

STEPS TOWARD CONFLICT PREVENTION PROJECT

Case Study

Madhu Sanctuary in Sri Lanka

Greg Hansen

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This document was developed as part of a collaborative learning project directed by CDA. It is part of a collection of documents that should be considered initial and partial findings of the project. These documents are written to allow for the identification of cross-cutting issues and themes across a range of situations. Each case represents the views and perspectives of a variety of people at the time when it was written.

These documents do not represent a final product of the project. While these documents may be cited, they remain working documents of a collaborative learning effort. Broad generalizations about the project's findings cannot be made from a single case.

CDA would like to acknowledge the generosity of the individuals and agencies involved in donating their time, experience and insights for these reports, and for their willingness to share their experiences.

Not all the documents written for any project have been made public. When people in the area where a report has been done have asked us to protect their anonymity and security, in deference to them and communities involved, we keep those documents private.

The case study is based on a field visit to Sri Lanka in April / May 2003. It draws upon interviews conducted with clergy, aid workers, Jesuit historians, pilgrims and others familiar with Madhu and with the events there before and during the war and in the present ceasefire period. Background information is largely derived from a number of previous visits I have made to Sri Lanka, the Wannu and Madhu since 1997 related to CDA's Local Capacities for Peace Project. I have also surveyed news reports as well as situation reports and other material provided by humanitarian and human rights agencies and political groups.

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The views herein are those of the author alone.

Madhu Sanctuary in Sri Lanka

I. Introduction

In June of 1990 the war in Sri Lanka resumed with added force after an optimistic ceasefire period which led many refugees to return and humanitarian agencies to begin reducing their presence and programmes in the war-affected areas of the north and east. Renewed fighting in the Wannai of northern Sri Lanka prompted tens of thousands of people to flee their homes anew. There was a strong possibility, if not a likelihood, that many of these forced migrants would seek refuge, as before, across the Polk Strait in India.

The Catholic Church at Madhu was a logical transit point for many of these people as they fled. Situated in dense jungle, Madhu afforded natural protection against attack. Madhu is situated at a crossroads of sorts on the way from points north and east to Mannar Island in the west, the staging area for onward travel by fishing boat to India. The facilities at Madhu Camp were well-suited for meeting the immediate needs of many displaced; a large source of good water, toilet and washing facilities, and a quantity of pilgrim shelters. And, not least, Madhu's reputation as a safe-haven was well-known and well-established in the minds of Sri Lankans: the displaced felt protected at Madhu because it was a sacred place with a history of providing sanctuary to those in flight. The Clergy of Madhu opened the grounds of the Sanctuary to people fleeing the war, and have kept them open until the present day.

At the time, the staff of the United Nations High Commissioner for Refugees (UNHCR) in Sri Lanka was faced with twin challenges. "How could we best assist and protect people displaced from the war where they were now?" Secondly, "How could we help to prevent a flight across borders of tens of thousands of refugees to India at a time when we were beginning to wind down our return program from the previous phase of the war?" As the current UNHCR head of office puts it, "The decisions were made for us by the displaced". UNHCR decided to assist the displaced in and around Madhu in place, and agreed with the Government to situate two 'Open Relief Centres' (ORCs) in Mannar District. One was on Mannar Island at Pesalai, a fishing village that was a favoured debarkation point for refugees to India. The other was at Madhu, on the grounds of the Sanctuary and therefore effectively under the protection of the Clergy. An Open Relief Sub-Centre was also opened a few kilometres north of Madhu at Palampiddy, off the grounds of the Sanctuary. Combatants informally agreed to respect Madhu as a 'safe area' off limits to soldiers and fighting.

Madhu's four-hundred year old tradition as a Sanctuary was married with UNHCR's quite different capacities to assist and protect victims of war – the protection afforded by an international presence. Citing the link to the Sanctuary, many now regard UNHCR's Open Relief Centre at Madhu as the earliest successful example of a U.N.-protected area.

This case study strives to tell the story of how a place and its people effectively carved out and maintained a safe space in the midst of a war. Madhu evolved over four centuries into the island's most famous Catholic shrine, well-known to people of all faiths and backgrounds. Long before war broke out between the Liberation Tigers of Tamil Eelam (LTTE) and the Government, Madhu attracted hundreds of thousands of pilgrims annually from all parts of Sri Lanka and from all faiths and ethnic groups. During the civil war, the grounds of the Church – surrounded by thick forest –effectively served for more than a decade as an island of peace in an active war zone, a sanctuary for civilians seeking safety from the fighting that ebbed and flowed around them. Remarkably, for the most part, combatants respected Madhu's special status. This did not come easily the Bishop of Mannar, the Fathers at Madhu, UNHCR and other humanitarian agencies needed to work hard to ensure that combatants did not violate the sanctity of the Sanctuary.

The relationship between Madhu Sanctuary and the UN ORC was symbiotic and effective. Each reinforced the ability of the other to keep Madhu neutral and provide safety and respite for war affected people. The end result was that vulnerable civilians were assisted and protected more effectively than they would have been under other circumstances. At Madhu, for the most part, people were able to stay apart from the conflict to a far greater degree than would have been possible anywhere else in the Wanni.

Madhu was not an unqualified success. As the war became dirtier, the positions of the combatants more trenchant and the political stakes higher, Madhu was subjected to acute politicization from both sides leading to a gradual erosion of the Sanctuary's capacity to remain above the fray. The incremental devaluation of the sanctity of Madhu Sanctuary in the eyes of combatants culminated, in late 1999, in the Church being targeted with mortar fire at a moment when 4000 displaced people were sheltering inside the Church and nearby. Some 40 civilians were killed and dozens more wounded. As egregious as the attack was, however, it was not a fatal blow for the status of Madhu, nor for the reverence with which most Sri Lankans seem to regard it, nor for the willingness of people to seek and shelter there.

This case study tracks some of the rich history of Madhu's development as a Sanctuary over the years. It describes the role of Sanctuary in Catholic tradition, and examines Madhu as a unique Sri Lankan institution. The case then moves to a description of the context in which Madhu was situated: the political, military and humanitarian landscape in Sri Lanka during the war. Then, the case turns to an account of the interactions between Madhu and the war and the effects of war, with a special focus on the relationship between Madhu and UNHCR's Open Relief Centre. The degradation of Madhu's power to protect is then tracked. Special attention is paid to the events leading up to the attack on Madhu in late 1999, and its aftermath. Madhu's role in the present ceasefire period is then surveyed, followed by a closing analytical section on lingering questions, observations, and lessons learned.

II. Madhu Sanctuary: Beginnings

Catholics understand a sanctuary as a consecrated place giving protection to those fleeing injustice or persecution¹. In the Catholic tradition, the right of sanctuary was based upon the inviolability attached to things sacred. The right of asylum originally applied only to a church itself, but was later extended to include adjoining grounds. In modern times, sanctuary no longer carries legal force but, as in the case of Madhu, can still be honoured on moral, religious and other grounds.

Although the unembellished truth about the pre-Catholic origins of Madhu has probably been lost to history, there is no question that the site is known to people of other faiths in Sri Lanka as a sacred place of refuge. Amid the contemporary climate of tension between predominantly Buddhist Sinhalese and predominantly Hindu Tamils –sustained, in part, by detailed and politically-charged historical polemics –a note of caution is called for when discussing who-was-where-first in Sri Lanka because such discussions tend to be abused by extremists on all sides. However, during my visit to Madhu, even Christian Tamil pilgrims from Vavuniya readily suggested that Madhu was sacred ground for Buddhists and Hindus long before the Catholics fled there. What people believe about the place helps to define it, and that is what is important here.

Buddhist historians claim that the site of present-day Madhu was chosen by King Gaja Bahu (114-136 AD) for the formation of the Pattini cult of Buddhism because it was remote and a safe distance from potential reprisals from the spiritual centre of Anuradhapura. The cult built a small temple to the Pattini Amma, the Pattini Devale, at Madhu around 1,850 years ago. The Pattini Devale was evidently also regarded as sacred by Hindus, who called the place Amman Kovil. Contemporary Buddhist polemicists, claiming that Catholics have usurped the site, note that Buddhists and Hindus would go to Madhu because of their belief in the healing powers of the Pattini Amma. Muslims, too, had apparently long been visiting, making offerings at, and even living in present-day Madhu. Some Muslims believed that a Moor woman, Suleiha Nachiya was buried there.

The Statue of Our Lady

Catholic historians recount that Madhu has been known to Catholicism since at least 1614, when a small church was built there by a Portuguese priest, Fr. Pedro de Betancor. However, Madhu's prominence as a Church, Shrine and Sanctuary would not come until somewhat later, and developed very gradually. In 1658, Protestant soldiers of the Dutch East India Company and soldiers of the Hindu King of Jaffna who was allied with the Dutch landed at Mannar and conquered it. Many Portuguese Catholics were forced from the island off Sri Lanka's northwest coast. At Mantai on the mainland about six miles away from Mannar, Catholics were fearful of attack and that their church, and especially a statue of Mary within it, Our Lady of Mantai, would come to harm. The statue of Our Lady of Mantai is the same one that now rests in Madhu Church.

¹ From *New Advent Catholic Encyclopaedia*, <http://www.newadvent.org>

The statue was believed to have held special powers even before its completion. The experiences of its sculptor add to beliefs about its miraculous powers:

Originally, Fr. Francisco de S. Antonio of Cochin had brought a piece of wood [to a Pagan sculptor called Annacutti] in which had been begun an image of St. Anthony. Changing his mind in Jaffnapatam, he wanted Annacutti the Statuary to make an image of Our Lady of Victory. The Sculptor examined by the father and the Ouvidor declared under oath “that while he was working in his house on the Sacred Image on the 25th May 1614, there came to his house a pagan named Engabo, and in order to entertain him he left off the work. Without any reflection he (Engabo) sat on the image and it threw him with great force on to the ground far from it in the presence of other persons who were also there. The Pagan, angry and ashamed, rose up again and sat on the same Image and was thrown much further with greater force with clothing disordered and senseless. Another day when he wanted to work at it, he sat on the blessed Image and was thrown to the ground to a distance and he did not recover except after a long time”. He also related that “a few days afterwards one of his daughters named Angea while chewing betel spat out the remnants, and through carelessness and inadvertence some fell on the Image of Our Lady, and he rebuked his daughter severely ordering her to clean it; and as she was doing so with the end of the cloth with which she dressed, she was thrown on the ground far away from the Image and was senseless, when she was raised in the arms of her mother; nor did she come to herself but after a long hour.”²

The statue was taken to the little church of Mantai (about 20 miles west of Madhu) and given the new titles of Our Lady of Miracles, Our Lady of Health and Our Lady of Mantai to reflect its abilities and its home. When the Dutch forced the surrender of Mannar, the congregation of Mantai were fearful of persecution. Their fears may have been well founded, for in Jaffna to the north the victorious Dutch had “...expelled the [Portuguese] missionaries and either destroyed their churches or converted them into Calvinist places of worship. On the 19th of September, 1658, an Edict was issued forbidding on pain of death the harbouring or concealing of Catholic Priests. ... Thus, the Dutch took forcible possession of all the Catholic Churches, desecrated the holy images found in them...”³ The Catholics of Jaffna and Mannar were said to have been forced into the “underground, so to say in the catacombs of the Wanni forest.”⁴

Flight to Madhu

Twenty families from Mantai Church fled east into the jungle, taking the statue of Our Lady with them to the hamlet of Maruthamadhu, site of an ancient tank (or reservoir) and a customs house belonging to the Kandyan King. Soon after, 700 more refugees from Dutch persecution fled into the Wanni from the Jaffna peninsula and also, eventually, found themselves at Madhu many miles to the south, somehow linking up with their

² Antoninus, Rev. Fr. AJB, *The Chronicle of the Sanctuary of Our Lady of Madhu*, St. Joseph’s Catholic Press, Jaffna, 1979, p.23-24.

³ Antoninus, *op. cit.*, p.18.

⁴ Antoninus, *op. cit.*, p.37.

fellow forced migrants from Mantai. The displaced Catholics from Jaffna were accompanied by seven Franciscan fathers.

Even in the 1600s, Madhu must have seemed to be a reasonably hospitable place. Although it was surrounded by dense jungle, that in itself offered certain protection against potential assailants. The setting even then was relatively park-like, with many large Tamarind trees on the grounds adjacent to the site of the present-day church. Madhu's tank, known in Tamil as Kovilkulam or 'tank of the devale', was substantial. In Sri Lanka's ancient system of catchment tanks, the tank has gone hand in hand with human settlement for thousands of years. Village life is centred on the tank which provides clean water, fresh fish, and irrigation for paddy and other cultivation. Tanks can be a few dozen metres across or, in the case of Giants' Tank between Madhu and Mannar, thousands of metres across. Although it has been improved with new bunds at various times over the centuries, the tank at Madhu is now about 600 metres across. As such, it could readily meet the needs of a substantial human settlement.

The refugees to Madhu rebuilt the original church from 1614, and placed within it the Statue of Our Lady which had been brought from Mantai. The refugees were ministered to with some intensity by the seven priests from Jaffna in order to help them recover from their persecution under the Dutch. This early function of the Church at Madhu perhaps strengthened or gave impetus to the growing identification of Madhu with protection and respite. The Fathers were eventually buried near the site of the present church, adding to the sacred character of Madhu's grounds.

There was a problem: the church at Madhu was surrounded by thick jungle infested with many poisonous snakes. Parishioners, fearful of being bitten, apparently stayed away from the church in droves. As tradition has it, an enterprising Fr. Ferraro prayed for a solution in the late 1600s and, after sprinkling the environs of the Church with Holy Water, the cobras of Madhu were deprived of their venom. But Madhu earth is also believed by people throughout Sri Lanka to have miraculous healing powers, perhaps because of the blessing of Fr. Ferraro, or perhaps because the earth was made sacred by its proximity to the graves of the seven Franciscan priests who are buried there, or perhaps because Madhu is also sacred ground in different ways for Buddhists, Hindus and Muslims. For centuries, pilgrims of all faiths have taken away Madhu earth to heal the sick. In the present church, pilgrims take earth from a special place in the floor near the rear entrance. During busy times, the large vessel containing the earth needs to be replenished daily.

Establishment and Growth of the Sanctuary

Religious persecution in Sri Lanka eased with colonisation by the British. As word of Our Lady of Madhu's powers spread, people of all faiths made pilgrimages to the Shrine in numbers that increased dramatically year by year. Construction of the present church began in 1876, and the grounds of the Sanctuary were more carefully demarcated and developed over the following century to accommodate the ever-increasing numbers of pilgrims. Services were eventually held simultaneously or in tandem in the Sinhala,

Tamil and English languages. A number of annual festivals on particular days of the year were especially well attended.

There are records of 23,000 pilgrims to “Madhu Camp” in 1887 for the July Festival alone, and 25,000 the following year. By 1928 the Sri Lanka Railway was providing pilgrims with discounted tickets for their journeys from all over Sri Lanka, and special arrangements were worked out with the Assistant Government Administrator (AGA) for Mannar in order to prevent traffic jams from the many busloads of pilgrims converging on the Sanctuary. Already by this time, in other words, the logistics of operating the Camp necessitated hammering out good working relationships with local authorities, with liaison between the Clergy, Camp administrators and local authorities intensifying before each festival. In 1933, in anticipation of large numbers of pilgrims, government authorities issued instructions that all pilgrims would be required to show vaccination marks before entering Sanctuary grounds. Road traffic to Madhu would be restricted due to a rinderpest infestation in the area, and bus traffic would be strictly regulated. The Bishop of Jaffna intervened directly with the Ministers of Communications and Home Affairs in Colombo. Thus, precedents were set early on in Madhu’s development for clear lines of communication between senior clergy and senior Government officials, if only on matters of logistics and administration. At the same time, the needs for coordination with authorities on matters related to pilgrimages helped the Clergy develop its skills for successfully seeking redress with high levels of authority.

By 1945, the July festival attracted some 40,000 pilgrims, and more than 50,000 in 1946 who were served by more than 30 priests, 20 of whom worked the confessionals. The 25th anniversary of the Coronation of the Statue of Our Lady of Madhu drew between 125,000 and 150,000 pilgrims in July of 1949. Last year, 2002, when Madhu was again accessible to visitors from both sides of the line of conflict, an astonishing 450,000 people trekked to Madhu for the summer festival alone.

A Tradition of Relief at Madhu

Of necessity, due to the growing numbers of pilgrims attracted by the various Festivals, Madhu Sanctuary provided relief assistance to people at various times of acute need on Sanctuary grounds and, as capacities allowed, also in Mannar district as a whole. As the grounds and infrastructure at Madhu Camp became more developed since 1876, so did the Camp’s capacity to meet those needs and to shelter more and more pilgrims in relative comfort and safety. There is a record from as early as 1910 describing assistance rendered by the Camp’s Medical Service in meeting needs stemming from a nearby outbreak of cholera. Persistent rumours of cholera, which recurs frequently in the area of the nearby coast, led Camp administrators to bolster the Camp’s own defences against the spread of disease. Over the years, new wells were dug, the tank enlarged, washing and bathing areas improved, ‘bungalows’ or pilgrims’ accommodations erected, and so on. Departments of Sanitation, Police and Medical were developed.

Pilgrimages also attracted increasing numbers of beggars over time, particularly in the Great Depression. The decision was taken in the 1930s to begin providing rations to the destitute in Madhu:

Every year the problem of the beggars become[s] more and more acute. For the July festival of 1939, beggars were much in evidence from the beginning. Some of them seemed to have suffered a great deal from the journey and it was found that some of them were in a starving condition. This fact led to the ecclesiastical authorities to consider the means of giving relief. It was decided finally to feed them twice a day. The pilgrims from Colombo and other parts took up the idea and proposed to defray, severally, the expenses of one meal. At the first distribution of rice and curry 180 people presented themselves. Towards the latter days of the festival the number had swelled up to 250. This beneficent and charitable act of feeding the poor was continued thereafter.⁵

III. War in Sri Lanka: The Context of Madhu and the ORC in the 1990s

Madhu's role as a "zone of peace" throughout almost all of the 1990s was perhaps as much a function of the contemporary political, military and humanitarian context as it was a product of history and precedent. Madhu's "zone of peace" was breached and violated when the context changed.

Linguistic, political and ethnic differences –rather than religious differences –have been the main explanations for the armed conflict in Sri Lanka, although hard-line Buddhist clergy and groups sympathetic to them have been an especially influential and effective lobby, preventing the government on many occasions from following through on some of its more conciliatory overtures to the Tamil population and to the LTTE. Following Sri Lanka's independence from the British in 1948, increased nationalism and communal tensions between the predominantly Buddhist Sinhalese and mostly Hindu Tamil communities led to outbreaks of ethnic rioting in 1956. Attempts by Colombo to redress perceived grievances among the Sinhalese population led to a gradual backlash among the island's Tamils, who reacted with increasing militancy to growing Sinhalese nationalism by forming nationalist groups of their own. One of these groups was the LTTE, led by Villumpillai Prabhakaran. Amid growing polarization, violence and reprisals escalated and by July of 1983 each side was carrying out systematic attacks on the other.

An Indian Peacekeeping Force (IPKF) was deployed in northern Sri Lanka in 1987 following an agreement reached between the Governments of India and Sri Lanka. However, the mission was ill-fated: the agreement had bypassed the LTTE and other Tamil national groups and was perceived to be engineered mostly to extend India's reach into Sri Lankan politics. Fighting eventually ensued between the LTTE and a local IPKF proxy army known as the 'Tamil National Army'. The IPKF was withdrawn in 1990. Soon after, negotiations collapsed and fighting resumed in earnest between the LTTE and the Sri Lankan Armed Forces, continuing until a ceasefire agreement in January 1995.

⁵ Antoninus, op. cit., p.297.

The LTTE abruptly signaled the end of the January 1995 agreement the following April with sudden attacks on Sri Lankan Navy gunboats. This fortified militaristic attitudes in Colombo virtually overnight and led the Government to adopt what it termed a “war for peace” strategy. Government forces re-captured Jaffna in what would soon prove to be a rare victory for the Sri Lankan Army (SLA) and an equally rare defeat for the LTTE, which forced thousands of Jaffna Tamils to flee into the Wanni ahead of it.

In May, 1997 Government forces then turned their attention to LTTE strongholds in the Wanni with the goal of recapturing and securing the A-9 Highway, the main supply route to Jaffna. Over the next few years, major battles at Killinochchi, Mullaitivu and Odusuddan turned out to be military disasters for the Sri Lankan Army. Skillfully-made propaganda films capturing grim images of hundreds and even thousands of SLA dead were quickly put into circulation by the LTTE following each military debacle for the Government, making a mockery of highly-touted Government claims of military success in the Wanni. Pressure on the Government mounted steadily in proportion to the body count. Meanwhile, LTTE suicide bombings continued in Colombo and low intensity attacks and reprisals continued in the Batticaloa area.

In the nineteen years since it began, some 60,000 people have lost their lives to war in Sri Lanka. Forced and voluntary migration have both been dominant features throughout the war, with tens of thousands of refugees fleeing to safety in India and many more seeking the normality of life as emigrants to western countries. Within Sri Lanka, however, hundreds of thousands of people have been forced to flee to other parts of the island. Aid workers claim that some Sri Lankans from the most hotly contested parts of the north have been displaced up to eight times over the course of the conflict.

Civilians in the LTTE-controlled parts of the north have been subjected to near-totalitarian control over their lives: a monopoly on political life and tightly controlled trade, commerce, and freedom of movement all have been strictly enforced by the LTTE, often with extreme brutality. For years, the LTTE has practiced a relentless and psychologically aggressive recruitment of young people, including, at least until recently, underage children.

For its part, the Government imposed increasingly draconian controls over the movement of the Tamil population as war escalated. In an effort to deprive the LTTE of sustenance, the Government also instituted a strict embargo on a wide range of goods and commodities entering the Tiger-controlled Wanni in the early 1990s, to the extent that the movement of humanitarian goods, supplies and personnel was severely impaired until the recent ceasefire, and sometimes stopped.

Aid agencies in the Wanni thus worked under primitive conditions for many years. Between 1995 until the ceasefire in December 2001, humanitarian space was steadily constricted. Movement across the line of conflict was increasingly proscribed. Restrictions and resulting shortages of materials and commodities essential to the LTTE’s war effort contributed to the LTTE taking a proprietary interest in aid activity in the

Wanni, and it was especially sensitive to any reduction to the Government-supplied dry ration (see below)

Humanitarian space was also constricted by a growing disregard of both combatants for international norms of conduct in war. As one indication, a 48-hour battle in the Wanni in October 1998 left more than two-thousand combatants dead, but not a single prisoner was taken by either side. In this climate, humanitarian agencies were often subjected to intense pressures and intimidation, from loud, orchestrated demonstrations in front of their offices up to and including death threats and the kidnapping of local staff members when the LTTE felt itself “bypassed” in important decisions.

Sacred places were often not respected by combatants during the war and were sometimes explicitly targeted. Several times, people of different faiths congregated in their sacred places seeking protection in the midst of fighting, and came to tragic ends. In other cases, prominent religious sites were targeted apparently for the ability of such attacks to incite powerful, exploitable reactions among the enemies of the attackers.

In 1990, some 140 Muslim worshippers were killed in their mosque at Kattankudy by the LTTE. In 1992, 23 Hindu worshippers were killed by Government forces in Mullaittivu district. In 1995, a Sri Lankan Air Force plane dropped a bomb on the Church of St. Peter at Navali, just north of Jaffna town. With several hundred civilians taking shelter from the fighting inside, 65 people were killed and some 150 were wounded.⁶ In January 1998, LTTE suicide bombers detonated a massive truck bomb at the 400-year old Sri Dalada Maligawa, or Temple of the Tooth, at Kandy, killing thirteen persons. The Dalada Maligawa is held by many to be Buddhism’s most sacred shrine as it houses the Tooth Relic, or tooth of the Buddha. The timing was significant: preparations were underway for Sri Lanka’s 50th anniversary as an independent country, and the Government had planned a major role for Kandy. The bombing led the Government to outlaw the LTTE on 26 January.

Despite the brutality of the war, there were interesting anomalies and limits. Fighting reportedly stopped, for example, during pivotal cricket matches and school examination periods, both of which carry immense importance for most Sri Lankans. And, in a situation that was unique in the world, the Government continued to maintain destitute people in the Wanni by providing dry rations, which kept alive the rudiments of a coherent administrative structure in the areas outside of its control. In other words, even Tiger-controlled territory had a Government Agent (GA), Additional and Assistant GAs, Divisional Secretaries, and bureaucrats. Some pension payments continued from Colombo, and even the mail system continued operation.

IV. Madhu and the War

Between June and September, 1990, an estimated 140,000 asylum-seekers fled the war in Sri Lanka for India. On the way, many thousands of these people transited through

⁶ ICRC Communication to the Press No. 95/30, 11 July 1995.

Madhu, a way-station of sorts where they could rely on the Church to afford some protection and perhaps, also, some relief. However, Madhu Camp could not hope to cope with the staggering numbers that arrived – as many as 35,000 –and failing more local options most people moved on to Mannar Island intending to board boats for India.

*“So close to the end of a returnee operation in a country of origin, it was immensely disappointing for UNHCR suddenly to find itself in the midst of a major refugee exodus, in which more people left for South India in the final two months than had returned in the previous two years! The dilemma was whether to abandon those receiving reintegration assistance, or to look after them and, in so doing, to reduce the pressure to leave. This was the imperative humanitarian challenge of the situation on the ground. ... The need to help those of concern to UNHCR went hand in hand with the opportunity to defuse somewhat the causes for departure, and the eventual possibility, whenever conditions improved sufficiently, to facilitate the voluntary repatriation of asylum seekers who had already left”.*⁷

Open Relief Centres were established by UNHCR after June, 1990, as a pragmatic response to humanitarian needs on the ground. As opposed to closed camps or welfare centres, the ORCs were opened in order to provide the displaced with a temporary place to freely enter or leave and obtain relief assistance – including food, medical care, temporary shelter and a measure of security –in a relatively safe environment.

UNHCR and the establishment of the ORC was welcomed to Madhu by the Clergy, and an informal agreement on a division of labour was reached: UNHCR was effectively a guest on Sanctuary grounds, but would ‘fly the UN flag’ and bring relief through the Madhu ORC to people sheltering in Madhu Camp. The Fathers would continue to run Madhu as they had for centuries, and the population of the ORC would be expected to conform to all of the rules laid down by the clergy in order to help protect the sanctity, peacefulness and orderliness of the Sanctuary. (Playing music or dancing were disallowed, for example. Unapproved commercial activities were also proscribed.). UNHCR and the Church received the informal undertakings of combatants to leave Madhu out of the fighting, and declared Madhu Camp off limits to soldiers in uniform, and those carrying weapons.

In November, 1991, The UN Secretary General requested the UNHCR to continue the operation of Open Relief Centres in Mannar District, adding substantially to the implied – although still not de jure – protection offered to war-affected civilians at the Centres. In 1993, UNHCR entered into a Memorandum of Understanding (MoU) with the Government, detailing the conditions under which arrests and searches could be carried out in the Open Relief Centres and welfare centres.

Within UNHCR, some questions were raised about whether the concentration of protection functions within the ORC was not depriving other areas, outside of the ORCs, of needed protection. However, in general, UNHCR and other humanitarian staff who

⁷ W.D. Clarence, International Journal of Refugee Law, Vol 3 No 2, *Open Relief Centres: A Pragmatic Approach to Emergency Relief and Monitoring During Conflict in a Country of Origin*, 1991.

have worked in Madhu observe that the Madhu ORC was kept relatively more free of interference from combatants than other IDP concentrations, either the other ORCs or otherwise, and also point to the ebb and flow of population seeking safety at the ORCs as fighting waxed and waned in different areas of the Wannu. Many people who were displaced in the Wannu would flee to the temporary safety of the ORCs during the fighting, then return to their homes when fighting abated. At Madhu, a small number of other humanitarian agencies joined UNHCR in the ORC and established their own offices on a small side street within 100 metres of Madhu Church, on Sanctuary grounds.

On several occasions, Madhu Clergy, UNHCR officers and other staff of aid agencies intervened with the LTTE to remind them not to enter the ORC and Sanctuary armed or in uniform. The LTTE “almost always” complied with these requests, although recruitment typically would become far more aggressive and the LTTE much less cooperative before and after major battles.

Consistently, over the course of the decade, UNHCR considered its international presence at the Madhu ORC as a very important protection tool for ensuring the safety of displaced civilians, and a complement to Madhu Sanctuary’s own abilities to maintain the neutrality of Madhu Camp. Specifically, occasional attempts by the LTTE to ‘re-settle’ ORC populations to other areas were successfully resisted by UNHCR. However, none of this was easy, and UNHCR began noting reductions in humanitarian space – and the situation of being thrust into “conflict diplomacy”.

Interceding with the LTTE could be a delicate matter. Madhu’s off-limits, neutral status was resented by the LTTE because its inhabitants were seen to be escaping from their responsibilities –as the LTTE understood them –to fight for and defend Eelam, the notional Tamil homeland, or to support those who were. The Bishop of Mannar remembers one conversation he had with a local Tiger commander about attempted recruitment on Sanctuary grounds. Not accustomed to being dealt with in an assertive way, the commander eventually blustered, “You do not have the right to live”. However, the Bishop felt secure that such threats did not reflect an official position of the LTTE and, more, that those who uttered such threats could even be punished by the LTTE if their superiors were to find out about them. The LTTE had “too much to lose” by alienating the clergy and their flock and therefore they usually respected the limits placed on their behaviour.

Until early 1999, the area around Madhu had remained under the control of the LTTE. However, with Presidential elections approaching, on 22 March the SLA launched a major military operation and to re-take the area. In the weeks prior, several thousand civilians had arrived at Madhu in anticipation of the operation, hoping to escape the fighting. In the days prior to the attack, UNHCR and the Clergy both intervened with the LTTE in order to stop them from digging trenches and building fortifications near the ORC. When the attack was made, the combatants respected Madhu’s status, and fighting detoured around the Camp. The Army pushed the LTTE north. For the first time in over a decade, the area around Madhu was now, nominally, in Government hands. Politicians in Colombo, including President Kumaratunga, were jubilant.

The staff of humanitarian agencies and the Bishop of Mannar remember that, although Army troops were generally unarmed when they moved about the immediate area of the Church and ORC, their heavily-armed presence all around the Sanctuary gave rise to acute concerns that this would turn Madhu into a military target for the LTTE, which were still present in the bush around the camp. UNHCR made a number of interventions to remind the Government of its undertakings to respect the neutrality of Madhu and the ORC as a neutral area. For its part, the Church began weekly fasts and demonstrations to protest the situation.

With electioneering gathering steam in the south, the Army soon ordered those seeking shelter at Madhu Sanctuary to leave. By the end of May the area around the Church was empty, with many ending up at Government-administered “welfare centres” in Vavuniya where freedom of movement typically was severely curtailed. Some 4000 displaced remained in the Open Relief Sub-Centre at Palampiddy slightly north. In Colombo, campaign posters appeared showing a beaming President Kumaratunga against a background of Madhu Church.

The military situation changed dramatically in late 1999. In a series of major defeats, the SLA lost nearly all of the land it had taken in the Wannu since 1997, with virtually the entire Government front line collapsing in only a few days. The timing of these battles was seemingly intended by the LTTE to embarrass the Government in advance of the December parliamentary elections and, because the Government had celebrated its earlier ‘capture’ of Madhu so openly and with such pride, many people feel that Madhu was destined for trouble.

On 18 November, the LTTE launched an attack at Palampiddy, where some 3500 displaced were still encamped at the Open Relief Sub-Centre. Shells landed on Palampiddy itself. UNHCR intervened with combatants to allow the displaced to make their way under UNHCR escort to Madhu Church which, it had been implied, would be safer.

At 10pm on 20 November, 1999, with thousands of people sheltering in and around the Church, heavy fighting around Madhu between the LTTE and the Sri Lankan Army culminated in 6 explosive rounds being fired into the Sanctuary grounds. One round penetrated the roof of the Church annex, killing 38 civilians including many children. Each side immediately blamed the other for the attack, which was roundly condemned throughout the country and internationally.

UNHCR staff was temporarily evacuated after the attack but soon re-established a permanent presence. The army vacated the area around Madhu, and the environs of the Camp were once again under LTTE control. Both UNHCR and the Church interceded anew with top authorities on both sides, seeking and obtaining assurances from the Government and the LTTE that the neutral status of the Sanctuary and the ORC would be respected, and civilians protected. Within days, amid continuing fighting in the area, 16,000 displaced people arrived at Madhu seeking assistance and protection.

VI. Madhu and the Post-Ceasefire Period

Within days of the fatal attack on Madhu, 16,000 displaced people had arrived at the ORC seeking safety in spite of the violation of the Sanctuary. Given the nature of the war that was swirling around it, Madhu still offered relative safety. The ORC remained open to serve the relief and protection needs of displaced until well after the ceasefire in early 2000. The ORC remained open until late 2002. Currently, about 100 families still remain at Madhu. These are mostly local families who enjoy better prospects remaining in the Camp than they would if they were to go home.

In early 2001, just as Norwegian-sponsored mediation efforts between the LTTE and the Government were taking their first halting steps, church bells across Sri Lanka called the faithful to prayer and began an island-wide, month-long event in which the statue of Our Lady of Madhu was taken on a well-publicized “Pilgrimage of Peace” throughout southern areas of the island. The Pilgrimage was organised by the Bishops’ Peace, Justice and Human Development Commission. Its goal was to encourage prayers and activities for peace. The Pilgrimage route was elaborately decorated by local churches and well-wishers, and the statue itself was carried on a specially built chariot from place to place. Many thousands of Sri Lankans of all faiths paid homage to the statue and listened to services with explicit peace themes as it arrived in Anuradhapura, Chilaw, Colombo, Kurunegala and Kandy. The Pilgrimage enjoyed excellent cooperation enroute from local police, security forces, members of parliament and local councillors

More than a year later, in August 2002, Sri Lanka’s Rehabilitation, Resettlement and Refugees Minister, Jayalath Jayawardena, wrote to Pope John Paul II asking that he declare the Sanctuary of Our Lady of Madhu as the National Basilica of Sri Lanka. He argued that Madhu had been a meeting place not only for Catholics but for people from different communities and religions, and that this had “enabled them to have interaction and share love towards one another irrespective of their differences for the past several decades.”⁸ Jayawardena felt that elevating Madhu’s status would help to cement reconciliation between the north and south of the country.

VII. Questions, Observations, Lessons Learned

1. The perception of Madhu as a sanctuary and as sacred ground was - and is - commonly held by Sri Lankans of different ethnicities and faiths, but not always for the same reasons. Madhu means different things to different people and different institutions. For Catholics and the Catholic Church, Madhu is a centuries-old place of refuge and the Sanctuary of a venerated Icon, the statue of Our Lady of Madhu. For many Buddhists and Hindus, present-day Madhu is sacred partly (or even solely) because it is situated on the grounds of the Buddhist Pattini Devale or, as Tamil-speakers know it, the Amman Kovil from early in the first Millenium. Others, of all faiths, venerate Madhu because of their beliefs in its powers to heal.

⁸ Daily News, Sri Lanka, Saturday, 3 August 2002.

On a more profane level, many hundreds of thousands of Catholics, Buddhists, Muslims and Hindus have made pilgrimages to Madhu to enjoy an environment of peace, orderliness, quiet and natural beauty. For more than a century it has been a national symbol of sorts, a destination for families of all faiths and from all parts to travel to for a weekend away. Although the label of ‘tourist attraction’ has crude connotations that Madhu does not deserve, there is no doubt that Madhu over the years has appealed to many Sri Lankans as a tourist destination on a national scale in a country which boasts many other fantastic sacred places well-trod by tourists from all over the island and beyond. The Clergy of Madhu have not discouraged this, and in some ways have shown implicit support for Madhu’s popularization. There is little doubt that this has helped to elevate Madhu in the consciousness of Sri Lankans and this, in turn, may have contributed to a commonly-felt desire among Sri Lankans to honour and safeguard Madhu’s status during the war.

2. The combatants during the war have had their own reasons for showing respect for Madhu Sanctuary and the UNHCR’s ORC. Although individual members of the LTTE undoubtedly share a veneration of Madhu with their civilian counterparts, the extent of LTTE indoctrination of its cadres suggests that this shouldn’t be overestimated as a factor in Madhu’s protection. The behaviour of the LTTE toward Madhu, by and large, appears far more likely to have been the product of a calculation of political costs and benefits. It was politically astute for the LTTE to be seen to be respecting Madhu, for a number of reasons.

First, to be seen to openly violate Madhu’s status as a Sanctuary of the Catholic Church – or as humanitarian safe space supervised by the United Nations – would have entailed unacceptable costs to the LTTE’s image both abroad. Since 1990, the LTTE’s international reputation has been severely bruised by the movement’s practices of recruiting underage fighters, its strategy of detonating suicide bombs in civilian areas, its attack on the sacred Dalada Maligawa at Kandy and its near-total and often iron-fisted grip on the civilian population in areas under its control. Such practices led a number of western countries to list the LTTE as a ‘terrorist’ organisation long before the fight against ‘terrorism’ was given impetus by the attacks on the U.S. in 2001.

Second, since many Tamils in Sri Lanka genuinely respect and venerate Madhu, support for the LTTE among Tamils –both in areas under Tiger control and those in Government-held areas – would have suffered if the LTTE were seen to violate or threaten Madhu’s status. The LTTE has depended heavily on the sympathies of Tamils on both sides of the line of conflict for the success of its recruitment programs.

Third, the LTTE was able to capitalize on the respect it showed to Madhu by featuring this respect prominently in its propaganda campaign in Sri Lanka and abroad. Such respect may have been particularly useful and necessary in the aftermath of the Tiger attack on the Temple of the Tooth at Kandy, since it may have served as something of a diversion from the Tiger’s explicit targeting of a sacred place.

Although there is evidence that the LTTE was unhappy about the special protections afforded the people in Madhu by the Church and the ORC, and regarded these protections - through the eyes of those trying to muster the resources necessary to prosecute a war -

as a double standard, it was able to turn the situation to its advantage, especially by contrasting its own claims to the moral high ground with instances where Government military forces attacked places of worship.

As for the Government, it too played politics with Madhu. Sometimes this worked in favour of Madhu's status as a Sanctuary and humanitarian safe space, and sometimes it did not. Prior to the war, the Government and its bureaucracy had grown accustomed to working cooperatively with the Clergy of Madhu and with the Bishops of Jaffna and Mannar to resolve logistical problems related to the ever-increasing numbers of pilgrims during Madhu festivals. There is no evidence that pre-war governments tried to benefit from an association with Madhu, although it's likely that the reputations of Assistant Government Agents and even Ministers could be tarnished if their poor performance during a festival meant headaches for tens of thousands of pilgrims, particularly with reporter on scene to record the events. It's also likely that individual politicians took opportunities to 'be seen' at Madhu before the war, but there is nothing exceptional about this.

When the war started, the Government's behaviour toward Madhu began to change when the LTTE seized the territory surrounding the Sanctuary. Strict controls on the movement of people and goods across the line of conflict meant that that Sinhalese, Muslim and other pilgrims from the south could no longer make pilgrimages to Madhu, and even Tamils may have feared to enter LTTE-controlled territory lest they be taxed or even 'recruited' on entry. Failure to re-capture lands seized by the Tigers –and by extension, to guarantee the accessibility of Madhu –was thus a major and ongoing political embarrassment for the government in Colombo which was placed in sharper focus whenever it tried to make claims of large military gains in the Wannu.

When the Sri Lankan Army finally (but temporarily) recaptured the area around Madhu in early 1999, as a presidential election approached, the government of the day wasted no time making political capital of the victory. Campaign posters for the incumbent President Chandrika Kumaratunga depicted her with an image of Madhu in the background with a message of victory as a caption. It would be hard to imagine a greater politicisation of Madhu, nor a greater taunt for the Tigers.

3. There is a belief among many Sri Lankans that people of all faiths generally venerate the sacred sites and places of all other faiths. In the words of one Hindu pilgrim to Madhu, "Buddhist, Muslim, Hindu, or Christian, Sinhalese, Tamil, it doesn't matter. We love and respect each others places. They belong to all of us." Although such beliefs may be widely held among the people in Sri Lanka, there is some important contrary empirical evidence from the war of a willingness among LTTE and Government military forces to intentionally target places of worship and to compromise sacred places on grounds of military necessity.

4. Co-location of the Madhu Sanctuary and the UNHCR ORC was a *de facto* pairing, not a *de jure* marriage. However, the pairing of a venerated Shrine with a respected and high-profile international humanitarian institution was an effective one. Co-location

worked to the benefit of the displaced people that both institutions were concerned with protecting.

It is likely that neither institution was sufficient, in itself, to keep the war out of Madhu until November 1999. This is suggested by the previous attacks by the LTTE and Sri Lankan Armed Forces on worshippers and sacred places and the fact that Palampiddy, just north of Madhu and the site of a clearly marked UNHCR Open Relief Sub-Centre, frequently came under shellfire, as did other locations with concentrations of IDPs being tended by humanitarian agencies. Palampiddy was not on the grounds of the Madhu Sanctuary, and fighters operated openly there.

Co-location of the ORC with the Sanctuary worked sufficiently well and conferred sufficient benefits on each actor to merit consideration of the approach in other settings where people need to be assisted and protected from war, and the sanctity of a space preserved. However, the conditions that contributed to Madhu working as well as it did were specific to the time, place, history and actors involved. The situation would not be easily replicated under different conditions.

5. In the post-ceasefire period, the renewed and well-publicized emphasis placed on Madhu's status as a religious site and symbol to be venerated may have contributed to a similar increase in veneration and respect for religious sites of other faiths, with greater access being given, as a consequence, to Hindu and Buddhist sites that were previously off-limits to people of one ethnic or religious group or another during the war. After the ceasefire, soon after the "Pilgrimage of Peace" and the later 450,000-strong pilgrimage to Madhu itself, Tamils from the north were able to go on pilgrimages to the Hindu temple at Kataragama, while Sinhalese from the south could make their own pilgrimages to Nagadipa Vihar in the north.

6. It is likely that all safe space in the midst of war is prone to politicization, particularly when things begin to go badly for one side or another. Violations of Madhu's status as a Sanctuary and as protected humanitarian space were the culmination of gradual politicisation and cynical manipulation of that status by combatants and their political leaders on both sides.

Politicisation was often resisted very effectively by the Madhu Clergy and, at a higher level, by the Bishop of Madhu, who had the respect of, and direct lines of communication with, top political and military leaders on both sides. Resistance to politicisation needed to be a careful and sustained effort, rather than episodic.

Strategies for resisting politicisation of Madhu included:

- Engaging in sustained, quiet diplomacy at a local level and at the top level with military and political leaders of both the LTTE and the Government
- Organising protest demonstrations when Madhu's status was directly threatened and quiet diplomacy was ineffective
- Using the media to call attention to Madhu's status, and threats to it

- Publicly appealing to combatants to honour their undertakings to respect Madhu's status as a place of peace. These appeals were sometimes phrased in the form of moral choices open to combatants, and thus acted upon the wish of combatants to look like they were taking the moral high ground, furthering their own status in the propaganda war
- Publicly condemning threats to Madhu's status or actual violations of it.

7. Maintenance of the safe space of Madhu had spin-off effects. While defending the sanctity of Madhu during the war, the Bishop of Mannar became known to the most senior levels of the LTTE and the Government as a forthright interlocutor and honest broker. As a direct consequence, and because of his high standing in the Church, the Bishop was able to put these attributes to work in other ways to help the cause of peace. Although most of his dealings were, of necessity, behind the scenes and out of the public eye, he frequently served as messenger between top Government and LTTE political leaders in their efforts to reach a ceasefire agreement and after.

The Bishop and his colleagues in the Clergy were criticized, from time to time, by individuals on both sides, particularly when his actions were perceived to be biased in favour of one side or another. At times, he was subjected to public condemnation in the press for doing too much to pursue peace at a time when negotiations – and even contact – with the LTTE were regarded as taboo by some prominent opposition politicians and Buddhist lobbyists in Colombo.

The experience of Madhu during the war may also have helped to inspire a movement to institutionalize other sacred spaces as “zones of peace” in Sri Lanka. The Kataragama Devotees Trust⁹, named after the most famous Hindu shrine in Sri Lanka, actively promotes the concept of Zones of Peace, which it defines as, “Any geographical site, from a simple shrine or meditation room to a national park or an entire community, may become a ‘Zone of Peace’ if there is a consensus among people that it should be “a sanctuary free from weapons, intimidation, terrorism, anger, coercion, bullying and abuse of all kinds whether verbal or physical.”

8. Catholics, to some extent, were ‘religious bystanders’ during the war, and this enabled some Catholics to say and do things that could not be said or done by non-Catholics, including interceding in an assertive manner with both sets of authorities. However, assassinations of outspoken Catholics and the denunciation of others in the press suggest that this could only be taken so far.

⁹See http://kataragama.or/centers/kgama_zop.htm

APPENDIX I: The Attack Revisited

Immediately following the fatal attack on Madhu Church on 20 November 1999, the LTTE and the Sri Lankan Army each lost no time in accusing the other of violating the sanctity of the Sanctuary as a zone of peace. Authorities on both sides quickly set about using the attack – which was met with revulsion by most Sri Lankans – as further proof of the other side’s depravity. Indeed, by dawn the next morning the LTTE’s intrepid propaganda service already had its film crew on scene, capturing the gruesome images before the blood was dry or the bodies disturbed, and preserving in slow motion the wailing of distraught relatives in their full distress. The resulting propaganda film was widely distributed in Sri Lanka and abroad.

Various official and unofficial accounts describe the attacks as coming from an armoured column of SLA tanks firing their main guns from within 100 metres of the church, or artillery rounds fired from afar, or Tiger cadres firing rocket propelled grenades from the surrounding bush. Together with eyewitness accounts, my own visit indicates that none of these explanations are plausible.

During my visit to Madhu, I looked at the “splash” pattern left by the lone shell that penetrated the light tin roof of the Church annex and detonated on the concrete floor below, killing 40 people instantly. The splash pattern, combined with the fact that the shell entered in a steep trajectory from above and in a direction from the Kuvilkulam tank a couple of hundred metres away, indicates that it was a light mortar fragmentation round, not a tank shell or cannon round or rocket-propelled grenade. Indeed, footage from the LTTE’s own propaganda film of the attack also shows what appear to be the remnants of a light mortar round.

These details become relevant to the discussion of respect for ‘zones of peace’ or safe or protected areas because, taken together, the details suggest the exact place from which the rounds were fired. Following the likely trajectory of the lethal round back some twenty metres to another detonation that blew a limb off a large tamarind tree, then a few hundred metres farther, (a typical range for a light mortar round), one arrives at the concrete water tower just below the bund of the tank. The church is invisible from the base of the tower, but one can easily climb to the top by means of a ladder set into the concrete. The top of the tower, perhaps twenty-five metres in the air, is about four metres across and perfectly flat. With one’s back to the Kuvilkulam tank just behind, all around there is impenetrable forest canopy except that, as shown below, one is afforded a perfect sightline to Madhu Church. It is the highest feature in or around Madhu Camp and the only place from which the Church can be seen above the forest canopy. The top of the tower is clearly marked with the initials ‘UN’ in 1.5 metre-high letters.

The top of the water tower provides an excellent platform for a light mortar and an unobstructed view of the Church. Light mortars are an unexceptional weapon in the arsenals of both the LTTE and the Sri Lankan Army. Whoever fired the fatal round into Madhu Sanctuary almost certainly did so from dead centre of a clearly marked UN humanitarian object.