, who used inflammatory rhetoric to incite the crowd.<sup>19</sup>

In both Aluthgama and Teldeniya there was an attempt to mitigate the eruption of violence. In Aluthgama amid heightened tensions, Muslim activists engaged with the local police and a senior DIG from Colombo and asked that the scheduled BBS meeting led by the well-known anti-Muslim rabble rouser the Ven. Gnanasara be cancelled. The police refused stating that they had instructions from “higher places” to let the meeting happen (personal communication, Bathiyudeen Hajjar, Pradeshiya Sabha member, Darga Town). They were assured that the heavy STF presence in the area would prevent violence occurring but the violence happened nevertheless.

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<sup>15</sup> Kelum Bandara, “Four Ministers Want Action against Ampara Violence,” *Daily Mirror*, <http://www.dailymirror.lk/article/Four-Ministers-want-action-against-Ampara-violence-146600.html>

<sup>16</sup> “OIC Voices Concern Over Attacks Against Muslims in Sri Lanka,” *Saudi Gazette*, March 2, 2018 <http://saudigazette.com.sa/article/529535/SAUDI-ARABIA/OIC-voices-concern-over-attacks-against-Muslims-in-Sri-Lanka>

<sup>17</sup> “No Infertility Tablets in Western Medicine: Health DG,” *Daily Mirror*, 4 March 2018 <http://www.dailymirror.lk/article/No-infertility-tablets-in-western-medicine-Health-DG-146732.html>

<sup>18</sup> Yohan Perera, “PM Orders to Probe Ampara Incident,” *Daily Mirror*, 4 March 2018 <http://www.dailymirror.lk/146738/PM-orders-to-probe-Ampara-incident>

<sup>19</sup> Farzana Haniffa et al., *Where Have All the Neighbours Gone? Aluthgama Riots and Its Aftermath: A Fact-Finding Mission to Aluthgama, Dharga Town, Valipanna, and Beruwela*. Law and Society Trust 2014, <https://lstlanka.org/wp-content/uploads/2017/11/aluthgama-report-final-english.pdf>

Tensions had been mounting in the areas of Digana and Teldeniya in the aftermath of the altercation between Kumarasinghe and the Muslim youth and intensified during the time that Kumarasinghe lay in a coma in the hospital. During that time there were several meetings and conversations between the police, Muslim representatives and the monk in the Ambala temple regarding what should be done about the rising tensions. When news of Kumarasinghe's death was released, there was a meeting to attempt to mitigate what seemed to be an inevitable outbreak of violence. Those that participated in the meetings in Ambala in Teldeniya included the DIG Kandy and the Ven. Keenapalasse Upali Gnanissara Himi of the Peraketiya temple in Teldeniya and the headquarters Inspector of the Teldeniya police. The representatives of the Muslims in Kandy and Digana included Fazil, a Pradeshiya Sabha representative (see below), Sideek the president of the Kandy Mosque Federation and the secretary of the Digana Mosque Federation.

The discussion concluded that the family should be compensated. It was decided that the Pradeshiya Sabha members would commit to finding work for Kumarasinghe's wife in keeping with her qualifications. Mr. Sideek stated the mosque had decided that Rs 15 lakhs would be paid to the family. Of that, Rs 2 lakhs were to be disbursed immediately for funeral expenses. The local monk stated that what happened in Ampara—an outbreak of violence during which the shop where the initial altercation occurred as well as several other Muslim-owned shops in the vicinity were burned – would not be permitted to happen in Ambala. When violence erupted the 26 Muslim families in the area, Kumarasinghe's neighbours, were spared.

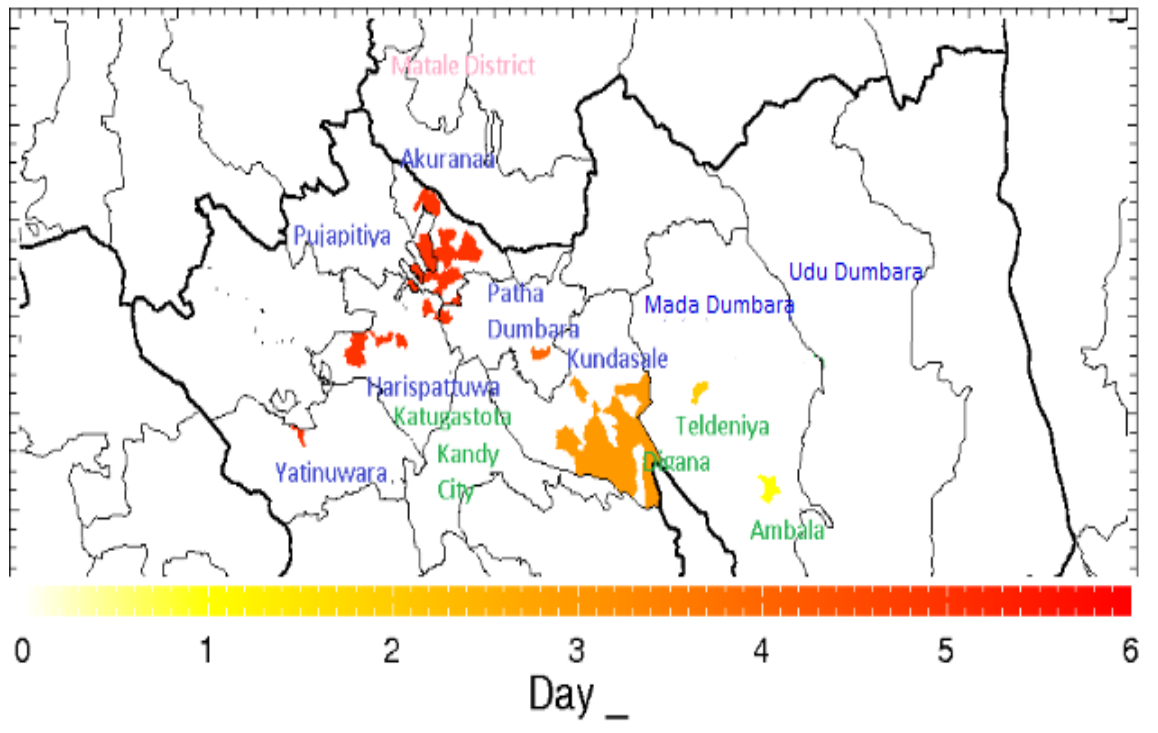
The efforts made by the monk, the members of the Muslim communities and the local police were commendable. They had been meeting for sometime in the aftermath of the attack on Kumarasinghe, and were aware of the mounting tensions in the country and the fact that the assault on Kumarasinghe was becoming mobilized as an ethnic issue in the area. It must be noted at this juncture that the incident and Kumarasinghe's death were being used as propaganda for the incitement of anti-Muslim sentiment that went beyond the community of which Kumarasinghe was a part. Such a mobilization of propaganda was evident in the case of the monk in Aluthgama as well. During the time between the attack on Kumarasinghe (23 February) and his death (3 March), the community group continued to communicate amid mounting tensions. While the group was successful in preventing the violence in the immediate vicinity of Kumarasinghe's village, they were unable to prevent the wider conflagration. It is both interesting and troubling to take a closer look at what the failed interventions of the local community leaders suggest about mitigating the outbreak of violence in such a context. Unlike in Aluthgama, local community leaders and the police were actively trying to ensure that there was no outbreak of violence. What needs to be recognized is that the violence occurred despite all these measures. What is apparent from this event is that it is not enough to simply intervene among community members who were actually affected by such ethnically-inflected confrontations, i.e. trigger events. While violence did not take place in the vicinity of Kumarasinghe's house and while his Muslim neighbours were spared, the wider Teldeniya area, Digana (where the altercation between Kumarasinghe and the drunken Muslim youth took place) and even places unconnected to those involved in the incident -- Akurana for instance-- were badly affected.



Mosque committee representatives from Kandy and Digana together with Muslim Pradeshiya Sabha members from the area, mosque and political representatives took the initiative and the responsibility to mitigate the effects of the actions of fellow Muslims in the area. In a context where such incidents have the potential to spiral into violence, local Muslim leadership generally intervenes in this manner. While such efforts are perhaps commendable, the fact that the local Muslim “community” is called upon to take financial responsibility for the actions of some of their members without involving the state in the response, is curious and sets a troubling precedent. The emphasis is placed not on the law and order mechanisms taking their course and somehow mediating on behalf of other authorities, but on the Muslim community’s financial contribution to provide redress.

On the night of Kumarasinghe’s passing, the Ven. Gnanasara, together with Dan Priyasath, a known anti-Muslim agitator, and the head of the Nava Sinhale movement and Amith Weerasinghe, the convenor of the Mahason Balakaya, Ampitiye Sumanarathna Thero of the Batticaloa Mangalaramaya temple visited the funeral house. Shortly after their departure, M.K.M. Grocery, one of the first businesses to open in the area several decades ago, was attacked and destroyed. As tensions rose, the police intervened to get a court order to hold the funeral in Teldeniya and as a result there was no public funeral procession outside of Kumarasinghe’s home village of Ambala. The Ven. Upali Gnanissara (of the Peraketiya temple in Kumarasinghe’s village) later told us that there were many requests from organised youth in the area for the body to be released for a public procession and that he had refused. There were attempts made to disburse the money for the funeral to the family. But the persons (Muslim) who went to the funeral parlour to hand over the money informed us that they could not find Kumarasinghe’s wife to give the money to, and other family members refused to take the money. After the violence broke out there was no more talk of the money and the promises to pay for the family’s upkeep and to find the wife a job were no longer discussed.

## Summary Chronology of Events<sup>20</sup>



**March 2 (Day 0)** - MG Kumarasinghe Passes Away in Kandy Teaching Hospital, and his body is taken to his home in Ambala.

**March 3 (Day 1)** – Death is known early morning. Attacks in Udispattuwa and crowd violence in Teldeniya,

**March 4 (Day 2):** Medamahanuwara MKM stores burnt, threats/warnings to Muslims in Digana. Menikhinna and Teldeniya Police arrested twenty-four attackers. Batticaloa Mangalaramaya Ampitiye Sumanarathna Thero, Dan Prasad of “Saviour of Sinhala”, Amith Weerasinghe of “Mahason Balakaya”, Galagoda Gnanasara Thero of BBS visit funeral house, All, including Muslims, are advised by Moulavi Fazrur Rahman (Head, Kandy Jamiatul Ulema) to stay away from shops and houses and trust the police.

**March 5 (Day 3)** – Funeral in Ambala in the morning. Crowd travels to Digana 40 km away, and an additional crowd gathers in Digana as well. There is talk that supporters of extreme groups converge on Kandy from different areas such as Matara, Vavuniya, Batticaloa. Firebombs and physical attacks across Kundasale DS (Digana, Kengalla, Balagolla, Kundasale, Natharanpotha); houses and 4 mosques firebombed; STF attacks congregation in Hijrapura Mosque. Attempt to plant weapons on the moulavi is captured on CCTV and circulated. STF patrol drags ASM Fazil and M. Fazil to Digana from their Kumbukkandura residence. Protest by

<sup>20</sup> See: Timeline of Kandy Mob Violence, Precursors, Events and Aftermath, <https://disaster.lk/kandy-mobs-timeline/> accessed on 25<sup>th</sup> November 2020.

a monk and priest stop the STF officers beating the moulavis. They are still formally arrested by police who take them to the hospital. Despite being injured, they are refused treatment by the abusive doctor in attendance at Teldeniya Hospital. Next day they get treated in Kandy Hospitals.

**March 6 (Day 4)** - Warning rumour of attacks targeting Tennakumbura, Harispattuwa, Menikhinna and Kandy. Ampitiye Sumanarathna, 11 other monks and Amith Weerasinghe demand release of those arrested by the Teldeniya police. Abdul Bashith's body discovered in Pallekelle Bazaar. Emergency imposed nationally and curfew imposed in Kandy.

**March 7 (Day 5)** – Attacks in Pujapitiya DS (Mullegama and Welekade 10 am), Harispattuwa DS (4<sup>th</sup> Mile Post Enderatenna, Kurundugolla, 12 noon onward), Akurana DS (8<sup>th</sup> Mile Post, 2 pm to 2.30pm, Deegala, Kurugoda, Malwanahinna), attacks at night in Yatinuwara (Danture, Embilmeegama, Pilimathalawa). Gunarathna Banda passes away due to a grenade explosion in Welekade. Facebook and other social media restricted.

**March 8 (Day 6)** – President meets with religious leaders in Kandy and asks for calm. Amith Weerasinghe and 9 others arrested in Pujapitiya DS by the TID. Taken to Colombo.

**March 9 (Day 7)** – Prime Minister visits affected areas in Digana, Kengalla and Akurana and directs urgent relief. Mahason Balakaya office in Natharanpotha is raided by TID and computers and phones are confiscated.

## **Description of the violent events**

### **5 March 2018 (Day 3)**

The violence started in Medadumbara, spread to Kundasale, and in the following days to Pujapitiya, Harispattuwa, Akurana, PathaDumbara and Yatinuwara. There were sporadic events in neighbouring DS as well. The Teldeniya police had arrested 24 persons in connection with the violence in Teldeniya the previous night (when M.K.M Traders was set alight). On 5 March, the day of the funeral, Muslim shops and homes were attacked in the Kundasale and Medadumbara DS divisions. In the Kundasale DS division the areas of Kengalla, Balagolla, Kundasale, Natharanpotha, Digana were affected. In Medadumbara, the Teldeniyatown area and Ambala were affected by violence. On 5 March there were protests in front of Teldeniya Police Station demanding the release of those arrested. Many monks were there as well claiming that the arrests would incite further violence. Back in Digana (Kundasale DS division) a mob came together and they were joined by people from Teldeniya. (Digana is also where the Muslim youth who attacked Kumarasinghe resided and where the Mahason Balakaya office is located). The police – when they finally arrived in Digana – used tear gas to disperse the crowd. Undeterred, the dispersing crowd continued to attack Muslim houses and businesses. The attacks began in the morning. The government-imposed curfew at 3pm. Police representatives claimed that they did not anticipate the crowd emerging in Digana, and that this was a different crowd to the one that they had under control in Teldeniya protesting outside the police station. They also claimed that not anticipating the emergence of this crowd was an intelligence failure. This term – “intelligence failure” was used in the media as well.

Affected people's own analysis of their predicament was fairly sophisticated and they had a sense of foreboding that all was not going to be well in the future. We were told by one of the traders in the Digana Bazaar (town market) that there had been an expectation that something like this would happen in Digana. Amith Weerasinghe the head of the Mahason Balakaya, the anti-Muslim group whose office was located in the area, had in fact stated in one of his many videos that the Digana area had been taken over by Muslims. The Muslim trader also stated that this sentiment was something that has been cultivated over the past ten years. "They may have cultivated this in a small way – *podu Montessori mattamin*—for political advantage at the local level", he said. "But now it is as if petrol has been poured all over the country and it only takes one match for the whole country to go up in flames." He said that this was not about animosity between people but a politically-motivated plan to get political advantages and it is being carried out over a ten-year period. The traders also stated that this knowledge was readily available, that it was an open secret. "As a country we have been able to stop more substantial things than this. The Prime Minister was told that something was going to happen 8-16 hours before the trouble started but he did nothing to stop it". He mentioned the 21 Muslim MPs in derogatory terms as being good for nothing in situations such as these. If they did their job well, we were told, they should have intervened to avoid these sorts of problems.

Another trader also mentioned that amidst the tensions, the Muslim shop owners abided by the Jamiathul Ulema's decision to shut their shops at the time of the funeral and to display white flags in their shops as a show of respect. This decision was taken by the Ulema Council after consultation with the Kandy Senior DIG. Some shops in Digana flew yellow flags. Some of the Muslim business owners suggested that the yellow flags were put up by Buddhist shops to indicate that they were not Muslim. (It was not clear if this was the case. It was indicative however of the many such analyses that locals were developing regarding the complicity of their neighbours ).

At the time of our first visit to Digana, three weeks after the events, the affected shop owners had already resumed their businesses through either renting new premises or by doing minor touch-ups to their existing places. In a few extreme cases, where the entire shop was burned down or left gutted by the fires, the shop owners sold their ware in cardboard boxes in front of the ruins of their shops -- Avurudu was around the corner and they could not afford to miss seasonal festival shopping. At that time – late March — they were going to have a meeting to decide if they would go ahead with rebuilding or wait for the government to provide compensation for the rebuilding.

The following is an account of a Digana merchant who described his experience of the tension and violence in the area:

"There was a feeling of tension (*unusumgathiyak*) on the evening of the 3 March (Sunday). There was an endless stream of vehicles to the funeral house. The mosque told us to close our shops and go home. Crowds of young men and small boys (*podikollo*) came by and told us to close our shops

to express our condolences. (*shokaya prakasha karanna*). There were large crowds everywhere in Gonawala (on the way to Digana from Teldeniya).

That night (after midnight, morning of the 4th- Sunday) M.K.M Traders the oldest shop in the area was set on fire. So was Ambala Traders. They looted the stocks and set fire to the shop. At 3:00am we heard that a shop was set on fire in Udispattuwa. We all got together and started calling people. President, Prime minister, Azath Sally, Pujitha sir (Inspector General of Police).

On Monday morning there were crowds in the Bazaar—*gang gang wage*—crowds gathered in small groups. I took the books from my shop and went home. All the shops were closed. I decided that I would move my stocks that evening. The tension was getting worse. (*ende ende unusum*) By 11am they had started setting fire to shops. There were crowds everywhere. The crowds in Teldeniya were huge. When they set upon our shop it was 2pm. The electricity and the water had been cut off. Only in Digana. The way they set about the destruction it was clear that it was very well planned.

First they destroyed the CCTV cameras by throwing stones at the devices, then they broke open the shop. They took out the stocks and the next door neighbour watched on as this happened. They went on to do this to all the shops in the area.

There were 2000-3000 police and army personnel. STF was there. But they were minding their own business. They didn't do anything. If they had fired one shot in the air it would have been enough. The curfew was imposed but only for us. The rioters were going on their motorbikes – two by two. It was like Christmas for them.”

Masjid Lafir, the Pallekele Bazaar Mosque, was established when the old Teldeniya town was submerged by the waters of the Mahaweli; the mosque was several decades old. The mosque was attacked and burnt and its Qurans taken outside on to the road, some set fire to and others thrown in the drains. The moulavi of the mosque walked us through the fire-blackened structure and described what happened. He said that the people who had participated in the attacks were those they had played with as children, were in and out of each others' homes—“when there was no electricity we went to their houses to iron our clothes. We were all together as children. All of them got together and whacked us,” he said. “They do not look at our faces now. We know they feel guilty,” he said. “All they talk about now is that Muslims are extremists. It's not that they are bad. They are just misinformed.” He also stated – “The Muslims of this area have good upcountry Sinhala names (*vaasagam*). Some of them said they were sorry about what happened.”

A small shoe shop was set fire to in the Pallekele Bazaar next to the Masjid Lafir and a young man – Abdul Basith – lost his life. His body was discovered on 6 March.

Two additional incidents occurred during the time of curfew on 5 March. The STF entered the mosque in Hijra Puram just after afternoon (Asr) prayers and attacked some of the persons who had just finished prayers including two of the mosque's moulavis. The moulavis claim that after they were harassed and beaten by the STF – who entered the mosque with their boots on – members of the STF attempted to plant makeshift weapons on them. They were then marched out of the mosque. The two moulavis were released on the intervention of a Buddhist monk while on the road. Some have stated that the reason the STF entered a mosque out of the way of the main road was due to the fact that the curfew was not being observed by those attending. Two persons, A.S.M Fazil and M.Fazil were sought out by the STF in Digana while curfew was imposed in the area. One of them was a Pradeshiya Sabha (local authority) member, and participated in the meetings in Kumarasinghe's village together with the representatives of the police and the Kandy mosque committee. The STF went to the house of M.Fazil and threatened them and asked them to open the door. "*Thambiya, dora arapiyan!*" *Thambiya*, open the door! They said. A.S.M Fazil (P.S. member) came out of the house and the STF began beating him. During the assault he received a blow to the head from which he bled profusely. The STF men then entered the house and dragged M. Fazil out in front of his young son. The language that they used according to both Fazils was derogatory and racist. A.S.M Fazil informed them that he was a Pradeshiya Sabha representative and they accused him of organizing the event (*meheyawanawa*). (It was unclear what he was accused of organising). They made M. Fazil fill a gunny sack with bottles. His hands were then tied and he was made to carry the sack with his tied hands. A teenage boy was also rounded up with them and he too was tied up. Fazil said they were repeatedly beaten by the STF persons while being walked back towards the town. Along the way the STF officers stopped passersby – mostly young men on motorcycles – to tell them that the Muslim captives had been making bombs to attack the Sinhalese people. The STF members advised the passers by to stay safe (*parissamin palayalla*). The STF members ultimately took them to the police station and officially arrested them. Cases were filed against them for making petrol bombs. A.S.M Fazil said of the STF "*Jathivadin batiyata basirune niladbarin batiyata novey*" (they behaved like racists, and not like officials).

The continuous beating left M. Fazil dazed and insensible, and he was unable to give the police a proper statement. He added that the recorded statement was false as it stated that both of them admitted to making bombs.

When they were taken to the Teldeniya hospital to be treated for their injuries the doctor present had refused to do so. A.S.M. Fazil pleaded to be admitted as he was very weak. He recalls the doctor saying, "You killed one Sinhalese person and now you are trying to kill more people? You should be put in jail not in a hospital". Dismissed from the hospital, the two were taken back to the police station by the STF.

Later on A.S.M. Fazil (P.S member) spent three days in Kandy hospital where he received eight stitches to his head. M. Fazil was too frightened to seek treatment at that time, he said and he went to see a doctor only after the situation had calmed down - about a week later. Describing his experience, M. Fazil said "I could not believe it. The people who were supposed to protect us



were attacking us. How could this be? What is the state of law and order in this country? I was sickened.”

The STF’s pursuit of the two Fazils remains puzzling and came up in many of our conversations with local people. Some made the connection with Pradeshiya Sabha representative Fazil’s participation at the meetings in Ambala to prevent the situation from escalating and speculated that his name may have been given to the STF by local organisers of the violence. Others speculated that it may have been a tip off regarding Muslims organising to respond to the violence by making petrol bombs.

No explanation was forthcoming from the police or the STF regarding this behaviour. Our meetings with two senior officials of the police (see below) did not shed any light on these two incidents. One dismissed the case as probably a mistake – this officer knew of A.S.M Fazil’s (P.S.member) participation in the meetings in Teldeniya. The other senior officer told us rather obliquely – without going in to specifics– that in a fight, the police are unable to distinguish between the two fighting parties. While the Muslims may see themselves as the victims, when sorting out an altercation it is not always clear who the aggressor might be. The police are invested in controlling the incident, not in determining who did what. Additionally we were told that both incidents occurred in the context of the curfew and the STF may have been tipped off as to the movement of Muslims at the Hijra Puram Mosque when the curfew was on. What seems clear, however, and was supported (see below) by our conversations with the senior police officers, was that the members of the police force are not immune to the prevailing racism in the country. Therefore whatever the merits of the decisions made by the STF in the context of the tense situation, the fact that they were also influenced by a racist sensibility was evident. There were many problems in the way in which the police – the STF included – responded to the incidents. When we interviewed the members of the police force in July 2018 we were told that an inquiry was underway into the police response.

On Monday (5 March) the police used teargas to disperse the mobs that had mounted large scale attacks in Digana.<sup>21</sup> Springing to action days after the initial attack and only once the situation had spiralled out of control, President Sirisena called for unbiased and independent investigations into the incidents by the police and security forces, to ensure the safety of the targeted groups, and to stop the violence.<sup>22</sup> The government also made an official statement condemning the violence in both Ampara and Digana.<sup>23</sup> Thus, began the sudden outpour of concern by state officials. The government went on to condemn hate speech and virulent misinformation campaigns against Muslims carried out via social media, and urged citizens to not fall prey to them, adding that stern action would be taken against perpetrators.<sup>24</sup> On the same day three

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<sup>21</sup> “Clash in Digana: Police Use Teargas,” *Daily Mirror*, 5 March 2018

<http://www.dailymirror.lk/article/Clash-in-Digana-Police-use-teargas-146773.html>

<sup>22</sup> “President Orders Impartial Probe into Digana Incidents,” *Ada Derana*, March 5, 2018

<http://www.adaderana.lk/news/46248/president-orders-impartial-probe-into-digana-incidents>

<sup>23</sup> “Govt. Condemns Acts of Violence,” *Daily Mirror*, 5 March 2018

<http://www.dailymirror.lk/146797/Govt-condemns-acts-of-violence>

<sup>24</sup> Yusuf Ariff, “Govt Condemns Incidents of Violence in Ampara and Digana,” *Ada Derana*, March 6, 2018

<http://www.adaderana.lk/news/46253/govt-condemns-incidents-of-violence-in-ampara-and-digana>

suspects in possession of 13 petrol bombs were arrested by the STF during a search operation conducted in Kumbukkandura, Digana.

Joint opposition MP Wimal Weerawansa said MP Dilum Amunugama had requested Central Province DIG to provide security in the Digana area following the death of Kumarasinghe, but the DIG had rejected it saying the situation was under control.<sup>25 26</sup> At the same time, Finance and Media Minister Mangala Samaraweera said that inciting racial violence must be made a non bailable offence.<sup>27</sup> By afternoon police curfew was imposed in the Kandy administrative district.<sup>28</sup> Displeased with the inaction of the forces and government, eleven Muslim MPs led by Minister Rishard Bathiudeen sat in the Well of the House demanding for the protection of Muslims. They staged the demonstration while an adjournment debate on the current situation in the country over Sinhala-Muslim clashes was in progress.<sup>29</sup>

#### **6 March 2018 (Day 4)**

Tension continued to be high in the areas of Tennekumbura, Harispattuwa and Yatinuwara and Kandy. Al Jazeera reported the burning of a shop in Madawala at 11.30 pm. Abdul Basith's body was discovered at the back of a shop in the Pallekele bazaar on the morning of the 6th.

The government declared a state of emergency, and the press reported that the IGP had sent a CID team to Digana to carry out investigations. The Daily Mirror reported that House Leader MP Lakshman Kiriella had stated in parliament that a resolution should be passed and the Buddhists should apologise to the Muslims for the violence in Digana and Teldeniya. The former President Mahinda Rajapaksa called a meeting of Muslim community members and released a statement that the violence was an indication of the failures of the UNP government. This was echoed by Podu Jana Peramuna leader G.L. Peiris' press statement.

On our first day in the field in Digana, we met the family of Abdul Basith, a 27-year-old computer technician, who had died as a result of asphyxiation from the smoke. He was trapped in his house behind a shop front that did not have a back door. We saw the blackened shop and home as well as the space in which Abdul Basith had lost consciousness. We spoke with his brother and father, who felt that more could have been done to save him. The brother had rushed out with severe burns and told the police who were gathered outside that Basith was trapped inside. No one seems to have paid attention. The brother had been taken to hospital. When the mother and father had emerged from hiding in a neighbouring house a little later, bystanders told them that both sons had been taken to the hospital. It was only in the morning

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<sup>25</sup> Ajith Siriwardana and Yohan Perera, "Govt. used Digana Violence to Divert Attention: Wimal," *Daily Mirror*, 6 March 2018 <http://www.dailymirror.lk/article/Govt-used-Digana-violence-to-divert-attention-Wimal-146845.html>

<sup>26</sup> Ibid

<sup>27</sup> Weekly Media Updates, "Inciting Racial Violence must be Made Non-Bailable Offence – Minister, India Council of World Affairs, 5-11 March, 2018, <https://www.news.lk/news/sri-lanka/item/19706-inciting-racial-violence-must-be->

<sup>28</sup> "Police Curfew in Kandy Administrative District," *Daily Mirror*, 5 March 2018 <http://www.dailymirror.lk/article/-Police-curfew-in-Kandy-administrative-district-146776.html>

<sup>29</sup> <http://www.ft.lk/Front-Page/Muslim-Ministers-protest-in-Well/44-650751>



that the family became aware of Abdul Basith's death. Basith's father related the story of how he and another one of his sons had gone to what remained of their house the following day only to find Basith's body (until then the family had believed he was in hospital). Basith's father was angry that the bystanders had claimed both boys had been taken to hospital. It was his time, he said with tear filled eyes. "But maybe we would have looked for him if we hadn't been told he had been taken." He added that "people are not going to keep on taking this kind of attack. For how long are we going to keep taking it? What if we start fighting back? Responding?"

### **7 March 2018 (Day 5)**

While the violence subsided to an extent on 6 March, attacks erupted once again on the morning of 7 March.

#### ***Ambatenne–Welekade***

Ambatenne is a village located in the Pujapitiya DS division and was attacked on the morning of 7 March. There was a rumour that the Ambatenne temple was vandalised by Muslims. A small rectangular glass-covered structure inside the temple housing several statues and images had been damaged, and the glass broken. People talked about this damaged structure as the trigger for the attack on the Thakiya mosque in front of the temple and for the attacks on houses in the Welekade area. The temple bell had been rung and a large crowd had gathered all claiming that the temple had been attacked. What was not widely reported was that there was an ongoing dispute with the temple about a piece of land that the mosque was occupying. There was also an attack on the mosque in December 2013 for which a court case was ongoing. Ten people were arrested for the 2013 event, and although there was an attempt to have the case dropped as part of "reconciliation talks" between the mosque and the temple, the judge would not permit it. The Alim and the mosque trustee that we spoke to stated that there were people in the area who were angry with the mosque. When we visited the Thakiya several weeks after the event, signs of the attack were still visible. The mosque trustee and the Alim were still in shock, but also somewhat resigned to what had happened. Several persons that we spoke to outside the immediate Welekade area, including monks, suggested that this particular "trigger" was staged, that there was no evidence that any Muslim person had entered the temple premises to damage this small structure. This incident was spoken about as evidence of attempts by various actors to prolong the tensions.

The people of the area called attention to the role played by the STF at the time of the attacks. Once news of the temple "attack" reached the mosque there was a discussion regarding what should be done — a "Mashoorā". The STF and the police arrived and two four-wheel drives parked in front of the mosque. A group approached and threw stones at the mosque in the presence of the STF. The STF managed to send the group away. A few minutes later, the STF also left the area. After some time, a larger group approached and attacked both the mosque and houses in the Welekade area. This attack was caught on the mosque's CCTV. The STF arrived once more but did nothing to stop the mobs. Media reports at the time claimed that the crowds were too large for security forces to do anything. One person named Gunarathna Banda died during this exchange when a grenade he was holding exploded in his hand. During our

conversations with the police it was suggested to us that the man with the grenade had demonstrated no knowledge of how such explosives function suggesting that the grenade was supplied by some “outside forces.”

The mobs moved on and the STF urged people to quickly leave their houses. Both at the mosque and in homes people were taking stock of the damage and trying to douse fires. But the STF insisted that they leave the area. Afra Niwas reported that the STF asked families to get into STF vehicles to be transported to other “safer” places. Some were not even permitted to lock their doors. Once the people left, it seems that the mobs returned to further damage, loot and burn the houses.<sup>30</sup> The people in the area stated later that they felt that they should not have left their homes. Many felt betrayed by the actions of the STF.

The mosque trustee and the Alim told us that relations were generally good between the temple and the mosque despite the troubles of the past. They stated that there were five monks at the temple and that only one monk was “not that good” (supports anti-Muslim sentiment.) “We heard from friends that such an attack was going to happen,” they told us. “At the time we were having conversations with the temple about avoiding such things happening.” Their main takeaways from the attacks were as follows:

1. They had trust in the country’s security forces but they saw that government forces did not do anything to halt the attacks. That trust has now faded.
2. They wish that their relations with the local Buddhist communities were better. They feel that if there had been someone who could have spoken on their behalf these events could have been avoided.

We spoke to a family in a house in Welekade. Their house was petrol-bombed and the upstairs was burned as a result. They lost many of their possessions, including jewellery and valuable papers, to the fire. Vehicles were also taken out of garages and set on fire.

They said that while they had seen a crowd gathered near the temple they had not thought much of it. The mosque had been attacked before. They thought that this might happen again, but didn’t anticipate attacks anywhere else. They thought the perpetrators would leave soon after but they started attacking the houses. The owner of the house told us: “They came to this house and started trying to break the windows and get inside. But they could not do it. There were about a 100 persons out on the street and about 8-10 trying to break in to the house.” The daughter from the upstairs flat had come downstairs before the attack had started. The children were crying in fear during the attacks, they said, and the sound was deafening. “The children on one side and the sound of the breaking on the other.” They also confirmed that the police had been there but had got a call and had left before the attack had started.

“We left the house at about 11.30 – 12.00. We had no thoughts of saving our belongings, only our children. My son who is in grade one is still having

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<sup>30</sup> Afrah Niwas, “Through the Scorched Frames: The aftermath in Welekade,” *Groundviews*, 03/20/2018 <https://groundviews.org/2018/03/20/through-the-scorched-frames-the-aftermath-in-welekade/>.

nightmares. All of the younger children used to cry in the night in their sleep for about 2 weeks.”

Another woman in the house, a relative visiting from Mullegama (in the same Pujapitiya DS division) described her experience. The following are excerpts from her story.

“I had the confidence that nothing would happen to my house. We had such good relations in Mullegama (*echcharata hondata hitapu gamak*)”.

“I saw the crowd – about 200 – 300 persons. Many of them with their faces covered. I also saw a bus parked near my house. A large tourist bus with tinted glass windows.”

“STF did not let us put the fires out. I could have put the fire out. It is worse than taking a life – the fact that they set fire to the house.”

“We feel like it can happen again. If perpetrators are permitted to escape without any consequences it is 100% certain that it will happen again. The way we were before and the way they are looking at us now, I feel like it will happen.”

Residents said that the attacker who had set fire to the top floor of the house was the son of the mason who had constructed the flat. It was revealed in the mosque’s CCTV footage that many of the attackers were masons and local three wheeler drivers who were known to the residents.

The Sinhala family on the opposite side of the road helped them, by getting the STF to come. The STF asked them to leave the house fearing further troubles. The father of the family said that he had asked the STF person: “Why did you wait so long? You are there to protect us.” He (the member of the STF) didn’t say anything. Just smiled.

This is the second house that was attacked in the area. The first one was completely destroyed. The mobs looted all the belongings in the house.

We were told that a lady in the neighbourhood was so disturbed that she died of shock two weeks after the incident.

After the incident none of their acquaintances other than the neighbour who had helped initially had visited or said anything. There were attempts at reconciliation (*sanbindiyawa*): one programme in the mosque and two in the Bokkawala temple. There was a plan to educate the younger people to prevent such things happening again. But no one talked about the incident that did happen.

We were told that the police recorded the complaint “as people breaking in to the house – burglars.” We presented it as a *jathiwadi kolabalaya* (an attack based on ethno religious tensions.) But that’s not how they wrote it down. The CID and the TID took down statements as well.”

There were 12 persons arrested from the area. At the time of our visit there were appeals from two temples to release the people who were arrested and for affected families to help in obtaining

their release. We were told “they are asking that this matter be concluded peacefully. Members of the families are coming and bothering us now.”

In the Welekade area, the violence upended many communities’ relationship to both their hometown, as well as their understanding of their place as citizens in Sri Lanka. The violence destroyed homes and livelihoods, traumatised children. The children continued to have nightmares about people attacking their homes long after the event. Even on our most recent visit — five months after the violence we were told that children continue to ask troubling questions: “Will they come to attack us today?”

### ***Enderutenne***

Enderutenne is a small predominantly Muslim village surrounded by Sinhala villages in the Harispattuwa DS division. It is composed of three gramasevaka divisions: Enderutenne, Ulandupitiya and Rajapihilla. The Muslim community of the area consists of 168 families that are resident in Enderutenne itself and 20 families that are resident in the neighbouring Ulandupitiya. While many of the Muslims engaged in business, agriculture and migration to west Asia for their livelihoods, the Sinhala people were mainly engaged in cultivating spice gardens and were crafts persons – woodwork and cement. The village was attacked on the morning on 7 March.

They said that there had been no tension or noticeable anti-Muslim sentiment expressed by their neighbours before the event. All was well among them. They participated in one another’s weddings and funerals. Some of the Muslims in the area have Sinhala last names as was the case with many of the Muslims in the Central Province. There was no noticeable presence of organised anti-Muslim groups. While there may have been one or two persons who had racist ideas, there was no sign of any organising around such ideas. After the violence the Sinhala people did not visit the village as often. This was the first time that the village experienced such an attack. The monk from a nearby temple – the Viharadhipathi of the Ambulpura temple – had assured them that he would not allow anyone from his area to attack them. They suspected, however that there was some collusion of their neighbours in the attack. While the attackers looked quite different from the people of Kandy and were surely outsiders, no one could have found the village if they had not been directed there. It is not a large or conspicuous village and it was not on a main road.

Given the troubles in Kandy on 5 and 6 March, the people of Enderutenne had been cautious and had felt that they should be vigilant on the night of 6 March. They heard many ambulance sirens that day. When they had asked people what had happened they had been told that Muslims had thrown bombs. In that context many had feared a night-time attack on the village. There had even been two policemen placed on duty near the mosque. On the night of 6 March, or perhaps early morning the next day, two petrol bombs were thrown at a small shrine behind the main mosque. But nothing else had occurred. Since nothing too significant had taken place in the night, many of the men in the town had decided to go to work. The attack that happened at around 11:00am was therefore unexpected and took the village women by surprise. They said the groups were traveling from the Rajawella area towards Welekade where a grenade had exploded

earlier in the day. The first group of about 30 persons arrived around 10:30am. Another group arrived later around 1:00pm. This second group was a larger group of about 75 to 80 people. The villagers described them as very young men who were intoxicated, from either alcohol or drugs.

The village is built on the side of a hill. There are 93 steps from the bottom of the hill towards the mosque at the top. There are houses along those 93 steps and the villagers said that the attackers seemed to be able to run up and down those steps with no effort. “They all seemed very well organized,” they said, with different groups doing different tasks. For instance, some would break the glass on the windows while the others would break the water and electricity meters. And some others would destroy goods inside the houses.

When made aware of the impending attack, the women took their family documents and left the houses. The women gathered on the hill opposite their homes and watched as the mobs descended on their houses. The first group had come in two three-wheelers and an Elf van. The women described the attackers as very young (“still children almost”; “*kiribona size eke*”) and also very energized about their activities. The interviewees thought that when boys get together as a group, they have strength. “Someone has done some work to “form” (motivate) them (*bondata form karapu kattiya – kollo ekathu nunama hayyiyak enava*)”.

When they climbed to the top of the hill and approached the mosque they seemed to have lost their weapons and energy and they did not attack it. But the smaller mosque at the bottom of the hill was broken up and the Qurans burnt. “We felt like they left this mosque for the next time. They even said so when they were leaving.”

The villagers were surviving because of the contributions that they received from people who came to visit them. People came from places like Beruwela, Galle Madawala, Negambo and Akurana to give money. They were all Muslims. Some national level politicians had also visited the area. Anura Kumara Disanayake was one. But the villagers stated that something should have been done before the violence, not after everything had happened. After the event, the police and the army came and a patrol was stationed in the area for three days. They stayed in a room in the mosque and the village provided their meals. There were army personnel on large motorcycles as well. Villagers reported that it was scary to look at them. On the last Friday, there was a large army vehicle; it was like they were going to war, we were told.

When we asked them if they thought this could happen again they replied in the affirmative. They argued that if this could happen then it is possible that a disaster much larger than this could happen here and “we must expect that it will.” One of them also stated the following with great feeling:

“We feel like we have tolerated enough. We can’t just stand by and provide work for those who rebuild houses. We also don’t want to hide. We have no thoughts of being patient the next time around. It is better to die than to live like this. After this we no longer have a future. The government should provide us with security. It is their responsibility. It is not a responsibility

from which they can escape (*midenda Ba*). There were two policemen near the mosque the night before the attack. They even saw the petrol bombs that had been thrown at the small mosque. If they wanted to, this could have been stopped. We cannot blame just one political party. The state in its entirety, all those in power are responsible. Everybody is taking political advantage of the situation and nobody is doing their duty by the people. If they had sent ten people from the armed forces it would have been sufficient.”

The following is based on the testimony of a group of women from Enderutenne who described their encounters with the attackers as follows:

“We heard the petrol bombs being thrown at the Thakiya (small mosque at bottom of hill) around 1:00 am and we saw the flames. After that the police came at around 2 and left at 3:00 am. Our men were all up that night. We thought that was it and the men all left for work the next morning. It was around 10:30am that we got a call from our son that they – the mobs – were coming. We were told to take the children and run to the jungle. Four of us got together and took the children and went. We could hear the noise of them breaking our houses, and we heard them shouting as they came – all filth, *thambilavarella* and then shouting in filth *kapanawa, maranawa*. We waited there till 12. After that two Sinhala people came and told us that the trouble makers had gone and we could go back. We were standing behind a Sinhala house. So about five people decided to go back and see what had happened to the houses.

As we were going back we heard them coming again and we had to run. I got separated from the rest of them and had to go in a different direction. I had to take the children and move forward crouching low in the grass. We heard them shouting *ongthambila keleta paninawa* ( “thambis are running into the jungles”). I saw them with their angry faces carrying weapons and shouting filth at us...I heard the noises of the breaking. *Chalar! Chalar!* The fire was rising making a sound like *Boos Boos!*

We stayed in the forest and prayed. We were there till 4 without a drop of water to drink. The three year old couldn't even urinate.

Then for three days we lived like the destitute in a camp in the school. Thankfully none of our lives went to the Kafir.”

The women described how the mobs arrived very noisily, using big sticks to hit any surface to make more noise and shouting threats and obscenities. Another group said that when the mobs started coming they ran into a large house on the other side of the hill. There were about a hundred people — women and children — packed inside the house. They closed all the doors



and the windows and waited. They said they could hear the attackers walking outside: “*Thambila keleta divna kiwa? Ko naa ne*” (the thambis ran to the jungle they said? Where? They’re not here).

“There was an old car in the garage. The crowds came and pulled the car outside and burned it. We were inside the house and we could hear their footsteps outside. They walked around the house several times. We were all inside and we had to keep the children quiet. We could hear all sorts of noises outside — *sara sara sara*. We can’t imagine what might have happened if they had found us inside or decided to break that house!”

One group of women was trapped in their garden as the mobs passed by. The young men had said to them, “Tell your people we will be back to finish off the ones we could not attack!”

The villagers were convinced that they would be back, that the main mosque was left to be “handled” during future attacks.

One of them said, however, that they will continue to be resilient. “I will test you, Allah has said. But if Muslims stay strong we will survive.”

It seemed clear that the presence of the forces and even curfew could not contain the violence. The government then declared a 10-day islandwide State of Emergency (SoE),<sup>31</sup> effective from midnight of 6 March. The move was heavily criticised and condemned by human rights lawyers, development practitioners and activists. Unruffled by the criticism levelled against them, the government went on to ban several social media networks. Many were relieved by this step.<sup>32</sup> Schools were closed indefinitely in the Kandy district<sup>33</sup> as an additional protective measure. Inspector General of Police (IGP) Pujith Jayasundara dispatched three special police teams to Kandy. The teams included three Deputy Inspector Generals of Police (DIGs) and three Superintendents of Police (SPs).<sup>34</sup> Further measures were taken by cancelling the leave of all police officers.<sup>35</sup> As the measures were being set in place seven people were arrested over violent behaviour in the Menikhinna area.<sup>36</sup> In the meantime, Muslim Ministers and MPs threatened to vote in favour of a No-Confidence Motion against Prime Minister Ranil Wickremesinghe, if ever

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<sup>31</sup>Yusuf Ariff, “Govt to Declare State of Emergency for 10 Days,” *Ada Derana*, March 6, 2018

<http://www.adaderana.lk/news/46261/govt-to-declare-state-of-emergency-for-10-days>

<sup>32</sup> Rosie Perper, “After Declaring a State of Emergency, Sri Lanka has Banned Facebook, Instagram, and WhatsApp,” *Business Insider*, Mar 8, 2018, <http://www.businessinsider.com/sri-lanka-bans-facebook-to-stop-violence-2018-3>

<sup>33</sup>Yusuf Ariff, “Kandy Schools Closed until Further Notice” *Ada Derana*, March 7, 2018

<http://www.adaderana.lk/news/46279/kandy-schools-closed-until-further-notice>

<sup>34</sup>Yusuf Ariff, “IGP Dispatches 3 Special Police Teams to Kandy,” *Ada Derana*, March 7, 2018

<http://www.adaderana.lk/news/46275/igp-dispatches-3-special-police-teams-to-kandy>

<sup>35</sup>Yusuf Ariff, “Leave of all Police Officers Cancelled,” *Ada Derana*, March 7, 2018

<http://www.adaderana.lk/news/46285/leave-of-all-police-officers-cancelled>

<sup>36</sup>Manushi Silva, “Police Curfew in Kandy Administrative District Re-imposed,” *Ada Derana*, March 7, 2018

<http://www.adaderana.lk/news/46273/police-curfew-in-kandy-administrative-district-re-imposed->

a motion was put forward, if the government did not ensure a swift end to the violence against Muslims raging in Kandy.<sup>37</sup>

On the morning of 8 March, Minister Ranjith Madduma Bandara was made the new Law and Order Minister.<sup>38</sup> On the same day, government analysts were able to confirm that the particles found in the food served to the Sinhalese man in Ampara was none other than clumps of flour.<sup>39</sup> While a 12-hour curfew was set in place starting from 6.30pm, the effects of the radical measures taken by the government began to show, as the number of attacks dwindled and asperity of the violence waned. That evening Prime Minister Ranil Wickremesinghe assured, that “barring a few minor incidents such as people throwing stones at establishments at a few places outside Kandy, things [were] under control”. Minor incidents had been reported from the areas of Giriulla, Kuruwita and Weligama.<sup>40</sup>

What was most reassuring at the time, was the arrest of Amith Weerasinghe.<sup>41</sup> Weerasinghe, along with 9 other suspects, was arrested by the TID officers in Digana and Poojapitiya.<sup>42</sup> This brought the total number of those arrested to 81;<sup>43</sup> of them, 10 were personnel [presumably STF, and/or police]. Police Spokesman SP Ruwan Gunasekera said the 10 suspects were arrested by the Terrorism Investigation Division (TID). He said 71 suspects were arrested on charges of violent incidents, while four were arrested for violating the curfew.<sup>44</sup>

On Friday, 9 March, tension had simmered but precautionary measures were taken as security was beefed up with 3,000 police officers, 2,500 army personnel and 600 navy personnel among those deployed, to maintain the peace in the Kandy district, and a 9-hour curfew was imposed starting at 8:00pm.<sup>45</sup> Prime Minister Ranil Wickremesinghe said victims of the unrest would promptly receive a small sum of initial compensation so they can start rebuilding their damaged

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<sup>37</sup> Yohan Perera and Ajith Siriwardana, “Muslim MPs may Vote against PM if not Violence Controlled: Harees,” *Daily Mirror*, 7 March 2018, <http://www.dailymirror.lk/article/Muslim-MPs-may-vote-against-PM-if-not-violence-controlled-Harees-146915.html>

<sup>38</sup> “Muslim MPs may vote against PM if not Violence Controlled: Harees,” *Daily Mirror*, 7 March 2018 <http://www.dailymirror.lk/146915/Muslim-MPs-may-vote-against-PM-if-not-violence-controlled-Harees>  
SF denounces appointment of new Law and Order Minister,” *Daily Mirror*, 8 March 2018 <http://www.dailymirror.lk/article/SF-denounces-appointment-of-new-Law-and-Order-Minister-146966.html>

<sup>39</sup> Indika Ramanayake and Tharindu Jayawardena, “Ampara: Carbohydrate Clumps; not Sterilizing Chemical- Govt. Analyst,” *Daily Mirror*, 8 March 2018 <http://www.dailymirror.lk/article/Ampara-Carbohydrate-clumps-not-sterilizing-chemical-Govt-Analyst-146954.html>

<sup>40</sup> “Situation under Control, Riots have Dealt a Huge Blow to Economy: PM,” *Daily Mirror*, 8 March 2018 <http://www.dailymirror.lk/article/Situation-under-control-riots-have-dealt-a-huge-blow-to-economy-PM-146980.html>

<sup>41</sup> “Kandy Communal Violence: Main Suspect Arrested,” *Daily News*, March 9<sup>th</sup> 2018, <http://www.dailynews.lk/2018/03/09/local/145064/kandy-communal-violence-main-suspect-arrested>

<sup>42</sup> Yusuf Ariff, “Main Suspect in Kandy Incident Arrested,” *Ada Derana*, March 8, 2018 <http://www.adaderana.lk/news/46301/main-suspect-in-kandy-incident-arrested>

<sup>43</sup> Darshana Sanjeeva, “81 Suspects Arrested over Kandy Violence, Four During Curfew,” *Daily Mirror*, 8 March 2018 <http://www.dailymirror.lk/article/-suspects-arrested-over-Kandy-violence-four-during-curfew-146962.html>

<sup>44</sup> Ibid

<sup>45</sup> Yusuf Ariff, “Curfew in Kandy Administrative District During the Night,” *Ada Derana*, March 9, 2018 <http://www.adaderana.lk/news/46324/curfew-in-kandy-administrative-district-during-the-night>



property. During his special statement the Premier said that misinformation deliberately shared on social media had led to the spread of violence.<sup>46</sup> As the crackdown on the dissemination of misinformation continued, in Colombo, a 17-year-old and 18-year-old were arrested for spreading such messages through social media.<sup>47</sup> By Friday, 9 March, the final curfew was called off at 5 am, and while access to social media and internet connectivity remained spasmodic, acts of violence were brought to a complete halt.

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<sup>46</sup> Compensation for Victims Soon – PM,” *Ada Derana*, March 9, 2018. <http://www.adaderana.lk/news/46311/compensation-for-victims-soon-pm>

<sup>47</sup> Keshala Dias, “Two Youth Arrested for Causing Communal Disharmony Through Social Media” *News 1st*, 9 Mar 2018 <https://www.newsfirst.lk/2018/03/09/two-youth-arrested-for-causing-communal-disharmony-through-social-media/>

## CHAPTER 3

### Case Study of 8th Mile Post, Akurana (7 March 2018)

We were fortunate to get access to several perspectives on the violence in the 8th Mile Post area of Akurana. In the area two persons from the neighbouring village of Konakalagala had been arrested for participating in the violence. Additionally many Muslims from the area also accused the Aarachchi or the Grama Niladharee of the area of participating or at the very least of aiding and abetting the violence. While Akurana was a Muslim majority area there was a significant Sinhala presence in the surrounding villages and the Konakalagala temple and the monk seemed to consider himself as being of equal importance to the Sinhala and the Muslim communities of the area. We were able to interview members of the 8th Mile Post community, the monk from the Konakalagala temple and the Aarachchi who was accused of taking part in the violence. The violence was destructive and disruptive of everyday life in the two villages and it brought the many ethnic and religious fault lines of the villages to the surface.

As mentioned earlier, violence had broken out on 5 and 6 March, with Digana and adjacent areas attacked and mosques and houses burnt and businesses destroyed. People from 8th Mile Post told us that on 7 March there were rumors that the Velekade temple had been attacked and that the *hamuduruwo* (the monk) had been murdered. There was another story that the Amabathenne mosque had been attacked. There was a rumour also that there might be trouble in 8th Mile Post and in fact there was tension all over Akurana on the morning of 7 March. By around 11:00am people slowly started to close down their shops. By about 12.30pm all the shops were shut. One person stated that he saw people “coming and going, coming and going” from the Konakalagala village to the bazaar. “At 12.45 PM we heard the temple bells ring,” we were told.

The accounts we heard from those we met at Mansoor Hadjar’s house at the 8th Mile Post, were indicative of the tension that prevailed at that time and the anticipation of violence that was the reality for Muslim communities in the area. The ringing of temple bells at 12.45 was considered ominous and a forewarning about the organised violence that was about to erupt. The story of the temple bell also indicated that they saw some complicity on the part of the temple in the violence that occurred.

Another person said that he gathered with five others at Gazali Hadjar’s house. One person said Jayatillake, the OIC of the Alawathugoda area had stated that he would not let anything happen in his police area:

“But the same thing had been said in Digana so we did not trust that story. We tried calling the Nayaka *hamuduruwo* in Konakalagala. He didn’t answer the phone. We knew a newly elected member from the Pohottuwa party called Chaminda. When we called him he said, Faaiz the people may have voted for me but he said they are not going to listen to me if I talk about these things. I can’t do anything. We stayed in the house not knowing what to do next. In the meantime we got a call that at Kurugoda – the border of

the Konakalagala village a crowd was gathering with machetes and petrol bombs. We were told that they were with their faces covered and were shouting.”

The reference to calls to the newly elected political representatives and their confessed inability to help is telling. In relating these stories, the narrators indicated that the Sinhala community members – local community stalwarts through whom regular peace is maintained – were of no help this time around. Clearly the local networks outside of ethno-religious identity were not functioning in any effective way to prevent the occurrence of violence.

Mr. Mansoor in whose house we had these conversations was one of the most prominent members of the 8th Mile Post community, and was a businessman who, with his brother, owned one of the largest furniture showrooms in Akurana. Mr. Mansoor stated that he had called the Nayaka Hamuduruwo of the Konakalagala temple and that he came immediately. They watched the mobs attacking and burning Mr. Mansoor’s furniture store. The venerable Loku Hamuduruwo, who knew of Mr. Mansoor’s ill health (he had high blood pressure) had held Mr. Mansoor by the arm and said: “Do not fight fire with fire.” Mr. Mansoor was considered to be close to the Loku Hamuduruwo and the monk speaking to us later was regretful that he could not stop the mobs from attacking his shop. The shop, selling expensive wooden furniture, was completely destroyed.

Describing the events of that day one of the men stated:

“The crowd came and started attacking the shops in the bazaar. They threw stones and broke windows and threw in petrol bombs. But before they came to the mosque we also got organized and started throwing stones and chasing them away. After a while we were able to make them retreat towards Konakalagala once again. At that point the police four-wheel drive also arrived and the OIC got out and shot in the air. Everyone started to disperse at that time. Then the army (STF) also arrived and told our boys also to disperse.”

The police, AGA, STF and a fire brigade all arrived at the same time. At that time the authorities created a blockade of sorts between the two groups and prevented the fighting among them from escalating and got the groups to calm down and to disperse. Although the firebrigade arrived there was no water in the fire-engine to put the fires out. (The 8th mile post people saw this as an additional example of collusion. The driver had said he had forgotten to check if there was water in the vehicle.)

The counter attack that was mounted by the 8th Mile Post residents should be noted. The Muslim shopkeepers were able to arm themselves with rocks and sticks and drive away the mob that had come prepared to carry out the damage on the Muslim shops in the bazaar. In this counter attack witnesses stated that Muslim individuals had set fire to Sinhala-owned shops. It is unclear what might have happened if the police and a little later the STF had not arrived to

disperse the crowd. Is it likely that in future events of this nature the chosen response by Muslim communities will be to fight back. What might be the consequences of large scale and organised fighting back? The people were convinced that the police would be of no use if something were to happen in their village. The example of Digana and other places on 5 and 6 March were presented to us as evidence of police inaction in the face of anti-Muslim violence. We were told that they were infact glad that the STF had delayed in coming to stop the violence at 8th Mile Post. If the damage that they had suffered was 20%, the damage that they would have suffered if the STF had been around would have been 80%, they said. (The STF insistence that Muslims leave their houses in the Welekade areawas seen as directly responsible for the extensive damages to homes and businesses in the area).

When we enquired about relations between the two villages, the 8th Mile Post village residents first told us that the Konakalagala people were very close to them. Many worked in their homes and businesses (8th Mile Post) borrowed money from them periodically and obtained other sorts of assistance. When we asked for more detailed information, it became clear that there were class differences between the two villages and that the Sinhala village was constituted of a marginal caste group. One of the hardware store owners whose shop was burnt stated that he knew the person who attacked his shop quite well and that relations between them used to be cordial. They had been in the same business and were business rivals for a time. However the competitor did less well and ultimately had to abandon the business. When asked why this had happened to the competitor we were told that he “lacked knoweldge” (*danuma aduy*), and also that while the affected person had a diversified business the competitor did not. We also heard, after some prodding, that the outbreak of violence was not unusual, that they were periodic and seasonal. “Whenever there is something going on anywhere in the island to do with Muslims and Sinhalese, we feel it here,” one person stated. “And it has been happening since the ‘60s.”

They stated that the former OIC was aware of the relations between the two villages and that he was well versed in mediating the differences. The new OIC however, seemed not as aware or as sensitive to the local specificities. For instance, the monk had asked that he place a few policemen at strategic locations at the border between Konakalagala and 8th Mile Post to turn away the crowds that might approach the village. The OIC had not heeded the monk’s advice, and even when the OIC approached the village during the violence, he had come with just two other constables.

### **Konakalagala Raja Maha Viharaya, (Viharaya in village next to 8th Mile Post Akurana.)**

We were introduced to the head monk of the Konakalagala Viharaya by a member of the 8th Mile Post mosque trustee board. During our interview with the Loku Hamuduruwo of the Konakalagala Viharaya, we were first asked to identify ourselves in terms of our ethnicity. We were also told proudly that he was at university with the Athureliye Rathana Thero. He stated that Akurana was a place where there was never any trouble of “this nature” despite the fact that there were large events – *loku siddi* – in places like Beruwela. (The Ven. Thero did not mention the periodic conflagrations that had been referenced by the 8th Mile Post community). He said this time what could have been avoided took place due to racist/nationalist (*jathivadi*) politics on both

sides. Usually there is a coming together of the District Secretary, the police and the temple to mediate and sort out troubles of this nature. There is a police advisory committee that has been formed to sort such things out. The monk said that the OIC was new to the area and was not listening to him and was not taking the right action. The OIC had even told the mosque that they did not have to worry. Describing his response to the threat of violence the monk stated:

“We heard about the troubles on 6 March. We wanted curfew by 5:00pm on the 7 March but by 1.30pm there was a house set on fire. I told the OIC to put 3 to 4 people at the border but he didn’t do that.”

At one point he said the violence was due to the “*pandithakama*” (assumption of having knowledge when actually ignorant) of the police.

He stated that the relations in Akurana were such that the Muslim children sometimes preferred to come to the temple rather than go to the mosque. “I only have to make one call and goods will be dropped off at the temple”, he said, speaking of the largesse dispensed by the Muslims but also about the access that he himself had to such largesse. He stated that as he was an Ayurvedic physician he also treated scores of Muslim patients. He was at pains to impress upon us the manner in which the Muslims – the majority community in the area – interacted with the temple and treated him with the respect due to a monk and a member of the national majority.

He said the BBS did not come to these areas, but that they came directly to the temple if at all “and we tell them what is what.”

“The Muslims also come and see us and try to sort things out. But that is not to say that if there is a problem, and they behave in a way that we are not agreeable with, that we will not put up with it.”

He stated that the people who attacked were all from outside (therefore not from the Konakalagala village to which his *dayakas* (congregation) belong) and that they had been organized and had come with their faces covered. He said that Mr. Mansoor had called him and that he had gone immediately to Mr. Mansoor's shop which was being set on fire. “I couldn’t stop it at the time”, he said “but if the police had listened to me this would not have happened.”

He said that by the time the STF had reached the area the issue had sorted itself out. He also stated there wasn’t much that happened in the area. The monk made an attempt to downplay the damage that was caused, stating that only three shops were burnt down. In fact it was a line of shops comprising two hardware stores, four furniture shops, four shops selling clothing, one bakery and one salon. Not all of them were owned by Muslims.

In Akurana there are 17,000 Sinhala and 34,000 Muslim. The monk stated further that the two communities cannot live without one another (*degollanta degollan natuma jeewath wenna bae*). He also praised the role played by ACS Hameed in maintaining good relations among all communities and in bringing about prosperity to the area and claimed that there has been no one like him

since. He was critical of Haleem, the sitting MP from the area and stated that he still banked on the popularity of Hameed who was his uncle.

The monk stated forcefully that there were extremists in all communities, in particular Muslim extremists – nodding tellingly at the Akurana mosque trustee who had brought us to the temple. While he expressed great, and evidently, sincere distress at what happened, he also attempted to downplay the violence that the Muslims suffered and emphasised that the Muslims were not cooperating in arranging the release of one of the individuals who had been arrested for causing the damage. He stated that it was not the ones who were actually guilty who had been arrested and urged that we too persuade the Muslims to work with the police to have them released.

The monk also informed us of his own views in relation to the Sinhala-Muslim hierarchy in the country. Speaking of the place of Muslims in Sri Lankan society he said that religion should be confined to the mosque and not to everyday life. He stated that we should all function as one community with only our religion being different.

“Culturally we should all be the same. We should not impose our religions on others. For instance, the azaan (call to prayer)—why is there a necessity to have the azaan? Everyone knows the prayer time no? So why should the noise disturb everyone else?”

When asked for his analysis of the events, his throwaway response was that regardless of any analysis, the reason is the *pohottuma* (the bud).<sup>48</sup> His reference was to the Rajapaksa-led coalition’s unexpected victory at the local government elections. As stated above they won on the basis of mobilizing anti-minority sentiment, and many of those who had been elected were also subsequently arrested for participating in the violence.

### **The Gramasevaka/ Aarachchi**

When we first interviewed the people of 8th Mile Post, one story that emerged was that the Aarachchi – the Grama Niladhari or the government official in charge of the area – had participated in the violence against the Muslims. We had also heard the story about the Aarachchi from the GA, Kandy as an example of the rumours, mistrust, misreadings and misinterpretations of actions that were circulating in the area after the violence. When we first spoke with them, the people from 8<sup>th</sup> Mile post insisted that the Aarachchi had participated in the violence. They said that he had assisted the perpetrators by helping them to take and use gas cylinders from the gas-dispensing shop to cause damage in other shops. The Aarachchi’s narrative was that he was taking the gas cylinders *out* to prevent them from exploding and causing further damage. This was the story from the GA as well.

One person whose shop was burnt said that he actually saw the Aarachchi placing the gas cylinders in his shop and had wanted to make a police complaint. However, he was persuaded by

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<sup>48</sup>The pohottuwa or bud symbol was used by the Sri Lanka Podu Jana Peramuna political party during the local government elections of 2018.



the assistant government agent (AGA) to refrain from doing so. When we first spoke to the people in 8th Mile Post, all they could see was state representatives collusion in the violence on every side. They were not only convinced of the Aarachchi's acts, but also that the collusion might extend to higher levels. Certainly the Nayaka Hamuduruwo of the Konakalagala temple - espousing his rhetoric of every one being culturally the same (i.e. Sinhala) - was seen as complicit in bringing about the violence in 8th Mile Post.

During our first visit when we were told about the Aarachchi's complicity we were also told about how the people of the village were constantly fielding the Aarachchi's racism. The Aarachchi himself spoke of the people of the village as composed of two groups. There were the "traditional" "older" Muslims who were very "good with everyone" and able to maintain relations with him - a Sinhalese. He said they would share the food they were eating with him. The second group, a new set of younger people were different, he said and invested in distancing Muslims from the Sinhalese people. They would do so by advising people not to travel in Sinhalese-owned three wheelers, and not to patronize Sinhala owned shops.

We interviewed the Aarachchi three months after the event. By that time the story of the Aarachchi's role in the violence had gained some prominence in the community. The Aarachchi related the story of his accusation to us. He was shocked and shaken by the incident itself as well as the fact that the Muslim community members that he worked with for over 15 years had thought him capable of violence against them. "*Mama karaa nam thirisanek*" he said (if I did it then I am an animal). He said that for two months after the violence people would not make eye contact with him and that those who were on good terms with him previously would no longer speak with him. He said that it was Minister Halim who had first stated publicly that he had participated in the attacks against the people-the video of Halim making such a statement had been available on You Tube for a while but had later been removed, he said.

The Aarachchi was disturbed by the idea that the very community towards which he had a pastoral sensibility, thought of him as a perpetrator of violence. He was a servant of the state assigned to this community for 1 year and as such he assumed leadership of the people he served. He was distressed to realize how the people perceived him. He spoke in fact of the long-standing, and close connection that he had cultivated with his Muslim wards and how when the news of his alleged participation in the violence was made public, he received calls from Akurana residents from all across the world.

The fact that he was deeply influenced by the rhetoric of the anti-Muslim movement was also very clear. He told one of our researchers that the Sinhala people in the area found the black dress and face cover of the Muslim women highly objectionable. He stated that not only had there been a recent deterioration in interpersonal connections, but also that there was increased concern about the behavior of some Muslims. He was convinced about the formation of a jihad group in Akurana. Aarachchi insisted that he didn't know the Sinhala people who attacked the Muslim shops. However, he saw the Muslims who resisted the attacks, and saw someone he knew throwing a petrol bomb at a Sinhala-owned shop in the same bazaar. He said the Sinhala attackers were people from outside who came with their faces covered. (The Muslims of 8th Mile Post insisted however that the attackers were people they knew from Konakalagala.) The

Aarachchi believed that someone he referred to as Faaiz, was organizing a “jihad” group in Akurana. At one point, bemoaning what had happened at 8th Mile Post he stated *aparade* (what a waste): “If they wanted to they should have attacked only Faaiz. Not everyone else.”

The incident with the Aarchchi and the monk at the Konakalagala temple were indicative of the manner in which the violence impacted and strained relations between the residents of the Muslim majority town and their Sinhala administrators and interlocutors. It was an instance where community leaders were unable to intervene to limit the violence and thereby experienced a lessening of status in the communities. Additionally the Muslim residents of 8th Mile Post could not help but see the Aarachchi as complicit.

There were close relations between the fairly prosperous Muslim village and the temple. The monk arrived at the home of Mr. Mansoor during the height of the tensions and was upset that the violence had taken place in an area that he took great pride in declaring as the poster place for good relations. The monk had stated only a few months earlier that there was no need for reconciliation efforts as good relations already existed in Akurana<sup>49</sup>. Both the monk and the Aarachchi fully supported the Sinhala supremacist anti-Muslim ideology that seems to pervade public space in Sri Lanka today. It was clear, however, that neither was involved with the attacks. In the aftermath of the violence both these Sinhala individuals were compelled to address their positions in the community and acknowledge their significant loss of status due to the violence that occurred. The Muslim community members, however, were convinced of their complicity and were even persuaded that they facilitated the attacks. To Muslims after the attacks, their closest friends and neighbours who were Sinhala were complicit and they were unable to distinguish between the racist Sinhalese who supported the violence and the racist Sinhalese who did not. The case of Konakalagala shows that, like in the case of Ambala, community members were no longer able to mitigate such violent events. The monk in Kumarasinghe’s village in Ambala was able to constrain the youth in his village but not the wider spread of violence. The violence in Konakalagala could not be prevented. It is likely that the Aarachchi and the monk had lost the power they once had to avert the violence. The example also indicates that there is a widespread signing on of Sinhala people to the anti-Muslim ideology propagated initially by the BBS but now readily available in all media outlets. However, that does not necessarily indicate an easy justification of violence. Unfortunately, there is no readily available anti-racist language in the Sinhala media that can provide an alternative narrative through which Sinhala and Muslim communities can engage one another. In the aftermath of the Easter Bombings of 2019 it is unclear if a path can be forged anytime soon towards constructing such a language.

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<sup>49</sup>This was stated in a newspaper article that the monk shared with us.

## CHAPTER 4

### Notes from the Aftermath

#### Perpetrator Accounts of Violence

We were unable to fully account for the perpetrator perspective. The reasons were many. Our team of researchers depended on Muslim contacts in the field to access affected persons. Our links with Sinhala community members in the areas were not as strong. We had several leads to followup including those from senior police officers to access people in prisons through the magistrates. This was difficult. We pursued Sinhala community contacts but persons who promised to speak with us did not ultimately show up. In one instance our Muslim contacts assisted in identifying a known perpetrator who had spent a night in custody. He was also a newly-elected representative of a local authority. His Muslim neighbour persuaded him to speak to us. Although he agreed to speak with us based on his relationship with our Muslim contact, he reserved his comments to the fact that he was a newly elected member of the local government and made no reference to his arrest.

The one contact that did work out resulted in an interview with a 26- year-old male who was present in Digana on the day of the violence. He had responded to the web-based call of persons to come to defend the attack on a Buddhist by Muslims. Interviewed by one of the members of the team, Dr. Wijeya Jayatilake, we found some of what this man said to be of great interest in understanding what happened in Digana; the manner in which persons were mobilized for the violence through social media and also the manner in which opinions regarding Muslims were manufactured and popularised, again, through social media.

The young man stated that while Digana was his hometown, he was a contract worker doing different jobs in the Katunayake free trade zone and was married with a child. On the day of the violence he was alerted to a “protest march” happening in Digana. The following is a paraphrasing of his statements.

“I saw a video of a man being assaulted and killed in Digana. The victim was Sinhalese and the killers were Muslim. There were scenes of the victim in the ICU. These were on the internet and I received it on my phone. I was informed of a protest march happening that day. I went quite early in the morning.”

The man confirmed that he arrived in Digana in response to a communication that he received on social media. He gathered there with a crowd of people and they were in the area for several hours. We had heard from another source that there had been a social media call to gather in Digana and that 3,000 protesters turned up. It is unclear if the numbers are accurate but what does seem clear is that mobilization for the violence in Digana owes much to social media. Other eyewitness accounts from Digana confirmed that the gathering crowds seemed to not be very organized although most were either in helmets or with their faces covered.

He stated further:

“I went to participate early morning. Many people wore masks to cover their faces. I did the same. Some broke the CCTVs that were fixed to the front of buildings. The march and loud protest uproar went on for five hours – there were no police. I then began to realise that there was something wrong and became suspicious that the whole thing was not spontaneous and was orchestrated by some entity. Usually in matters like this the police arrive in very little time. I decided to disengage. My friends wanted to me to join in – but I decided to leave.”

The young man continued by providing his own analysis regarding the breakdown of good relations within the country that leads to such violence as that which he had witnessed and participated in Digana.

“People want to live in peace. For us, to survive, this cooperation is essential. We live in mixed neighbourhoods and help each other and need each other. In our neighbourhoods we do not go around scolding, insulting and hitting each other or damaging property. It’s the government, the Joint Opposition, BBS, Jathika Hela Urumaya and external groups that provoke and instigate anger and hatred. These parties have agents – poor guys who are on their payroll. Some get salaries and lots of money – they buy property and vehicles and live good lives and are therefore obliged to the parties that provide their upkeep and a good life.”

Among everything else, it is significant that this young man alluded to the manner in which patronage politics locks people in to their roles as perpetrators in these “riots”. He also stated something that is part of the declared position of some of the now infamous ideologues and “fixers” of the process. He stated his “disillusionment” with politics.

“I have worked with almost all political parties at the village level. The local organizers and also district level and national level leaders – some who appear on TV all the time, believing they are genuinely concerned about Sinhala people. But each of them proved to be only self-serving and interested in accumulating wealth and earning more money. So having associated with them, disillusioned I have left them all, but will answer the “call” when there is a crisis or threat to ‘Sinhalese’ people.”

Interviews with both Dan Priyasath and Amith Weerasinghe, well-known flag bearers of the groups Sinhale and Mahason Balakaya, have revealed that they present themselves also as not interested in “politics” and insist that the work that they do is seen to be not “political” in any way.<sup>50</sup> They are committed to finding a “new” way of looking at the problems that “their people”

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<sup>50</sup>We take this information and insight from interview material shared by Iromi Perera who interviewed both Amith Weerasinghe and Dan Priyasath in the aftermath of the violence in Kandy.

are faced with and finding solutions to such problems. Their project is catering to a young demographic that seems to be persuaded by its “newness.” There were many social media comments on the choice of name for Amith Weerasinghe’s outfit; the fact that it was called “Mahason Balakaya” the demon Mahasona’s Battalion, who according to their tagline were *Budu banata heelae vu yakku* (demons tamed by the Buddha’s teachings), was celebrated. This seemed to be a way of claiming the possibility of violent action and of bringing about an unprecedented reaction – as “yakku” – (somewhat uneasily translated as “demons”) are wont to do.

## **The Importance of Social Media**

On May 13<sup>th</sup> 2020 Bloomberg News reported a news item entitled *Facebook Apologizes for role in Sri Lankan violence*. On 7 March 2018, when there were signs that the violence was becoming difficult to control, additional measures were taken. Together with sending additional senior police officers to the area the government also first slowed internet speed and then blocked certain social media platforms. The Center for Policy Alternatives reported on 6 March that social media was full of attempts to incite violence.

According to the statement:

“CPA is also deeply concerned by the viral circulation of video clips inciting violence against the Muslim community. CPA is in possession of several such clips including one by a person claiming to be a Buddhist monk. The individual in the video uses demonstrably false information as fact to incite violence against the Muslim community and accuses the Chief Prelates of favouring Muslims over Buddhists.”<sup>51</sup>

The anti-Muslim movement in Sri Lanka has been very successful in its use of social media. Since its inception in 2012, the groups have been very good at coordinating and spreading hate sentiment on Facebook in keeping with the monks’ rhetoric on electronic media and at large public rallies.

In our research at the ground level the issue of social media came up in a few different ways. In relation to Amith Weerasinghe’s position as the convener of the Mahason Balakaya, we were told of how he had used the example of Digana as a place “lost to the Sinhalese businesses” in his video clips about the plight of the Sinhalese in the face of minority takeover. We were also told, however, that while he was very famous on the web, he had little actual influence in the community. The one perpetrator we were able to interview indicated that he responded to a social media call to show up, and that it was in response to the incendiary reporting regarding Teldeniya resident Kumarasinghe’s death after an altercation with four Muslim youth. The police we interviewed were also of the opinion that the social media blackout was essential to control the spread of violence. Civil society groups, however, were of the opinion that blocking social media contravened the right to freedom of speech.

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<sup>51</sup>CPA Statement in the Aftermath of Violence in Kandy Available at <https://www.cpalanka.org/cpa-calls-authorities-to-take-swift-action-to-prevent-further-violence-and-to-arrest-and-prosecute-individuals-advocating-national-racial-and-religious-hatred/> accessed on 15<sup>th</sup> August 15, 2020.

## **Sinhala village Community Responses: The Balagolla Vihara Abhuwardana Samithiya (Temple Development Society) Meeting at the Balagolla Buddhist Center.**

The Balagolla Temple Development Society organised to provide relief assistance to the affected Muslim people of the area in the aftermath of the violence. On the first Friday after the attacks prayers were organised in an open area close by for the Muslim people of Balagolla whose mosque was burnt. Fearing that there might be violence during the prayer times, monks and lay people from the Society stood guard around the area until the prayers were completed. The Muslim people of the area were greatly appreciative of the actions of the Society. This note is prepared from a conversation conducted by one of our team members, Wijeya Jayatilake, with members of the Society about the violence and its aftermath.

There were some interesting insights from the conversation that are worth noting. The violence is attributed to Sinhala enmity towards the Muslims for the following reasons.

1. Previously Muslims used to attend mixed schools. In a particular school in Mawanella, it was mentioned, Muslims were those most successful in sports. This is not the case any more. They are now attending Muslim schools and the connection with the Sinhala community is lost. The new generation of Muslims dress in a manner that Islamic extremists dress and that upsets the Sinhala people. The “burqa” was mentioned as something that is recent. In the discussion it was also stated that this happens because politicians instrumentalise the people for their own well being.
2. It was also mentioned that the “misconduct” of the new generation of Muslims in the Muslim majority towns of Tennakumbura, Madawala and Akurana was the reason for the breaking out of violence. The Muslim people there have no regard for road rules and stop their vehicles in the middle of the roads, they obstruct persons, especially Sinhala persons, attempting to use the roads and take offence when they are reprimanded. It was further stated that the police turn a blind eye to Muslims breaking traffic laws. This has incensed Sinhalese who have had to watch.
3. It was further stated that Muslims patronise international schools and that the Sinhalese fear that Muslims’ superior language ability might threaten the Sinhalese access to the job market in the future.
4. It was also stated that there is evidence that Muslim mosques are preaching extremism and the Galewela family that is reported as having left for Syria to join the Islamic State was evidence of this.

The discussion above included an expression of awe and regret at what had happened at the Sinha petrol shed in Teldeniya. The group exclaimed at the fact that such an exchange between youth could lead to such violence that a person can be killed. It was also mentioned that there were 8 other people present who knew Kumarasinghe but who had not intervened. However, in the discussion of the violence and why the attacks occurred, nothing was said about how relations could deteriorate to such an extent that violence against a community could be described in the above terms. The question as to whether Muslim misbehavior and arrogance in



their village merits a community response in the form of violent attacks by community members was not raised.

They also attributed the violence to “a monk from the Eastern province” who had attacked a grocery store in Ambala ( M.K.M Grocers – attacked on the night of the 3rd).

They also stated that the attacks on 5 March in Gonavala, Digana and then in Balagolla were carried out because the crowds were incensed that they were not permitted to publicly mourn Kumarasinghe’s passing by bringing his body to Digana. Discussing the violence, they stated that while a few were motivated by nationalist sentiments there were also many who worked out personal disagreements and animosities through the riots.

When asked if the village temple can be the center from which resolution of community conflicts that lead to such violence can be done, it was stated that most temples have now become politicised and therefore persons with different ideas are now either unwilling or unable to engage with the temples. Therefore the temple can no longer function as a center where such issues can be discussed and sorted out. It was also stated that there may not be widespread support at the level of the village for actions of this nature. (They referenced the fact that their own work was well received initially but later there were fewer and fewer people from the village participating.)

The group also criticised the actions of groups like the Mahason Balakaya and their assertion that the Digana town was being taken over by Muslim businesses. “If they gather the capital, Sinhalese can also start businesses,” they stated. They also discussed that other communities feel distanced by the fact that the state media only propagates ideas and information about Buddhism and not about other faiths. It was suggested that all people should be made aware of all faiths through the media. It was also suggested that if the mosque like the temple was open to everyone to enter whenever they thought necessary and if the people were made aware of the Islamic religion and what went on in mosques it will go a long way towards sorting out the misconceptions of the Sinhala people.

We noted the subtle differences in the description of the events and the reasons for the violence as described by the Balagolla group. One interesting issue we noted throughout our investigations was that even the most well-meaning Sinhala groups critical of the violence and actively involved in providing relief in the aftermath, still subscribed to and uncritically used the racist stories about Muslims that were circulating everywhere in the area and in the national media.

### **Affected communities in the aftermath: tensions remain**

On our last visit, five months after the attacks, Muslims that we interviewed seemed to be more afraid. One person from Tennekumbura who prided himself on his integration with his Sinhala neighbours — he was the president and only Muslim member of his neighbourhood association — was especially concerned. He stated that none of his former associates had spoken to him after the violence. He was a long-term NGO worker in the Kandy district — now an elderly practising Muslim — who wears the *thwab* and sports a long beard. He stated that in certain

instances, fear and tension were such that he found himself changing his dress, tucking his *thwab* into his trousers and not wearing his cap. This was not a way to live, he said. “*Mama thambiyek, thambiyek wage jeewath wenne bayak thiyenawa*” (I am a thambiya, but I fear to live like a thambiya).

In some places, Muslims were tired of exercising caution and restraint with regard to the violence, and felt that it was better to die fighting back than living in fear as they do today. We were told of the experience of a family that was the only Muslim family in a Sinhala majority village. A note was delivered to them some months after the violent events. On a page torn out of an exercise book, written in yellow highlighter, was the following Sinhala script:

*Thopila lamay hadana eka nattharakapalla nathi nam thopi serama barak kapanawa wage kapanawa.*

(Stop having children or else we will cut all of you like cattle.)

[Pronouns used to describe Muslims are derogatory.]

The reverse side stated:

*Hamba kariyo thopi maranawa parayo. Sinhale api yakku.*

(You Hamba scumbags, we will kill you all you pariahs. We are demons (yakku) of Sinhale)

[In addition to the hate term “hambaya”, “kariyo” is also an extremely derogatory male swear word relating to sperm.]

The Muslim family felt compelled to immediately move out of their village to another where there was a larger Muslim presence (although still rife with Sinhala–Muslim tensions).

As in many such cases, the increase in tensions in communities and the lack of sympathy was not uniform. In one case, a family running a small grocery store on the Digana main road told us about a nearby Sinhala doctor who, aware that the husband in one particular Muslim family was diabetic, visited the house, dressed his wounds and provided him with medicines after the violence. Another Muslim man spoke of his Sinhala friends providing for him and his family while they were trying to restore their house to some semblance of normalcy. The overwhelming majority of stories, however, were of strained relations.

### **Organised nature of the violence**

We feel that it is important that we highlight the issues that spoke to the organized nature of the violence. From the manner in which social media was used to gather crowds and share incendiary information it is clear that there was a plan to have the tensions escalate and maintain the possibility for violence. For instance, there was a lull in attacks on 6 March but attacks started again on 7 March. One of our interlocutors from the police saw social media to be responsible for this. (The spread of a rumour that a temple in Ambathenne had been attacked) The fact that crowds gathered in response to rumours circulated by social media is established. However, among the gathered crowds there also seem to have been groups of persons who were assigned the task of destroying property in a coordinated manner. For instance, the group that arrived to attack the village of Enderutenne entered the village quite purposefully. They arrived in two three wheelers and an Elf van according to eye witnesses. They were all very young and intoxicated and

one of the people described them as “*bondata form karapu*” well motivated to carry out their tasks. The young men made a huge noise as they arrived alerting people to their presence and then proceeded to systematically damage property. According to eye witness accounts one group would damage the electricity and water meters, while others would break the glass on windows. Yet another group would enter homes and destroy furniture. The DS of Mada Dumbara described the violence as well organised because within a small window of time a large area was covered and a great deal of damage inflicted. This was similar to the case of Aluthgama as well. The attacks were coordinated and finished within a short period of time. One of the senior police officers we spoke to described how the entire area that was attacked was decorated with flags for Kumarasinghe’s funeral. However, the path leading to his village and his home that was away from the main road was not decorated. The decorations indicated that the intention was not to mourn Kumarasinghe but to incite ethno-religious sentiment and provoke violence. In the description of attacks that we received from traders in the Digana market too, organised mobs carried out the attack in groups with specific tasks being relegated to specific groups. In the market witnesses stated that the attackers would first dismantle the CCTV cameras and then use their weapons (usually long rods) to smash glass – windows and display cases – while another group would gather and burn the contents of the shops. In several instances – in Amabatenne, in Digana and in Rajawella we heard that acquaintances had indicated on the day before the attacks that there will be violence.

### **The Economics of the Violence**

The total amount of compensation that was paid out to the people affected by the violence in the Kandy district amounted to Rs.19,000,000.00. Cabinet approval was being sought for larger claims. These had not been processed when our research was completed in late 2019. In the case of Aluthgama, the military rebuilt all damaged buildings. In Kandy while there were promises that the rebuilding will be done, the government reneged on that commitment.<sup>52</sup>

It is unclear if the remaining claims will be met given the change in government. Civil society assessments calculated that the cost of damage was exponentially higher than the figures produced by the government assessors. In Zubair’s June 2018 article the civil society estimate was close to Rs. 1 billion while the state estimate was Rs. 28 million. The DS division with the greatest losses was Kundasalai with 71 businesses being attacked and damages estimated at Rs. 689,000,000. There were two large businesses, a rice mill and a saw mill that were attacked in the Ambatenne area. These businesses alone are estimated to have sustained damages of several hundred millions of rupees. This was also part of the discernible pattern in the attacks across the country. (In Aluthgama too a large garment factory employing over 100 workers was destroyed.) Additionally the largest grocery in Ambala, one of the first businesses to have been established in that part of Teldeniya was completely destroyed and its goods looted. In the Digana market several Muslim shops were destroyed and the Sinhala owned shops spared. Digana businessmen

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<sup>52</sup>For a comparison of the figures tabulated by the government and community organisations see L. Zubair et al., “Is the State Grossly Underestimating the Losses from the Mob Violence in Kandy?” *GroundViews*, 24, June, 2018 <https://groundviews.org/2018/06/24/is-the-state-grossly-underestimating-the-losses-from-the-mob-violence-in-kandy/>

stated that given Amith Weerasinghe's video about how Digana was being taken over by Muslim businesses, they were unsurprised when it happened. Even after the events there were campaigns undertaken to boycott Muslim businesses in the area. As stated earlier, there seemed to have been a plan to minimize the harm to persons and to maximize property damage. There was also evidence of business rivalries at the local level. In 8th Mile Post Akurana a hardware store owner stated that the person who damaged his shop was someone he had good relations with when that person used to engage in a similar business. But his business had not been successful. In Digana one of the new Local Authority members who had been arrested over the attacks was said to have been "involved in business" in the Digana market.

In the village of Ovissa we encountered a group of women working in a small factory making handbags. This factory was owned by a Muslim and it was the only Muslim-owned business in the town. The building was burnt on 7 March. The owner had decided that he would shut down the factory that he rented in Ovissa and move his machines to a place where there was a larger Muslim population. The women who were his employees pleaded with him to keep the factory and repaired the damages to the building at their own cost. The women said that they wanted the factory to continue to function in Ovissa as it was their only livelihood and that it was a place where they could bring their children when necessary. The Ovissa factory was an indication both of the manner in which Muslim businesses were targeted but also how the economic effects were felt across communities.

### **Insights from local intellectuals**

This section presents a composite of ideas and suggestions that we received from civil society organisation representatives, government officials and Local Authority politicians when we inquired into their perspectives on the occurrences in Kandy. There were many commonalities in people's assessment of the deterioration of ethnic relations. Sinhala nationalism and the incitement of ethnic animosities for political gain was discussed critically by a majority of persons representing all ethnicities. Most of our interlocutors bemoaned the state of politics in the country as well as a general deterioration of ethics and morals in society. However, there were differences in the manner in which Muslimness was discussed by Sinhala and Muslim-identified persons. Two Sinhala government officials commented on the rising anti-Muslim sentiment in the country in the following ways. One stated that we (in Sri Lanka) in our past did not think it fitting to criticize one another's religious beliefs. Now it has become the norm to do so. Another, speaking specifically of media depictions regarding Muslims stated that there was no respected sane voice that could give direction to how the public should critically understand the media's depictions. For instance, the coverage of the issue of Wilpattu wild life sanctuary by the Hiru media network was mentioned and the manner in which it highlighted the actions of one Muslim minister and accused him of encroaching on the sanctuary. There was no information available about how the general public should judge the veracity of this depiction and if it was a valid claim. There were others who spoke of Muslim exclusivity as a problem. That persons of other faiths were supposedly not permitted to enter mosques was raised as a problem that led to mistrust. Another mentioned the presence of "extremists" among the Muslims. When pressed to explain what an extremist was we were told that the reference was to Akurana residents who only patronise Muslim businesses. The Muslim intellectuals discussed the deterioration of stature that

the Muslim population had experienced in the recent past. In relation to access to education, they bemoaned the manner in which the Muslim elite of Kandy can no longer access the city's best schools. Kings Wood and St. Sylvesters used to be schools where there was a large representation of Muslims in the past. Now, however the numbers are very low. Muslims are forced to send their children to sub-standard government schools or to substandard international schools that were described as "75% O' Level fail." While wealthy Muslims were providing superior educational opportunities for their children (like the wealthy across all ethnic groups in the country) the middle income and poorer Muslims were compelled to educate their children in sub-standard schools and their futures were therefore in jeopardy. The better-rated girls schools in Kandy still had a representation of Muslim students. However the racism that Muslim students and parents experienced when engaging with such schools was significant. Muslim women's dress was discussed as an issue of concern. One person spoke of how his daughter was unable to distribute her wedding invitations to her teachers because first the security guard would not let her enter, and later when she persuaded him and somehow reached the office, the new principal of the school would not speak to her because she was dressed in a headscarf. Another person also mentioned that Muslims must be encouraged to educate themselves in mixed schools. He stated as someone from such a mixed school he was better able to engage with people of other communities and saw that fellow Muslims without that exposure were less able to do so and lacked confidence.

## CHAPTER 5

### Testimonies from Law Enforcement Officials

The local and international media as well as politicians accused the police of having a seriously flawed response, and in one instance of actually aiding in the arson on a mosque. In the most troubling example (as we have documented above) the STF was recorded on CCTV and by eyewitnesses as entering a mosque in their boots and assaulting two moulavis, and in another instance, of actively seeking out the two Fazils – a local government politician and his friend – while inside their homes and dragging them out, only to plant petrol bombs on them.<sup>53</sup> There were CCTV recordings of at least one instance where an individual in police uniform was seen breaking open the door of a building through which members of the mob then entered.

Two senior police officers who were involved in the occurrences in Kandy and an OIC of one of the affected areas spoke to us on conditions of anonymity. We make only the most general statements regarding our findings from those conversations in an attempt to understand what happened during those days from the perspective of law enforcement agencies.

All three officers interviewed agreed that the police response was inadequate and unsatisfactory.

Confidential explanations and analyses from these high-ranking police officers with oversight responsibility for the situation and context of the violence are most usefully divided into three categories, though the quality of the police response was determined by all three categories taken together. The division below mirrors the relative importance assigned by our interlocutors:

#### 1) **Explanations based on technical and administrative constraints**

These rationalizations included evidence-based claims of being under-staffed and inadequately trained to deal with such community-based violence. The difficult terrain and the fact that affected Muslim villages were in interior areas with poor external access or daily exposure were also seen as key determinants for the delayed and insufficient response. The fact that fewer members of the ethnic and religious minorities were hired and deployed in the Central Province was also identified as an impediment to trust-building and rapport, which in such times of crisis would prove invaluable in inter-community communication and effective containment. While all these issues are verified to be true, they are equally valid in other situations where the police are involved (such as control of crime and traffic offences), but where police performance is significantly better than in the current instance.

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<sup>53</sup>See the BBC report of 24<sup>th</sup> March 2018 for eyewitness accounts of these incidents. Tom Allard, Shihar Aneez, “Police, Politicians Accused of Joining Sri Lanka's Anti-Muslim Riots” *Reuters*, 25 March 2018 <https://uk.reuters.com/article/uk-sri-lanka-clashes-insight/police-politicians-accused-of-joining-sri-lankas-anti-muslim-riots-idUKKBN1H102O>



This element is fairly straightforward, but it is unclear whether remedying these constraints will result in effective action because the role played and influence wielded by the two more politicized factors below.

**2) Explanations based on the lack of political will of the relevant higher authorities, including within the police, to effectively engage with this and similar incidents in the past, which has led to a sense of apathy.**

The main determinants cited for inaction and lethargy were the lack of clear instructions from politicians and the police hierarchy. Furthermore, there was a lack of faith in the establishment to stand up for police officers who would do their duty without fear or favour in such situations of ethno-religious conflict where the majority community were the main perpetrators of violence. Examples from the situation in Aluthgama were provided to explain this situation. The absence of proper legal action against identified perpetrators and the inaction, at the outset, in dispersing unlawful assemblies both stem from this mindset, where politicians and other leaders do not wish to embark on what they see as hugely unpopular actions that will lead to their political downfall.

In a nutshell, the real (and even more strongly perceived) absence of support for police action that censures majority community perpetrators (who openly invoke political patronage) deters forceful action. It was also hinted that in such localized situations, politicians on the ground wielded more immediate power than national political leaders who had little direct access on a daily basis. Strong statements at the metropolitan level do not automatically translate into support for unpopular punitive action on the ground.

**3) Explanations based on ideological and ethno-religiocentric factors**

This is the most complex and relatively unexplored area in the studies undertaken by various agencies on the Digana incidents, but its importance should not be underestimated as it is what enables and justifies the two types of rationalization outlined above. First, and perhaps easiest to identify, is the ethno-religious dominance of Sinhala-Buddhist majoritarianism, though this was not explicitly identified as such by the police officers. Sinhala nationalism was a preferred and less contentious name for this phenomenon, but the main characteristics were clearly described as demanding special status for the Sinhala ethnic group (and Buddhist religion), and the relegation of all minorities to operating with the approval of the majority. “Knowing their place” and “Not abusing our tolerance” are key elements of this ideology as explained by the senior police officers. Hence, crucial to this worldview is the sense that the majority is being pushed to the wall due to its magnanimity. In its most common form, the Buddhist temples and their chief incumbents are purveyors of this ideology.

The fact that most police officers of the rank and file are from the region and hence count many of the perpetrators of violence as their acquaintances, even friends, and that as members of the same temples and other social groups they share this ideology, was a

clear and strong deterrent against preventive and punitive action against rioters and looters at Digana by the police. In fact, it was even suggested that Sinhala police officers at all levels tended to think that this was an effective punishment for Muslims who did not toe the line. Though it was not highlighted forcefully, the collusion between Sinhala business interests and Buddhist nationalism was also pointed out. This was powerfully borne out by the targeting of Muslim shops without damaging the inventory of their Sinhala neighbours.

It is this ideological factor that needs to be addressed if such violence is not to become endemic in the country, as a way of periodically teaching the errant “minorities” a lesson. It is important to note that, while our interlocutors were very clear about the need to stop such violence and impunity immediately, this underlying ideological underpinning of Sinhala behavior remained relatively unexamined.

What we heard from the officials we spoke to was that while the police response could have been much better and the public was right to find the response wanting, it was not because of a conspiracy or an organized attack against the Muslims of those areas but due to a combination of factors among which racism was a part. The geographical location of Kandy is such that access to some areas is difficult. Some areas in the interior are such that getting to Muslim areas requires travel through Sinhala areas; some Muslim towns are surrounded by Sinhala towns and this situation creates challenges when responding to ethno-religious violence. Further, most constables attached to local police stations were from the surrounding areas and it was likely that they shared in the prevailing anti-Muslim sentiment in their villages and even knew perpetrators and supporters of the violence. These circumstances may have led to the lackadaisical nature of the police response in these areas.

All the officers recognized the problem of ethno-religious violence, including the fact that ethnic discrimination existed as a structural feature of the state (low minority representation in the police force, for instance, was recognised as a deciding factor enabling a poor response). The local police were usually made up of about 60% of the people in the area and therefore those participating in the violence were usually from the police personnel's own village or town, and sometimes related to them. Further, less than 1% of the current police force is Muslim. They also acknowledged that anti-minority sentiment—in this case anti-Muslim sentiment—was permitted to emerge periodically and cause havoc among communities. One of them noted specifically that he experienced a spiking of racist sentiment under the Rajapaksa regime. The other stated that we must, as a country, desist from the age old habit of claiming greater entitlement for the Sinhalese. He said the practice of showing off a particular view of history – *Ithihasaya penna penna*, and showing Sinhalese entitlement – *api thamay uruma karayo* – is not going to work any longer. We have to go forward together, he said. *Ekata yanna ona*. They were all clear that the sustained, systematic and well-funded cultivation of these enmities existed and that the government was taking no responsibility for it and doing nothing to avoid the inevitable breakout of violence. The government needs to consider seriously the movements that are being funded to carry out anti-Muslim activities and take sustained action against them and not place the burden only on the police.

One of our senior police officer interlocutors stated that the section on unlawful assemblies in the penal code lays out a standard operating procedure and said that the breakdown of law and order in Aluthgama, for instance, was due to the fact that such procedures were not followed. He said in the case of Teldeniya and Digana the failure to respond adequately was due to the lack of coordination between the various police stakeholders. He said that all ranks of the police force should know what action is to be taken when there is a threat to the peace due to unlawful assembly; and that this includes the possibility of the magistrate calling the army to disperse gathered crowds. The fact that there was no pulling together of the various elements responsible was seen as the failing. It was suggested that some of the senior police officers in Kandy who were also of the area may have not been in a position to act as forcefully as they should have due to their relationships with area residents.

We were also offered an explanation as to why the mechanisms broke down in the case of Aluthgama. The officer stated that the police had become communal-minded at that time and therefore none of the rank and file wanted to be made scapegoats through actions during the violence that might be seen to favour Muslims. There were no clear orders from the higher-ups regarding what they should do, and there was no confidence that the higher-ups would endorse them carrying out proper enforcement. He said that the rank and file would generally follow the morals and values of their superiors such as the OIC and proper direction was not forthcoming from the senior officers.

Both officers admitted to faults on the part of the police. One used the word *ndaasina* or ineffectual, to refer to the response of the police. The police also raised issues of practicality such as the numbers of personnel that are available at any given time, the availability of vehicles to respond speedily, all limitations that they had to deal with. For instance, the accessibility of the areas where the violence occurred was a problem. The fact that the police anticipated violence in one area and were deployed there but it broke out in another, 30 kilometers away while the police resources were all brought out into the first area, was an issue that was highlighted. The police's lack of knowledge about the crowd that emerged in Digana was described to us as an intelligence failure.

One of the senior officers also stated the following.

“We have to also act in a way that we don’t escalate the situation. Now there is a talk that the people who have been arrested are Sinhala, the persons who died are Sinhala. If we, (the police) also send bodies into the equation – it is under these conditions that actual Sinhala Muslim clashes can occur. So it is not that we encouraged and facilitated the attackers. There was a limit to what the police could do.”

“If we had shot people in Teldeniya it would have been an overreaction. They were not unruly. They were there till the afternoon. There were school children among the crowd – girls in their school uniforms. They did not get agitated to commit violence. They only blocked the road. We had 700-800 police personnel and water cannons and the riot squad was brought there.

The practice is containment. If the crowd disperses, it is harder to control. The crowd must be contained. And we did this in Teldeniya. And at that moment the funeral in Ambala was also ongoing. The police itself had obtained a court order to stop the funeral from taking place outside of Ambala. And then suddenly there was a large crowd gathered at Digana. We had not anticipated that. That was a serious intelligence failure. Digana is 30 km away from Teldeniya. It was a totally different crowd. They were not those who were gathered at the funeral.”

One officer also stated that it was not possible for five policemen to control a mob of 500 without shooting. Additionally, no lower ranking police constable will shoot without a direct order. The consequences that those who do so, have had to suffer recently, acts as a deterrent. If they shoot, and they are thought to have done so unnecessarily, they will be charged and jailed for 8-9 months. There is no support for such offenders from the police — if they are accused of a violation and there is an inquiry, they have to defend themselves, hire lawyers etc. with their own resources. So the members of the police in the lower ranks are not going to risk the futures of their families in the line of duty. There was shooting in both Manikhinna and Waththegama, so it wasn't that such measures were not taken, but they were not standard practice.

We were also told that the police did get to Digana after some time had passed and that tear gas and water canons were used there. However, the dispersing crowd continued to attack Muslim houses while on their way out of the area. Containment was not practiced there and it was a problem.

The difficulty of access to certain areas in Kandy required that police motorbikes be brought in on 6 March. On 7 March there were 40 to 50 motorbikes that were mobilized in the interior. One of the officers stated that the response on the ground in Kandy was inadequate at the outset and that Colombo was called upon to intervene to stop the violence. This was done through various measures that included the bringing of reinforcements from outside the area, having all area personnel assigned to desk duty, warning all petrol stations to desist from selling petrol unless it was specifically to a vehicle, and to close all taverns indefinitely. We were also told that rumours were circulated from Colombo and the shutting down of social media played a part in controlling the violence, even though both officers stated that they personally did not approve of such a measure on principles of freedom of speech.

One of the senior officers stated that given the lackadaisical response of the government to the incident it was difficult to say that something like this would not happen again.

“We should have told people about the ICCPR.<sup>54</sup> They may not have engaged in such acts...There may have also been Muslims who were prepared for self defense with petrol bombs. This may have been the motivation behind the attack of moulavis in a mosque.”

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<sup>54</sup>Those arrested under the ICCPR act for these kinds of violations are not permitted bail. It is not a bailable offence.

One of the police officers also stated that the organized nature of the violence was clear to all. The roads in the area in Teldeniya to Udunuwera were all decorated fully. However, the road from the junction-- Moragaha Handiya to Kumarasinghe's house was not. This was not something that happened due to sadness or anger (*sanvedaya ho aavegaya*). The Ambala mosque should have been attacked if this was the case but it was not. The police officer confirmed what we had heard from other sources.

“There were extensive conversations with the victim's family. We expected that there would be violence in the surrounding areas but were able to mitigate that. We got a court order to ensure that the funeral would be held in the village and not outside in Digana. But those who set fire to the shops were the Sinhala people of Udu Dumbara.”

One of the officers also pointed out some of the practical problems that were faced by the police. One was that 80% of the duties of the police were not actually related to policing or maintaining law and order. For instance, providing security for temple events, providing an escort for district judges who were travelling, providing security for politicians, are all carried out by the local police station. Additionally their resources are also limited. A police station generally has one, or at most, two vehicles. Another example regarding scarce resources was the dedicated line for complaints which the Police Headquarters had instituted. When it was first set up the response time was 20 minutes. But today there are over 3000 calls per day and the unit with two vehicles is not able to respond. They respond after a 48-hour delay.

One police officer also called attention to the training that was offered to those joining the police. The kind of training provided to the military and the police of similar rank is very different. While a military officer manages to access a four year degree equivalent training, the police officers have access to less than a year of training. Further, the police training facilities themselves have not been improved in years. It was also very difficult to obtain a master's degree while in the police force. There were no easily accessible leave provisions etc. The payment for police officers remains extremely low when compared with similar positions in the military.

With regards to the problems faced by the police, a large percentage of the current police force was recruited post 1983, after the country was on a war footing. Consequently, the police were trained to search for possible suicide bombers and learn how to protect vulnerable economic targets. The police often did not have the competence to do civilian policing since it was not emphasised as the need of the times. They were fighting the war and supporting the military. Ideally a police in the country should not be feared by the people. But such is not the case in Sri Lanka.

We raised the issue of the arrested moulavis with both senior officers. As stated above, one of them was very clear that the STF intervention at the mosque was made on the basis of reliable information regarding the possible escalation of the situation. It was proposed that while it may be the case that the Muslims were organising to defend themselves, in relation to policing where the intention is to de-escalate the violence, there is no distinction between the different parties to the events. The arrest of the moulavis at the mosque and the arrest of two Fazils earlier on

were attributed to them being armed with Molotov cocktails perhaps for defense. The police officials took no responsibility for a miscarriage of justice, but stated very clearly that they were acting on reliable information, that there was reason to believe there were weapons in the mosque and with the persons who were arrested. The senior official admitted however, that the STF personnel may have acted in a manner “unbecoming of the STF” when carrying out their duties. We were also told that the Muslim community was served with an apology by the Commander of the STF.

Both senior officers suggested that there was a substantial deterioration of the moral fabric of society. One of them offered the analysis that many in Sri Lankan society were suffering from PTSD, and also that the changes brought about by the open economy were affecting the people of the country. While both officers accepted that there were failings of the police in Digana and in Aluthgama they were at pains to indicate that there was no active police collusion in the violence against Muslims. In fact both called for a more nuanced understanding of the challenges with which the police were functioning and that the government needed a broad-based plan to address issues of ethno-religious enmity among the population.

While we appreciated the time taken to meet with us and address the question we were interested to know the findings of the internal inquiry into the conduct of the police in response to the violence. It was also clear that there was a great need for the police to have better training, and to recruit more minority community representatives into the force.



## CHAPTER 6

### Perspectives From Local Buddhist Monks In The Aftermath Of The Violence

We found ample evidence of the spread of anti-Muslim rhetoric among many of our Sinhala interlocutors — even those who condemned the violence and were sympathetic to Muslim suffering. We noticed uniformity in the manner with which Muslim “difference” and “culpability” were articulated. This uniformity indicated that most members of society were privy to the sensibility and language which saw Muslims to be at fault and treated Muslims as a threat.

The following is derived mainly from conversations with five monks from different temples in the affected areas. All the monks uniformly condemned the violence and regretted the occurrence. Some of them expressed great distress and took personal responsibility for the lapse. One was not in the village when the incidents occurred and stated unequivocally that this would not have happened in his village if he had been at the temple. Others — like the head monk of the Konakalagala Raja Maha Viharaya — repeatedly referenced other peoples’ fault for the outbreak. Some of the monks had provided shelter to affected Muslims. We had no reason to doubt the sincerity of their claims. None of them questioned, however, the veracity of the anti-Muslim rhetoric through which their dayakas seemed to understand their Muslim neighbours. And all of them were also committed without question to the narrative of Muslim culpability. Muslims were seen to be at fault for the violence perpetrated against them. The unacceptability of Muslim behaviour — which was used to explain why Muslims were targeted — was articulated in the following manner.

- Muslims are organising and buying property and forcing land prices to go up in the town.
- The use of the face covering (*niqab*) is a “foreign” and alienating practice, and Muslims should rethink their need to follow this practice. Earlier generations covered their heads with saris — the face cover is an import from Saudi Arabia.
- Muslims have their own political parties. There should be no ethnic political parties — only national ones.
- Muslims have their own laws. What is child abuse for one community is “culture” for another (this argument was made with special reference to Muslim marriage laws).
- Muslims use their own language even in instances when they can speak in Sinhala, they speak amongst themselves in their own language even in the presence of Sinhala.
- Muslims, by opening schools of their own, are distancing themselves from the Sinhala community.
- Muslims place too much emphasis on religion.
- The use of *vanda pethi* (sterilization pills) is spreading and there are many stories of Muslim-run eateries that have been caught selling food that had *vanda pethi*.

- Anyone can go into a church or a temple but everyone who is not a Muslim is banned from entering a Muslim mosque.
- Muslim ministers are desecrating our national heritage, destroying Wilpathu and damaging archaeological treasures.
- In today's society people need to be permitted to marry one another without expectations of conversion. If you marry a Muslim you have to change your religion.
- Muslim fundamentalists prevent Muslims from patronising Sinhala businesses (Akurana).
- Muslims live as if they are the only people who matter.
- If Muslims had historically (when they first came to Sri Lanka) chosen to speak the Sinhala language and not the Tamil language, there would be no problems.
- The earlier Muslims who knew the Sinhalese well and dressed differently were very good.

Few of the monks seemed surprised by the violence, only to regret very much that the imperative to violence had not been better controlled. One monk told us that if another conflagration is to be avoided Muslims should address the issues mentioned above.

All five monks in Digana, Teldeniya and Akurana mentioned the persons arrested for the violence and detained on charges of curfew violations. "Their families were suffering, and the children's schooling was affected", we were told. Many of these alleged perpetrators went along with the arson and looting because "they were young, they had no sense, they wanted to see what was going on, they were intoxicated," the monks told us. One monk suggested that there should be programmes to inform people ahead of time that if they do such things there will be consequences. Some, we were told, had been accused wrongfully.

Many of the monks were also lobbying to get charges against alleged perpetrators dropped. We were told that Muslims in Digana lost an opportunity for reconciliation and a chance to restore good relations when the main mosque refused to give a letter exonerating an alleged perpetrator. Muslim community members insisted that the person in question played a central role in attacks against Muslims and that he was being held on the basis of eyewitness accounts. We heard of similar pressure being brought to bear on Muslim communities in many of the affected areas. Many monks stated that these arrests and the unavailability of bail for several months was laying the groundwork for future conflagrations. They held Muslim communities responsible for not finding a way to "sort things out."

The government used the ICCPR Act under which to arrest perpetrators in Digana and Teldeniya. Many were kept in jail for long periods of time. This became a very stressful situation for the communities to which the alleged perpetrators belonged. Given the track record of the police it is likely that there were individuals who were bystanders and had little to do with the violence who were also arrested. Therefore the monks' concern for members of their communities was understandable.

The fact that the monks continued to speak of the damage inflicted on the alleged perpetrator families without referencing the impact of the events on the Muslims, was telling of the place that Muslims in the area occupy in relation to a Sinhala Buddhist frame of reference. Many did not see the violence and destruction wrought on Muslim victims as constituting crimes for which punishment should be given.

The Ven. Keenapalasse Upali Gnanissara Himi of the Peraketiya temple in Teldeniya was the one who was successful in preventing violence from breaking out in his village. All parties praised this monk for his role in ensuring that no violence broke out in the deceased Kumarasinghe's village. Not only did he participate in the meetings to ensure that no violence broke out, he was compelled to physically intervene to stop mobs from carrying out attacks in his area. The Ven. Upali Gnanissara told us that he needed the government and those in authority to enable him to champion his cause further. He said he needs the non-violent ethical position that he espoused to be better endorsed not just by having accolades granted to him personally but by enabling better services to the areas that he lived in—like better road access for instance, and better jobs for the two young men who helped him take a three-wheeler to where the mobs were gathering for an attack (which he was able to stop). He wanted to see positive results from the work he did recognized by the community at large. He suggested symbolic interventions like visits by government officials to recognize the role of the people in the town. He felt this was necessary since his position—of not letting the young men give free reign to their feelings and attack Muslims --- was a minority position that was not endorsed by the larger community. He felt that if this was not done, he might not be able to push his agenda further.

## CHAPTER 7

### Relief Measures<sup>55</sup>

There was a public meeting held on 7 March in the aftermath of the first two days of attacks at the Kandy Line mosque. The representative of the military assured the crowd that the military would rebuild the damaged dwellings. (This happened in the aftermath of the attacks in Aluthgama). However, this commitment was later reneged upon. The military officer who committed to the rebuilding, and who, according to a member of the Kandy mosque committee was very good with the community, was transferred out of the district.

While the military was not brought in to rebuild homes unlike in the aftermath of the Aluthgama violence, affected people did receive compensation from the government, albeit greatly delayed. Compensation came under the purview of different authorities such as REPPIA and the Ministry of Defence. In parallel to this, members and groups within the Muslim community also came together to contribute monetarily to the rebuilding of homes and mosques. The latter was most appreciated by those affected as it was free of the bureaucracies and delays, and helped some families return to routine life a month or so after the violence ceased.

#### Compensation via REPPIA

Five months after the attacks in the Kandy district many of those who suffered loss or damage of property had not received the compensation they were promised by the government. According to sources at REPPIA, this delay was solely due to the 16-day, islandwide postal service strike that commenced on 11 June 2018. In light of the strike REPPIA had not received the claims that were posted to them.

The then Chairman of REPPIA, E. Annalingam stated: “We did some personal handing over [of cheques] at the Kachcheri auditorium [to] about 280 cases. I was personally there to present the cheques. So, where it depended on the post there was a backlog because of the strike. And now it is getting cleared. The total amount of what was personally handed over via cheques was 8.2 million [rupees]. This was on March 19 [2018], and then we had a second one in April [2018]”. He added that some business owners had made claims from insurance agencies and as per REPPIA regulations this rendered them ineligible for state compensation.

By July 2018, 633 claims were made to REPPIA. This included 335 damaged houses, 233 shops, 83 vehicles, 20 mosques and 2 temples. Protocol is that the affected persons must first approach the divisional secretary (DS) and the government agent (GA) and make a complaint. Compensation distributed by REPPIA is based on the evaluations made by the DS and GA; however, for the Kandy incident, special committees were appointed consisting of Divisional Secretariats, evaluators from the evaluation department, REPPIA officials and a ministerial representative. These committees held meetings with the affected people to determine the extent of compensation payable. Annalingam stated that REPPIA was against delays, adding that

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<sup>55</sup>The research for and writing of this chapter was carried out by Megara Tegal.

immediately after the violence ended, a meeting was called by the Prime Minister, Ranil Wickremasinghe, and decisions were taken to provide an advance to 120 affected persons sans paperwork, based exclusively on a list provided by the GA, to relieve them of immediate suffering. He added: “Subsequently we assisted them in getting the applications filled and formalised the process”.

According to REPPIA records, the number of houses damaged that received compensation within 5 months of the attacks included 249, amounting to Rs.10.4 million. One hundred and twenty-six shops received a collective total of Rs.5.46 million. Rs.30, 2.45 million was distributed to those with damaged vehicles. This brought the total to Rs.18.32 million handed out by REPPIA within the 5-month period. However, claims over Rs. 500,000 took longer to process. REPPIA also needed to corroborate with other state organizations providing compensation, in order not to overcompensate those affected. Another obstacle faced by REPPIA was the confusion that arose when providing compensation for mosques, as in some cases one mosque would have two or three sub-mosques. However, by July 2018 the Director of Muslim Cultural Affairs addressed the issue, and each institution was issued a letter for compensation. REPPIA had recorded 20 damaged religious places but had received claims for 19. These 19 received Rs. 640,000.

One year and 7 months after the attacks REPPIA claimed 90 per cent of all claims had been covered. The remaining 10 per cent were the result of 16 claims that were large sums pending the committee report. The committee was established by the cabinet to evaluate and inform REPPIA of the exact compensation sums required but delays had prolonged the process.

According to a Centre for Policy Alternatives (CPA) report,<sup>56</sup> there are discrepancies in the allocation of compensation to victims by REPPIA as the sum is decided and approved by the cabinet. For instance, the report states: “Per the Cabinet approval, victims who lost their lives in the Aluthgama riots [were] paid Rs.2 million each as compensation. Conversely, Cabinet approved only Rs.500,000 as compensation for the victims who lost their lives in the recent Kandy-Digana ethno-religious violence. In contrast to these ad hoc compensation approvals, compensation provided under formalised REPPIA schemes are much lower. For instance, as noted above, compensation for war affected persons under the ‘Most Affected Persons Compensation Scheme for General Public’ scheme is Rs.100, 000 per death”. This indicates the need to upgrade the compensation schemes by REPPIA as most circulars were issued in the 1980s and have not been revised over the past three decades. The CPA report also noted that REPPIA does not have adequate funds to compensate those affected by violence, and compensation for victims of various attacks in the past are still on-going. This incidentally reveals that Sri Lanka does not have the funds to bear what has now become a near-annual occurrence of anti-Muslim violence.

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<sup>56</sup> Bhavani Fonseka, “Making a Case for an Office for Reparations”, 2018, pp 21-22. Centre for Policy Alternatives. Available at <https://www.cpalanka.org/wp-content/uploads/2018/06/Reparations-report-FINAL.pdf> [Accessed 25/10/19]

Other state organisations involved in providing relief and compensation following riots or violence as a result of ethnic or religious unrest, include Ministry of Disaster Management and Related Bodies, the Ministry of Defence, as well as the Ministry of Buddha Sasana, Ministry of Posts and Muslim Religious Affairs, Ministry of Rehabilitation and Resettlement and the Ministry of Disaster Management.<sup>57</sup> According to the Daily Mirror, the decision to involve the aforementioned institutions and complete the rehabilitation of damaged property within four months, was made on the Prime Minister, Ranil Wickremasinghe's orders.<sup>58</sup> The article published in May 2019, stated that some of those affected by the anti-Muslim violence in the Kandy district in 2018 were yet to receive their share of the compensation, adding that Rs.178,000,000 is due for property damage and Rs.200,000 for damaged mosques at the time of publishing. (Please see section on The Economics of the Violence in this report)

In an interview with GroundViews in May 2019, the experience of one victim who lost his grocery store is shared: “[...] how the full compensation owed to affected individuals has not come through, lost in what seems like a mess of bureaucracy. He also talks about the convoluted process to obtain building permits to reconstruct the mosque. In a statement last year, civil society noted that ‘for reparations to be transformative, they must be prompt, effective, and inclusive and the process must be transparent’.”<sup>59</sup>

Abdul Basith Samsudeen, the 27-year-old who died in his family home when it was set ablaze by the violent mobs, was buried soon after the violence with funds provided by the government, but his family did not receive the compensation they were promised to rebuild their home and the father's shop. In an interview with the Samsudeen family, the Sunday Observer revealed on 29 March 2019: “Samsudeen [Abdul Basith's father] had received only Rs. 150,000 as compensation from the government while it cost him more than Rs. 3 million to build his home and shop, which were in pieces. [...] Fasal [Abdul Basith's eldest brother] said that it was the mosque that helped them rebuild after the riots last year. ‘The pressure we had that day hasn't changed. The government paid only Rs. 50,000 for the house and Rs. 100,000 for the shop. They said that it was just an initial amount and we will be paid more later. But we received nothing after the initial payment. Our Masjid has a fund to which all Muslims donate 2.5 per cent of their annual profit for CSR work. If we had not received financial support from the Masjid, we may have had no place to go,’ he said.”

In August 2018, Prime Minister Ranil Wickremesinghe said that Rs. 205 million had been allocated for compensation. “We don't know what happened to that money. The government should have supported the community and our society is losing faith in it,” he said.<sup>60</sup>

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<sup>57</sup> Piyumi Fonseka, “Anti-Muslim Attacks: Process of Compensation Causes Trickle of Unease”, *Daily Mirror*, 2019 Available at <http://www.dailymirror.lk/news-features/Anti-Muslim-attacks%3A-A-Process-of-compensation-causes-trickle-of-unease/131-168220> [Accessed 25/10/19]

<sup>58</sup> Ibid.

<sup>59</sup> Amalini. De Sayrah, “Digana: One Year On”, *GroundViews*, 2019. Available at <https://groundviews.org/2019/03/05/digana-one-year-on/> [Accessed 25/10/2019]

<sup>60</sup> Ibid.

The same news feature by Sunday Observer includes an interview with Thilaka Padmasiri, the wife of the lorry driver who died after being assaulted by Muslim youth. She said that many MPs and ministers had promised to provide funds to rebuild her home but these promises remain unfulfilled. While it is uncertain if these ministers intended a private donation or whether they were referring to the state funds that the widow is entitled to, the fact remains that Thilaka did not receive any assistance. The only compensation she received was a private donation of Rs.50,000 from a Muslim family that handed her the funds at the Peraketiya temple on 1 January 2019.<sup>61</sup>

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<sup>61</sup>Kandy: What Lingers, Two Years On, <http://lawandsocietytrust.blogspot.com/2020/03/kandy-what-lingers-two-years-on.html>



## CHAPTER 8

### Commentary on the Events of March 2018 – Political Actors

The following section is put together from newspaper reports of politicians' and relevant civil society stakeholders' statements.

#### *A: The Government Perspective*

While the government response in terms of the mobilization of the police and the military, and the mobilization of forces to stop the violence has been found wanting by many, the rhetorical disavowing of the violence in the aftermath was strong. The Mawbima newspaper of 8 March 2018 covering cabinet decisions featured Rajitha Senaratne, Kabir Hashim and Sarath Amunugama discussing the incidents in the Kandy district.<sup>62</sup> The heading read:

“Those who were responsible for the incident in Digana were those who came from outside the area (*pitapalathwalin*)”.

Cabinet spokesperson Dr. Rajitha Senaratne stated that, all those responsible for instigating the attacks as well as those who carried out the acts will be arrested forthwith. He stated that the authorities had already identified 4 persons who were responsible for the attacks in Digana. Two Pradeshiya Sabha members who had been elected recently, district organisers and a monk allied with the same political party had been identified as bearing responsibility for the violence. In Teldeniya those responsible were a Member of Parliament (*Manthri varayeku*) and the member's secretary, and Dr Senaratne said strong action would be taken against them. He also stated that by the night of 6 March, 24 persons had been arrested. Sarath Amunugama appreciated the statements by all parties in parliament that they reject the assertion of *jathiwadi* nationalistic feelings and also appreciated the responsible coverage of the incident by the media. Rajitha Senaratne, analyzing the events, stated that the elections which took place recently demonstrated the support of Sinhala Muslim and Tamil people for the government. Those who lost were aiming to affect the good relationship that the government has with minorities. (He was referring here to the 2015 elections and not the local government elections of January 2018). They stated that the government responded to the issue of *vandapethi* (sterilization pills) by mobilizing medical experts to state that there is no scientific basis for such an assertion. He also stated that strict measures would be undertaken to quell hate speech. In response to a question about the prime minister finding fault with the intelligence services he stated that was why the military had been mobilized to bring the situation under control. He also stated in response to a question regarding whether the police had not done its duty (*rajakari pahara harima*) that the Inspector General of Police (*police pathi thuma*) had reported that an investigation into this was already underway. In response to a question as to whether the delays with regards to justice in Aluthgama may have impacted the occurrences in Digana as well, the minister stated that there was a difference

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<sup>62</sup>Mawbima 08.03.2018, (Denagama Dhammika Ranaweera)

between Digana and Aluthgama in that, in Aluthgama, the regime supported a section of the perpetrators. He however admitted that there was a delay in the delivery of justice.

The statements at this press conference are indicative of a message being sent at the national level that anti-Muslim sentiment was not tolerated by government. This was substantially different from the government response to Aluthgama. In the aftermath of that event, the government blocked media coverage of the event and also constructed a coordinated narrative across several government agencies that spoke of the event as a “clash” instigated by Muslims of the area. This was absent in the aftermath of Digana. There was a recognition at least at the level of rhetoric that an injustice had occurred and that perpetrators needed to be brought to account. The social media ban, subsequent discussions with Facebook etc. regarding controlling hate-related activity were developments that were salutary. However, like most of the endeavors by the government, the rhetoric was only partly matched by the actual response. As will be discussed below, the perpetrators were arrested under the ICCPR Act. They were kept in jail without bail for long periods of time. In addition there were cases against them that were taken forward. However, the cases remain incomplete and most of those arrested have been released now.

### **Prime Minister**

Date: 6 March 2018

In concurrence with the government’s stand, Prime Minister Ranil Wickremesinghe, speaking in parliament about the violence in Kandy, said a CID team had been dispatched to investigate the death of Kumarasinghe. He also recapped the start of the violence and announced the government would pay compensation to all those affected by the violence.

“Some who hunger for political power are trying to make use of incidents of this nature and it could be seen that they are planning the disruption of normalcy and instigating communal violence. The only tool they have is instigating racial violence and racism all over the country to make use of a crisis to win power. It could be seen that organized efforts are being made to spread racism and communal disharmony through social media. One such group had been campaigning on social media during the past nine months claiming that Muslims are threatening Sinhala supremacy in the land. They have produced false statistics.” He said the government categorically condemned these atrocious acts and any form of racial disharmony.

On the first day of violence, a tweet from the Prime Minister stated the following:

“As a nation that endured a brutal war, we are all aware of the values of peace, respect, unity and freedom. The government condemns the racist and violent attacks that have taken place over the last few days. A state of emergency has been declared and we will not hesitate to take further action.”

Source: Twitter

### *The Janatha Vimukthi Peramuna (JVP)*

The Janata Vimukthi Peramuna JVP (People's Liberation Front) is a Marxist party responsible for two youth insurrections in the country. The JVP had the best analysis and one of the strongest critiques of both the government and the opposition in relation to the Digana incidents. Anura Kumara Disanayake, the head of the JVP had the following to say with regards to the instigation of anti-Muslim sentiment followed by violence against Muslims: "If you applaud Jathivadaya then the future of the country will be a lake of blood."<sup>63</sup> Scathing in his attacks against both the government and the group that he named as "those that were defeated" (a reference to the change in regime in 2015), he stated that both groups were gaining advantages from the act of cultivating racism (*jathivadaya*). The following was his statement:

"The government has failed the people in providing them their basic requirements, but also in ensuring that they have democracy and that their rights are protected. The farmers are suffering due to a fall in their income, young people of all ethnicities are suffering due to a lack of employment opportunities. It is at a moment when the people should be mobilised against the economic policies of this government that this ethnic violence has emerged and it is of great advantage to the government that it has happened at this time."

In terms of the defeated political entity (*parajitha deshapalana paarshavaya*), he stated that they have been trying to re-assert their political power using the racist (*jathivaadi*) platform.

"They are unable to offer the people greater democracy, a more successful economy or a strong foreign policy. Therefore their only recourse is the cultivation of nationalistic sentiments. During the election campaign, in their attempt to come back into power they did everything they could to incite animosities. Both camps therefore are taking advantage of racist (*jathivadi*) sentiments to either stay in power or to come back into power."

Speaking of the government's failures while the violence was occurring, Anura Kumara Disanayake stated that if there had been some vigilance with regards to the activity on social media it would have been clear to the government that an attack of this kind was brewing.

"Further if a government is unable to stop a large group of young men from attacking shops and burning them in broad daylight and causing grave destruction then what is the use of such a government? The government is bound to provide security and safety for each citizen in the country. But these leaders have completely abandoned all of that."

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<sup>63</sup>Lakbima -08.03. 2018

He further stated that the government may not have instigated the violence but is benefiting from it, that “instead of controlling it and taking action to stop the violence, the government has turned a blind eye and permitted the incidents to take place.” He continued that it was very clear the incident was highly organized, and that people had been brought in from outside to carry out the attacks. This was clear from the fact that many covered their faces, and carried sticks and implements (*upakarana*) that they used to start fires. He stated that the President and the Prime Minister should take responsibility for the incidents, suggesting that they have both failed to ensure the safety and security of all the people. “These groups were permitted to organize clashes and behave in anyway they please in broad daylight”, he argued. “It seemed clear that these clashes have the blessing of these rulers.” He further stated that this was a clash that could have been avoided. The JVP asked that despite existing political differences, all parties should refrain from inciting racism.

The JVP leader’s account traced the culpability of both the government through acts of omission and the opposition consisting mostly of representatives of the political infrastructure cultivated to take forward the Rajapaksa family’s dynastic ambitions. The account was a sharp analyses that shed much light on the events in Digana. Much of the ground level analyses from Muslim interlocutors – specifically traders in the Digana bazar-- also reflected similar analyses regarding the two political camps. The fact that the political parties with significant Sinhala constituencies had such analyses and that they were carried in the national Sinhala language media was significant. However, it was also clear that the sentiment propagated by the anti-Muslim movement, through the activities of the BBS in 2013, and later by groups like Amith Weerasinghe’s Mahason Balakaya, were sedimented to such an extent in the social media consuming consciousness of Sinhala youth, that the more sober voices in the print media could do little to dislodge them.

### ***The Communist Party***

The communist party representatives had a very instrumental response to the events in Digana. They stated that inciting the entire Muslim community that is spread throughout the country is a dangerous act. They said that this was more serious than the anti-Tamil tensions because it could become internationalized. It would be very dangerous if things deteriorated to the status of a civil war. For instance, after Black July happened in 1983 only Tamil Nadu attempted to influence affairs in the country. But there are currently 54 Muslim countries. The Organisation of Islamic Countries has already expressed its concerns. Further, our tea is bought by Middle Eastern countries. They stated that in the aftermath of Black July, J.R.Jayawardena waited 6 days to address the public. “He was silent for six days and only addressed the people after everything had settled. We suffered the consequences of that for thirty years. President Sirisena also delayed before making a statement.”<sup>64</sup> They also stated that since words can cause the entire country to burn, politicians should be careful about what they say.

The comparison of President Sirisena’s silence to J.R.Jayawardena’s hugely significant delay in addressing the population in the aftermath of the 1983 riots, indicated how seriously the

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<sup>64</sup>Mawbima: 09.03.2018.

Communist Party leaders took the events in Digana. However, the fact that they resorted mainly to an instrumental discussion of the dangers without appealing to any other possible sentiment of the populace – justice, human rights, critique of majoritarianism – was worrying. However, given the emergence of Islamic militancy a few months later and the Easter Attacks one year after Digana their concern seems prescient.

***The Sri Lanka Muslim Congress (based on Rauf Hakeem's interview with Meera Srinivasan)<sup>65</sup>***

The leader of the Sri Lanka Muslim Congress (SLMC), Rauf Hakeem stated in an interview with Meera Srinivasan of The Hindu newspaper that the violence in Kandy was not a Sinhala-Muslim clash, but a mob attack on Muslims. Hakeem explained further that it was a coming together of xenophobic forces in the country in the aftermath of the war and the Islamophobia coming from the international sphere. He mentioned the modalities through which the organised movement incited animosities between Muslims and Sinhalese, and created this “other;” for example, the halal issue that received widespread attention in 2013, and the agitation against Muslim women's dress. Hakeem also mentioned the place of business rivalries and jealousy in creating the phobia.

Hakeem commented that the incidents in Ampara and Digana were well planned and what needed to be taken into account was the fact that they occurred soon after the conclusion of the local government elections that were run on an extremely racist platform. There was a political background to the violence which could not be ruled out. Minister Hakeem was strong in his indictment of the police and their inaction during the event. He stated:

“They are complicit in this violence by their deliberate negligence, to say the least, if not through active support, by not coming to the rescue of Muslims in a timely manner. On top of it, the failure of the intelligence community to have a proper early warning about what was going to happen. We local politicians knew that something was going to happen on the day of the funeral ..... We kept speaking to all the responsible officers, they kept reassuring us that there was nothing to worry about and that they would take care. Finally, when it happened, they all put up their hands in exasperation and said, “We never anticipated that this would be of such a scale and we just could not contain the violence”, simply trying to trot out excuses. They should have been prepared for such a calamity.”

Speaking of the story that is being circulated regarding a conspiracy by Muslims to render the Sinhala community infertile – most recently by using *vanda pethi* (sterilization pills)—Hakeem stated that the government needed to come up with a communications strategy to address the issue. He added that the government seems inhibited in taking forward proper law and order measures when dealing with monks engaging in hate speech. Even in relation to Aluthgama the

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<sup>65</sup> Meera Srinivasan, “It was Not a Sinhala-Muslim Clash, It was a Mob Attack on Muslims: Sri Lanka Minister Rauff Hakeem,” *The Hindu*, 14<sup>th</sup> March, 2018 <https://www.thehindu.com/opinion/interview/it-was-not-a-sinhala-muslim-clash-it-was-a-mob-attack-on-muslims/article23229464.ece>

government was not quick to respond. It was perhaps due to fear of losing ground with the Sinhala majority. Hakeem said however that such sentiment only appealed to a small group of radicals and not the majority. He said that it also could be a strategy to show that the Muslim minority was moving its support away from the government. The Muslims voted enbloc to bring the President and the Yahapalanaya government into being.

Hakeem also raised an important point about the political context that was not raised by any other commentators in quite the same way. He stated that the recent local government elections where the members of the current coalition did not do well has caused the coalition to become somewhat unsettled. According to Hakeem:

“(S)oon after the local government elections, the type of blame game that took place between the two major partners in government was a matter of discomfort for all of us who are partners in this government. It seems that there is no coherence in governing, and there is a lot of indecision. Such political instability creates a fertile ground for these [extremist] forces. That needs to be settled quickly.”

### ***MP Sambandan Tamil National Alliance***

Government statement on 05/03/2018

Strongly and unequivocally condemns the Digana attack. (Dep of Gov information) The role of law enforcement authorities has been called into serious question. He told the house that people seem to have the confidence that they can engage in such acts of violence, and the arm of the law would not reach them and that the rule of law would not be enforced against them (Sunday Observer)

### ***MP Sumanthiran (Sri Lanka Brief, 6 March 2018)<sup>66</sup>***

*Sri Lanka: When a government shrugs its shoulders & turns a blind eye to the violence being perpetrated against its own citizens*

Tamil National Alliance Jaffna District Parliamentarian M.A. Sumanthiran accused government leaders of being "spineless" in the face of violence directed against what he called "numerically inferior communities."

"If you can't stand up for what is right, if you can't stand for numerically inferior communities in your country, then you have no right to govern," said MP Sumanthiran.

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<sup>66</sup> “Sri Lanka: When a Government Shrugs its Shoulders & Turns a Blind Eye to the Violence being Perpetrated against its Own Citizens ..- M.A. Sumanthiran ( MP, TNA)”, *Sri Lanka Brief*, 12 March 2018 <https://srilankabrief.org/2018/03/sri-lanka-when-a-government-shrugs-its-shoulders-turns-a-blind-eye-to-the-violence-being-perpetrated-against-its-own-citizens-m-a-sumanthiran-mp-tna/> /



## CHAPTER 9

### Civil Society Interventions

#### Centre for Policy Alternatives

*Date: 6 March 2018*

The Centre for Policy Alternatives released a statement on the events calling on the authorities to take swift action to halt the spread of Anti-Muslim sentiment and to prosecute those who have been accused of perpetrating violence. The CPA calls attention also to the urgency of maintaining the increasingly fragile peace through swift interventions. Sections of the statement are reproduced below.

*CPA is also deeply concerned by the viral circulation of video clips inciting violence against the Muslim community. CPA is in possession of several such clips including one by a person claiming to be a Buddhist monk. The individual in the video uses demonstrably false information as fact to incite violence against the Muslim community and accuses the Chief Prelates of favouring Muslims over Buddhists.*

*CPA calls on citizens from all communities to refrain from inciting further violence and on the authorities to take swift action to both arrest and prosecute perpetrators within the existing legal framework. Inaction or half-hearted action at this critical junction will deepen mistrust, fear and tension within and among communities, fuel hate and violence and cement a culture of impunity.*

*The recent incidents in the Kandy area and Ampara are not isolated incidents but highlight the persistence and increase of communal tensions in post-war Sri Lanka. Despite CPA citing the relevant legal provisions when calling upon the law-and-order authorities to arrest and prosecute perpetrators, including those responsible for the production and circulation of inflammatory videos and hate speech, no prosecutions have to date resulted in any convictions. Yet again, in the spirit of constructive engagement, CPA has today dispatched another letter to the relevant authorities calling for swift and decisive action. If the relevant law enforcement authorities cannot or will not take necessary action, CPA is of the firm belief that they should resign their office or be removed in accordance with the law. The gravity of the situation, the growing perception of government inability to fulfil its responsibilities in respect of reconciliation, the prevention of religious and ethnic violence and intolerance and the maintenance of law and order, demands no less.<sup>67</sup>*

#### Tamil Civil Society

*Date: 6 March 2018*

We strongly condemn the violence being unleashed against the Muslim people in Kandy this week and in Ampara earlier last week. Initial reports from Ampara and Kandy make clear that the police by inaction were complicit in the violence. We, as Tamil civil society organizations who work in the North-East, are very disappointed with the growing violence against the Muslim community. This Government came into office promising that incidents like the one that took

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<sup>67</sup>“CPA Calls Authorities to Take Swift Action to Prevent Further Violence and to Arrest and Prosecute Individuals Advocating National, Racial and Religious Hatred”, Statement- Centre for Policy Alternative: Colombo, 3 March 2018. [https://www.cpalanka.org/wp-content/uploads/2018/03/Kandy\\_statement.pdf](https://www.cpalanka.org/wp-content/uploads/2018/03/Kandy_statement.pdf)



place in Aluthgama under the former regime, will not be repeated. The Government should have investigated the crimes against the Muslim people in Aluthgama. If the incidents had been investigated and those responsible had been brought to book, we could have prevented what happened in Kandy, Ampara and before that in Galle. Impunity breeds violence and this has been a recurrent theme throughout Sri Lanka's history. The Government must do all that is necessary for the violence from spreading and investigate the reasons for the violence in Kandy and Ampara and hold those responsible to account for their heinous acts.

We are also troubled by the growing Islamophobia within both the Sinhalese and Tamil communities which provide the atmosphere for the violence that we are witnessing. We must actively work against the spreading Islamophobia and take remedial action. We stand in solidarity with the Muslim community against these attacks and pledge to work together to resolve matters of inter-ethnic tensions and ending the cycle of impunity that enables this violence.

#### *Signatories*

Tamil Civil Society Forum

Adayaalam Centre for Policy Research

Centre for the Promotion and Protection of Human Rights (Trincomalee)

Jaffna University Teachers Association

Jaffna University Employees Union

Justice and Peace Commission, Diocese of Jaffna

SUYAM – Centre for Women's Empowerment

SUYAMPU – Theatre Active Movement

#### ***The Bodu Bala Sena (BBS)***

The BBS and its General Secretary the Ven. Gnanasara were instrumental in launching the anti-Muslim movement in 2012 in the aftermath of the end of the war in 2009. The organization had a decisive role in the outbreak of violence in Aluthgama – the violence erupted after an inflammatory speech by the monk. The Ven. Gnanasara was also seen in Digana at Kumarasinghe's house the night before the funeral. The Ven. Gnanasara stated at a press briefing that this was not a problem either of the God Allah or of Buddhist Philosophy but one of simple people (*nodiyunu minissu*). He said it was necessary that there was an intellectual (*buddhima*) conversation country-wide regarding this problem. He stated that – as in all such cases (he mentions Gintota in 2017 and Digana in 2018)– the clashes were begun by Muslims but that it was being portrayed to embassies as one where Buddhists were at fault. He said this was a huge problem. He stated further that this was not something that can be solved by baton-charging Muslim or Sinhala youth. He stated further that if angry people are mobilized every coconut tree (*pol gas*) might turn into a “hanging” tree (*ellungas*). The reference here is to lynch mobs. He questioned where all the money that was spent on reconciliation programmes (*sanbindiyava*) was going. He said disparagingly, that if that money had been spent to grow sweet potatoes (*bathala kotumak*) it could at least have helped the hungry. Ven. Gnanasara also stated that problems will not be solved by the methods that were used in Kandy. Setting fire to a single-storied shop will only result in the affected people getting assistance to build one that is three stories tall.

The Ven. Gnanasara, a master at the use of language, inserted some chilling sentiments into his statements. The story of angry mobs turning coconut trees into “hanging trees” for carrying out their own justice was a trope that he had used before. And another was sending a message that the people whose shops were burnt would rebuild and therefore the movement needed to persist.

### ***Puravesi Balaya***

The Puravesi Balaya group was one of the central civil society mobilizing agents to have brought the 2015 Yahapalanaya government to power. The group had its own analysis of the Kandy violence as well and their media briefing was covered by several newspapers. The Mawbima headline on a story that featured a photograph of the Ven. Dambara Amila, one of the most visible members of the group stated: “The government should tie these racist (*jaathivadi*) dogs.” It went on to say, “What did the police force that chases and assaults protesting students and farmers do? What did it do in Digana?” They stated that when Puravesi Balaya was asking that former Army Commander Sarath Fonseka be handed over the cabinet portfolio of Law and Order, a clash was created in Ampara. They stated further that the President who is “guarding thieves” needs to take responsibility for the problems in the country. The Ven. Amila stated that it is the nationalist sentiment used at the local government elections that is now flaring up in the country. He called the President an ineffectual leader (*pathola nayakayek*) and castigated him for failing to pull the country together. Asserting the Puravesi Balaya claim to have brought the regime to power, the Ven. Amila stated that the President was voted in for reconciliation (*sanbindiyava*) and good governance (*yahapalanaya*) and not to take forward his own agenda regarding political parties. He stated further that the entire government now thinks that nothing can be done against the former president Mahinda Rajapaksa; that Rajapaksa himself acts like he is the unofficial leader of the country.

The Ven. Amila also said that the Rajapaksas held the last election on the basis of inciting nationalistic sentiment. Furthermore, while they (Puravasi Balaya) heaped blame on the Rajapaksa government for taking part in such activities, the same is happening now under the *yahapalanaya* government. He asked who were they to heap the blame on now? He further stated that the violence of 1983 occurred not because of the violence of a few but because of the silence of many.

Another account of the Puravesi Balaya press briefing also included the following.<sup>68</sup> The headline for the Dinamina article states: “If the law was properly activated then the problem would not have spread as far as Teldeniya.” A subheading also stated: “We cannot let the country be turned towards racism (*jathivadaya*) once again.” They blamed former President Rajapaksa and the joint opposition for cultivating nationalistic *jathivadi* sentiment. A representative also invoked the memory of Aluthgama in 2014. He said that in the current instance an issue that emerged with the *vanda peththa* (fertility pills) escalated into an incident where a death was reported. “There is no such thing as fertility pills anywhere in the world but we in Sri Lanka do not have a society

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<sup>68</sup>Dinamina 9 March 2018.

that is sophisticated enough to understand that scientific fact,” he said. He also stated that if law and order was properly maintained this would not have happened. The government seems to have let the clash take place and then attempted to control it.

It was also stated that this kind of occurrence cannot be controlled by imposing curfew alone. The executive branch of the government must take decisive action they said. If that is not done by the executive then it will be clear that the current executive is following the pattern of the previous one. The country cannot be allowed to descend once again into ethnic and religious hatred. The police did not act in a satisfactory manner in this case, and that is why the people of Digana are calling for the army to intervene.

At the press conference, members of the Puravesi Balaya presented an elaborate analysis of the Rajapaksas’ culpability in the violence. They maintained that the Rajapaksas are trying to come back in to power and that they have always attempted to present themselves as continuing to function within the political sphere. Rajapaksa came back as an MP – in no other place has a former president contested as an MP. More recently, they contested the local government elections on the basis of nationalistic sentiments and won. Now they are cultivating an image of being unbeatable, and that there is no one who can challenge them. They were made uneasy by the call to appoint Fonseka as the Minister of Law and Order because he would expedite taking action based on the many criminal accusations against the Rajapaksa family and its cronies. The Rajapaksas’ main objective is to avoid these accusations and charges and in order to do that they have to obtain political power. However, there is no election in the near future whereby they can do that. Therefore, the Rajapaksas need to do what they can to prevent action being taken against them. The violence in Ampara that led to the incidents in Digana and Teldeniya were due to this. They further stated it was therefore unnecessary to call on the people to stay calm as the majority of people are not motivated by ethnic or religious animosity.

## CHAPTER 10

### Domestic and International Media Coverage of the Events

Sinhala language newspaper accounts in the two to three days after the violence (8 and 9 March) represent an interesting read of the rhetorical coming-to-terms with the events in Digana by a variety of actors across the political spectrum. A cursory look at the manner in which newspapers, both Sinhala and English, reported on the incidents reveal that the racist discourse of Muslim otherness took a backseat to lamentations regarding the manner in which the country was again “going astray.” There were many invocations of the long conflict years, the incidents of July 1983 and the manner in which the “ignorant masses” were manipulated once again for short-term political gain. While the analyses and the critiques were better informed and sharper in the alternative Sinhala media — in newspapers such as RIVIRA and RESA — the sentiment of critique and the willingness to draw attention to a serious social problem was also present in more mainstream newspapers such as Divayina, Dinamina and Mawbima.

An article in the pro-government newspaper Dinamina entitled “Why did this happen?” claims that tension always emerges in March when the government has to report to the Human Rights Council in Geneva. The piece suggests that the event had been orchestrated to make the government look incompetent. The article invokes the possibility of countries like the United States, Britain and Australia issuing travel warnings and suggests that the tourism industry — which had good numbers the previous year — may suffer. The article further states that rumours spread “like fire” across social media, and that the social media ban imposed was therefore necessary.

The article dismisses the story of the sterilization pills stating that both the rate of Sinhala population growth and the science itself renders this nonsensical. The article talks of the ethnic violence of July 1983 — violence that many see as marking the beginning of the ethnic conflict — and argues that if not for that event, Sri Lanka would be a developed country by now. Up until this point the article does not in any way reference the suffering of the Muslims, but has an instrumental rationale as to why incidents such as the violence in Kandy were bad for the forward movement of the country. In the next section the article states that cultural diversity should be recognised as an asset and as an aid to development. It states further that the people of Kandy lived very well with each other and the troubles were caused by “people from outside”. The article concludes that no group (*jathiya*) is either inferior or superior — all religions and ethnic groups should have the same rights as enshrined in the Constitution.

The Divayina newspaper, well known for its anti-UNP stance and support for the Rajapaksas, was also critical of the events and in favour of reporting the incidents as they were carried out. It still took the opportunity to criticize the government and valorise Rajapaksa, whose party had recently won a landslide victory in the local government elections. One article entitled “A week that shook the country” states the following: “The country is only thinking about the Sinhala Muslim violence now. The bond scam, the rise in the cost of living, have all been forgotten.” The article suggests that there has been a conspiracy, that former members of the Rajapaksa regime

who have now joined the UNP have incited ethnic hatred to push minority voters away from Rajapaksa. The piece mentions that there have been accusations in parliament against the intelligence agencies. The current government has undermined the proper functioning of intelligence agencies by making various allegations against them, insulting them and placing members of intelligence agencies in remand custody for long periods of time. These actions have weakened the entire intelligence establishment. The article also mentions that Rajapaksa had himself asked the population to remain calm through the release of a special statement.

A column in the Lankadeepa newspaper by MP and Rajapaksa supporter Charitha Herath suggested that the violence occurred because the country was virtually rudderless in the aftermath of the Rajapaksa-led SLPP victory in the local government elections. The article argued that although the national government has power it had completely lost the respect of the people. It is for this reason that the crowds in Teldeniya could not be controlled.

The article further suggests that this is also an opportunity for the joint opposition to show that the accusations hurled at Mahinda Rajapaksa for being anti-Muslim are lies. The author contends that Sri Lanka is still grappling with the question of what kind of country it wants to be in the aftermath of colonialism. He makes two further points. First, that the leader of the country's Muslims, Ashraff, was a brilliant political mind who prevented Muslims from joining the LTTE but that Bathiudeen and Hakeem, (powerful Muslim leaders in the government) do not have even a smattering of Ashraff's political intelligence. Second, the status that Buddhism has in this country must be understood as a sensibility that is not merely religious but civilizational and that it will bode well for the country's future if members of other communities understand that. He also states rather cryptically that the insecurity Buddhists feel with regards to the negative impact that others may have on places like the Dalada Maligawa in Kandy or the sacred city of Anuradhapura for instance, can only be dispelled by the intervention of moderates who understand the problem and not by the abuse of venerable bhikkus by those who are already the subject of Buddhists' disgust (*pilikula*).

The following is a summary of an article from the newspaper Resa. Many of the articles in this newspaper took a critical stance with regards to the events in Kandy and offered a perceptive analysis. The article referenced below is based on what the author learnt from conversations regarding the violence in Kandy. The majority should act with greater responsibility in relation to the minority. At the highest levels of the corporate sector, the majority community harbour hatred towards the minority. Often, inter-ethnic clashes are manufactured in the guise of patriotism and communal sentiment to steal property. But the vast majority of Sinhalese do not endorse the above. The majority are compelled, though, to face the consequences of these acts of a small group. This piece written by Thimbiriyaagama Bandara claims that a certain politician from Kandy and his goons were responsible for the violence. The article makes the link quite openly and also mentions the politicians' use of thugs and violence in earlier instances, warning that the law should not be lenient when dealing with perpetrators. The piece is illustrated with a photograph from the 1983 riots.

The critical accounts in newspapers was an indication of the prevalence of saner counsel among a majority of Sinhalese. The reporting also illustrated the differences in the official discourse as

compared to that which was prevalent in the aftermath of Aluthgama. There is a recognition that something untoward had occurred and that it needed to be mitigated. There was no obvious apportioning of blame or a narrative of victim blaming, of Muslims having brought on this violence themselves. This contrasts with the narratives available at the community level that were riven with anti-Muslim ideas. It appears that the interventions of the electronic media – specifically the TV channels that have become increasingly irresponsible and majoritarian in their reporting– may be the more likely sources of the spread of anti-Muslim sentiment.

## International Media

Coverage of the events published in the international English-language media increased dramatically when the State of Emergency was declared on 6 March.<sup>69</sup> with almost all major outlets publishing one or two pieces of generic reportage. The frequency of reporting before and after the declaration, however, was sporadic and limited, with very few outlets moving beyond the scope of the events themselves. Reuters and Al Jazeera covered the violence in somewhat more detail, both publishing a number of pieces throughout the month of March. Their longer-form investigative pieces attempted to provide more nuanced assessments of the violence with reference to the domestic political landscape. Generally, international attention was captured for two or three days but not much more.

Thematically, the reports engaged relatively directly with the violence as specifically anti-Muslim, but reflections on the historical antecedents of the violence and its contextual manifestations was somewhat limited and at times unsubstantiated. The treatment of the history of anti-Muslim sentiment in Sri Lanka itself was reported in many different ways — for example, timeframes for what many labelled as “growing tension” between the two communities, differed significantly. Some labelled violence of this kind as a distinctly new phenomenon — an article published in *The Economist* described the events as representing a “new social fissure” where “Sinhalese extremists are trying to transfer lingering hostility against Tamils onto Muslims (most of whom speak Tamil as their mother tongue).”<sup>70</sup> Others suggested it was symptomatic of a trend that has existed since the end of the war in 2009.<sup>71</sup> Others arbitrarily cited 2012 as the year this trend took hold.<sup>72</sup> Very few articles treated the history of anti-Muslim sentiment in Sri Lanka with any seriousness beyond this timeframe. Most articles that described the events in terms that made them seem somewhat foreseeable, failed to mention a history of Muslim–Sinhala tension, instead arguing that instances of communal violence are generically common in Sri Lanka. The topic of majority–minority relations in Sri Lanka was generally confined to a line in most articles recalling the demographic make-up of the country and brief comments about the civil war. In contrast to

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<sup>69</sup> “Govt. to Declare State of Emergency for 10 days,” *Daily Mirror*, 6 March 2018

<http://www.dailymirror.lk/article/Govt-to-declare-State-of-Emergency-for-days--146826.html>

<sup>70</sup> “Anti-Muslim Riots in Sri Lanka Signal a New Social Fissure,” *The Economist*, 8 March 2018

<https://www.economist.com/asia/2018/03/08/anti-muslim-riots-in-sri-lanka-signal-a-new-social-fissure>

<sup>71</sup> “Fresh Violence Erupts in Sri Lanka as Muslim-Owned Restaurant Comes Under Attack,” *Hindustan Times*, 11 March 2018, <https://www.hindustantimes.com/world-news/fresh-violence-erupts-in-sri-lanka-as-muslim-owned-restaurant-comes-under-attack/story-s26tFY8iCGONiq7pYsdEwN.html>

<sup>72</sup> “Sri Lanka Violence: State of Emergency Declared over Attacks,” *BBC News*, 6 March 2018  
<https://www.bbc.com/news/world-asia-43300913>



the domestic news cycle, very few pieces compared the events in Kandy to the incidents in July 1983.

References to rumours about sterilisation pills or population growth within the Muslim community were almost entirely absent. Where explanations for the animosity were given, reference was usually given to Sinhala claims to supposed forced conversion or to the vandalising of sacred Buddhist sites.<sup>73</sup>

Almost all reports mentioned the “hardline Buddhist” element as the primary motivating force for the violence.<sup>74</sup> Often this perspective was connected to the anti-Rohingya Muslim protests of late 2017, which gained some traction at the time in the international media.<sup>75</sup> This was another touch point that commentators pointed to as a recent historic sign of increasing Buddhist nationalism. In a longer-form piece for Al Jazeera titled “Sri Lanka 'on the brink' amid fresh anti-Muslim violence,” the authors promote the view that the attacks may have been premeditated, designed to provoke a Muslim response that could justify further violence from “hardline Buddhist groups.”<sup>76</sup> The authors report that a recent Rajapaksa win in local elections “emboldened” these groups. Another group of reports focused on the government’s decision to block off social media, generally explaining this by characterising it as move to halt the spread of anti-Muslim rhetoric. This rhetoric was again linked to “hardline Buddhist groups” spreading “misinformation.”<sup>77</sup>

In this sense, we may say that domestic politics took somewhat of a backseat and a total account of the arguments given for the violence in the domestic press were often obfuscated. More of the international concern seemingly focused on the declaration of a State of Emergency, most likely in part because of its perceived international implications. The State of Emergency was described by the BBC for instance as one in which “authorities are able to arrest and detain suspects for long periods, and deploy forces where needed”.<sup>78</sup> Along this line emerged another theme, what some authors described as a long-standing “culture of impunity”. Here, arguments were made suggesting that “this pattern of violence is not unfamiliar in Sri Lanka” because the government “has been unable to hold accountable the perpetrators of these riots or the war that ended in 2009.”<sup>79</sup> Arguments that focused on the culture of impunity also linked to a discussion of the

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<sup>73</sup> Shihar Aneez and Aditi Shah, “Hardline Sri Lanka Monk calls for Buddhist Sinhalese Government,” *Reuters*, 7 July 2019 <https://www.reuters.com/article/us-sri-lanka-buddhist-idUSKCN1U2078>

<sup>74</sup> “Sri Lanka Violence: State of Emergency Declared over Attacks,” *BBC News*, 6 March 2018 <https://www.bbc.com/news/world-asia-43300913>

<sup>75</sup> “Erasing the Rohingya, Point of No Return,” *Reuters*, May 2017 <https://www.reuters.com/investigates/special-report/myanmar-rohingya-return/>

<sup>76</sup> Z Rasheed, & I. Cader, “Sri Lanka ‘on the Brink’ Amid Fresh Anti-Muslim Violence,” *Al Jazeera*, March 8, 2018 <https://www.aljazeera.com/news/2018/03/sri-lanka-brink-fresh-anti-muslim-violence-180307203031915.html>

<sup>77</sup> A Taub and M. Fisher, “Where Countries are Tinderboxes and Facebook Is a Match,” *The New York Times*, April 21, 2018. <https://www.nytimes.com/2018/04/21/world/asia/facebook-sri-lanka-riots.html>

<sup>78</sup> “Sri Lanka Violence: State of Emergency Declared over Attacks,” *BBC News*, 6 March 2018 <https://www.bbc.com/news/world-asia-43300913>

<sup>79</sup> G. Anandasangare, “Sri Lanka’s Culture of Impunity Leads to Violence,” *The Star*, March 7, 2018, <https://www.thestar.com/opinion/contributors/2018/03/07/sri-lankas-culture-of-impunity-leads-to-violence.html>



Prevention of Terrorism Act and the need for it to be reformed.<sup>80</sup> The human rights angle was rarely taken up by reporters directly though, except in reference to past accusations pointed at Mahinda Rajapaksa by the United Nations post-2009. Some also questioned the likelihood of these riots destabilising Sirisena's progress on promises for reconciliation.<sup>81</sup>

Reports that did focus more squarely on domestic politics aimed at the government's role in both preventing and potentially perpetrating the violence. Reporters suggested that the government lost control of elements of its security apparatus, but nonetheless that all government officials denied any allegations of government involvement. Reuters, however, published one critical piece in late March citing evidence that police and politicians "backed by the country's former strongman President Mahinda Rajapaksa" were involved in the riots themselves.<sup>82</sup> This piece argued that the violence was premeditated and not a product of spontaneous hate speech and incitement by Buddhist extremists on social media platforms. The piece emphasised the claim that the government lost control of elements of its security forces, specifically the STF. However, apart from this article, there was little to no mention of political motivations for the attacks and why anti-Muslim rhetoric may prove a politically advantageous position to hold in Sri Lanka.

In summary, analysis of media reports at the time of the violence in Kandy reveals that international interest was sustained for only a very short period of time. Most common in the coverage was a characterisation of the violence as distinctly anti-Muslim, a product of increasing tension between this community and hard-line Buddhist elements spreading their message online. Domestic politics, the history of Buddhist-Muslim animosity in Sri Lanka and the specific reasons for the violence were treated in generic terms and rarely did commentators move beyond what can be characterised as generic reportage.

### **International Community Response<sup>83</sup>**

The international community's response to the riots was, with a few exceptions, generally limited to brief statements from the diplomatic community and gentle condemnation from the United Nations. The UN quickly denounced the violence. Under-Secretary-General for Political Affairs Jeffrey Feltman arrived in Sri Lanka on 9 March for three days of talks with Sri Lankan leaders. Feltman visited Kandy and met with local Muslim community leaders. Feltman "condemned the breakdown in law and order and the attacks against Muslims and their property".<sup>84</sup> Much of Feltman's rhetoric during the visit questioned the government's commitment to bringing the

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<sup>80</sup> P. Wintour, "Sri Lankan Reform has 'Ground to a Halt' with Torture Used Freely-UN," *The Guardian*, July 23, 2018, <https://www.theguardian.com/world/2018/jul/23/sri-lankan-reform-has-ground-to-a-halt-with-torture-used-freely-un>

<sup>81</sup> A. Amza, "Sri Lanka's Communal Violence Explained," *TRT World*, March 16, 2018, <https://www.trtworld.com/asia/sri-lanka-s-communal-violence-explained-15970>

<sup>82</sup> Tom Allard and Shihar Aneez, "Police, Politicians Accused of Joining Sri Lanka's Anti-Muslim Riots," *Reuters*, 25 March 2018, <https://uk.reuters.com/article/uk-sri-lanka-clashes-insight/police-politicians-accused-of-joining-sri-lankas-anti-muslim-riots-idUKKBN1H102O>

<sup>83</sup> Senal Hewage, Cassandra Pinto and Barana Waidyatilake, "International Reactions to Anti-Muslim Riots in Sri Lanka," 21 March 2018, <https://lki.lk/blog/international-reactions-to-anti-muslim-riots/>

<sup>84</sup> "Sri Lanka: UN Condemns Anti-Muslim Violence", *Aljazeera*, 11 Mar 2018 <https://www.aljazeera.com/news/2018/3/11/sri-lanka-un-condemns-anti-muslim-violence>

perpetrators of the violence to justice. UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, also commented on the events, arguing that he had “repeatedly urged the Government to advance its implementation of the transitional justice agenda ... It is urgent for the sake of the victims that progress be made on accountability and transitional justice” — this statement was read as part of a much larger annual report on the state of human rights globally and happened to coincide with the violence.<sup>85</sup> Civil society took aim at the government — Amnesty International called for Sri Lankan authorities to take immediate action to put an end to the impunity enjoyed by those who perpetuate violence against minorities in the country. In an article published on 6 March, Amnesty’s South Asia director warned that “a state of emergency must not become a pretext for further human rights abuses.”<sup>86</sup>

Responses from foreign ministries were general in their criticisms, issuing statements advocating for the importance of protecting human rights broadly conceived. These statements were generally aimed at the Sri Lankan Government. In a joint statement, ambassadors of the EU expressed their desire for the violence to be unanimously condemned by political and community leaders. They also expressed a wish “that any actions taken under the State of Emergency will be proportionate and respect constitutional rights and freedoms.”<sup>87</sup> The US Embassy argued for the importance of swift action on the part of the Sri Lankan Government to ensure human rights and basic freedoms were protected.<sup>88</sup> The Canadian Minister of Foreign Affairs Chrystia Freeland issued a statement to express her government's concern over the “intercommunal violence, in which Muslims were targeted.” The Minister implored for an immediate end to misinformation campaigns and called for “the government to ensure the safety and security of all minorities, to protect human rights and fundamental freedoms for all and to hold those responsible for the violence accountable.”<sup>89</sup> Chinese Foreign Ministry Spokesperson Geng Shuang, on the other hand, suggested that the matter is one “Sri Lanka's internal affairs.”<sup>90</sup>

Releasing a statement on the 7 March 2018, The Organization of Islamic Cooperation (OIC), expressed serious concern at the repeated incidents of violence by extremist mobs against Muslims in Sri Lanka on 28 February and 4 March 2018.<sup>91</sup> The Secretary General of the OIC, Dr. Yousef Al-Othaimeen called upon the Government of Sri Lanka to take concrete steps to address the propagation of hatred and violence by extremist groups and to ensure the protection of properties and livelihood of Muslims in Sri Lanka. Dr. Yousef Al-Othaimeen appealed for

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<sup>85</sup>UNOHCHR, High Commissioner’s Global Update of Human Rights Concerns, 2018, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22772>

<sup>86</sup> Amnesty International, *Sri Lanka: State of Emergency must Respect Human Rights*, 2018, <https://www.amnesty.org/en/latest/news/2018/03/sri-lanka-soe-must-respect-human-rights/>

<sup>87</sup>EEAS, *EU Ambassadors Call for Perpetrators of Hate Crimes to be Swiftly Brought to Justice*. 2018, [https://eeas.europa.eu/delegations/sri-lanka/40968/node/40968\\_tk](https://eeas.europa.eu/delegations/sri-lanka/40968/node/40968_tk)

<sup>88</sup>U.S. Embassy in Sri Lanka, *Statement from the U.S. Embassy*, 2018 <https://lk.usembassy.gov/statement-u-s-embassy/>

<sup>89</sup>“Canada Deeply Concerned by Violence in Sri Lanka”, Global Affairs Canada, 7 March 2018 <https://www.canada.ca/en/global-affairs/news/2018/03/canada-deeply-concerned-by-violence-in-sri-lanka.html>

<sup>90</sup><http://lk.china-embassy.org/eng/xwdt/t1540295.htm>

<sup>91</sup> “OIC Calls upon Government to take Immediate Action to Protect Muslims in Sri Lanka,” Organisation of Islamic Cooperation, March 2018 [https://www.oic-oci.org/topic/?t\\_id=17455&t\\_ref=9254&lan=en](https://www.oic-oci.org/topic/?t_id=17455&t_ref=9254&lan=en)

calm and peaceful relations between communities, and urged the authorities to enforce the rule of law, investigate the incidents and bring the perpetrators to justice.<sup>92</sup>

### **Postscript and Concluding Recommendations**

The violence in the Kandy district in 2018, when informed by subsequent events, the Easter Sunday terrorist attacks by local Muslim militants, the attacks against Muslim villages in the Wayamba province several weeks later and most recently the spike in anti-Muslim sentiment during the COVID-19 pandemic and during the election campaign, offers many lessons. Primarily Kandy 2018 remains a nodal point in the systematization of a particular Muslim focused anti-minority frame of reference among the Sri Lankan population. This anti-minority sentiment has been cultivated and mobilized since 2012 and served various political and economic needs in subsequent years.

The organized mainstreaming of anti-Muslim ideas since 2012 has had little state opposition to date. In the immediate aftermath of the war's end the regime permitted the anti-Muslim movement to flourish as part of the post-war glorification of Sinhala supremacy. The regime used the rhetoric of post-war victory and minority marginalization to legitimize and realize its own dynastic ambitions. The defeat of the regime in 2015 provided a sense of relief for affected Muslims that was lost when the violence in Kandy happened. The new *Yahapalanaya* government seemed complicit in, or at a minimum, incapable/uninterested in preventing the occurrence of violence. During the *Yahapalanaya* government the opposition continued to utilize racist anti-minority rhetoric as part of its platform and the regime while using a language of pluralism and engaging in processes of post-war "reconciliation", was incapable of identifying the opposition rhetoric as a threat or effectively neutralizing it. The government seemed to consider the opposition's stance a political threat more than anything else and did little to posit an alternative to it (Haniffa 2018). Today the sense of Sinhala majoritarian entitlement is entrenched and an anti-minority logic including virulent anti-Muslim sentiment is normalized in everyday language. The dispensation that emerged after the 2019 Presidential elections is committed to a politics that capitalizes on a fraught sense of hierarchized difference between majority and minorities, and this is not openly contested by any of the opposition groups in the current election campaign, signaling that differences in the dominant discourse are matters of degree. The current president's election platform of securitization and militarization thrives on a cultivation of fear and insecurity, as much as it does on unquestioned Buddhist supremacy.

Civil society mobilization against hate rhetoric was also slow in the immediate post war context. The monitoring of hate speech on social media carried out by the Center for Policy Alternatives was one of a few exceptions. In the aftermath of the Easter bombings however, there were several groups that emerged including Watch Dog and Hate Speech Monitor. These monitoring groups and organisations are succeeding in having hate material taken down by the social media sites. However, the airing of openly racist content by electronic media outlets continues unchecked. Given the ready acceptance of anti-Muslim rhetoric and ideas in society and the

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<sup>92</sup>Ibid

commitment of the current regime to use such rhetoric in its politics, the media's own unprincipled actions while unsurprising leave little room for dissent.

In the aftermath of the violence in Kandy large numbers of alleged perpetrators were remanded without bail under the ICCPR Act. However, cases have not been followed through and many of those arrested have now been released. Today the ICCPR Act is being used to curb dissent. So much so that its use against those engaging in hate speech and inciting violence against minorities seems almost an afterthought. Recently a Muslim journalist and writer Ramzy Razik calling for an ideological jihad against the prevailing anti-Muslim racism was arrested and charged under section 3 of the ICCPR Act. He remains in remand at the time of completing this report.

There is a pattern to the assertion of anti-Muslim sentiment that has been cultivated since the end of the war. It is especially prevalent during election time and before the April Sinhala and Tamil New Year shopping season. It is essential that activists groups organize a response process that actively combats the spread of hate rhetoric. The demonization and dehumanization of Muslims has intensified to such an extent that during the COVID 19 crisis, refusing burial of Muslim dead, despite widespread international precedence and WHO guidelines permitting such burial, was considered the rational thing to do. No attempt was made to address the concerns of the Muslim population let alone accommodate them, and it was thought – by politicians and the medico-scientific community – that no such accommodation was necessary.<sup>93</sup> In the face of such a prevalence of ideas of Muslim irrelevance and perfidy, it is essential that response mechanisms are in place to be mobilized when such spikes – noted especially in social media – occur periodically.

These recommendations are informed by the access we had in Digana and adjacent areas to observe the manner in which communities fell apart as a consequence of the violence, instituting dangerous inter-community fault lines that do not auger well for the future. These recommendations therefore speak to a crisis in democracy and in Sri Lanka that will have consequences across many sectors. The cultivation of a rhetoric of minority marginalization is bolstered by periodic violence. The enabling conditions have been further exacerbated by the Easter Bombings. Therefore, addressing these problems remains urgent.

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<sup>93</sup>The Government Medical Officers Association (GMOA) statement asking for a panel to assess the feasibility of burials is noted.

## Ideological and Discursive Causes and Consequences

1. Most local monks did not consider their *dayakas* to have done anything wrong enough to merit being arrested and remanded without bail under the ICCPR Act. As noted in the report they stated that people should be informed that “those sorts of actions” could lead to arrest and remand without bail. In Sri Lankan villages violent action by organised groups in the community against those with less power who are seen to be in violation of some community standard is a common practice. Dealing with the burgeoning “threat” of Muslims through these same mechanisms seemed to have been perceived by the monks as normal and not unusual although certainly regrettable.

Ministers in the government in power at that time (March 2018) termed such behaviour criminal and called for the strongest possible punishments for those inciting and participating in ethnic violence. However, at the local level the issue was understood as much less egregious and state action was perceived as being far in excess of the crime. Local Muslims’ refusal to facilitate the release of those arrested was seen as Muslims bringing about further suffering for Sinhala youth, and as wilfully squandering attempts at amicable settlement of the issue.

*Any awareness raising or even peace-building measures have to first create consensus regarding the illegality of such community endorsed violent interventions. If these forms of interventions remain legitimate, they will continue to function as the mechanism through which forces at the national level can mobilize local actors for violence.*

2. The anti-Muslim sentiment that justifies violence and harassment and Muslims’ sense of being constantly under threat is now thoroughly sedimented at the local level. Civil society interventions must challenge the naturalisation of this state of affairs and insist that they be located in a particular history and politics. Especially in a context where the government too seems committed to utilising the prevailing polarisation for various political ends, *it is essential that there is some investment by civil society in building a counter discourse to reverse the polarisation.*
3. In Sri Lanka Muslims are fast being constituted as a racialized community in the popular imagination. All actions are understood to be emerging from their identity as Muslims alone. Especially in the aftermath of the Easter Bombings, there is a great curiosity regarding Muslims and practices understood to be Muslim specific. Civil society interventions must be informed by a stance that is critical of such racialisation. It must be noted that the notion of a singular “Muslim Community” is a fiction sometimes propagated by Muslims themselves. The notion that all actions by Muslims also emerge from their Muslimness alone also must be questioned. There is little similarity across the 2 million persons that constitute the Muslim population of Sri Lanka. As with any other identity, assertions of sameness belie substantial differences. An analysis of the Sri Lankan Muslim social formation requires a disaggregation across class, gender, and region, as well as by political affiliation across all Sri Lankan political parties and (if relevant) membership in different reformist organizations. Currently the difference

between those who identify as members of Tarikas (Sufi Muslims who present as the “traditional” Muslims) and those who are affiliated in some way with reformist organizations is becoming salient.

*Any analysis must take these differences into account regardless of claims made by Muslims themselves to “sameness” allegiance and mutual support. Responses must be informed by such an analysis.*

4. Socially and politically sanctioned “communal” violence as experienced in Digana and environs in 2018 is fundamentally an effect of systemic discrimination and the erosion of basic democratic rights and principles. This in turn is facilitated by an excessive focus on narrow conceptions of national security and the whipping up of majoritarian paranoia against minorities and non-mainstream groups. The modus operandi of such anti-democratic tendencies is marked by militarization and the propagation of fear against difference in general and minorities in particular. The military is entrusted with the spectrum of of fundamentally non-military roles and functions, including ethnic reconciliation, disease control, local administration and general wellbeing, usurping the legitimate space of civil society and people-to-people trust-building. The military as mediator is, given the current context, linguistically, culturally, ideologically biased; it is gendered, ethnicised and religioned in ways that can only lead to exacerbation of the very core issues that have created rifts among communities and which must be bridged democratically and organically.

*Hence, for any sustainable long-term reconciliation-with-justice process to gain traction, militarization and military logic must be neutralized and the rhetoric that it has engendered must be effectively countered, allowing communities to engage in constructive dialogue within an enhanced and safe democratic space and an enabling environment, which is precisely what militarization in this context actively denies citizens.*

## **State and Government Role and Response**

1. The spread of anti-Muslim sentiment should be halted by a counter-movement. This must be done at the highest levels of government with the political leadership framing the national rhetoric on the Muslims in particular but on minorities and other vulnerable groups in general. Local level interventions are also necessary with better-informed community intellectuals intervening in local level conversations. Today the stereotypes about Muslims, which barely fall short of *de facto* criminalization, have such currency that it may prove difficult to counter them. *It is essential therefore that a counter campaign become part of government strategy.*
2. While the Venerable Upali Gnanissara of Ambala was able to control the violence from spreading into his village, the intervention of the mosque committee, the police and local authority politicians to somehow mediate and stop the escalation of anti-Muslim sentiment into widespread violence was not successful. There was an internal inquiry conducted into the response of the police. The state must inquire further into the actions of the courts in prosecuting alleged perpetrators and address shortcomings in the system that prevent such cases being taken forward.



*The state must also inquire into the response of other emergency services. For instance, how was it possible that a fire brigade responds and arrives without water in the fireengine? Greater attention must be paid to unearthing what elements were left unattended and what enabling conditions were permitted free reign for the violence to occur.*

3. The Ven. Upali Gnanissara ensured that there was no violence against Muslims in the village in which the deceased Kumarasinghe was a resident. The Ven. Thero articulated the need for state interventions to validate his actions in socio-economic terms and this must be taken seriously. (He asked that his initiative be validated by providing employment opportunities for the youth who assisted him and by building a paved road to his village.) *The monk's call must be responded to not necessarily in terms of validating his initiative alone, but through understanding the myriad problems faced by these communities and their leadership, and through endorsing alternative thinking about how to manage the problem of cultivated ethno-religious enmity.*
4. Compensation for Aluthgama (2014) was paid in 2018. Compensation for the violence in Kandy was abysmal and some of it remains to be paid. In Aluthgama the military was brought in to build houses and restore damaged business premises.<sup>94</sup> This was not done in Digana. While civil society estimates saw the damage to have been approximately one billion rupees, the state estimated it as 28 million. Therefore, Muslim religious and civil society organisations were compelled to raise money to assist the affected population to restart their businesses. The fact that community resources needed to be mobilized and that the state did not provide the necessary assistance consolidated the affected Muslim population's sense that they were on their own and further entrenched community authority figures and institutions who were able to channel funding.

*Government compensation schemes must be speedily implemented. Affected communities must not see themselves as abandoned by the state. Further, government institutions must be seen to work to avoid extra governmental institutions being unduly strengthened.*

5. The reaction of the police force was considered to be inadequate, and by many even to be exacerbatory. The local constables' allegiances to local networks and to alleged perpetrators, their commitment to the rhetoric about Buddhist-Muslim difference was also alluded to in our interviews. The fact that the local police force constables from the area were almost exclusively Sinhala Buddhist seemed to pose a problem in the response to the attacks.

*There must be greater representation of all local communities in the local police forces and they should be empowered to intervene, not seen as tokens or liabilities.*

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<sup>94</sup>While we deplore the increasing presence of the military in affairs of the state that have no connection to the military, we reference the rebuilding of Aluthgama to indicate that the state met the cost of reconstruction. This was not done in Digana and that we consider to be significant.



6. While one of the senior members of the police force stated that the police is adequately equipped to address issues of communal violence, the other stated that they were severely under-resourced and untrained. In the context of the frequency with which such violence is occurring, measures must be taken to better equip the police to respond to such occurrences.

*There must be special training (leading to certification) of police and other relevant law enforcement personnel in dealing with inter-ethnic/religious violence and discrimination etc., and these officers should be deployed during such crises, with clear and unimpeded mandates. This would include awareness-raising and attitude change as well as an understanding of what needs to be done and how. They should develop rapport and trust with all communities on the ground, which is a long-term and continuing process.*

7. Muslim populations' distrust of state institutions and their difficult engagement with state officials is exacerbated by the absence of state officials who speak their language. This imbalance especially in areas with a high Muslim concentration must be addressed. *There must be greater representation of minority populations among state sector employees, especially officials of the administration.*

## **Civil Society Role and Response**

1. Sri Lanka has a long history of ethnically inflicted "flare ups" such as the violence in Kandy, that are stage-managed in advance. The idea that such violent incidents spread over a large area emerged out of the spontaneous outpouring of accumulated mistrust and fear alone must be challenged. Who is mobilized to respond to the triggers, who has the most to gain from the mobilization and from the violence, and who may be providing resources – petrol, clubs, intoxicants – that are required for the implementation of such acts? These must be established. As indicated above, emphasising the organised nature of the violence must be supplemented by a critique of ground level practices that provide a locus for such forces to become operational. *Therefore, we recommend that the organized nature of the violence is emphasized in any reporting of such events and that a thorough analysis of local politics is carried out.*
2. There is no current alternative to the anti-Muslim discourse. Those who oppose the violence and the ideology of the anti-Muslim movement have no alternative language regarding Muslims other than to claim that traditional Muslims are good and the new generation are bad. *It is essential that a counter movement provide an alternative framework through which to understand the emergence and politicisation of ideas of Muslim perfidy as a cultivated form of knowledge. Media literacy and literacy regarding racist language and messaging must be increased among the population at a young age. It is important that social media usage is monitored for racist and incendiary content and the populace made aware of how to respond to such messaging in a way that limits its' spread.*
3. It is important to have an analysis of why Sinhala Buddhist youth who participate in these actions feel compelled to do so. It is not sufficient to understand their motivation in terms of ethno-religious sentiment alone. Their marginalization from the economic

development in the country, their exclusion from decision-making fora that impact their lives are factors that feed the unrest. *Peacebuilding initiatives must better engage youth. Also given that those that participated in the riots were mostly young men, an analysis and a critique of the combative masculinity that is validated in Sri Lankan society among all ethn- religious communities is necessary.*

- 4 The class dimension to the anti-Muslim movement has to inform civil society interventions. Young people with severely limited opportunities for social mobility participate in attacks against minorities; and there is a frenzy almost to the destruction of both Islamic religious texts and of middle-class Muslims' property during "riots." While anti-minority sentiment and hatred against Muslims seem to be motivating factors and the Muslims attacked are not just from the appliance-owning middle classes, the manner in which wealth is also targeted by the mobs should not be ignored. *The cultivated anger and resentment against Muslims is being mobilized to destroy property is something that was visible across several sites. Therefore the fact that such mobilization while manifesting in terms of ethnic animosity are not reducible to one factor alone must be recognised and addressed.*
- 5 It was clear from our research that the destruction of Muslim businesses was a priority for the organised mobs. *The fact that there is an identification and targeting of Muslim businesses during these violent events has to be acknowledged and the consequences both to the economy of the area and the targeting of the economy of Muslims as a population group must be better understood.*
- 6 Muslim civil society responses to the anti-Muslim movement and violence against Muslims at this stage are ad hoc, disorganized and are not informed by substantial historical or sociological analysis or a long-term plan. *It is important that interventions against the organized racism and its consequences are informed by a national level vision and goal for the country of which all communities are equal stakeholders.* Beginnings of such coordinated interventions are evident. They must be supported and sustained.
- 7 The fear that Muslim communities are compelled to live with on a daily basis in the context of the recurring waves of anti-Muslim hate that ebb and flow seasonally, must be taken into account. The fear includes the possibility of attacks that those already affected by violence continue to anticipate. In one village that we visited a mosque was left untouched. The attackers when they were leaving, told fearful witnesses that the mosque was left for "next time." Their fear, that another attack was inevitable, was palpable. The mental weight that Muslim populations everywhere in the country are compelled to bear in the face of the blatant racism of the media – particularly Sinhala media TV channels that Muslims too are spectators of, but also on social media – must inevitably have consequences. *Measures need to be taken to address the mental health consequences of these experiences on the Muslim community.*

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