

## **A TRIBUTE TO MADIBA**

Mr. President, Mr. High Commissioner, members of the OPA of Sri Lanka and guests,

The last time I addressed the OPA was ten years ago at your 17<sup>th</sup> Annual Session. I referred on that occasion to, and I quote, "...my long standing admiration for the work of the OPA and its genuine, objective and fearless efforts to make a difference through policy-oriented opinion formation on the key national issues of the day." But, I added a complaint that, and I quote again, - "the honoured and indispensable profession of diplomacy, which I have been proud to belong to, remains, sadly, unrepresented in your organization." That complaint must be repeated today even at the risk of over-stepping my mark as an invited guest.

The failure of the apex body of professional associations in this country to recognize diplomacy as a distinct profession requiring recruitment through an open competitive process of those with special qualifications and talents, specialized training and experience, in common with widespread international practice, encourages the politicization of the diplomatic service. This politicization is at unprecedented levels today with a reported 39 of our 64 diplomatic missions abroad being headed by non-career diplomats - apart from countless others languishing abroad at other levels. Having got that off my chest let me now proceed!

Ladies & Gentlemen,

In my retirement I accept very few invitations to speak in public. However an opportunity to pay tribute to Madiba was irresistible - especially as a Sri Lankan counterpoint to the South African High Commissioner and on the eve of what the UN General Assembly has declared as Nelson Mandela Day held on July 18 each year. That day, tomorrow – the birthday of Madiba - is being observed for the first time without him. It is a celebration of Mandela's exemplary achievements in working to secure the freedom of his nation and his people, for conflict resolution, democracy, human rights, peace, and reconciliation. I am therefore proud to be a part of the OPA's observance of that day.

There has been such a profusion of books and films on the life of Mandela in addition to his own autobiography "Long Walk to Freedom" that one wonders whether there is anything more to be said about him. When Nelson Mandela died on December 5 last

year, ending his heroic odyssey at the age of 95, I was invited by the premier business journal in Sri Lanka, the Lanka Monthly Digest, to write a special tribute. In it I recalled the precious privilege of having met and talked to this living legend of the time at the United Nations as an Under-Secretary-General in Secretary-General Kofi Annan's senior management team. Prior to that, I had sat in the UN General Assembly in rapt attention to listen to the farewell address of Madiba who concluded his moving speech saying, wistfully –

“As I sit in Qunu and grow as ancient as its hills, I will continue to entertain the hope that there has emerged a cadre of leaders in my own country and region, on my Continent and in the world, which will not allow that any should be denied their freedom as we were; that any should be turned into refugees as we were; that any should be condemned to go hungry as we were; that any should be stripped of their human dignity as we were.....Were all these hopes to translate into a realizable dream and not a nightmare to torment the soul of the aged, then will I, indeed, have peace and tranquility. Then would history and the billions throughout the world proclaim that it was right that we dreamt and that we toiled to give life to a workable dream.”  
Unquote.

In my published tribute I asked the question – “Have we failed or fulfilled Mandela's hopes?”

This evening, I want to expand on that theme by trying to identify some of the traits of leadership that Mandela epitomized and could serve as an example for others to follow. The first is the importance of being loyal to your organization or party and learning to follow before you can lead. The African National Congress (ANC) was already in existence when Mandela was born and was represented by a delegation at the Versailles Conference which brought World War I to an end, voicing the grievances of the African people of South Africa. As a promising young lawyer Mandela was recruited to the ANC by Walter Sisulu but the process of politicization was cumulative and not, as Mandela confirms, a dramatic “epiphany, no singular revelation, no moment of truth”. He worked for the ANC over a long period of time under the leadership of Albert Luthuli and Oliver Tambo and submitted himself to the discipline of a party worker. At the same time he was instrumental in achieving key changes in policy on the strategies to be adopted both in terms of the anti-apartheid

struggle and in the final stages of the negotiations with the white National Party Government through principled conviction and patient advocacy. There was no opportunism or over ambitiousness to reach the top. With rival parties like the Pan African Congress he was patient in trying to win them over and, where that failed, in maintaining amicable relations.

Mandela's concepts of leadership were also deeply rooted in the African tribal tradition and the functioning of the chieftaincy where everyone was given a hearing until consensus was reached. I quote Mandela's words - "Majority rule was a foreign notion. A minority was not to be crushed by a majority." He writes elsewhere in his autobiography that a leader is "like a shepherd". These concepts were vital when he debated the issues of non-violence, armed struggle and sabotage as alternate strategies for the ANC to adopt. They were also important as he negotiated among the contending tribes and dealt with the Kwa-zulu problem. Mandela was a Thembu who belonged to the Xhosa nation in the Transkei but the Zulu were the largest ethnic group and their King was Zwelithini. Buthelezi was the chief who had to be persuaded to end the fighting between their organization Inkhata and the ANC. A constitutional role for the Zulu monarchy was the solution negotiated on the eve of the first free elections held. Mandela realized – as our political leaders must learn – that negotiations are not about winning or losing. It is about finding solutions acceptable for everyone. That involves compromise.

At a critical moment he was ready to recommend to the ANC that they should talk to their oppressors. He wrote, "There are times when a leader must move out ahead of the flock, go off in a new direction, confident that he is leading his people the right way." Mandela was able to spot talent among the younger members of his party. He refers to Cyril Ramaphosa, then general secretary of the National Mine Workers' Union as "one of the ablest of the new generation of leadership". Later, in the context of the July 1991 annual conference of the ANC, when Ramaphosa was elected secretary-general at the age of 38 signifying a generation change, he describes him as "a worthy successor to a long line of notable ANC leaders" and "probably the most accomplished negotiator in the ranks of the ANC". It is an assessment warmly endorsed from the opposite side of the negotiating table by former President F.W.de Klerk in conversations with me at the annual Nobel Peace Laureates gatherings where I represent the Pugwash Conferences on Science and World Affairs as its President.

Over two decades later Ramaphosa has, just last week, visited Sri Lanka as Deputy President of his country and the South African Government's Special Envoy. According to media reports, confirmed by a statement in Parliament by the Deputy Minister of External Affairs, his visit is a sequel to President Rajapakse's expressed interest in learning from the South African experience of its Truth and Reconciliation Commission (TRC). Thus the visit is, we are told, for a "mutual sharing of views with the possibilities of adopting a similar mechanism taking into account social, cultural and other particularities of the country." The attempt to compare the TRC with the Parliamentary Select Committee process at the very outset is of course disingenuous. Dissonant voices alleging foreign interference have arisen protesting over this. I hope they will not be an impediment. Our leaders have actually invited advice and assistance from a fellow Non-aligned country, which suffered white racist dominance and imperialist exploitation, at a time when the Human Rights Council resolution is being implemented against the wishes of our government. I recall that Mandela in accepting his Nobel Peace Prize said in Oslo –"But there are still some within our country who wrongly believe they can make a contribution to the cause of justice and peace by clinging to the shibboleths that have been proved to spell nothing but disaster. It remains our hope that these, too, will be blessed with sufficient reason to realize that history will not be denied and that the new society cannot be created by reproducing the repugnant past, however refined or enticingly repackaged." As with South Africa: so with Sri Lanka.

The major contribution towards conflict resolution was South Africa's unique TRC. With the dismantling of the odious apartheid system and the election of a non-racial democracy the issue of how to deal with the past arose. Was there going to be punitive or victor's justice along the lines of the Nuremberg and Tokyo trials or was there going to be an attempt to close the chapter of apartheid and the bitter struggle to overthrow it sweeping the injustices and criminal acts of both sides under the carpet of history? The TRC was in fact an integral part of a comprehensive political process towards restorative justice in a unique effort at healing and nation building. It was established by an act of Parliament and headed by the respected Bishop Tutu. The mandate of the commission was to bear witness to, record and in some cases grant amnesty to the perpetrators of crimes relating to human rights violations, as well as reparation and rehabilitation for victims. At its conclusion, while the TRC was hailed

as a success, there were criticisms as well such as from the family of Steve Biko.

Obviously each country must choose its own way of meting out justice after an internal conflict that involves mass killings, injuries, destruction of property, mass human rights violations and displacement of people. After our 1971 insurgency the main accused were tried under the Criminal Justice Commissions Act, which created Special Tribunals outside the regular Court structure, retroactive in nature and dispensing with fundamental guarantees available under the laws of evidence and criminal procedure. Large numbers of other suspects were rehabilitated and re-integrated into society. Many of them are respected professionals and thought-leaders in our country today. We did not follow the same procedures in the 1988/89 insurgencies when an orgy of bloodletting took place with both the insurgents and para military groups engaged in savage violence. Presidential Commissions on Disappearances and the causes for youth unrest and an inquiry into the 1983 riots have also been held and compensation paid to victims. Post conflict periods are uneasy times as bitter memories resurface and vengeance is sought especially when our conflict dragged on for almost three decades. Military victory alone does not end conflict unless peace and reconciliation are consolidated especially through constitutional processes.

The Lessons Learned and Reconciliation Commission (LLRC) was appointed by [President Rajapaksa](#) in May 2010 one year after the war ended. The commission was mandated to investigate the facts and circumstances which led to the failure of the ceasefire agreement made operational on 27 February 2002 and the events that followed thereafter; the lessons that should be learnt from those events and the institutional, administrative and legislative measures which need to be taken in order to prevent any recurrence of such concerns in the future; and to promote further national unity and reconciliation among all communities. With the exception of some international human rights groups and Sri Lankan NGOs a large number of individuals and groups appeared before the LLRC to give evidence in public or in camera. I did so myself. After an 18-month inquiry, the commission submitted its report to the President on 15 November 2011. The report was made public on 16 December 2011, after being tabled in [Parliament](#). It is debatable whether the LLRC has served its purpose as Sri Lanka's Truth and Reconciliation Commission especially

since the vital issue of accountability for alleged human rights violations was inadequately addressed - perhaps due to structural shortcomings like the Commission not having its own independent investigative arm and witness protection. Is it then too late to have our own TRC now or should we confine ourselves to doing what successive Human Rights Council (HRC) resolutions call for – the implementation of LLRC recommendations? A credible domestic inquiry into alleged human rights violations during the conflict within our laws with our judges and our lawyers was suggested by some of us immediately after the 2009 military defeat of the LTTE. Events have now overtaken us and Sri Lanka is faced with an international inquiry.

It is never too late to seek truth and strive for reconciliation. The ideas of truth and reconciliation have been rejected unthinkingly by some as foreign and concepts imported from alien cultures. The current xenophobic trend among some elements in the country is an aberration in an island nation so hospitable to foreign visitors and receptive to external influences while maintaining the robustness and richness of our own distinctive indigenous culture. It is also difficult to understand the myopia of opposing all foreign concepts when Sri Lanka has sizable adherents of the four great religious philosophies of the world – Buddhism, Christianity, Hinduism and Islam – where both, the discovery of Truth and the acts of Reconciliation, are accorded the highest respect, reverence and acceptance.

The debate goes on within the country as to whether we are a genuinely pluralist democracy with a multi-ethnic and multi-religious character and a collective history and culture we can all be proud of. Many other countries are multi-ethnic and multi-religious as a result of a history of international conflict, normal migration flows and enforced transfers of population. That debate - exclusivity versus inclusivity - is at the heart of our national identity crisis and until we resolve that in a satisfactory manner we are not going to treat each other as fellow citizens with the equality, dignity and respect we all deserve irrespective of our ethnic, language, religious and other differences. And yet we have achieved the enormous advantage of identifying ourselves as a democratic country where the institution of elections has been firmly established throughout our postcolonial history. That is a rare achievement in the developing world where coups, military dictatorships and other forms of

undemocratic regimes have been all too common. The other institutions of a democracy such as an independent judiciary, freedom of the press, the rule of law, justiciability of human rights and a transparent and accountable system of governance are certainly not as robustly rooted as all of us would like but they remain as commonly accepted ideals enshrined in our constitution. An all-party consensus may be said to exist on these democratic values even as we debate its actual practice. That is a start.

The search for truth and reconciliation however belated could function as a catharsis enabling us to enter the modern age to confront the development challenges ahead. It will be a national effort with all groups confronting the common guilt and shame we carry. Inevitably past history will be dredged to justify claims and reinforce grievances. To be credible and acceptable to all a domestic inquiry should objectively seek truth and reconciliation within the unalterable parameters of the sovereignty, territorial integrity, the unity and democratic character of Sri Lanka. It must also be accompanied by constitutional reform.

Let me conclude by reiterating my tribute to Mandela when he died. “Greed for power and grievance for revenge was not in Mandela’s political philosophy. Stepping down gracefully after one term as President and setting in motion a process of nation building, reconciliation and healing of the deep wounds of apartheid will be his enduring example to the world and to us in our own individual countries who have still to see such a political leader emerge in our own midst”. The leadership of Mandela is thus a model we can adopt to inspire us at this critical juncture. I recall the tribute of Mark Anthony in Shakespeare’s “Julius Caesar – “Here was a Caesar. Whence comes such another?”

Thank you.