



MULLIVAICKAL MEMORIAL

Jaffna, Sri Lanka

9.6849, 80.0220



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Executive Summary

On the night of January 9, 2021, students protested outside of Jaffna University against the university's decision to destroy a memorial commemorating the Tamil victims of the three-decade-long civil war. The war ended in 2009 at Mullivaikkal, a small village in the northeast coast, and the memorial was erected ten years later by university students. A few days later, on January 12, Sri Lanka's government said it would rebuild the monument. This case explores the politics of reconciliation and remembrance in post-conflict societies.

Introduction

Ten years after an almost three-decade-long civil war, which began in 1983 and ended in 2009, the students of Jaffna University built a memorial intended to honour the Tamil victims of the conflict. Between 2009 and 2014, it was not possible to have commemoration events for these victims. Thus, 2015 became a moment of apparent calm, with the election to power of a more liberal government that allowed Tamils to participate in commemoration events. This context of calm and reconciliation encouraged the Jaffna University students to design and construct a monument to the Tamil victims of the Civil War.¹ The Mullivaikkal Memorial, named after the region where the war ended, was installed in the premises of Jaffna University as a memorial to the lives lost during the last moments of the civil war when thousands of civilians were killed in the conflict.

Just two years after the Memorials installation it was demolished in January 2021, sparking controversy and widespread reactions from different sectors of society. This demolition ushered in renewed debates over the politics of remembrance and ethnic reconciliation in the country. Following the demolition, public and political leaders, including Jaffna's mayor Vischwalingam Maniwannan,² condemned the university and organised successful protests in support of the memorial. After the students exerted pressure in favor of the re-erection of the memorial, the administration of the University agreed to build a new memorial on January 11, 2021³ which was unveiled in April of that same year.

Background

The Sri Lankan Civil War

The conflict of Mullivaikkal, in the Mullaitivu district in the North of Sri Lanka, marked the violent culmination of decades of fighting that had fractured the country since 1983.⁴ According to reports from the United Nations, over 40,000 Tamils lost their lives in the last months of the civil war, whereas the Sri Lankan government maintains a much lower estimated figure of 9,000 civilian deaths, while others go as far as to maintain that there were no civilian deaths. Despite the disagreement on the exact figures of civilian casualties, a large number of these victims have been reported to come from Mullivaikkal.⁵

The Sri Lankan Civil War was rooted in ethno-nationalist contestation between the Sinhalese majority who dominated the government, and the Tamil minority organised in the Liberation Tigers

¹ Mahendran Thiruvarangan, interview by Paula O'Donohoe, October 24, 2021.

² Shubhangi Misra, "What is Mullivaikkal War & Why Has the Demolition of Memorial for its Victims Triggered a Row," *Print*, January 10, 2021.

³ Samalaka, "Newly constructed Mullivaikkal memorial unveiled at Jaffna University," *Tamil Diplomat*, April 23, 2021.

⁴ For a timeline of the ethno-nationalist conflict in Sri Lanka, see, BBC News, "Sri Lanka Profile – Timeline," *BBC News*, November 18, 2019.

⁵ Shubhangi Misra, "What is Mullivaikkal War & Why Has the Demolition of Memorial for its Victims Triggered a Row," *Print*, January 10, 2021.

of Tamil Eelam (LTTE), who sought to establish a separate Tamil state.⁶ The official narrative surrounding the war maintains a central tension between the two ethnic groups, a 'narrative that Sri Lanka is home to a people that are perpetually clashing with one another due to ethnic incompatibilities.'⁷ However, post-colonial analysis of the conflicts attribute much of the conflict as being intertwined with the persisting legacy of imperialism stemming from the British Ceylon Period (1815-1948) in Sri Lanka which exacerbated ethnic tensions and caused each group to seek to recover what they had lost within this era.⁸

During the colonial period, some groups of Tamils from the Northern Jaffna peninsula initially enjoyed favouritism from Britain's imperial officers, as Tamil communities also existed in other British colonies, they benefited from broader commercial networks and better opportunities.⁹ As Anandakugan explains, this favouritism left Sinhalese groups isolated and feeling threatened by the Tamil's prosperity, and it was not soon after the independence in 1948 that the Tamil dominance changed drastically as the Sinhalese gained power and started to disenfranchise Tamil counterparts.¹⁰ Those who faced disenfranchisement were the Malaiyaha Tamils, originally from India and brought by the British in the 19th century to work in the plantations. In 1956, they passed the Sinhala Only Act making Sinhala the official language and creating barriers for Tamil people that sought public employment.¹¹ In 1972, the Sinhalese government changed the country's name to Ceylon and designated Buddhism as the main religion,¹² while most Tamils are Hindu. As tensions grew, some Tamils started to organise around the idea of Tamil Eelam, a separate independent state for Tamils,¹³ initially they demanded a federal state, linguistic parity, etc. Following this idea, the LTTE was founded in 1976 under the leadership of Velupillai Prabhakaran and commenced its activities in the Northern and Eastern parts of Sri Lanka, where the majority of Tamils lived.¹⁴ In July 1983, the LTTE ambushed a Sri Lankan army patrol,¹⁵ killing thirteen soldiers and triggering anti-Tamil riots in the nation's capital of Colombo, where 2,500 died as a result.¹⁶ July 1983 has since been known as 'Black July',¹⁷ and marked the beginning of a civil war that lasted twenty five years. While there was momentary truce in 2002 through a ceasefire negotiated by Norway the assassination of the Sri Lankan foreign minister, among other developments, re-ignited the conflict in 2005.¹⁸ The conflict came to a final close on May 18, 2009, when the Sri Lankan government killed the LTTE leader in the Nandikadal lagoon, on the outskirts of the Mullivaikkal village.¹⁹

⁶ Nithyani Anandakugan, "The Sri Lankan Civil War and Its History, Revisited in 2020," *Harvard International Review*, August 31, 2020.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² Jayshree Bajoria, "The Sri Lankan conflict," *Council on Foreign Relations*, May 18, 2009.

¹³ Nithyani Anandakugan, "The Sri Lankan Civil War and Its History, Revisited in 2020," *Harvard International Review*, August 31, 2020.

¹⁴ Jayshree Bajoria, "The Sri Lankan conflict," *Council on Foreign Relations*, May 18, 2009.

¹⁵ Liz Dee, "A Fragile Peace: The Aftermath of the Sri Lankan Civil War," *Association for Diplomatic Studies and Training*, January 8, 2021.

¹⁶ Jayshree Bajoria, "The Sri Lankan conflict," *Council on Foreign Relations*, May 18, 2009.

¹⁷ Nithyani Anandakugan, "The Sri Lankan Civil War and Its History, Revisited in 2020," *Harvard International Review*, August 31, 2020.

¹⁸ Jayshree Bajoria, "The Sri Lankan conflict," *Council on Foreign Relations*, May 18, 2009.

¹⁹ Meera Srinivasan, "Tamils to remember the dead in Mullivaikkal," *Hindu*, May 18, 2018.

Many international organisations and watch groups, such as Human Rights Watch²⁰ and Amnesty International, have accused both sides of the conflict of perpetrating widespread human rights abuses, such as forced disappearances, conscription or the use of child soldiers.²¹ Further, both the LTTE and the Government were accused of putting civilians at risk and contributing to the forcible displacement of more than 250,000 citizens.²² The widespread human rights violations committed during the civil war has caused members of the international community, such as the European Union to explicitly call for an independent inquiry into alleged war crimes committed by both the LTTE and Sri Lankan Government.²³

The Mullivaikkal Massacre

The final months of the conflict saw heavy civilian casualties. In the closing days of the conflict as fighting escalated in the north of Sri Lanka, a small strip of land situated around the village of Mullivaikkal was declared a no-fire zone by the Sri Lankan authorities, causing tens of thousands of civilians to gather there.²⁴ However, the LTTE forces on the brink of defeat also retreated to this area which resulted in the village undergoing heavy shelling and attack by Government forces pursuing the retreating LTTE forces.²⁵ In the resulting fighting the United Nations estimate that more than 40,000 people, comprising of mostly Tamil civilians, were killed in the final stages of the war in what became termed the 'Mullivaikkal Massacre.'²⁶ However, this figure is contested in recent years the UN has declared evidence of more than 70,000 victims,²⁷ while the local census in Mullivaikkal indicated that 146,679 citizens are unaccounted for, and the International Truth and Justice Project (ITJP) suggesting that the figure would be closer to 169,796 victims.²⁸

While the exact number of victims remains disputed, the high death toll attributed to this site has caused Mullivaikkal to become a leading symbol of the human cost of the civil war as well as a rallying point for remembrance, activism, and memorialisation.²⁹ However, the Sri Lankan Government has yet to declare an official civilian death count and has resisted group remembrance efforts by the Tamil population. From 2010 to 2015, Mahinda Rajapaksa's consecutive second term as President saw prohibitions on commemorative events and attempts at memorialisation by Tamils, irrespective of whether these were for LTTE combatants or civilians.³⁰ As analysts have pointed out, the Victory Memorial in Puthukkudiyiruppu and other 'triumphalist

²⁰ Human Rights Watch, "Return to War. Human Rights under Siege," *Human Rights Watch* 19, no. 11 (2007).

²¹ Ibid.

²² Jayshree Bajoria, "The Sri Lankan conflict," *Council on Foreign Relations*, May 18, 2009.

²³ Oana Lungescu, "EU demands Sri Lanka war inquiry," *BBC News*, May 18, 2009.

²⁴ Nirupama Subramanian, "Explained: Why a demolition in Jaffna recalls Sri Lanka's unaddressed Tamil question," *Indian Express*, January 19, 2021.

²⁵ Ibid.

²⁶ Anbarasan Ethirajan, "Sri Lanka human rights: UK seeks new UN resolution on abuses," *BBC News*, February 23, 2021.

²⁷ Tamil Guardian, "12 years today - A Massacre in Mullivaikkal," *Tamil Guardian*, May 18, 2021.

²⁸ Ibid.

²⁹ Meera Srinivasan, "Tamils to remember the dead in Mullivaikkal," *Hindu*, May 18, 2018.

³⁰ Nirupama Subramanian, "Explained: Why a demolition in Jaffna recalls Sri Lanka's unaddressed Tamil question," *Indian Express*, January 19, 2021.

memorials³¹ stand as state-sponsored symbols of the memories of the civil war and carry strong nationalist symbolism. Years after the war, Sri Lanka remains divided on how to commemorate the civil war. Tamils consider May 18 as a 'Remembrance Day' to commemorate the victims of the war, while the government considers May 19 as 'War Heroes Day' to commemorate the soldiers who defeated the LTTE forces.³²

Despite the war ended more than a decade ago in 2009, a large portion of Sri Lanka's Tamil population remain internally displaced and there remains reports of torture and the enforced disappearances of Tamils as part of the Government's ongoing efforts to surveil and track those linked to the LTTE and Tamil nationalism.³³ There remains criticism from Tamil activists that the Sri Lankan government seeks to disenfranchise Tamil communities and criticism that the Sri Lankan army remains present and stationed in predominantly Tamil populated areas, which remain designated as 'high-security zones.'³⁴ Furthermore, the Government has been further accused by activists of promoting a process of 'Sinhalisation' of Tamil areas where Sinhalese culture is replacing the Tamil one, though for example, installing victory monuments, changing the language of road signs or the name of streets names and building Buddhist places of worship in areas where the majority of the population is Tamil and practice the Hindu faith.³⁵

History of the Contestation

The Memorials at Jaffna University

In 2018 the Jaffna University Students Union started campaigning to construct a memorial on campus in tribute to the civilians who lost their lives in Mullivaikkal in 2009. The Students sought to construct this monument close to one of the two other memorials already standing in the University for Tamil remembrance.³⁶ The first existing memorial, entitled the 'Memorial for *Maaveerar*' (Martyrs) had been on campus for almost 25 years, but it has no direct reference to the LTTE as it memorialises students and faculty members victims of the civil war. The only explicit reference to Tamils is the memorial's name, as *Maaveerar* Day on November 27 commemorates those who fought with the LTTE.³⁷ The second memorial was installed in 2002, it commemorates a Tamil rally organised by LTTE held that year in the University during the ceasefire, the rally was known as '*Pongy Tamizh*' (Tamil Uprising). Initially there was only one plaque signalling where this rally happened but in 2019 a permanent memorial was added.³⁸

According to newspaper reports, the Mullivaikkal Memorial was installed overnight in May 2019, next to the *Maaveerar* Memorial, after the memorial had already toured around the Northern

³¹ Bill Rolston, "War by Other Means: One-sided Memorialisation in Sri Lanka," *Political Settlements Research Programme University of Edinburgh*, June 6, 2020.

³² Meera Srinivasan, "Tamils to remember the dead in Mullivaikkal," *Hindu*, May 18, 2018.

³³ Nithyani Anandakugan, "The Sri Lankan Civil War and Its History, Revisited in 2020," *Harvard International Review*, August 31, 2020.

³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ *Ibid.*

region of Sri Lanka.³⁹ However, the details surrounding how it came to be installed on the University Campus remains vague. Some reports state that a group of students built it, while other reports suggested that it was sculpted by a student 'who lost his father when his family was trying to flee the conflict zone.'⁴⁰ The statue depicts hands rising out of the water as a symbol of the Mullivaikkal victims, the popular analysis of this memorial's symbolism contends that the outstretched hands represent the calls made by the victims towards local and international actors to stop the war.⁴¹

However, since its installation, its meaning and symbolism has been the subject of contestation with analysts drawing attention to the culpability of both sides of the conflict in the final civilian casualties at Mullivaikkal.⁴² For some, the memorial 'represented the injustice and violence suffered by the community in the North.'⁴³ While others considered that it carried 'a hidden symbolisation of Tamil nationalism', and believed that if a memorial is to be erected, it should commemorate all victims regardless of their ethnicity and to not commemorate what they considered 'terrorists.'⁴⁴ Furthermore, there were no further nor wider discussions within the student or university community when the memorial was installed and the non-Tamil students of the university were not included in the discussions or the processes surrounding the memorial's installations.

The location of the memorial, Jaffna University itself has also been a site of contestation. During the war it was occupied by the LTTE and later served as the location from which the Indian Peace Keeping Force (IPKF) launched attacks against the LTTE,⁴⁵ most notably on the October 11 1987, para-helidrop operation which was the first major victory for the LTTE over the IPKF.⁴⁶ Following this victory, Jaffna University became a Tamil nationalist headquarters - although this headquarters was ideological as opposed to military. The strong association of the University with the LTTE led to some students and professors who were opposed to or critical of the LTTE becoming victims of torture, forced disappearances or being forced to resign or withdraw from the University.⁴⁷ Since the end of the war, the University remains largely militarised and actively monitored by the State due to the majority of Tamil residents in the region. Further, it was only after the end of the civil war that non-Tamil students were able to be admitted to the University.⁴⁸

Demolition of the Memorial and the Aftermath

³⁹ Mahendran Thiruvarangan, interview by Paula O'Donohoe, October 24, 2021.

⁴⁰ Shubhangi Misra, "What is Mullivaikkal War & Why Has the Demolition of Memorial for its Victims Triggered a Row," *Print*, January 10, 2021.

⁴¹ *Ibid.*

⁴² Muqaddasa Wahid, "A tale of Antigone?," *Daily Mirror*, January 14, 2021.

⁴³ *Ibid.*

⁴⁴ *Ibid.*

⁴⁵ Dilip Bobb, "After 16 days of bloody battle, IPKF finally captures LTTE stronghold Jaffna," *India Today*, November 15, 1987.

⁴⁶ Nirupama Subramanian, "Explained: Why a demolition in Jaffna recalls Sri Lanka's unaddressed Tamil question," *Indian Express*, January 19, 2021.

⁴⁷ Mahendran Thiruvarangan, interview by Paula O'Donohoe, October 24, 2021.

⁴⁸ *Ibid.*

On the night of January 8, 2021, the University administration, surrounded by and supported by a heavy police presence, bulldozed and destroyed the Mullivaikkal Memorial.⁴⁹ At approximately 8.45 PM a bulldozer entered the university campus to destroy the memorial.⁵⁰ In response, to this demolition students began to gather in large numbers outside the campus to protest the demolition. They gathered outside as the gates to University were reportedly locked and many protestors were also fearful due to the large presence of the Sri Lankan soldiers and police force inside.⁵¹ However, it was not only students that gathered, the newly elected mayor of the city Vishwalingam Maniwanan also joined the protests.⁵² The protestors called for the Vice-Chancellor of the University to come and meet them as the troops blocked the entrance,⁵³ the protestors further chanted 'military inside, students outside', 'don't break, don't break, don't break the memorial monument' and 'don't commit race betrayal.'⁵⁴ Following this some students went on a hunger strike calling for the monument to be restored, and even threatened the enactment of a general strike in regions and cities composed of a Tamil majority.⁵⁵

However, the Vice-Chancellor did not agree to meet the students and stated that 'the monument had to be taken down' as 'we cannot keep these.'⁵⁶ Sampath Amaratunge, Chairperson of the University Grants Commission⁵⁷ - the highest governing body that oversees the university system - stated that University officials decided to remove the monument as 'it was a threat to the unity in the country.'⁵⁸ Later on he further informed the press that there had been no official permission to erect the memorial in its first place and thus the University has been 'told that things that were built illegally must be removed.'⁵⁹

While the memorial was purportedly intended for the civilian victims of the Mullivaikkal incident, the above quotes from the University Administration are emblematic of a deeper underlying tension in the politics of memorialisation in Sri Lanka, where memorials are viewed with the suspicion that they also attempt to memorialise the LTTE. The State as evidenced in the victory monuments have developed their own memorialisation agenda and sees Tamil nationalist memorials as a threat to this narrative, especially the Mullivaikkal memorial with its outstretched hands and hands rising from the heat of bombs, visually confronting the viewer with a graphic depiction of the violence against civilians perpetrated by state forces.⁶⁰ Thus, the memorial goes

⁴⁹ Press Trust of India, "Tamil war memorial at Jaffna University destroyed in Sri Lanka; community condemns move," *Firstpost*, January 9, 2021.

⁵⁰ *Ibid.*

⁵¹ Tamil Guardian, "Protest at Jaffna University as Authorities Destroy Mullivaikkal Memorial," *Tamil Guardian*, January 8, 2021.

⁵² *Ibid.*

⁵³ TNM Staff, "Sri Lanka: Mullivaikkal Memorial Dedicated to Tamil People Killed in Civil War Razed," *News Minute*, January 9, 2021.

⁵⁴ Tamil Guardian, "Protest at Jaffna University as Authorities Destroy Mullivaikkal Memorial," *Tamil Guardian*, January 8, 2021.

⁵⁵ BBC News, "Sri Lanka: Tamil war monument to be rebuilt after hunger strike," *BBC News*, January 11, 2021.

⁵⁶ Tamil Guardian, "Protest at Jaffna University as Authorities Destroy Mullivaikkal Memorial," *Tamil Guardian*, January 8, 2021.

⁵⁷ BBC News, "Sri Lanka: Tamil war monument to be rebuilt after hunger strike," *BBC News*, January 11, 2021.

⁵⁸ Press Trust of India, "Tamil war memorial at Jaffna University destroyed in Sri Lanka; community condemns move," *Firstpost*, January 9, 2021.

⁵⁹ TNN, "Tamil Nadu Politicos fume over demolition of Mullivaikkal Memorial in Lanka," *Indian Times*, January 10, 2021.

⁶⁰ Mahendran Thiruvarangan, interview by Paula O'Donohoe, October 24, 2021.

against the official State narrative and position that the end of the war was 'humanitarian' and that there were little to no civilian victims in the final days of the conflict.⁶¹

The demolition sparked protests by the students who went on a hunger strike. As the university Students Union stated: 'This act is an insult not only to the university students but also to the entire Tamil people. It is also an act of denial of a people's right to memory.'⁶² It also drew widespread condemnation from Tamil political leaders and organisations in the country. Soon after the demolition, politicians from the Liberation Panther Party condemned the government's actions. Even Canadian authorities responded to the demolition posting on social media:

Tearing down a memorial commemorating tens of thousands of Tamils killed in #Mullivaikkal is a despicable act by the #SriLankan govt. Justice & accountability must prevail to stop this vicious cycle of erasure and annihilation of Tamil identities, experiences and history on the island.⁶³

Jaffna University students reached out to universities and students globally seeking solidarity, stating that the 'structural genocide of Tamils continues even after almost twelve years since the end of the war,' and that the monuments demolition was 'an act of denial of a people's right to memory.'⁶⁴ The demolition soon gained international condemnation from countries such as the United Kingdom⁶⁵ which have active Sri Lankan Tamil organisations and activists, with Members of Parliament speaking out against the demolition, and local organisations protesting. The incident also provoked strong reactions from the politicians⁶⁶ and people of the state of Tamil Nadu in India, who due to the linguistic and historical ties with the Tamil people of Sri Lanka have been heavily involved in the ethno-nationalist contestations in Sri Lanka.⁶⁷

During the agitations surrounding the event, details⁶⁸ of the decision to demolish the memorial and the accountability for it became increasingly blurry. Despite denial from the Sri Lankan government, university authorities claim that the order to destroy the memorial came from 'government and military sources.'⁶⁹ As a result of the international pressure, student protests and local push back from Tamil politicians, the University administration as a conciliatory gesture announced plans to build a new memorial.⁷⁰ On January 11, 2021, the University's Vice-Chancellor, Srisatkunarajah, met with the hunger strikers and asked them to break their fast and end the protests, he further symbolically laid foundation stones at the site of the destroyed memorial as a symbol of assurance of the memorials reconstruction.⁷¹

⁶¹ Shubhangi Misra, "What is Mullivaikkal War & Why Has the Demolition of Memorial for its Victims Triggered a Row," *Print*, January 10, 2021.

⁶² Press Trust of India, "Tamil war memorial at Jaffna University destroyed in Sri Lanka; community condemns move," *Firstpost*, January 9, 2021.

⁶³ TNM Staff, "Sri Lanka: Mullivaikkal Memorial Dedicated to Tamil People Killed in Civil War Razed," *News Minute*, January 9, 2021.

⁶⁴ Tamil Guardian, "Jaffna University students launch international appeal for solidarity against genocide," *Tamil Guardian*, January 11, 2021.

⁶⁵ Tamil Guardian, "British MPs call on Foreign Secretary to condemn monument destruction," *Tamil Guardian*, January 11, 2021.

⁶⁶ Special Correspondent, "Leaders condemn demolition of Mullivaikkal memorial in Jaffna," *Hindu*, January 10, 2021.

⁶⁷ *Ibid.*

⁶⁸ The Vice-Chancellor was contacted for comments regarding the events, however, no response has been received.

⁶⁹ Tamil Guardian, "Reconstruction of destroyed Mullivaikkal monument begins at Jaffna University," *Tamil Guardian*, January 15, 2021.

⁷⁰ Nirupama Subramanian, "Explained: Why a demolition in Jaffna recalls Sri Lanka's unaddressed Tamil question," *Indian Express*, January 19, 2021.

⁷¹ Tamil Guardian, "Scepticism over promises to rebuild Mullivaikkal monument," *Tamil Guardian*, January 11, 2021.

However, this assurance has been met with scepticism⁷² as the Vice-Chancellor and other officials have been reported in the media as stating that the need of the hour was 'memorials to peace, not war', and that 'a monument to peace' would instead be constructed at the site.⁷³ The Vice-Chancellor further stated that the appearance and composition of the memorial would be decided later.⁷⁴ In the absence of any reported progress on reconstruction, the ambiguous phrasing regarding the form the memorial and lack of indication on the level of stakeholder involvement would be in the new memorials construction, the actions of the Vice Chancellor were met with widespread social scepticism.⁷⁵

However, despite this initial scepticism, in April 2021, the new Mullivaikkal memorial was unveiled.⁷⁶ It was built by the University Administration and approved by the Grant Commissions, and remained visually inspired by the design of the original student constructed memorial. The new monument maintained the arms coming out of the water but with the addition of a grey 18 feet long and 5 feet wide block behind the arms,⁷⁷ intended to symbolise May 18. However, the process of building this new memorial was not transparent, there were no open University wide discussions on how the new memorial would look or whether it would be a reconciliation or a peace monument, or if it should or would include explicit references to the massacres at Mullivaikkal.⁷⁸ While the two Mullivaikkal Memorials have been the site of extreme contestation, they are not the only sites, the memorialisation process at the University of Jaffna and the institutions legacy in the Civil War itself has remained a contested issue 'riddled with contradictions, absences and exclusions.'⁷⁹ To the present day, LTTE militants are commemorated exclusively in annual celebrations on campus while there remains no commemorations for any other Tamil movements, nor the students and staff who were victims of the LTTE.⁸⁰

Decision-Making Processes

The contradictory statements on how the first memorial came to be and the accountability for the decision to demolish it, illustrates the opaque manner in which the decisions regarding contested issues are often made. The dynamics between the State and the University and the extent of each stakeholder's involvement remains unclear, but the accounts and testimonies from witnesses point to sustained pressure by the State on the University administration to demolish the memorial.

The construction of the monument itself can further be seen as just as controversial as its eventual demolition. The Jaffna University Association demonstrated a clearly pro-Tamil ideology and decided on their own to construct this memorial, with no wider discussions with other students, non-Tamil students, staff members nor anyone outside the Union.⁸¹ Thus, the memorialisation

⁷² Ibid.

⁷³ Ibid.

⁷⁴ Nirupama Subramanian, "Explained: Why a demolition in Jaffna recalls Sri Lanka's unaddressed Tamil question," *Indian Express*, January 19, 2021.

⁷⁵ Ibid.

⁷⁶ Tamil Guardian, "Replacement Mullivaikkal Memorial unveiled at Jaffna University," *Tamil Guardian*, April 23, 2021.

⁷⁷ Ibid.

⁷⁸ Mahendran Thiruvarangan, interview by Paula O'Donohoe, October 24, 2021.

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ Mahendran Thiruvarangan, interview by Paula O'Donohoe, October 24, 2021.

process of the university is also fraught with all these tensions and ideological bias which leaves behind other non-Tamil and non-LTTE victims, such as other staff members and students of the university, and further ignores the LTTE backed expulsion of Muslims from the Northern provinces in the 1990s.⁸²

Reacting to the demolition of the memorial, the former Head of Department of Law, K. Guruparan, expressed his disappointment in social media stating that:

The previous VC was sacked because he didn't demolish the monument. I have concrete reasons to believe that one of the pre-conditions for appointment of the new VC by the incumbent President was demolition of this monument.⁸³

Even though the reasons behind the decision to fire former Vice-Chancellor Ratnam Vigneswaran in 2019 are unclear, many academics and university staff believe that his participation in commemorative events for the Tamils victims were the underlying reasons for his dismissal.⁸⁴ An affidavit by Professor Mohan de Silva, Chairman of the University Grants Commission, to the Sri Lankan Supreme Court, suggested that the Professor's removal 'had nothing to do with abuse of power or corruption on his part but was a politically motivated, authoritarian decision reeking of majoritarianism made at the instigation of the military.'⁸⁵

The involvement of the University Grants Commission, the Ministry of Higher Education and the military in this issue have been criticised by some news reports:

This kind of nexus between the University Grants Commission, the Ministry of Higher Education and the military in removing a sitting Vice Chancellor without any explanation is deeply alarming and an academic movement cutting across ethnic and regional boundaries is necessary to preserve the space available at universities for protest, dissent and democratic action.⁸⁶

From the affidavit, one can deduce that Vigneswaran was removed from his position for taking part in an event called '*Thamil Amutham*', where a Tamil Memorial was unveiled with Tamil nationalists proclamations, and for not taking any decisive action in removing the two Tamil Monuments standing on the main campus.⁸⁷ Vice-Chancellor Vigneswaran had been known for his conciliatory attitude towards the past, as in 2016, after assuming duties as Dean of the Faculty of Science, he organised a workshop on reconciliation and cultural diversity in response to rising tensions and a clash between Tamil and Sinhala students over the performance of the Sinhala *Kandyan* dance at a Faculty organised event.⁸⁸

Many civil society voices in Sri Lanka have emphasized that the same commemoration takes place in other parts of the country, for example, other universities in the South, also organise annual commemoration events for controversial groups within the civil war that fought against the State,

⁸² Ibid.

⁸³ TNM Staff, "Sri Lanka: Mullivaikkal Memorial Dedicated to Tamil People Killed in Civil War Razed," *News Minute*, January 9, 2021.

⁸⁴ Sunday Observer, "Removal of the Vice Chancellor of University of Jaffna and Politicization of Higher Education," *Sundar Observer*, September 15, 2019.

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ Ibid.

⁸⁸ Ibid.

such as for the Janatha Vimukthi Peramuna (JVP) insurgency that the Government 'does not police these spaces in a stringent manner as it does at the University of Jaffna.'⁸⁹ They are further quick to point out that when students of Jaffna University commemorated LTTE militants they were swiftly assaulted by the military.⁹⁰ This has been considered potentially attributed to the University's direct involvement in the civil war, having historically served as a central venue for Tamil nationalist activity since the late 1970s and beyond as the LTTE retained control over the Jaffna peninsula till the 1990s.⁹¹

When the new Vice-Chancellor, Professor Srisatkunarajah, assumed duties many believe that the role came with the condition of demolishing the Tamil monuments that the former Vice-Chancellor had failed to do.⁹² Srisatkunarajah claimed that the 'Sri Lankan's defence ministry and intelligence officials were amongst those pushing for the demolition of the monument,'⁹³ and revealed that it was the Sri Lankan security forces who were pressuring him to demolish the Mullivaikkal Memorial, stating that:

I received multiple instructions from higher authorities, and this was discussed at several meetings with the university's capital works, engineering and maintenance departments.⁹⁴

I am a civilian carrying out an administrative responsibility. Sometimes, I have to make decisions beyond my personal likes and dislikes. So, I delegated the responsibility to the concerned departments about a month ago, giving no particular date. They have executed it, that is all.⁹⁵

His statement further aligns with the statements of the Student Union representatives who reported in 2018 that they faced resistance to build the memorial from the Sri Lankan Government, mainly the University Grants Commission and the Higher Education Ministry, who went as far as to outright ban the construction of the monument.⁹⁶ The University Grants Commission Chair, professor Sampath Amaratunga, claimed that the memorial 'threatened North-South unity' stating that 'what Sri Lanka requires today is not a war monument but a peace monument.'⁹⁷

The already existing political and military pressure exerted over Jaffna University, its staff and students only intensified after the installation of the Mullivaikkal Memorial in 2019. This was exemplified by the close monitoring of students and staff. When a Professor at the University Dr Kumaravadivel Guruparan, took upon a public interest *habeas corpus* case in early 2019, focused on the 1996 Navatkuli Disappearances of more than two dozen Tamils, he started to face harassment by the military and by October of that year, he was barred from engaging in private practice.⁹⁸

⁸⁹ Ibid.

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² TNM Staff, "Sri Lanka: Mullivaikkal Memorial Dedicated to Tamil People Killed in Civil War Razed," *News Minute*, January 9, 2021.

⁹³ Tamil Guardian, "'Defence, Intelligence, Everyone' - Sri Lanka military pressure ramps up at Jaffna University," *Tamil Guardian*, January 9, 2021.

⁹⁴ Ibid.

⁹⁵ Ibid.

⁹⁶ Tamil Guardian, "Sri Lankan government bans construction of Mullivaikkal memorial in Jaffna Uni," *Tamil Guardian*, April 26, 2018.

⁹⁷ Tamil Guardian, "University Grant's Commission Chair Claims Mullivaikkal Memorial 'Threatened North-South unity'," *Tamil Guardian*, January 9, 2021.

⁹⁸ Tamil Guardian, "Sri Lankan Pressure Bars Jaffna University Law Head from Private Practice," *Tamil Guardian*, November 10, 2019.

Despite the military interference in the administration of the university, images of the demolished memorial were shared across social media and international media, and many local and international politicians spoke out against it. The international condemnation of the demolition and the ability of the Sri Lankan Tamil diaspora to exert global political pressure played a crucial role in the backtracking by the authorities and the reconciliatory gesture to install a new memorial.

Summary and Conclusions

Contestations over memorialisation and public narratives of the war have featured heavily in the public sphere in the post-war period of reconciliation in Sri Lanka. The Mullivaikkal memorial dispute raises contested issues relating to memory, victory narratives, and collective mourning. The decision-making process in the case demonstrates the complicated ways in which domestic and global political pressures impact the policy and action alternatives available to the stakeholders. Memorialisation and the State's response to it is an important part of post-war reconciliation in the polity. As Pablo de Greiff, the United Nations special rapporteur on the promotion of truth, justice, reparation, and guarantees of non-recurrence, mentioned after his visit to Sri Lanka in 2017:

Memorialization can have a reparative effect provided that it is even-handed and not used by anybody as part of a zero-sum game in which the basic task is to reaffirm a single-sided narrative. Spaces are needed for communities to mourn and remember those they have lost, especially those sites across all regions where civilians died.⁹⁹

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Figures

About Contested Histories

In recent years, there have been many contestations over memorials, street names, and other physical representations of historical legacies in public spaces. These contestations often reflect deeper societal tensions whether triggered by political transitions, demographic shifts, inter- ethnic strife, or a growing awareness of unaddressed historical injustices.

The Contested Histories project is a multi-year initiative designed to identify principles, processes, and best practices for addressing these contestations at the community or municipal level and in the classroom. Conflicts about history, heritage, and memory are a global phenomenon, and, although each case is different, comparative cases can indicate lessons learned and reflect best practices.

About IHJR at EuroClio

The Institute for Historical Justice and Reconciliation (IHJR) is a research centre at EuroClio - European Association for History Educators in The Hague, The Netherlands. The IHJR works with educational and public policy institutions to organise and sponsor historical discourse in pursuit of acknowledgement and the resolution of historical disputes in divided communities and societies.

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