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By Dr. J. Thumira Gunasena
University of Kelaniya

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Abstract- This paper offers a historically grounded analysis of Sri Lanka's ethnic conflict to examine the complexities of post-conflict justice. Understanding debates on accountability, reconciliation, and legitimacy requires attention to the country's prolonged history and the divergent Sinhalese and Tamil interpretations of the 2009 war's conclusion. The study traces the conflict from colonial-era ethnic hierarchies, through post-independence discriminatory policies favoring the Sinhalese majority, to cycles of violence culminating in the Eelam wars. It highlights how competing narratives-Sinhalese emphasizing unity and military victory, Tamils emphasizing marginalization and injustice-shape perceptions of responsibility, victimhood, and appropriate remedies. The absence of a shared narrative complicates transitional justice efforts, as collective memories remain contested and mutually exclusive. By situating these disputes within historical, social, and institutional contexts, the paper demonstrates the challenges of designing inclusive, legitimate, and context-sensitive post-conflict justice mechanisms, offering insights relevant to other societies navigating reconciliation in deeply divided, post-conflict settings.

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I. INTRODUCTION

Sri Lanka's prolonged conflict between the dominant Sinhalese and Tamil groups arises from deep-rooted divides in culture, heritage, and governance. Understanding this persistent discord-and its implications for transitional justice-requires examining historical events, social dynamics, and theoretical perspectives. Competing national narratives continue to hinder reconciliation, with divergent accounts of history shaping today's debates over justice and accountability.

This study integrates historical institutionalist perspectives with competing explanations of ethnic conflict, including primordialism, instrumentalism, and constructivism (De Votta, 2005). Sinhala nationalist narratives draw on *Mahavamsa* historiography to legitimize claims of territorial sovereignty and political primacy, while Tamil narratives highlight systematic marginalization, exclusionary state practices, and unmet demands for autonomy. The interaction of these narratives, embedded in weakening institutions, has been central to the persistence and escalation of Sri Lanka's ethnic conflict.

The origins of the conflict lie in colonial administrative practices, which entrenched ethnic

divisions and structured political representation along communal lines. Post-independence policies, particularly those privileging Sinhalese linguistic and political dominance, deepened structural inequalities and generated grievances that fueled ethnic mobilization. Key events-including the 1956 Language Policy, the 1981 Jaffna Library burning, and the 1983 "Black July" riots, exacerbated tensions and set the stage for all-out civil war. The LTTE, founded in 1976 under Prabhakaran, pursued Tamil separatism through armed struggle, committing atrocities on both sides.

Post-war narratives remain contested. Sinhalese emphasize unity and military victory, often resisting accountability mechanisms, while Tamils highlight past injustices and demand reparations and institutional reforms. These divergent perspectives complicate transitional justice efforts, particularly in contexts where there is no consensus on harm, responsibility, or the nature of remedies.

By combining historical institutionalism with insights from primordialist, instrumentalist, and constructivist frameworks, this study situates Sri Lanka's ethnic conflict within its broader socio-political and historical context. This approach enables a nuanced understanding of how identity formation, elite manipulation, and institutional design have shaped both the conflict and contemporary debates over justice.

This analysis contributes to transitional justice studies by emphasizing the importance of historical depth, cultural understanding, and context-aware approaches in societies where memory is contested and reconciliation is fragile.

II. THEORETICAL PERSPECTIVES

Scholars diverge significantly in defining the nature and origins of ethnicity. The literature commonly approaches ethnicity through primordial, constructivist, and instrumentalist lenses (De Votta, 2005; Pathak, 2019). While acknowledging these perspectives, De Votta (2005, p. 146) ultimately privileges an institutionalist approach in explaining Sri Lanka's ethnic dynamics, emphasizing that institutions do more than regulate behavior. They also shape societal norms and values, including perceptions of justice, collective identity, belonging, trust, and solidarity.

Primordialism is most useful for tracing the early formation of ethnic consciousness in Sri Lanka, particularly in understanding how identities were

Author: University of Kelaniya, Sri Lanka. e-mail: thumirag@kln.ac.lk

historically rooted in lineage, kinship, religion, and myth. Prior to independence in 1948, social belonging was largely defined through lineage-based classifications, and both Sinhala and Tamil historical narratives continue to assert claims of primordial attachment to territory. Primordialist theory conceives ethnic identity as innate and emotionally binding, where kinship ties override rational calculation and foster strong in-group solidarity (Pathak, 2019, p. 778). Ethnic groups are thus viewed as bound by blood and fate (Bačová, 1998), with conflict attributed to immutable differences rooted in race, religion, and culture (Pathak, 2019). From this perspective, homogeneous societies are considered stable, while multi-ethnic settings are inherently fragile, with partition often presented as the only viable solution to ethnic tension (Pathak, 2019).

However, while primordialism offers insight into the symbolic and historical foundations of ethnic identity, it fails to adequately explain the timing and escalation of violence in Sri Lanka. As Ginsburgh et al. (2016) demonstrate through historiographic analysis, ethnic spatial distributions alone do not inevitably produce conflict. Rather, Sri Lanka's ethnic divisions intensified under colonial administrative practices, rendering the conflict largely a twentieth-century phenomenon. Pre-colonial Sinhala-Tamil relations included periods of coexistence and flexible political authority; notably, Portuguese and British attempts to pit Sinhala elites against Tamil monarchs were unsuccessful, suggesting that royal lineage and identity were not rigidly ethnicized. As De Votta (2005, p. 155) argues, "ancient ethnic hatreds and congenial identities... fail to explain why violent ethnic relations ensued only since the mid-1950s." Primordialism, therefore, provides only a partial explanation, illuminating identity origins but not modern conflict dynamics.

To account for post-1950s escalation, instrumentalist and rational choice perspectives offer greater explanatory power. Instrumentalism, often positioned as the counterpoint to primordialism, views ethnicity as a strategic resource manipulated by elites to pursue political power, economic gain, and social status (Pathak, 2019). From this perspective, ethnic groups do not emerge organically but are mobilized by political actors seeking rational, self-interested outcomes (Pathak, 2019, p. 779). Ethnic identity is thus "not given... but is constructed... and can undergo changes" (Bačová, 1998, p. 36), making it a tactical instrument rather than a fixed social fact.

Sri Lanka provides numerous illustrations of instrumentalist dynamics, particularly in the form of ethnic outbidding by political elites. Successive governments have exploited ethnic grievances to consolidate electoral support, often undermining peace initiatives, truth-seeking mechanisms, and post-war reconciliation processes. Instrumentalist explanations highlight how elites leverage institutional power and mass mobilization

to advance narrow interests, reinforcing cycles of ethnic polarization. Rational choice theory complements this view by framing ethnic conflict as the outcome of calculated decisions aimed at maximizing security, material resources, or political advantage (Kaufman, 2006, p. 6).

Yet the Sri Lankan case also exposes the limitations of purely elite-centric rationalist explanations. Ethnic mobilization has not been driven solely from above; non-elite actors-including Sinhala-Buddhist nationalist groups and civil society organizations-have exerted substantial pressure on political leaders. Lieberman and Singh (2012) argue that elites frequently respond to societal forces rather than acting autonomously, underscoring the multi-actor nature of ethnic conflict. Consequently, instrumentalism has been criticized for downplaying the emotional and cultural dimensions of ethnic identity (Pathak, 2019), while rational choice theory has been faulted for overlooking the complex social meanings embedded in ethno-nationalist conflict (De Votta, 2005).

To address these shortcomings, De Votta (2005) advances an institutionalist framework that bridges primordial, instrumental, and rationalist explanations. He contends that institutional decay-rather than fixed identities or elite manipulation alone-facilitated Sinhala ethnic outbidding and corresponding Tamil mobilization. Institutions do not mechanically determine elite behavior, but they structure incentives and constrain or enable political choices. Political leaders retain agency and can reform institutions to promote interethnic accommodation (De Votta, 2005). However, opportunistic elites often preserve exclusionary arrangements to secure electoral advantage, particularly in majoritarian systems.

Sri Lanka exemplifies this dilemma. Although moments of leadership initiative have emerged, attempts at interethnic compromise have repeatedly been undermined by entrenched institutional and societal pressures, preventing durable ethnic settlements (De Votta, 2005, p. 147). Sinhala-dominated governments have frequently pursued policies perceived as discriminatory toward Tamils to maintain voter support. De Votta (2005) identifies language nationalism as a central driver of ethnic outbidding and conflict escalation. Nevertheless, contemporary developments-such as the growing emphasis on English-medium education through private schooling and bilingual curricula-raise questions about the continued dominance of linguistic nationalism. In the post-2009 context, religious nationalism appears to have become more salient, even as language-based grievances persist. This shift suggests the need to reassess the relative weight of language nationalism in light of evolving policy and ideological trends.

Religion, in particular, has emerged as a powerful axis of ethnic mobilization. Ginsburgh et al. (2016) demonstrate the strong alignment between

ethnolinguistic and religious boundaries in Sri Lanka, reinforcing the role of Sinhala-Buddhist ideology in post-war outbidding. Positivist scholars emphasize objective markers such as language, religion, and historical continuity in generating group consciousness (Pathak, 2019), whereas post-positivist approaches highlight subjective narratives and “imagined origins” (Pathak, 2019, p. 775). As Pathak (2019, p. 775) observes, “cultural differences... do not form ethnic groups. The social interaction patterns give rise to... ‘us’ versus ‘them.’”

Constructivism is particularly valuable in explaining how such identities are activated and reshaped during periods of crisis. Processes of “othering” intensify during political or security shocks, reinforcing dominant group cohesion while legitimizing prejudice and exclusion (Satgunarajah, 2016). State actors may frame minorities as threats to justify coercive policies (Satgunarajah, 2016), as seen in Sinhala nationalist portrayals of Tamils as separatist or disloyal, which in turn reinforce majoritarian claims to sovereignty (Soherwordi, 2010, p. 47). Historical myths, symbols, and narratives become institutionalized, shaping collective memory and political behavior (Pathak, 2019). Ethnic entrepreneurs exploit emotional appeals and “gut reactions” to mobilize support (De Votta, 2005, p. 156), reflecting primordial resonances but insufficient on their own to explain the protracted civil war (De Votta, 2005).

Ultimately, no single theoretical framework adequately explains Sri Lanka’s ethnic conflict. Primordialism illuminates historical identity roots; instrumentalism and rational choice clarify elite strategies and incentives; constructivism captures the evolving meanings of ethnicity shaped by colonialism, nationalism, and state policy; and institutionalism integrates these dynamics by focusing on how political structures mediate identity, interest, and agency. Together, these approaches provide a more comprehensive understanding of the origins, persistence, and post-war legacy of ethnic conflict, as well as the enduring challenges facing justice and reconciliation in Sri Lanka.

III. HISTORICAL AND INSTITUTIONAL ROOTS OF SRI LANKA’S CONFLICT

Sri Lanka’s ethnic conflict is rooted in historically constituted Sinhalese and Tamil identities shaped by

enduring cultural, linguistic, and religious distinctions. Sinhalese identity is commonly traced to Aryan ancestry and Theravāda Buddhism, while Tamil identity is linked to Dravidian heritage and Hindu traditions, alongside Christian minorities (Manogaran, 1987; Stokke, 1998). These identity formations, though historically fluid, were progressively institutionalized through myth, colonial governance, and postcolonial state practices.

Ancient chronicles, most notably the *Mahavamsa*, narrate conflicts such as that between King Dutugamunu¹ and King Elara², which later became symbolic markers of ethnic distinction. In modern nationalist discourse, these narratives were revived to frame Dutugemunu as a Sinhala Buddhist unifier and a symbol of territorial sovereignty (Gunawardana, 1990; Wickramasinghe, 2009). Such mytho-historical interpretations exemplify how premodern narratives were selectively reinterpreted to legitimize contemporary political projects.

Colonial rule marked a critical institutional juncture in the crystallization of ethnic identities. British administrative practices classified populations along ethnic lines, privileged Tamils—particularly Christian and Western-educated elites—in education and civil service, and introduced communal political representation. These policies entrenched ethnic categories as political identities and sowed the structural foundations for post-independence tensions (Soherwordi, 2010; Jayawardana, 2002; Nissan & Stirrat, 1990).

Caste hierarchies within both communities further complicated ethnic binaries. Political and economic power was concentrated among the Sinhalese Goyigama³ and Tamil Vellala elites, reinforcing intra-ethnic inequalities while masking class and caste grievances beneath ethnic mobilization (Jayawardana, 2002; Pfaffenberger, 1984). These internal stratifications underscore the institutional layering of inequality beyond ethnicity alone.

Historically, Sinhalese–Tamil relations were characterized by both rivalry and coexistence. Manogaran (1987) describes this relationship as one of sustained interaction, while Stokke (1998, p. 85) conceptualizes it as a “mirror-image relationship,” wherein each group defined itself in opposition to the other. Although both communities share historical links to India, they developed distinct collective identities grounded in claims of ethnic origin, ancestral territory, language, religion, and culture (Manogaran, 1987, p. 19). These competing self-understandings are central to contemporary debates on legitimacy, justice, and post-war reconciliation.

¹ Dutugamunu (164 BC – 140 BC) was a Buddhist prince of the Sinhala dynasty who ruled over the southern principality and conquered the northern principality, which a Tamil King named Elara (204 BC – 164 BC), though known for his just rule (Gunawardana, 1990, p. 58).

² a Chola king from the Chola Kingdom, in present day South India, who ruled a part of Sri Lanka from 205 BC to 161 BC including [1] the ancient capital of Anuradhapura. Often referred to as ‘the Just King’ (Mahavamsaya).

³ The Govigama caste is the largest and historically most influential caste among the Sinhalese community in Sri Lanka. Its identity, status, and role are closely tied to agriculture, land ownership, and political power, both historically and in the contemporary period.

The conflict evolved incrementally through successive historical phases before culminating in armed confrontation. Myth construction, colonial legacies, postcolonial policies-particularly linguistic disenfranchisement-and demographic anxieties among the Sinhalese majority collectively shaped ethnic polarization (Ginsburgh et al., 2016). Both Sinhalese and Tamil political actors mobilized selective historical narratives to legitimize claims to the state and territory, rendering history itself a contested political resource (Nissan & Stirrat, 1990).

Nationalism and identity politics provide a key analytical lens for understanding these dynamics (Stokke, 1998). The Aryan-Dravidian distinction, influenced by nineteenth-century racial and linguistic theories advanced by scholars such as Max Müller,⁵ linked language to race and ancestry, thereby legitimizing hierarchical identity claims (Gunawardana, 1990). The *Mahavamsa* reinforced this binary by associating Sinhalese identity with Aryan lineage and casting Tamils as the Dravidian "other" (Saleem, 2013).

Waters (1986) demonstrates that the racialization of Sinhalese and Tamil identities emerged primarily in the nineteenth century, as linguistic classifications were reinterpreted as biological distinctions. While some scholars viewed the Sinhalese as ethnically mixed, late colonial discourse increasingly relied on physical characteristics, resulting in the racialization of ethnic identities (Gunawardana, 1990, p. 74).

The symbolic power of the Dutugemunu-Elara narrative resurfaced strongly in the post-2009 context. Dutugemunu-portrayed as a Sinhala Buddhist king who defeated the Tamil ruler Elara to reunify the island and restore Buddhism⁶ - became a template for contemporary political myth-making. Following the defeat of the LTTE, President Mahinda Rajapaksa was depicted as a modern reincarnation of Dutugemunu, symbolically reunifying the nation. This revival of myth served to consolidate nationalist legitimacy, marginalize dissent, and weaken pluralist politics in the post-war period (Wickramasinghe, 2009).

Colonialism thus represents a critical institutional layer in Sri Lanka's conflict trajectory, shaping both inter-ethnic rivalry and intra-ethnic stratification. While often framed externally as a straightforward case of majority domination, the Sri Lankan conflict is better understood as a historically layered struggle shaped by shifting power relations, institutional legacies, and competing nationalist projects (Ismail, 2005).

IV. COLONIALISM AND INSTITUTIONAL FORMATION

British colonial governance institutionalized ethnic compartmentalization through census practices initiated in 1871. By formally classifying populations into rigid ethnic categories, colonial administrators

transformed previously fluid social identities into fixed political markers. The distinction between Ceylon Tamils and Indian Tamils was particularly consequential, complicating claims to representation and embedding ethnicity as the primary axis of political competition (Soherwordi, 2010; Jayawardena, 2002).

Colonial policies simultaneously advantaged Tamil Christian elites through access to English education and state employment, while also enabling Sinhala Buddhist revivalism. These interventions fostered parallel and competing nationalist trajectories rather than a shared political community (Jayasundara-Smiths, 2013; Wickramasinghe, 2015). Influenced by nineteenth-century racial theories, British administrators framed Sri Lanka as a mosaic of biologically distinct groups-Sinhalese, Tamils, Moors, Burghers, and Malays. This racialized understanding intensified ethnic consciousness and laid the groundwork for enduring nationalist rivalry (Curtin, 1960; Nissan & Stirrat, 1990).

The introduction of ethnic-based census categories, especially the separation of Sri Lankan and Indian Tamils, produced long-term political disputes over citizenship and belonging that persisted beyond the colonial period (Brno, 2018). Prior to British rule, communities now labeled as Sinhalese or Tamil interacted across relatively permeable boundaries. Colonial governance, however, reinterpreted social and cultural differences as biological divisions, a conceptual shift that fundamentally reshaped identity formation and institutionalized exclusion (Soherwordi, 2010, pp. 34-35). Economic and labor policies reinforced these identity cleavages. The importation of Indian Tamil laborers for plantation agriculture entrenched ethnicized class hierarchies, linking ethnicity to occupation and legal status. Jaffna Tamils, benefiting from English education and urban networks, gained disproportionate access to state employment and professional sectors. In contrast, Indian Tamils remained politically marginalized as estate laborers (Jayawardena, 2002). Although the Sinhalese landed bourgeoisie possessed greater economic power, it engaged less directly with colonial administrative structures, shaping divergent elite-state relations (Jayawardena, 2002).

Caste hierarchies further mediated these institutional processes. While Sinhala caste structures became more fluid over time, Jaffna Tamil society retained rigid stratification dominated by the Vellala caste, which controlled land ownership, education, and political representation (Jayawardena, 2002). These micro-level social hierarchies intersected with colonial ethnic classifications, producing layered forms of marginalization. As a result, lower-caste and non-elite Tamils were often excluded both within their own communities and within the broader colonial political order-an exclusion masked by elite-driven ethnic mobilization.

V. POST-INDEPENDENCE IDENTITY POLITICS AND POLICY

Following independence in 1948, Sinhalese linguistic nationalism became a central driver of ethnic polarization in Sri Lanka. The enactment of the Official Language Act in 1956, which designated Sinhala as the sole official language, systematically marginalized Tamil speakers and intensified ethnic grievances (De Votta, 2005). Subsequent discriminatory policies restricted Tamil access to education, public sector employment, and political participation, thereby institutionalizing ethnic exclusion within the postcolonial state (Jayawardena, 2002). Competitive ethnic outbidding among Sinhalese political elites further exacerbated interethnic tensions, narrowing the space for compromise (De Votta, 2005).

In response, Tamil nationalist demands evolved from calls for federal autonomy to claims for secession, culminating in the emergence of militant organizations such as the Liberation Tigers of Tamil Eelam (LTTE), which pursued the creation of an independent Tamil Eelam (McGregor, 2006). Persistent state exclusion and failures of political accommodation entrenched the conflict within a violent trajectory (Jayasundara-Smits, 2013).

The outbreak of the First Eelam War in 1983 followed widespread anti-Tamil violence, most notably the pogroms of Black July. Over time, the LTTE consolidated its position as the dominant militant actor, while the Sri Lankan state framed the conflict primarily as a campaign against terrorism (Lecamwasam, 2016). Both the state and the LTTE committed grave human rights violations, reinforcing competing narratives of victimhood and further polarizing perceptions of justice and accountability (Wickramasinghe, 2009). The armed conflict concluded in 2009 with the military defeat of the LTTE. While dominant Sinhalese narratives portray this outcome as the restoration of national unity and territorial integrity, Tamil perspectives emphasize mass suffering, accountability gaps, and continued political and social marginalization (De Votta, 2005; Manogaran, 1987).

Although Uyangoda (2007) suggested that the state-building project weakened the salience of ethnic identity, Thurairajah (2019) demonstrates that the LTTE played a significant role in preserving and politicizing Tamil ethnic identity during the conflict. In the post-war period, Tamil identity has been interpreted in divergent ways. Some view it as increasingly westernized and detached from tradition, arguing that the LTTE had functioned as a custodian of Tamil cultural continuity; for these individuals, the end of the conflict represents a rupture from inherited practices. Conversely, others frame Tamil identity through a narrative of survival, recognizing that identity had previously been instrumentalized to justify violence and mobilize support for war. From this perspective, the conflict's end offers an

opportunity to move beyond rigid collective identities and politicized ethnic mobilization (Thurairajah, 2019).

Tamil ethnic identity is therefore best understood as adaptive and context-dependent. Pivotal historical moments—most notably the onset and conclusion of the war—reshaped how identity was constructed and experienced, generating significant intra-group variation. As Thurairajah (2019, p. 582) notes, the end of the war intensified reflection on the question of “who are we?”, underscoring the importance of recognizing intra-communal differences before meaningful post-conflict reconstruction can occur.

Post-2009 justice debates remain deeply fragmented. The Sinhalese-majority state emphasizes triumphant patriotism, prioritizes sovereignty, and resists international accountability mechanisms (Wickramasinghe, 2009). In contrast, Tamil communities and diaspora actors advocate for truth-seeking, reparations, and political recognition to address wartime atrocities and long-standing structural exclusion (De Votta, 2005). The absence of a shared narrative complicates the identification of victims and the determination of appropriate justice mechanisms. Persistent intra-community inequalities, political rivalries, and regional disparities further undermine cohesive transitional justice and reconciliation efforts (Satgunarajah, 2016; Wakkumbura, 2021).

This study therefore highlights the centrality of historical consciousness in understanding Sri Lanka's transitional justice challenges. By situating post-war justice debates within a *longue durée* perspective, it demonstrates how contemporary claims to justice are shaped by deeply embedded narratives of identity, legitimacy, and belonging. Civilizational myths, colonial legacies, post-independence state practices, and ethno-political mobilization continue to structure understandings of accountability, victimhood, and reconciliation.

Employing a historical institutionalist framework, the study bridges primordialist, instrumentalist, constructivist, and institutionalist approaches to offer a multidimensional analysis of Sri Lanka's conflict. It shows how Sinhala-Buddhist nationalism—rooted in ancient chronicles such as the *Mahavamsa*—has been reactivated in post-war discourse to delegitimize external accountability, while Tamil narratives of historical marginalization continue to inform demands for justice and recognition.

These competing and entrenched narratives have hindered the emergence of a shared national memory, thereby limiting the effectiveness of transitional justice mechanisms. Legalistic or procedural responses alone are insufficient. Meaningful reconciliation requires engagement with the symbolic, cultural, and epistemic dimensions of history and identity. Only by acknowledging plural historical experiences and

dismantling exclusionary institutional structures can Sri Lanka move toward an inclusive, rights-based, and sustainable peace. This study contributes to transitional justice scholarship by advocating a historically grounded and culturally sensitive model capable of addressing the deeper roots of conflict and responding to the needs of all affected communities.

VI. CONCLUSION

Sri Lanka's ethnic conflict and post-war justice landscape illustrate the complex interaction between historical legacies, identity formation, and institutional design. Ethnic tensions are rooted in long-standing cultural, linguistic, and religious differentiation, which were intensified by colonial administrative practices that institutionalized ethnic hierarchies and social stratification. In the post-independence period, state policies-particularly those privileging Sinhalese linguistic and political dominance-deepened structural inequalities and generated grievances. These dynamics contributed to separatist mobilization and the protraction of political violence (De Votta, 2005; Jayawardena, 2002).

The Eelam Wars reflected both the militarization of ethnic identities and the persistent failure of state institutions to address minority grievances in an equitable manner. The conflict resulted in extensive human suffering and entrenched competing victimhood narratives. These experiences produced divergent collective memories that continue to shape contested understandings of justice, accountability, and reconciliation in the post-war period (Wickramasinghe, 2009; Satgunarajah, 2016).

Since the end of the war in 2009, justice discourse in Sri Lanka has remained deeply polarized. Dominant Sinhalese narratives emphasize sovereignty and military victory and often resist international accountability mechanisms. In contrast, Tamil communities, both within Sri Lanka and in the diaspora, continue to call for truth-seeking, reparations, and political recognition to address wartime atrocities and long-standing marginalization (De Votta, 2005). The absence of a shared national narrative complicates consensus on justice beneficiaries and appropriate mechanisms, while political fragmentation and persistent regional inequalities further constrain transitional justice initiatives (Wakkumbura, 2021).

Advancing transitional justice in Sri Lanka therefore requires a multifaceted and inclusive approach. This involves acknowledging divergent historical narratives, reforming exclusionary institutional structures, and fostering national identities that move beyond ethnically exclusive conceptions of belonging. Sustainable peace depends on pluralistic understandings of justice, accountability, and collective memory. These must recognize past harms while enabling coexistence in the present. Without addressing the historical, institutional, and identity-based

foundations of conflict, post-war reconciliation efforts are likely to remain limited and contested.

This study, however, is not without limitations. Its emphasis on dominant political narratives and secondary sources may underrepresent sub-national perspectives, everyday experiences of justice, and variations across regions and social groups. Constraints in accessing archival materials and systematic post-war empirical data further limit the scope of analysis. Future research could address these gaps by incorporating comparative post-conflict cases, longitudinal studies of justice narratives, and localized ethnographic or archival investigations. Such approaches would deepen understanding of how justice discourses evolve over time and across different segments of Sri Lankan society.

ABBREVIATIONS

LTTE - Liberation Tigers of Tamil Eelam

BC - Before Christ

REFERENCES RÉFÉRENCES REFERENCIAS

1. Bačová, V. "The Construction of National Identity – on Primordialism and Instrumentalism." *Human Affairs* 8, no. 1 (1998): 29–43.
2. Kaufman, S.J. "Symbolic Politics or Rational Choice? Testing Theories of Extreme Ethnic Violence". *International Security* 30, no. 40 (2006): 45-86.
3. Brown, S., & Sriram, C. L. (2012). The big fish won't fry themselves: Criminal accountability for post-election violence in Kenya. *African Affairs*, 111(443), 244–260.
4. Brun, C & Hear, N. V (2011). Shifting between the Local and Transnational: Space, Power and Politics in War-Torn Sri Lanka Chapter. In S.T Madsen, Nielsen, K.B., Skoda, U (Eds.) *Trusts with Democracy Book Subtitle: Political Practice in South Asia* 239-59, Anthem Press.
5. Buana, M. S. (2020). A realistic perspective to transitional justice: A study of its impediments in Indonesia. *JSEHR*, 4, 406.
6. Curtin, P. D. "Scientific" Racism and the British Theory of Empire." *Journal of the Historical Society of Nigeria* 2, no. 1 (1960): 40-51.
7. De Votta, N.(2005). From ethnic outbidding to ethnic conflict: The institutional bases for Sri Lanka's separatist war 1. *Nations & Nationalism*, 11(1), 141–159.
8. Ginsburgh, V. A., Dower, P. C. Weber, S. "Colonial Legacy, Polarization and Linguistic Disenfranchisement: The Case of the Sri Lankan War." *Journal of Development Economics* (2016).
9. Gunawardana, R.A.L.H. "The People of the Lion: The Sinhala Identity and Ideology in History and Historiography ". Chap. Three in *Sri Lanka History and the Roots of Conflict* edited by Jonathan Spencer, 45-87: Routledge, 1990.

10. Jayasundara-Smiths, S. (2013). *In pursuit of hegemony: Politics and state building in Sri Lanka*. [PhD]. Research School for Resource Studies for Development, Netherlands.
11. Jayawardena, K. (2002). *Nobodies to Somebodies: The Rise of the Colonial Bourgeoisie in Sri Lanka*, Zed books.
12. Lieberman, E. S and Singh, P. "The Institutional Origins of Ethnic Violence." *Comparative Politics* 45, no. 1 (2012): 1-24.
13. Manogaran, C. *Ethnic Conflict and Reconciliation in Sri Lanka*. Honolulu University of Hawaii Press, 1987.
14. McGregor, Lorna (2006). "Institutionalised Violence and the Protection of Minorities: The Case of the Sri Lankan Tamils." *International Journal of Peace Studies*, Vol. 11 No. 1, Spring/Summer 2006, pp. 45-6.
15. Nissan E & Stirrat, R. L. (1990). The Generation of Communal Identities. In Spencer. J. (Ed.).
16. Pathak, V. "Conceptualizing Ethnic Identity Formation: Debate between Primordialism, Instrumentalism and Constructivism." *Journal of the Gujarat Research Society* 21, no. 9 (2019): 774-81.
17. Satgunarajah, M. "Never Again": The Case Study of Sri Lanka and the Collective Action Theory of Genocide." University of Windsor, 2016.
18. Soherwordi, S. H. S. "Construction of Tamil and Sinhalese Identities in Contemporary Sri Lanka." *Pakistan Horizon* 63, no. 3 (2010): 29-49. *Sri Lanka History and the Roots of Conflict*, 19-45: Routledge.
19. Stokke, Kristian. 1998. "Sinhalese and Tamil nationalism as post-colonial political projects from 'above', 1948–1983." *Political Geography* 17(1): 83-109.
20. Wakkumbura, M. (2021). Challenges to peace-building approaches: Analysing Sri Lanka's peace efforts during the first 10 years ending the civil war. *Journal of Peacebuilding & Development*, 16(3), 366–371.
21. Wickramasinghe, Nira "After the War: A New Patriotism in Sri Lanka?". *The Journal of Asian Studies* 68, no. 4 (2009): 1045-54.