



Space and the City

Small - Scale Investment of the
Sri Lankan Tamil Diaspora in Colombo

Tanuja Thurairajah
August 2018
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Acronyms

BOI	Board of Investment
CDASL	Condominium Developers Association of Sri Lanka
CMA	Condominium Management Authority
CoC	Certificate of Conformity
FDI	Foreign Direct Investment
GOSL	Government of Sri Lanka
IDP	Internally Displaced Person
LTTE	Liberation Tigers of Tamil Eelam
UDA	Urban Development Authority
UNHCR	The United Nations Refugee Agency

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1. Introduction

The context of this qualitative study is informed by a history of violent conflict in Sri Lanka (1983-2009) that resulted in the migration of a highly diverse Sri Lankan Tamil diaspora over several phases. Recent shifts such as the end of the civil war in 2009, and the election of a new government in 2015, have opened and renewed transnational linkages. This has created political and migratory opportunities enabling new dynamics as well as challenges for local and transnational spaces. Further, such shifts raise questions on the phenomenon of conflict-generated migration and the role of diaspora groups in post-war reconstruction and investment.

While the Government of Sri Lanka's (GOSL) relations with the Tamil diaspora have been fraught with mistrust, post-regime change gestures and alterations in behaviour have sent positive signals to the diaspora. Although continuing repression post-war along with the militarisation in the North and the East is of concern, this has also been a period of increasing diaspora 'return' that could be categorised as return both in the physical and by other means. Ties to the homeland for diaspora Tamils have been predominantly family that has largely formed the base of 'return' activities.

The desire for 'return' may differ in line with motivations for migrating out of Sri Lanka. For example, Tamils have migrated not only due to the war but also seeking better economic prospects bolstered by privileges of language and class. As the violent conflict intensified, this distinction became fluid. The current scenario with its potential to overarch varying motivations provides teasers of not only peace and security but also of an opportunity of socio-economic power that is tied to certain groups of diaspora Tamils with the potential to engage in large scale economic investment in post-war Sri Lanka.

Scholarship has analysed migration and its links to development since the 1950s, applying it to a variety of fields such as development, migration studies, geography and political science. This has resulted in a wide range of empirical data that peruse heterogeneity, modes of engagement as well as the spatiality and temporality of diaspora (Faist, 2008; Laakso & Hautaniemi, 2014; Piper, 2009; Van Hear et al, 2004). Research has also looked into shifts in migration and development theory by looking at different actors as well as at their roles and modes of engagement ((Brinkerhoff, 2012; Cassarino, 2004; De Haas, 2010). Further attempts at understanding the roles of international aid actors and development institutions have provided insights into the different modes, motivations and abilities of actors to engage with diasporas (Gamlen, 2008; Ostergaard-Nielsen, 2003). In terms of research generated particularly on Sri Lanka, most concentrate on return in a general sense focusing largely on the return of labour migrants from the Gulf States(Collyer et al, 2009; Nyberg Sørensen et al, 2003).

Migrants can be categorised as those who leave a country looking for work, fleeing conflict regions as asylum seekers, those who go to study and those who join families that have already settled abroad (Blinder, 2017). While this study does not attempt to present its findings based on these categories due to its qualitative nature and limited scope, it acknowledges the need to further inquire into these cleavages and motivations.

The question of 'return' remains in many ways as a wish amidst all types of migrants, particularly

for asylum migrants and economic migrants, with varying time levels as well as on a generational basis. Zunzer notes that the majority of diaspora will not return but will engage on the basis of 'circulation', which is the process of going back and forth, from hostland to homeland and either share specialised knowledge or manage their trade and investment (Collyer et al, 2009). The estimation of returns after the ceasefire in 2002 as a first moment opening access for the Tamil diaspora to the North and East, which Cheran notes was between 25,000 to 30,000. This further illustrates the lack of housing as being a key factor for the short stays. This was subsequently followed by rebuilding (Collyer et al, 2009) and the years following this period also coincided with the increasing demand for condominiums in Colombo, particularly in the neighbourhood of Wellawatte situated in the coastal belt of Colombo (described in detail below).

Transnational linkages are in a constant state of flux. Therefore, there is a need for empirical, spatial and temporal analysis, particularly with regards to the impact of post war transitions as well as socio-political and economic factors. The dynamics of these factors vis-à-vis the home and hostland contexts remain clearly under-researched. Questions of diaspora agency, activities and forms of engagement in post-war/ post-conflict reconstruction, development and peace-building need to be studied (Laakso & Hautaniemi, 2014). Furthermore, the enabling and influencing factors of transnational engagement through a variety of structures, changing opportunities and challenges need identification. This highlights the need for research on the opening of spaces ensuing from post-war political change.

1.1. The Sri Lankan Tamil Diaspora

The Sri Lankan Tamil diaspora represents a heterogeneous transnational group that is engaged in a wide variety of activities in their host and homelands, which could be traced up to the early 19th century when Tamils from Sri Lanka migrated to the British crown colonies such as British Malaya and Singapore for economic opportunities. In the wake of the 1983 pogroms against the Tamils in Sri Lanka, the first large exodus of Sri Lankan Tamils took place where approximately 500,000 Tamil migrants left the country and marked the beginning of the Sri Lankan civil war. It is estimated that the Tamil diaspora around the world is in the range between 700,000 to 1 million people (Sriskandarajah, 2005), with significant networks in India, Malaysia, Singapore, Canada, USA, South Africa, United Kingdom, Germany, France and Australia. They are a diverse group, with political and economic cleavages pre-determined by their migration period, area of migration, reason and form of migration and other individual characteristics of caste, class, gender and regional differences (Orjuela, 2008; Van Hear et al, 2004; Vimalarajah et al, 2011). The assumption is that Sri Lankan Tamil diaspora, particularly those who left post-82, are predominantly a conflict-generated diaspora, more so since differentiating between push-factors that may have stemmed from direct conflict, or conflict induced economic constraints are hard to gauge.

Research has further reflected on the somewhat ambiguous role of the Tamil diaspora in development, conflict and peace. Also on its role as change agents particularly supporting reconstruction and reconciliation efforts and in peace-negotiation during the 2002 ceasefire agreement between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE) (Baser & Swain, 2008; Cochrane et al, 2009; Erdal & Stokke, 2009; Sinatti et al., 2010; Zunzer, 2004). On the other end of the spectrum, scholarship highlights the role of the Tamil diaspora in

financing non-state armed actors such as the LTTE enabling a separatist socio-political movement within diasporic space (Amarasingam, 2013; Orjuela, 2008; Wayland, 2003). Furthermore, post-civil war research studies conclude that the post-war context has highlighted the Tamil diaspora's potential as a rational political actor endowed with interest and agency (Hess & Korf, 2014; Perera & Yacoub, 2015; Potters, 2010; Price, 2010).

The objective of this paper is twofold. Firstly it attempts to present an understanding of the 'city' of Colombo, Sri Lanka within the temporality of 'post-war', as lived, conceived and perceived by Sri Lankan Tamil diaspora and its homeland (actors, institutions, structures) in the creation of a new representation of space in Wellawatte. Then, it analyses the motivations of the protagonist Sri Lankan Tamil diaspora by invoking a framework of belonging, thereby lending insight into how informal and formal practices are shaped by transnational engagement.

2. Theorising: Re-Production of Space, and Belonging

This study draws upon two concepts to understand Sri Lankan Tamil diaspora engagement in the particular locale of Wellawatte in Colombo. Firstly, the research will try to understand the production/re-production of space and unpack how the politics of space and place are formulated within social relations while being hinged integrally to the temporal (Lefebvre, 1991; Massey, 1994). Secondly, it will look at how the Tamil diaspora is motivated to engage through the framework of belonging and the politics of belonging. It will draw upon the work of Anthias (2013; Yuval-Davis, 2011) and (Antonsich, 2010) to help draw out of a conceptual framework of analysis.

Massey (2005) notes that since the 1980s the concept of place has been subject to exclusivist claims attempting to stamp meaning to particular spaces, binding them with identities and claims of ownership. Here space is perceived as bound, singular, fixed, unproblematic and stasis. She further notes that space and time are interconnected to social relations and that a particular mix of social relations that lend definition and uniqueness to a particular place is not limited to the bounds of that place but is inclusive of social relations that go beyond the local and into the global.

Massey states that economies and policies reconstruct or redefine neighbourhoods and industrial centres, which in turn are reworked by localities. Therefore, place is constituted by its relations or lack of relations to wider, geographically dispersed processes and forces. She notes “if this notion [of place] is accepted, then one way of thinking about place is as particular moments in such intersecting social relations, nets of which have over time been constructed, laid down, interacted with one another, decayed and renewed. Some of these relations will be, as it were, contained within the place; others will stretch beyond it, tying any particular locality into wider relations and processes in which other places are implicated too” (Massey, 1994, p. 120), therefore, highlighting place, as a process. This is in line with the focus of this study that looks at the Sri Lankan Tamil diaspora’s social relations with the space of Colombo 6 generally, and Wellawatte particularly, using the concept of ‘space’ as the social stretched out, drawing reference to Deleuze and Bourdieu (Dovey, 2009). The selection of this particular neighbourhood is of significance to the context of the Sri Lankan Tamil diaspora and is discussed further below in this report.

The study analyses the social space that has opened up in post-war Sri Lanka and the renewed linkages as well as the social relations of the Tamil diaspora to its homeland. Particularly, the study narrows its focus on Tamil diaspora investment in real estate and assesses issues such as ownership, usage and motivations of return migration. Here investing in real estate, particularly, condominiums cannot be analysed on the level of large-scale investments that contribute towards the overall development of the economy. Here, the motivations and engagement of the Tamil diaspora can be seen better through the rubric of belonging.

To understand the production of space, analysis is based on Lefebvre’s trialectic model¹ and in terms of this research it is argued that, a new representation of space in the area of Colombo 6 / Wellawatte is formed within the temporality of post-war. Taking on from Massey’s concept

¹ Lefebvre’s trialectic model analyses the perceived, conceived and lived dimensions of the production of space further discussed below.

of a decentralised, relational, temporal/ process-based, post-modern space and its relationship between space and social relations and inequalities, the empirical data will be analysed using Lefebvre's trialectic model through which he argues that there is opposition between conception of space that is abstract, mental and geometric with the perception of it as concrete, material and physical; to this he introduces the notion of the lived. Space is therefore the coming together of the *peçu*, *conçu* and *vécu* and the three elements of the social, spatial and temporal shape and are shaped by each other (Elden, 2007). His triad therefore looks at the 'perceived, conceived and lived' processes of the production of space. In particular the triad looks at spatial practice, representation of space and representational space and attempts to move away from stifling dualisms. The triad is tabulated below in reference to the study focus:

Table 1: Adapted tabulation of Lefebvre's trialectic model (Elden, 2007)

PERCEIVED, the physical field or spatial practice	Production and reproduction of particular locations Materialism: The City (Colombo 6) & changing space
CONCEIVED, mental field or representations of space	Conceptualised or imagined space Idealism: Tamil diasporas, Planners (government planning departments, private real estate dealers) – maps
LIVED, social field, social practice or spaces of representation	Space as directly lived through its associated images, modified over time, symbolic and meaningful; as real-and-imagined Materialism & Idealism: Inhabitants and users

While the production or re-production of a space is linked essentially to complex dynamics of the perceived, conceived and lived elements, in order to better understand the motivational mechanics of these aspects a look into the theory of belonging seems pertinent.

Belonging as a strong link to discourses on identity, is essentially a conceptual tool that lends understanding to the desires and driving forces that construct, attribute/make claims, justify or resist forms of socio-spatial inclusion and exclusion, also known as 'the politics of belonging'. On the other hand, it draws focus on what Antonsich describes as 'place-belongingness' or 'about feeling at home' (Anthias, 2013, p. 6). He further discusses how inclusion and exclusion play with regards to boundary making along with the violence and subordination that it is connected to. It lends relevance to place-making elements of belonging (harnessing feelings of cultural competence and safety) that both Antonsich as well as Anthias have referred to. Apart from this, belonging is therefore connected to actual places and spaces to which people are accepted through formal membership, either to families, networks, states, ethnicities or nations. Belonging can also be looked through an intersectional (questioning gender, race, class and caste), trans-locational and transnational lens (Anthias, 2013).

What is of relevance here is the complementarity of both the theory of the production/ re-production of space and the theory of belonging that allow a deeper look into the question of the Sri Lankan Tamil diaspora and their motivation to invest in small-scale investments in Wellawatte.

3. Methodology

In order to understand the 'city' within the temporality of 'post-war', as lived, conceived and perceived by Sri Lankan Tamil diaspora and its homeland (actors, institutions, structures) in the creation of a new representation of space, the study looks at the different types of real estate that attract Tamil diaspora investments as well as the types of methods (direct, proxy, other) that are used to enable investments pertaining to the real estate sector.

This exploratory study uses qualitative data that was collected in May 2016 in Colombo, Sri Lanka. In order to map spatial practice and representations of space pertaining to real estate and further understand the perceived and conceived elements, a total of twenty-five interviews were conducted of which nineteen semi-structured interviews were conducted with the UDA, Municipal Council, the Condominium Development authority, experts from the academia and private sector property developers. Further six informal and in-depth interviews were conducted with owners and inhabitants that provided valuable insights into the lived element of the process of both the re-production of space. The interviews were secured by snowball sampling mostly through personal contacts and random physical mapping processes that entailed the researcher walking through the neighbourhood and making general inquiries and requesting for contacts. Furthermore, secondary data such as census reports, research papers and official documentation particularly lists of condominiums available both online and from the Board of Investment (BOI), journals and relevant literature have also been used for this study.

Active observations were also used to record insights into the conceived/physical as well as the lived elements. The ethnic background and the fact that the researcher was originally from the Wellawatte area also enabled ease of access to property developers and inhabitants/owners in general. The researcher's diaspora connect also enabled an ease in conversations with diaspora contacts. Nevertheless, there were some difficulties particularly, during the random physical mapping of the area to identify property developers as well as owners/where the researcher approached several condominiums in an attempt to speak to the condominium welfare associations. The researcher was unable to get past the security personnel in order to talk to the welfare associations. This was an interesting element that reflects the impact of boundary making of neighbourhoods. Nevertheless, the researcher was able to access some interesting stories despite this general situation, also exacerbated due to securitisation concerns stemming from recent politically unstable times.

To conclude the positionality of the researcher and the value system that is referenced in the analysis it is acknowledged that sincere attempts have been made to ethically assess the data that was collected and presented in this report.

4. The Evolution of Colombo's Urban Living Space

Colombo as a planned city has seen six different city development processes starting from 1921 with the seventh plan of 2016 currently being finalised. One directional urbanisation has caused strain on Colombo's infrastructure demanding for a more holistic plan and clear implementation (Herter, 2017). A mushrooming of condominiums and commercial complexes engulfing the city in concrete marks this rapid urbanisation. As the biggest city in Sri Lanka and a symbol to economic development, modernity and privilege, it hosts an urban space with mixed-development projects.

The issue of housing, of owning or renting space to live in as a right, and in the South Asian context, an aspect of cultural importance closely connected to social status, has constantly evolved. Today, it is steeped in contentions of extremes such as poverty, urbanisation and displacement. Housing in Sri Lanka has come a long way from being large spaces of cultural distinction in architecture and village-city geographic to compartmentalised, homogenous units; from horizontal spaces to vertical ones creating communities where the lines between the residential and commercial blur.

In terms of housing within the larger real estate sector historically, there have been some key developments that lend contextual insights. In 1977 the UNP government's post-election introduction of comprehensive economic reforms that reversed the 1970-1977 era policies led the private sector to play a key role in transforming the economy. This enabled market forces to determine the allocation of resources and through it, capitalist development (N. Niriella, 2011). Furthermore, subsequent removal of import and price control created an increased demand for construction as was recorded in the Annual Report of the Central Bank of Ceylon in 1981 (N. Niriella, 2011).

The pent-up demand for housing increased construction activity resulting in increasing land, house/property values and prices in the city and suburbs. This affected the low income and lower middle-income groups largely. The government's role shifted from that of a 'direct provider' to a 'facilitator'. Private property developers began to enter the housing construction scene post 1983 with real estate agents soon venturing into property development.



The establishment of the Urban Development Authority (UDA) in 1978 and several tax relief measures largely benefited property developers creating a sudden growth in condominium complexes and high rises dominating the urban development scenario in Sri Lanka, particularly in Colombo. Condominiums, a predominantly western concept of living was introduced in the east to make up for the lack of serviced land and swelling population density. Condominiums, buildings or structures of two or more units where the interior of each unit is individually owned and the rest owned in common by all owners is characteristic of a type of legal ownership (Ariyawansa, 2006).

With the introduction of condominiums in the 1960s the concept of vertical living was introduced to Sri Lanka. Nevertheless, a legal framework with regards to ownership was not available in order to regulate this. These condominiums were initially rented out by the State until the introduction of the Apartment Ownership Act that was enacted in 1973 enabling the preparation of deeds, which was then amended by Act No. 39 of 2003. To oversee the management of the common elements in an apartment the Common Amenities Board was established. This was renamed as the Condominium Management Authority (CMA) in 2003. The CMA is mandated to control and administer the common elements of the high-rise/condominium properties as well as to settle disputes among the residents of the condominium properties. In this regard, the CMA has semi-judicial powers to settle disputes among the residents of these properties within the legal framework (“Vertical Living: Beyond 2020,” 2016).

At present, the CMA is in the process of amending both the Apartment Ownership Law and the Condominium Management Authority Law to suit the needs of the stakeholders of the condominium properties. The CMA is also in the process of demolishing the superannuated condominium buildings such as the Bambalapitiya Flats in order to construct new buildings that would cater to the growing housing demand. In this process, they hope that the lifestyle of the low-income residents will also be upgraded although this may not be the case. The experiences of the Sahaspura Housing Community and the Mattegoda Housing scheme have been different to that which was envisaged initially, where a complex web of factors come into play (C. N. Niriella, 2010). With regards to the particular neighbourhood being studied in Colombo 6, Wellawatte, 70% of the buildings are unauthorised out of which 45% are condominiums (Key Informant Interview, UDA).

The Municipal Council also plays an integral part with regards to facilitating approvals for property development projects while checking ownerships conducted by the Assessor’s Department of the Municipality. The ‘Doing business’² index of the World Bank assesses the efficiency of building and construction permit approvals. There have been instances when a permit was issued in 14 days but the process gets delayed due to approvals from relevant authorities handling water, telephone connections and drainage (Key Informant interview, Municipal Council). Typically the Municipal Council, UDA and CMA orchestrate approvals, which is an intricate process of negotiations at various levels, and through various state organisations. The CMA has put together an illustrative diagram that is reproduced below. The processing times specified in Figure 1, varies to a large extent dependent on the status of the property developer’s relationship with the authorities.

2 <http://www.doingbusiness.org/data/exploreeconomies/sri-lanka>

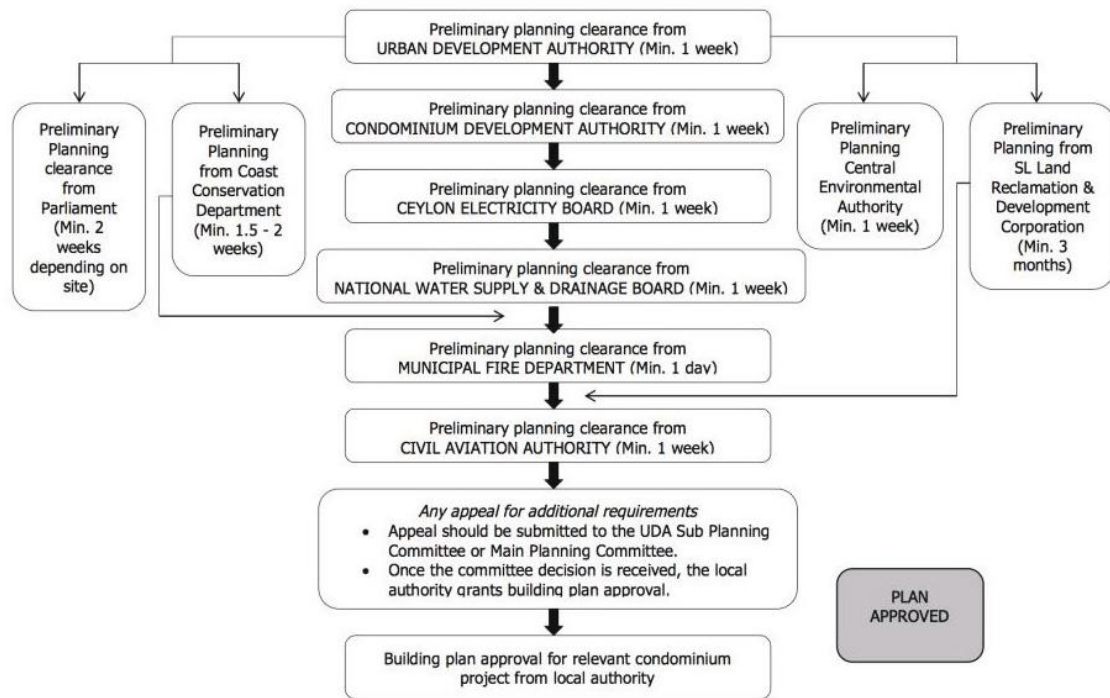


Figure 1: Planning Approval Process and Timeframe in Approximation (CMA Magazine 2015)

5. Contextualising the Space

Internal migration has been an important part of population redistribution in Sri Lanka. Various reasons such as education, employment opportunities, health and housing needs and most importantly the protracted conflict have resulted in internal migration. Colombo has been an important hub for sending and receiving migrants. Particularly of relevance is the mapping of such migratory flows by Ukwatta who looks at the time periods of 1946, and 1971 reflecting on the patterns of long distance flows from Jaffna to Colombo, which began as people migrated to find better economic opportunities. Interestingly in 1981 Ukwatta notes that very little movement has been recorded from the Eastern as well as Northern province. Furthermore, due to the lack of a demographic survey of the North East, migration patterns have not been analysed since 1994 (Ukwatta, 2000).

War related displacement has been another stark element that has influenced migratory flows. A UNHCR (2000) survey states that 21.7 per cent of the 281 families consulted have been displaced five times or more, while a further 30.7 spoke of being displaced three times. It is also noted that those displaced many times may have eventually moved to Colombo or gone overseas. These could include Tamils who may have been displaced multiple times but have not registered as IDPs (Sriskandarajah, 2005).

As the commercial hub of Sri Lanka, Colombo is home to over 176,9723 Tamils as per the Census of Population and Housing 2012 and Wellawatte, popularly known as Kutty Yaalpanam (Little Jaffna) is inhabited by a large number of Tamils following a mass exodus from Jaffna in 1995 (Maunaguru, 2010). The exacerbation of the war in the North and East has in general seen a large number of Tamils relocating to Colombo, particularly to Wellawatte as well as using it as a transit space for those flying out of Sri Lanka. Maunaguru also states that a typical Jaffna Tamil family would have at least one family member who resides overseas and therefore moving to Colombo was considered a better option with the possibility of avoiding the direct effects of war. He notes that the majority of the Tamils in Wellawatte belong to the middle class.

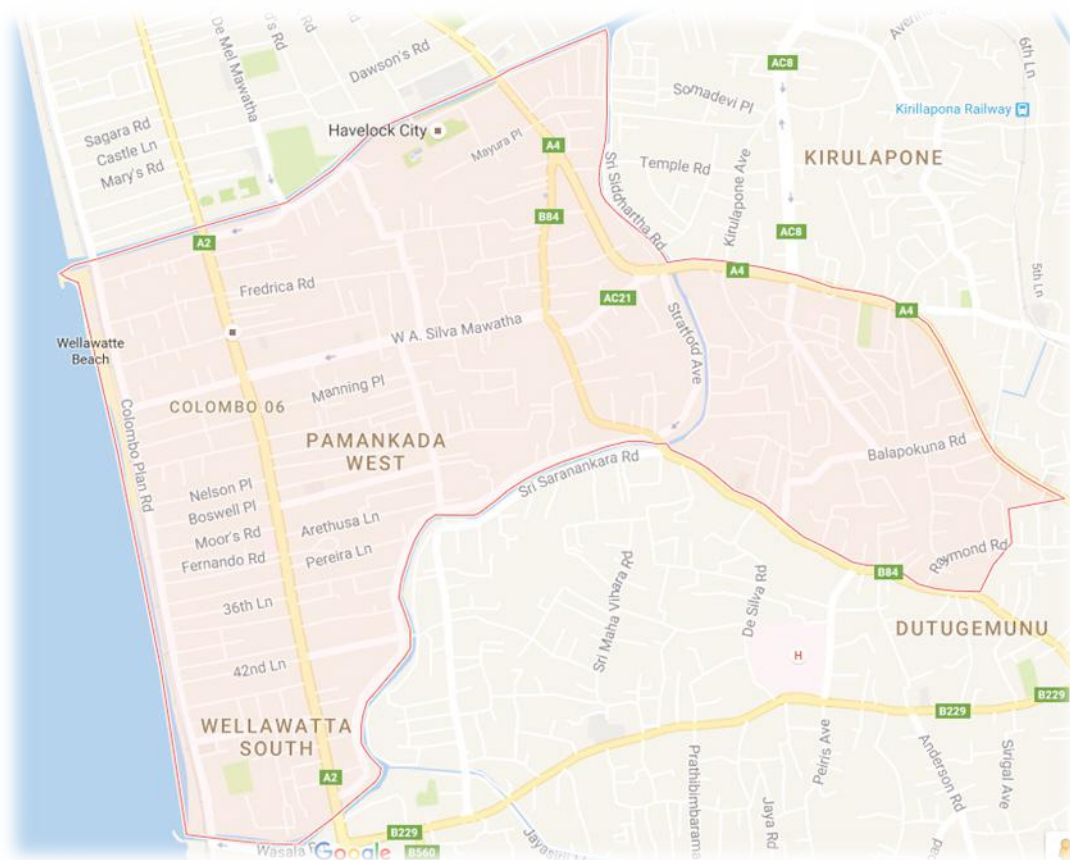
Diaspora Tamils from Sri Lanka are constantly linked to the homeland on various levels. This is not confined to the investment of property and businesses but also includes intangible linkages such as kinship particularly marriage and other emotional bonds (Maunaguru, 2010). This has influenced a steady flow of diaspora Tamils in and out of Sri Lanka. As such Wellawatte has played a prominent part in terms of not only hosting visiting diaspora Tamils but also in being a thriving market place for investment opportunities, be it through small-scale businesses or to more large scale, such as property development. The visual transformation of Wellawatte from that of a low key multi-ethnic urban Kreis into a bustling visibly Tamil space, mimicking Jaffna is a pull factor that encourages diaspora Tamils to forge long-standing linkages here. Nevertheless, the demand for housing and the increase in pricing is now gradually attracting new migratory flows of Tamils to move away from Wellawatte towards neighbourhoods such as Kotahena, Dehiwela and Mt. Lavinia.

³ This total is for the Tamil population within the Colombo City Limits that includes Thimbirigasyaya. The Indian Tamil population amount has also been added to this total.

5.1 Wellawatte: a changing urbanscape

Returning to my homeland after a span of 9 years has been overwhelming as well as exciting. The humid air that hits you as you first step out into the blazing sun is both strangeness and a familiarity. The first impressions of a return punctured by blaring horns and long trails of slow traffic snaking through a city that is close to heart. From the Southern Express Highway to the mutating skyline of Colombo, change is evident everywhere, but what struck me most was the complex rush of sights and feelings as I walked into my old neighbourhood, Wellawatte.

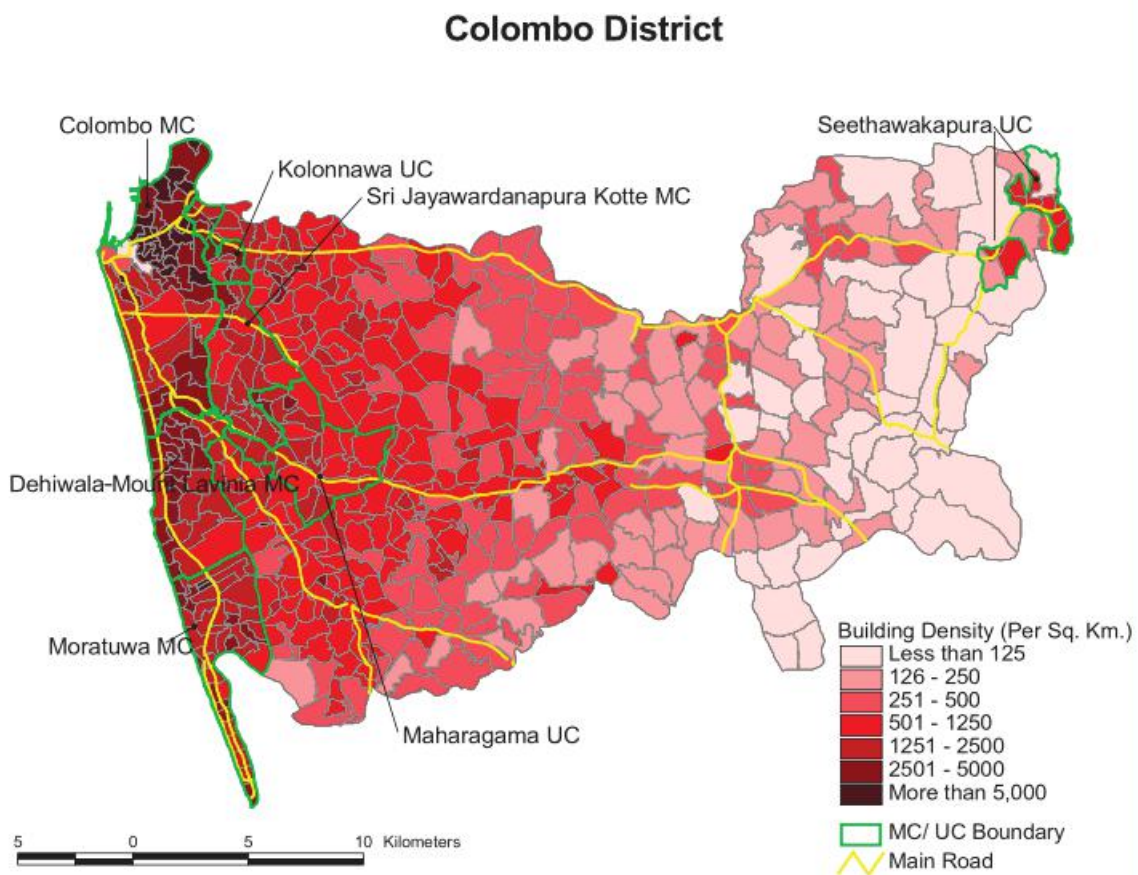
The Galle road that intersects the myriads of roads in Wellawatte remains fairly the same, with familiar large buildings such as the Sapphire Hotel, Delmon Hospital, the Commercial Bank building, the Wellawatte post office, Wellawatte Mosque and Savoy Cinema to name a few. Wellawatte, also known as Colombo 6 is encircled by the Wellawatte beach/ Indian Ocean, the Dehiwela canal until the Colombo - Horana Road/ Dutugemunu Street up to the point where Anula Vidyalaya is located. From here the border connects to the Colombo-Batticaloa Highway to the point where the Dehiwela canal continues to meet the Kirulapona canal and follows the canal downwards to the Indian Ocean.



Map 1: Wellawatte and its boundaries (“Google Maps,” 2017)

Interestingly Wellawatte has been historically known to be a very multi-ethnic locale, with a mix of both affluent as well as lower end neighbourhoods. For example, Charlemont Road, W A Silva Mawatha and Arethusa Lane are a few of the roads where the affluent lived. The canal banks locally known as the *ela-kandiya* were home to people who add colour and character to the Wellawatte area with their local small-scale business ventures and services.

One of the prominent features of the changing landscape of Wellawatte is the mushrooming of high-rise apartments or condominiums as they are popularly marketed. The need to fulfil the housing needs of a growing community arising from increasing migratory inflow has also created a niche for the property development industry. The property for construction of condominiums are bought from those who have migrated abroad or have moved to peri-urban areas due to financial strains causing them to sell their land for a good deal. Societal repercussions of such sales have effects on the feeling of neighbourhood. This issue is dealt in the Colombo area, with more than 5,000 per square kilometre recorded around the Wellawatte area, marking it as one of the highly dense areas of the city.



Map 2: Building Density Colombo District Map 2002 (TMS Company, 2011)

While real estate in more generic terms has high demand value in terms of Colombo, the types of real estate that have attracted the Tamil diaspora as an investment option or as a second home and particularly in the case of the diaspora as an essential link to one's homeland roots have undoubtedly been condominiums. Here it is important to make the distinction between condominiums and apartments. In principle, the only difference between the two is ownership. Condominiums are direct investments whereas apartments are rented out by someone who owns the entire apartment complex. In Sri Lanka condominiums or apartments as they are popularly known⁴ have become a lifestyle choice as a vertical living concept after it was initially introduced in Sri Lanka, mainly targeting government workers through Act No. 12 in 1970 as the first law introduced to regulate vertical living (Edirimane, 2006). Due to land scarcity, private investors and property developers attracted to the profitability of this sector have marketed condominiums on the basis of accessibility, security, infrastructural facilities (lifestyle based such as gym and swimming pool) and social factors such as prestige. Currently, looking at the profile of property developers in Colombo, around 75% are local developers and only the remaining 25% are private investors who lease buildings or invest in BOI approved projects such as Shangri La and Altair (Key Informant interview, CMA). This is also illustrated through the sample of property developers interviewed through this study.



In order to further understand the research area of Wellawatte, key-informant interviews were held with property developers, owners and/ or residents of condominium units in the Wellawatte area. In relation to Wellawatte, the property developers that were interviewed for this research were Tamils or were management personnel employed at companies owned by Tamils (See Annex

4 In Sri Lanka condominiums are locally referred to as apartments. Furthermore, in terms of ownership the lines are further blurred since individual condominium units are also given on rent.

1 for more details). Furthermore, these property developers were all involved or had completed the construction of condominiums in the Wellawatte area due to the availability of property to purchase and the demand for condominiums in general. In terms of the client profile, most referred to Sri Lankan Tamils living abroad, around 55% being from the UK, Canada, Australia, Germany and France (Key Informant interview, Seagull).

Individual units in a condominium complex are in average 2-3 roomed units of approximately 800 – 950 square feet in size. In terms of the condominium units interviewed for the empirical research the investors were Tamils as owners, as relatives under sub-lets or, as tenants (Key Informant Interview, Coral). Most diaspora Tamils abroad have also purchased condominiums in the names of their relatives due to legalities or limitations related to access and knowledge of local contexts as a consequence of transnational living. For example, foreigners and non-Sri Lankan citizens can only purchase condominiums above the fourth floor. This regulation is stipulated by the Land (Restrictions on Alienation) Act. No. 38 of 2014. It is a move to restrict land ownership by foreigners and is being subject to much debate as it contradicts the GoSL's bid to increase foreign direct investments (FDIs) ("Land and Foreign Ownership: A Critique by Experts," 2015). There is also a high amount of condominiums that have been purchased and rented out as vacation houses on a weekly or monthly basis, negotiating private and the commercial boundaries. While in terms of managing the routine activities of the condominiums, proxy usage is common. This will be discussed again in a separate section. Nevertheless, proxy as defined vis-à-vis ownership has implications only at the stage of purchase. Here Tamil diaspora interested in investing in condominiums have been conducting direct purchases rather than through proxies. In terms of the research, proxy usage seems to be restricted to administrative matters.

This further reflects on how transactions related to purchases of condominiums takes place and why more people opt for direct deals as opposed to proxy transactions. Furthermore, the war-time and post-war scenarios in relation to this element have clearly played an important role. For example, most property developers note that the increase in demand for condominium purchases after the end of the war and particularly post-regime change was evident (Key Informant Interview, Corel Property Developers). Having said this, it is also clear that a certain amount of proxy purchases in the names of relatives as well as mid-way transfers of apartments to a new buyer indicate the malleable lines of such transactions.

6. Belonging and ‘Return’

‘-individuals and groups are caught within wanting to belong, wanting to become, a process that is fuelled by yearning rather than positing of identity as a stable state’. (Probyn, 1996, p. 19)

‘sontam’
ownership and kinship
‘ur’
a particular notion of home/natal village

As Thiranagama (2011) notes the two ends of the spectrum of displacement, internal and external, enable different ways of inhabiting loss. She notes that ‘home’ for those who have left the country pauses in static time at the point of departure inundated with memories of a landscape that is different and distant from that which they inhabit. Referring to Bahloul, she talks of ‘the house as a frame’ and that it is remembered through quotidian practices that are evoked at points in a different life. It denotes a ‘geographical and temporal estrangement’ with memory replacing the sensory experience. This is not so for the internally displaced, referring to Bakhtin, where ‘time and space become critical measurements of belonging, as indices of loss’ (Thiranagama, 2011). While Thiranagama delves deep into the notion of *ur* vis-à-vis the displaced Muslims from the North where she notes that the refugees not only left their former homes but also brought with them their ‘lifeworlds’, which they attempted to mobilise in another geography that is Puttalam. While home is frozen in a frame for most Tamil diasporans what is essential to understand is how the memory of home that has replaced sensory experience works in the context of ‘return’. Thiranagama states that one of the repeated questions she was asked during her time in Puttalam was “what is my *sonta ur*?”. In the diasporic space this is also a question that gets asked a lot. Daniel posits that *ur* represents

‘cognitively shifting and contextual spatial orientations that have to do with the person, not with the abstract collective in contrast to *kiramam* (village) and *tecam* (nation), which are ‘bounded, standard, universally accepted and constant spatial units’ (Thiranagama, 2011, p. 152)

Further, she notes that *ur* not only makes person-centric places but also place-centric persons. They are dense social geographies that territorially refer to villages but conceptually to neighbourhood and residence. Thiranagama (2011) further notes that *ur* creates a belonging that goes beyond political possibilities, ties that continue to exist even though the right to return seems to be severed. While with regards to the context of the Tamil diaspora, parallels should not be drawn with the expelled Muslims from the North, the belonging that *ur* creates and exists in peoples’ memory is intensely relevant.

As people living away from their country of origin straddle multiple spaces, belongingness (Antonsich, 2010) and or the politics of belonging (Yuval-Davis, 2011) informs and influences the way these people strategise about their future. In this context as we look into why the Sri Lankan Tamil diaspora is in different ways motivated to engage with the homeland particularly

post-war and post-regime change, it is important to unpack what the homeland really means to them. While reflecting on the relevance of *ur*, the place-making of Wellawatte as 'Little Jaffna', a home away from the Northern home of Jaffna and the Vanni unravels. It represents this notion of belongingness that now as part of the diasporas they can relate to (Anthias, 2013). Nevertheless, these feelings or emotions are not separate from the politics connected to belonging through constructs such as social structures (Ahmed, 2004). They are congruent on an intersectional level that encompasses gender, race, class (Anthias, 2013) and in the Sri Lankan context, caste. Furthermore, this belonging is firmly rooted in actual spaces and places, in this particular context to the spatial boundaries of Wellawatte and linked to formal membership on ethnic Tamil lines.

In this section, I look at the types of 'return' of the Sri Lankan Tamil diaspora to understand how both this sense of belongingness as well as the politics of belonging impact their engagement choices. I will look at the significance of the 'house/home' and the emergence of new forms of 'ur/neighbourhood'.

To break it further down the research attempts to understand whether there is a motivation for physical return or whether return can be deconstructed to encompass return not only in the physical sense. It could also be on an intangible level such as through investments in condominiums, as a second-house, a holiday home or as a purchase on behalf of a loved one. This sheds light on the direct and sometimes indirect transnational links between the homeland and the host-land. As observed by Cheran "As diaspora communities transform themselves into transnational communities and gain power and wealth, the mythical concept of return gives way to much more practical return: return from their investments" (Collyer et al, 2009). Nevertheless, changes in the political climate post-war and post-regime change have also opened up new types of return; physical, non-physical (through proxy or symbolic), permanent and cyclic or seasonal. Zunzer notes that types of non-permanent return is termed as 'circulation' (Collyer et al, 2009). Practices and rituals that inform decisions on different levels, of individual motivation or re-channelled motivation, thereby, guide processes of 'Return'.

To further understand dimensions of belonging we need to understand why and how the Sri Lankan Tamil diaspora contributes towards the demand for condominiums in Wellawatte. A house is symbolic of belonging, of permanence and status. It is inherently connected to a person's right to land and has strong caste and class connotations. If a person has property and a house s/he is considered as 'settled' or well established in society. It is also symbolic of more permanent ties to the homeland. The notion of house/home nevertheless has evolved considerably especially in the context of Colombo. A recent study was done by a property developer in Wellawatte (Key informant interview, Condominium Developers Association) in order to understand their home market better. It identified two categories of motivation behind the Tamil community's demand for condominiums - for living purposes and as a small-scale investment. Of the condominiums surveyed through this study 69% was mainly for housing or residential purposes whereas the rest was as small-scale investments for Tamils based overseas. Here the term investment is a very ambiguous term and as one property developer noted, buying apartments for many are driven by the need to 'invest'. To be more specific the first apartment is usually purchased for residential purposes, while the second and third apartments are rented out in order to set off the purchasing price. They are eventually able to sell such apartments up to five times higher than the initial investment (Key informant interview, Seagull).

While purchasing condominiums for living purposes might be in the interest of Tamils living in Sri Lanka, when it comes to the Tamil diaspora the situation is different. Here the Tamil diaspora ‘invests’ in the reproduction of space and impacts physical change to the space that is Wellawatte in relation to the research area. What is noteworthy is that these ‘investments’ are not large-scale or even medium-scale investments when one compares on economic grounds. Condominium investments of the Tamil diaspora are small-scale investments and only bring in marginal incomes when compared to expenses related to maintenance etc.

In this case what then is really the motivation behind these investments? ‘Selvi’ (60) owns a condominium unit down W.A. Silva Mawatha (formerly High Street), once a narrow road that was mainly residential, except for the presence of Lanka Hospital, one of the prominent buildings on this street. ‘Selvi’s’ father owned a large plot of land towards the end of the street, close to Galle Road. In 1998, her father passed away leaving the land in her custody, while she was in Canada living with her children. Soon she finds it difficult to maintain the old house with the land and sells it off to a property developer who also gifts her two condominium units as part of the deal.

‘Selvi’ came to receive me at the parking lot of the condominium building. Just before we took the lift she pops in to back area of the premises to check on an issue with regards to the water supply. She informs me that there are still many things that require sorting out like the water, landscaping etc. and adds casually that the Certificate of Conformity (CoC)⁵ of the building has still not been finalized. Even though, the partition deeds are still pending, ‘Selvi’ informs me that she has been able to sell off one of the units. A little later sitting in an empty apartment with just two wooden chairs, her laughter echoes when I ask her whether she plans on returning to Sri Lanka for good.

“No, I will not return permanently. My life is in Canada with my children but I do like to visit Sri Lanka for a vacation. I cannot think of adapting to life here. Some things have changed, but a lot of it hasn’t” (‘Selvi’, housewife, Wellawatte/ Canada/ Jaffna).

‘Selvi’s’ motivation to maintain an apartment is also closely tied to the need to maintain a relationship to the neighbourhood as well as to her relatives even though she struggles to express this. Talking to her further it became clear that the connect to the homeland gave her a sense of pride and volition even though returning back to Sri Lanka permanently was not an option for her at the moment. Here the interest in maintaining her investment is linked not only to belongingness but also in a sense to the need to ascribe to a community, all in the safety of a lifestyle that is close to her second home, Canada. Furthermore, her membership to the wider Tamil community, transnationally as Canadian diaspora but linked closely to her Sri Lankan Tamil origins highlights the many layers of belonging and its related complexities.

The experience of ‘Patricia’ (69) hailing from Jaffna who now lives in a condominium unit that belongs to her niece who migrated to Canada in 2005, lends another dimension to the complex web of transnational migration experiences. ‘Patricia’s’ sister had built the apartment for her daughter, who was not comfortable in renting it out or selling it but preferred to place her aunt and uncle as guardians of it. ‘Patricia’ is required to only pay the condominium maintenance

5 A Certificate of Conformity (CoC) is issued to certify that the construction of a building has been built as the approved survey plan. Once construction of a building is complete and before occupation, the CoC can be obtained from the Municipal Council or Pradeshiya Sabhas (third tier municipalities in the country).

fee as well as the utility bills. Her niece (40) is not interested in returning and visits Sri Lanka occasionally for a holiday. 'Patricia' visits her niece regularly in Canada.

"They are settled there [Canada] and are not interested in returning to Sri Lanka. But at the same time my niece is not interested in selling the apartment at least until I die" ('Patricia', retired senior management professional attached to Chamber of Commerce, Wellawatte/Jaffna).

Interestingly, the condominium that 'Patricia' lives in has not been given a CoC and therefore there is still no partition deed for her unit. Even though some owners have sold condominium units with just 'sales agreement' documents, others are still conflicting with the property developer to get the deeds. I was also able to speak to the property developer who was not so keen on highlighting such issues pertaining to the property. 'Patricia's' niece is a first-generation Tamil Canadian diasporan who travels to Sri Lanka on holidays. Her 'return' is a constant negotiation for belongingness that manifests through her aunt and the condominium unit. The symbol of the home/house as a structure that belongs legally to her and is situated in the space of Wellawatte; it becomes a part of the re-production of space for transnational living. Here belongingness is both tangible and intangible and it creates a bond to the homeland.

In stark contrast, 'Nisha' (45) from Jaffna who currently lives in Switzerland has plans to return to Sri Lanka in the near future. For her, living in Switzerland is difficult and she continues to struggle with health issues. 'Nisha' left Sri Lanka in the 1990s to marry after which things began to worsen in the country as the conflict escalated. In 2014, she decided to make an investment to prepare for her return to Sri Lanka. The apartment situated in Wellawatte bordering Kirulapone, was to be constructed in 12 months but unfortunately after paying the initial 40% 'Nisha' was unable to make the final payments and was forced to pass it on to her elder brother in 2015, who continued the payments and is now the owner of the unit.

Here ownership has shifted but 'Nisha's' case reveals another spectrum of belonging or the negotiation of a space for belonging that is situated not in the present, but future. 'Nisha' who lives in a small three-bedroomed apartment in Zurich expresses her undeterred plans for return,

"I am not sad that I had to give up the apartment. I have a house in Jaffna but I will purchase again in Wellawatte closer to my return. My sons are now 23 and 20 years old. I am waiting for them to finish their education and to give the eldest in marriage. I plan to be back in Sri Lanka in 3-4 years" ('Nisha', employed at a janitorial company, Jaffna/Zürich).

Further, she explained that settling down in Wellawatte made more sense to her even though she already owned a house in Jaffna. Also to 'Nisha' buying a condominium unit instead of a house was convenient since it symbolized once again a safe, modern as well as an easy investment that could be purchased with less hassle when compared to construction of a house in purchased land or purchasing an already constructed house. To her it was like replicating Swiss living conditions but with a Sri Lankan sense of community and familiarity.

In the context of belonging, the aspect of community becomes paramount. It upholds the recognition of membership – of yearning to belong and being accepted in return. While membership to the larger Tamil diaspora community is one aspect of the negotiation, the interaction with the homeland and local spaces carries a different dimension.

6.1 Emergence of a New Form of Neighbourhood

Lefebvre notes that space is also lived – as community, as a neighbourhood and therefore as *ur*. As an integral element of belonging and belongingness, the communal aspect of space is rife with complex social interactions. Likewise, ownership of a house entails negotiating this communal space. Walking through the many lanes, and bylanes of Wellawatte I was amazed at the transformation of the sense of neighbourhood. In the Sri Lankan context, the neighbourhood is the circle of familiarity that follows the intimate circle of the immediate family. In the space that is Wellawatte it is important to study how the notion of neighbourhood has evolved from horizontal to vertical and thereby more closed.

“Condominiums are the result of a culture or a living experience. Mostly Jaffna Tamils struggle to buy into this concept since they are used to living in spacious single story houses. The UDA attempted to build a condominium in Jaffna but it did not take off. I think it was rejected due to the locals being more accustomed to the habit of relatives staying together or some such thing. Condominium living is currently more popular in Colombo due to foreign influence, particularly the Tamil diaspora” (Key informant interview, UDA).



But living in condominiums has taken off as a lifestyle concept in Colombo. From the 90s there has been a high demand in the Wellawatte and Kotahena areas for condominiums (Key informant interview, Municipal Council). These areas that were predominantly inhabited by Tamils who began to increasingly prefer vertical living for several reasons such as lack of security, a lack of affordable housing, and particularly leading up to 2009, due to South bound displacement ensuing from the violent conflict in the North Eastern regions (Key informant interview, Ben Constructions). Here the temporal connect from wartime, to post-war time is significant. A respondent noted that the war was an important push factor for people to invest in condominiums, mainly for those who migrated from the North to Colombo and in most cases supported by diaspora Tamil relatives.

“Now after the war people still continue to stay on because their lives have more or less become settled here in Wellawatte, particularly people like us, whilst our parents as pensioners, are gradually moving back to their villages in Jaffna” (Key informant interview, Seagull).

As the key informant from the UDA identified the increasing influence of the Tamil diaspora, in direct and indirect ways, has also increased the popularity of condominiums amidst the Tamils living in Wellawatte. Particularly, mimicking the compartmentalised lifestyle they live abroad, the Tamil diaspora and their relatives living in Wellawatte have contributed to an increased demand for condominiums. The Tamil diaspora here, as the owner/inhabitant, plays a significant role in shaping the perceived as well the conceived elements vis-à-vis the production of space.

One respondent, ‘Vani’ (40), her husband and two young daughters live at the Empire State Apartment down Station Road in Wellawatte. She had lived many years in Italy so she lives in the condominium with ease because it resonates closely to her life in Italy. Relationships with the neighbours is an amicable affair that thrives momentarily on corridors and the elevators until each apartment door closes behind them. ‘Vani’ confessed eventually that she still prefers to actually live in a house on a plot of land like they had used to in Chapel Lane a few years ago. Due to her husband’s constant travel for work out of Colombo to Jaffna and the need for a safer living arrangement they had opted to rent out the condominium.

“This apartment is small and I miss having a garden, but I must think of the safety of my daughters when my husband is away. Things are now [politically] better but one never knows” (In-depth interview, ‘Vani’).

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In terms of this context it was clear that ‘Vani’ and her family had concerns reminiscent of the periods of political instability in the country particularly on ethnic lines that straddles the sense of comfort and familiarity of living in Wellawatte. As a returning Sri Lankan diaspora family, the lifestyle practices of their host land and the increased desire for security as well as cultural familiarity were important motivational factors. A condominium unit in Wellawatte even on rent

From the Shadows: Living in a changing neighbourhood

Another dimension to engagement choices come from those who are not motivated towards condominium living. In order to understand this perspective, I spoke to Arun, a diaspora returnee now living in his ancestral home down Arethusa lane, currently shrouded by a sprawling condominium at the rear of his house and a few others at the turn off to the by-lane he lives on.

Arun spoke about the change in the neighbouring landscape pensively, "I don't know half of the people and this is the case even in Bambalapitiya, which has changed a lot. I only know two neighbours down my lane". He then contemplated on how he sees a change in communal spirit due to a combination of war as well as due to a generational transition. "Today the younger generation is more technologically oriented. There is an element of selfishness due to a money-culture and this seems to be the motivating factor. This is wrong because there are more important things like communal spirit". He further noted an element of mistrust between ethnicities adding, "ironically whatever goes wrong in this country is blamed on Tamils".

He believes that the condominium trend is growing, as it has now become a necessary evil due to scarcity of land in Sri Lanka. Arun personally feels uncomfortable at the thought of living in an apartment due to the constricted lifestyle. Further, he observed the general feeling he gets of Wellawatte as congested, with increased levels of pollution, the disappearance of pavements due to being encroached by shops. "In 1975/76 there were only houses, now gardens are disappearing, larger houses have been demolished since they were abandoned or owners have put up 2-3 storey houses. This was my mother's house and the old house had to be demolished and newly built in 2001/2002. It had lots of character with a big veranda but it was falling apart". The condominiums that mushroom in his neighbourhood have taken a toll on Arun. He takes me to his kitchen and opens a door that seems to be always locked and points out to a looming condominium that overlooks his house. This condominium has blocked out the natural light and has obstructed his privacy. Since he lives with his brother and doesn't cook much they are able to keep that end of the house closed most of the time.

Arun does not have many ties to Jaffna and much of his property has been sold. His family's ancestral property was given to an aunt. So there is no desire to go back to Jaffna as his life has been always in Colombo and to a large extent in Wellawatte. He sees Wellawatta as a catalyst for condominiums but worries that Colombo will soon become a modern day slum.



fulfilled their perceptions of home and communal space that was not overbearing.

The experience of 'Kanaga' (45 years old) a freelance media consultant and Justice of Peace (JP) partly domiciled in the UK, is another case in point. 'Kanaga' was elected in 2016 as President of the condominium building. A strong persona, she had a critical view of the way the condominium was managed and occupied. 'Kanaga' who lives for around 6 months in Sri Lanka and the rest in the UK is here mostly on work. She enjoys being able to have a bit of both worlds but is not so sure as to what the future holds. Similar to 'Selvi', even though she spends more time in London her life in the small condominium unit hidden amidst rows of other identical units of the 8-storied building seems to encompass a more direct social role, that she actively takes on as the President of the welfare association. Through 'Kanaga's' experience her life in the condominium provides another perspective on the shifting transnational locale of the owners who are motivated by a need to belong to the homeland by engaging in small-scale investment.

Furthermore, this interaction between the non-present Tamil diaspora owner and those who live in their condominium units contributes to the ambiguity of communal belonging, particularly in the context of short-term sublets. It not only complicates the notion of neighbourhood but also transgresses the legal boundaries of the residential and the commercial. As per regulation, short rentals are not allowed, and in order to be regarded as a residential property it has to be rented for a minimum of three months. If this is not adhered to, it will be considered as a commercial property (Key Informant Interview, CMA). Nevertheless, what is important here is to understand the frustrations around neighbourhood 'maintenance' where ones neighbours constantly change or are 'absent' on a regular basis, as 'Kanaga' explains below;

"This apartment [Vishnu Apartments] has 8 floors, 48 units and is 10 years old. Around 12 houses are used as holiday homes while most remain closed. Another 12-15 units are sub-let and the owners are abroad. I think almost 45% of the owners are living abroad. I have difficulty in consulting them for anything. General body meeting of the association needs at least 20 house owners present. Subtenants are not very cordial. The owners who live abroad occasionally occupy the condominiums from 10 days to up to a month each year and they are from UK, Switzerland and Canada. I have no direct problems with them because they pay maintenance on time and are very friendly. My only issue is that I have difficulty in sorting out other issues related to managing the apartment. Those who live here are to themselves. There is a lot of jealousy because I am the President. I don't understand why because I am just trying to help." ('Kanaga', Freelance Media Consultant/ Justice of Peace, Wellawatte/ Jaffna/ London).

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'Kanaga's' case highlights the social vacuum that is created when condominium units are bought seemingly as small-scale investments. On the surface they symbolise financial benefits and not as part of neighbourhoods. Even though proxies are commonly used for marking the presence of absentees in committee meetings (Key Informant, CMA), the social fabric of each condominium community becomes frayed, as interactions between the residents become bare minimum. The lived element therefore is compromised and the very attraction towards vertical living with its security dimensions and homogenous identities are questioned. These communities that are to a certain extent cut off from the neighbourhood are also gated from the larger neighbourhood creating solitary units within a larger solitary element that condominiums have increasingly begun to symbolise.

Property developers also contribute towards cementing certain symbolic and spatio-physical identities. When talking to a property developer, who has built several condominiums down Ramakrishna Avenue, it did not take long for the question of my ethnicity and religion to be taken up as he pointedly said, 'Are you Tamil?', waits for my response and says, 'You see we sell our apartments only to Tamils'. In the question of re-production of space the whole element of how a certain ethnic majority might become the dominant strand within that community is inexplicably bound to social processes. Nevertheless, a conscious attempt at homogenising and segregating must be problematized. Lefebvre provides further theoretical support to this by noting that "Today more than ever, the class struggle is inscribed in space". Likewise, every society and its communities, '...produces a space, its own space' (Elden, 2007, pp. 107–108).

7. Re-production of Space: the Formal and the Informal

Policy makers and planners draw the blueprint of a particular city with implementation tasked to investors and property developers. A framework of rules and regulations guides them. In a country like Sri Lanka this process is often flawed and haphazard. Policy makers are politically influenced, thereby plans are in constant 'draft' mode. This section therefore looks at insights that were gained through empirical research on how these stakeholders contribute to the re-production of space. It assesses how property developers formulate their own plans within the larger blueprint and highlights the challenges for the sector as well as for development of the Wellawatte area in general.

During the interviews with property developers it was not surprising that they were highly business motivated in their outlook. An interviewee stated that from a property developer's point of view, getting involved in small and medium scale property development projects do not require the support of large scale investors because once a plan for a condominium is drawn the units are sold almost immediately; from the time the first payment instalment is received the property developer is able to begin construction (Key informant interview, Seagull). Here, in an indirect manner, the buyer does play a role in facilitating the re-production of spaces within the context of Wellawatte.

In regard to policies, the study will focus mainly on the more formal government rules and regulations in relation to condominium construction and management, whereas with regards to practices it would examine the informal methods of negotiations that both the property developer as well as owners/ inhabitants use. All city development activities come under one general development plan, which was amended in 2008. Some circulars introduced minor changes. Keeping to this framework property developers propose their plans in accordance to the overall city development plan; i.e. down Rosmead Place one can only build up to 5 storeys. The complete development plan can be found in the C Form, which is self-explanatory and architects are fully aware of the general set of regulations (Key informant interview, UDA).

The Ceylon Municipal Council Planning department works with the UDA in terms of the approval process. Once the UDA provides preliminary clearance, the Municipal Council gets the plans. If there are any critical issues they are reverted back to the UDA, which then puts them to the main planning committee for approval (Key informant interview, UDA). Regulations specifying the number of storeys are area specific. Some property developers especially in the Wellawatte area are forced to negotiate with clients who insist on Vastu⁶ adjustments, even though the property developers have to stick to the stipulated regulations (Key informant interviews, Seagull). When property developers do not stick to regulations, a fine is imposed and they are obliged to regularise. Even after they regularise they still have to pay the fine because legal regulations do not allow a waiver (Key informant interviews, UDA).

6 Vastu shastra is a traditional Hindu system of architecture, which can be translated as 'science of architecture'

The BOI representative noted during the interview that government assistance for property developers has been good though the recent introduction of VAT and new taxation by the Finance Ministry would pose some difficulty in operations.

“Duty concessions will not be given through the BOI anymore but through the Inland Revenue Department. We foresee this as an issue because it is the BOI that initially encouraged foreign investment on real estate in Sri Lanka [and a change of facilitating body might impose procedural difficulties]” (Key informant interview, Ben Consortium).

The BOI also stated that they did not have special policies or programmes targeting small to medium scale investors who are from the diaspora community. They had investment promotion programmes that targeted foreign investors in general. With complex procedures in place that are both dynamic and ambiguous, one would question whether a special programme targeting the diaspora would yield any benefit. Further, the presence of political challenges further complicates formulating diaspora inclusive policies. Here the lack of consistency in policy level engagement of government bodies to enable diaspora/ foreign investment is apparent. These create ruptures in the formal practices that in turn impact the different stakeholders.

Within the formal rules framework, property developers also face certain risks, for example, the Municipal Council gives its approval only after the entire apartment or condominium is built. Usually this does not pose any issues if the building has been constructed as per regulations. Here, approvals for past projects received by the company also play a vital role. Relationships amidst property developers have been in general, fairly limited. As a way of bridging this gap the Condominium Developers Association of Sri Lanka (CDASL) was established in 2015 and is affiliated to the Ceylon Chamber of Commerce and is interested in taking on issues related to condominium developers, such as protecting their interests, liaising with the Government and public/private institutions, developing a set of ethics, ensuring quality consciousness and developing a policy to be presented to the Government (Key Informant Interview, CDASL). Even though membership is voluntary, the scale of business and class issues play a role that cannot be ignored. Furthermore, being a member of such an association also restricts informal practices, demanding more transparency and accountability. With regards to the role of the property developer, the relationship with client and the role of the CMA which functions as a facilitator is also important to consider. The CMA’s role as a neutral entity becomes a relevant issue particularly reflecting on the need for a sustainable monitoring mechanism to be embedded within the plan and design elements.

In making the environment more feasible for property developers to increase construction of condominiums, several respondents noted the shift in ease of operations after the end of the war and an increase in diaspora investments in Wellawatte. Even though the practice of conducting business was similar with regards to the different governments and there were no issues as such in dealing with government officials. Business was as usual, as with the previous government and in dealing with government officials.

“There is a visible increase in diaspora investment/ interest after the change in the government. In terms of our company, foreign based investors were roughly around 20-25, out of which 7 families are Tamils (Jaffna Tamils) mainly from UK and also from the Maldives” (Key informant interview, Coral Property).

Condominiums can be bought on instalment basis with an initial payment of 30% followed by monthly or quarterly payments. At the time of the interview, the property developer mentioned that obtaining bank loans are difficult for foreigners since they are required to show a remittance history (Key informant interview, Coral Property). With regards to investment in condominiums, up to 50% are made by Tamils living abroad and for most diaspora Tamils finding the finances to invest, usually done in instalments, has not been an issue. But this is only one dimension to a complicated picture where class and lifestyle choices come into play. For example, middle class Tamil diaspora’s finances usually do not suffice the expenses since the usual practice is to support extended family members or their parents when compared to upper middle class Tamil diaspora. Even though there is a widespread practice to undertake black jobs, coming up with large sums of money is not always possible leading to their obtaining bank loans or borrowing from private lenders who charge exorbitant interest rates. Here the distinct class divide is not obvious because their lifestyles are outwardly maintained on an equal level, but its impact on relationships that are already fraught due to the extremely stressful work situations, especially for first generation diaspora Tamils is felt.

While there are many buildings that have not received the CoC, which in turn has implications on partition deeds, there are also diaspora Tamils who have created a situation where the need for a partition deed is not a priority. Buying a condominium has become a very easy process in Wellawatte, for example, property developers just need to place an advertisement on a website or pass the word around in their respective villages, especially in the North. The word gets around and they are in turn referred to potential investors and buyers. This has created a situation where anyone with contacts can become a property developer by hiring engineers and architects (Key informant interview, N/undisclosed). Here, quality in most cases is compromised and eventually investors find informal ways of re-selling the units using sales agreements.

On another angle, even though policies for ensuring quality controls have been put into place, unauthorised buildings still come up and are tied to issues of ownership. The Urban Development Authority monitors the ISO standards and provides the property with a CoC. The CoC must be obtained from the Municipal Council/ Pradeshiya Sabas or else it is not possible for the deed to be registered. Many unauthorised buildings were constructed before the condominium management authority law was introduced. These buildings still remain while some have been given a demolition order through legal action. The CoC certificates are given in three stages – provisional, semi and final. The CMA has been trying hard to sensitise the issue amongst potential buyers about the specifications and processes as well as consequences of the CoC not being granted. This is connected to a high social cost that the CMA is conscious of. Nevertheless, apart from issues related to ownership there are issues that crop up after the condominium units are built and handed over.

Furthermore, even though the UDA, Municipal Council and CMA claim that they strive to maintain the rules and regulations, complicated clearance processes and negotiations with different government bodies are forces to reckon with, involving several layers of corruption and 'the

Municipal Council has a high interest in Wellawatte where clearly the builders there are favoured” (Key Informant, N/ undisclosed). As a result, Wellawatte is inundated by condominiums and runs the threat of becoming another Chennai in the near future due to the lack of a proper drainage system. Some apartments still don’t have individual water supply systems in place and residents have to come down to the car park to obtain water.

The researcher noted a particular apartment in Wellawatte with a large quantity of packages of mineral water bottle illustrating this issue of the lack of drinking water. In such condominiums water for the toilet and washrooms are provided through a sump. Safety is compromised, for example, in a condominium located on Frederica Lane, one has to bend low to avoid beams that technically should be at least 6ft high. There are instances of fungicide where condominiums are built without the layer of Styrofoam that is used to prevent water seepage and in other apartments wire ducts are outside and are covered with wood, which can be very dangerous. Furthermore, prices are highly manipulated without a process for checks and balances.

Beyond these processes the social element of investments become a very personal process. A year after construction is complete and the residents move it is normal practice that a Welfare Society is set up for the condominium. This is a legal entity that is created for the maintenance of the common elements and which puts together a sinking as well as maintenance fund. These welfare associations are registered with the CMA, and as a regulating body for developers and residents the CMA tries to maintain a balance that is both encouraging to the developers as well as protective of the rights of the residents (Key Informant, CMA). Such practices though established formally, intersect the lived element and produce complex ground realities, as illustrated by the case of ‘Thilagam’ and her experience of living in an apartment down Dharmarama Road in Wellawatte. This condominium was built by a renowned property developer who has a portfolio of twelve completed condominium projects with six more in the pipeline.

‘Thilagam’ sits in the small living room under a large patch on the ceiling that had appeared due to water leakage. She has been living in the apartment with her husband and 7-year-old daughter since 2003.

“I was in the management committee last year but it was too much of a workload. I had to handle finances and also deal with lots of complaints. We just have 15 apartment units so the maintenance fee is high. The government rules state that maintenance must be calculated using the share value or the square feet of each apartment unit but this is not practical in our case so we all decided to split it up equally. Unfortunately, one tenant is against this and we have a lot of issues since he doesn’t pay his maintenance fee. There is a leak on the roof and it would cost Rs.75-100,000 to repair this but we are unable to do so. We have been spending money to clear a drainage issue. We were promised a separate line for the drainage but the property developer had not sorted this out. Now we have to ask the Colombo Municipal Council (CMC) to clear the drain every two weeks. It’s been two months since we notified the property developer about this issue but there has been no response. We have also complained to the CMA who charges us Rs.1000 for each visit or meeting. Nothing has progressed so far and we are confused with the CMA’s role. We are actually wondering why we registered with them. There are so many maintenance issues! When there is cooperation its ok but we don’t have that and life is very stressful.” (‘Thilagam’, private sector employee, Wellawatte)

As 'Thilagam's' experience illustrates, formal regulations and practices that have been drawn by various regulating authorities are complicated and time consuming. It requires a high level of coordination and patience. Obtaining approvals for instance is a long drawn out process that involves different authorities and their approvals as illustrated previously in Fig. 01. Furthermore, there are also informal practices that underpin the politics and functions of this sector. These are closely tied to the socio-political scenarios of wartime and post war practices. In navigating the many stories and sub-stories that emerged during the field research, what became clearly evident was that informal practices sometimes fuelled the smooth functioning and sometimes the ruptures.

In the case of the above respondent, of the 15 condominium units, almost half of the apartments, belong to Tamils living abroad.

"Apartments must be occupied by people who are living here, not (those) who rent it out. For example, the lift maintenance costs Rs.100,000 per year. If there are people renting out these unoccupied apartments, the lift is used a lot and consumes a lot of electricity. These apartments are rented out without any idea of the background of people. We worry about drug addicts and other shady characters. When the apartments are rented out for short stays it is difficult to get the maintenance fee" ('Thilagam', private sector employee, Wellawatte).

The informal practices that were commonly highlighted in the interviews focused on the issue of reputation, particularly with regards to property developers connected to foreign developers, in this case the Tamil diaspora. These property developers who function also as investors try to push their interests by forcing the local property developers to surpass regulations. Interestingly, here we observe how the transnational element of the perceived influences the perceived element of the locale, where property developers in Wellawatte are caught up in the dilemma of satisfying the desires of the diaspora vis-à-vis adhering to the formal policies of state structure. Here again the state structure is fraught with inadequacies and corruption further perpetuating unethical practices. While informal practices are essentially not problematic it creates room for manipulation within a larger ambiguous state system.

For instance authorities have unclear rules and regulations that enable the property developers to overrun reasonable parameters, creating a situation of non-conformity that alters the overall re-production of space. For example, property developers fail to adhere to street line restrictions by constructing balconies that jut out while other issues such as the prohibition of the construction of servant toilets outside of the main unit. Such issues are being taken up with the authorities with the goal of ensuring that certain parameters are respected. Interestingly, due to the non-professional nature of certain property developers many build without proper approval, or change plans after approvals are given. Architects employed by such property developers are not knowledgeable enough resorting to the non-practical and compromise quality, transgressing regulations for profit making (Key informant interview, Municipal Council). Fairway Holdings Ltd. Managing Director Hemaka De Alwis provides further insight by highlighting the issue of the heavy saturation of the Colombo City and draws reference to Wellawatte saying

“For example take Wellawatta where six to ten apartment buildings are congested in a single street. These are really challenging the road infrastructure there and the water and utilities are also challenged. That was really a phenomenon that happened because of the war. These apartments came out very fast, a lot of people made a big industry out of it but today the people who invested in them have not seen their properties appreciate in value and they have a very poor resell value. For these reasons, over development and saturations can have negative effects” (“Vertical Living: Boom ahead but experts call for getting basics right,” 2015)

Nevertheless, these builders struggle in obtaining the CoC, again creating a heavy impact on a social level. Around 60% of condominium units found in Wellawatte have no deeds and there have been cases of builders selling twice. Likewise, small, unregulated buildings continue to crop up but no demolishing orders have been issued due to social consequences (Key Informant Interview, Municipal Council), Secretive investments by the Tamil diaspora in order to evade taxes (‘Kanaga’, Freelance Media Consultant/ Justice of Peace, Wellawatte/Jaffna/London) where monies are transferred through the popular undiyal⁷ system is also common place. In some condominiums, welfare associations are not created and property developers have disappeared after the transfer of deeds. In such instances even legal reprise is not possible (Key Informant Interview, CMA).

⁷ Undiyal is known as Hawala, Hundi in South Asia and Fei Ch’ein and Chit in South East Asia. It is an informal funds transfer system that facilitates the transfer of funds or value outside the regulated financial institutions. There is no physical or electronic movement of money involved in this system (Nurgaliyev et al, 2015)

8. Conclusion

The conversations that have unravelled through the empirical process have flagged several issues. These reflect on how the re-production of space and belonging compliment towards the unpacking of a complex transnational interaction focusing on a city space, Wellawatte. The issues discussed invariably converge with the question of the rapid urbanisation of the larger Colombo area. As of 2015, the urban population of Sri Lanka is recorded at 3,848,519 (“Sri Lanka - Urban Population,” 2016) and expected to grow up to 70% by 2030 (SVP Development Team, 2010).

The government, both the previous regime as well as the current one, in a bid to limit the impacts of urban sprawl have encouraged vertical living particularly in major urban areas. Though the attempt here is to increase green coverage within the city, vertical living has high infrastructure demands, is more technically complex (SVP Development Team, 2010) and demands a mechanism for quality control that the government is clearly not equipped for, challenges to which also includes corruption as illustrated through the research findings above. The city of Colombo has a development plan in place that seeks to promote and regulate the integrated planning and physical development of the Colombo area. Nevertheless, the empirical insights on the re-production of space highlight a dearth in policies that are holistic, that include aspects of social and environmental importance.

Research findings indicate the emergence of a housing bubble that is typically denoted by a rise in housing prices fuelled by demand, speculation and exuberance. In the context of Wellawatte, the increase in demand has been induced by war-time displacement, which meant that the slow process of increasing the supply to meet the demand required a long period of time. The steady increase in demand fuelled by diaspora investments has now hit a stale spot that has begun to decrease and stagnate post-war and post-regime change. Nevertheless, the supply of condominiums continues to increase. In the case of Wellawatte, the supply to a demand that was created in the past is now gradually diminishing. Furthermore, the demand for condominiums is moving away from Wellawatte, towards new suburban areas such as Dehiwela, Mt. Lavinia and on the other end of the city spectrum, Kotahena, Kotte and Wattala. This housing bubble is further weakened due to diaspora invested condominium blocks that remain empty, not lived in - creating empty pockets with owners facing the inevitable challenge of high maintenance costs. This would potentially influence re-sales inducing sharp price drops and eventually the bursting of the bubble. A discussion of state power vs. state regulatory authority is also essential at this juncture. Do informal practices then contribute to unregulated activities? Not necessarily, since informal practices are sometimes essential to work through highly bureaucratic and unclear state structures. Nevertheless, it opens up room for fraud and other issues, also due to state structures that exacerbate corruption.

Lefebvre’s thinking on space provides further insights into how space has been re-produced through condominiums. He notes that overcrowding is evident in larger towns and industrialised countries, and social space allocated according to class with social structures reproduced through social planning; either due to accessibility of more space for the rich and too little for the poor or due to uneven development of places or caused by both. In the context of Wellawatte the creation of class cleavages is a trope that warrants further analysis. For example, the landscape

of Wellawatte is proliferated by a large number of condominiums that are both high-end as well as substandard condominiums. Even though the research findings did not provide insights into class mobility there was a distinct class marking in relation to the condominiums that the researcher visited. This was further cemented by analysing the profiles of the key informants. Likewise, in the case of Wellawatte, the creation of a social vacuum and the emergence of a 'community of limited liability' that Greer notes in the 'Emerging City' captures the diasporic relationship with the wider community as being limited to individual, time, community, age and most importantly duration of stay while neighbourhood is least important for those with the highest mobility (C. N. Niriella, 2010) as illustrated by the circulatory nature of the Tamil diaspora vis-à-vis Wellawatte.

The issue of security was an important factor behind the motivation to opt for condominiums as a popular choice of real estate. The concept of gated communities reflects on this element where security perimeters are defined through controlled entrances in both new developments and older areas, and with new security infrastructure bordering off different types of neighbourhoods, conceptualised around security concerns (Roitman, 2010). In relation to Wellawatte, condominiums are also considered as representative of gated communities enabling characteristics of ethnic homogeneity. Typically, residential segregation creates ethnic neighbourhoods that are characterised by high levels of poverty (C. N. Niriella, 2010) and even though this is not very evident in terms of Wellawatte, the proliferation of sub-standard, badly maintained condominiums is a cautionary post-script.

This study observes, in particular, a space that is re-produced physically and otherwise, with an evolving sense of neighbourhood. To the Tamil diaspora, it is that transit home away from home. In its exodus from the homeland (also its specific home territory), the forcibly and 'voluntarily' displaced Tamils left the Northern and Eastern ur to Colombo and mainly to Wellawatte where they started to re-produce the ur that was left behind. Some stayed on and some left the homeland for other countries in the world. Colombo, therefore, becomes a safe zone during the internal exodus and now also during transnational return. As Collyer et al.(2009) note most Tamil diaspora, especially those who left the country supported by privileges such as class and caste now form part of the diaspora that is influential and wealthy. The diaspora as an actor in post-war development has a lot of potential, which has been discussed in academia at length. But engaging in development and re-construction in the Sri Lankan context means that return would be an essential element. Here 'return' beyond being permanent or physical denotes a first step towards sustained engagement in the development process. This study therefore, highlights that the Tamil diaspora's engagement in Wellawatte through small-scale investments in condominiums is an essential step in creating the trust for a longer-term engagement. Considering a generational lens, transnational 'return' interactions by the first generation has the potential to open up channels of interaction also for the second and third generations. Furthermore, investing in Wellawatte is clearly a transition phase for most as they wait to see the unravelling of better prospects further up North albeit most importantly the wait for de-militarisation.

This brings us to the broader but important discussion of how informal interactions between the diaspora both exiled and economically driven can be placed more formally within the peace-building and development nexus. As a post-war country taking minute steps towards transforming conflict but still within the gamut of negative peace (measures cannot merely remain on the superficial level) it is noted that peace is embedded in development and justice (Galtung, 2010). Transforming conflicts consists in a broad sense, essential elements such as transcending

contradictions, stress on the role of identity, focus on economics and development, addressing of past injustices and the participation of all communities, including diaspora communities, in process and prevention. While tangible strategies such as development remain a strong step towards transforming conflicts and enabling peace-building, addressing the structural nature of conflicts is what states in post-war scenarios often grapple with.

In Sri Lanka, some important steps have been half-heartedly made targeting structural faultiness, notably the 2016 island-wide consultation process of the Consultation Task Force on Reconciliation Mechanisms (CTF) appointed by the Prime Minister's Office as well as the constitutional reform process that is currently in progress. Nevertheless, the overall political will to drive a vision towards durable peace is lacking. While the potential for a multi-stakeholder development and re-construction collaboration is immense, the history of missed opportunities must remain as lessons learnt and not as history repeated.

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This **CEPA** working paper looks at a heterogeneous Sri Lankan Tamil diaspora's involvement in the production and reproduction of space within an urban context in Colombo, through small-scale investments in condominiums. The analysis of the qualitative data collected for the study highlights how post-war diasporic 'returns' play a role in the emergence of a new form of neighbourhood. It also looks at how property developers responding to the demand created by the 'returning' Tamil diaspora negotiate the boundaries of the formal and the informal with regards to production of space.



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