

# WHAT I HAVE LEARNED FROM BEING A PART OF SRI LANKA'S CIVIL WAR

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Twenty-five years ago Sri Lanka's conflict was suddenly transformed into a violent civil war. The Tamil Tigers then barely more than a couple of dozen – ambushed a convoy killing a dozen soldiers in Jaffna on 23 July 1983. Instead of targeting those who carried out the attack Sri Lankan state-backed goons went after Tamil civilians throughout the country the following day, leading to a week of violence and bloodletting. Since then, the separatist rebellion has been bolstered from ragtag groups fighting a parade army to a high intensity conflict with the use of air-strikes, artillery, naval units, bombings and suicide attacks. While lamenting what we as Sri Lankans have gone through (it is really hard not to), it would be useful to share lessons learned about ethnic conflict from Sri Lanka's efforts to go to peace from war. The lessons are about two basic questions: what is an ethnic conflict and how do you resolve it?

## Three conflicts, not just a single ethnic one

The civil war in Sri Lanka consists of three distinct conflicts: the ethnic conflict between Tamils and Sinhalese, and other groups; the armed conflict between the Sri Lankan state and the rebel Tamil Tigers and the political power conflict among the main forces that have the capacity to influence political rule in Sri Lanka – the governing Sri Lanka Freedom Party (SLFP), the opposition United National Party (UNP), and the rebel Tamil Tigers.

## Ethnic Conflict

The ethnic conflict between Tamils and Sinhalese is commonly considered the hardest to resolve. Most descriptions of Sri Lanka's ethnic conflict (or for that matter any ethnic conflict) are variations of the hate-and-greed explanation. These descriptions depict Tamils and Sinhalese (or you can substitute them for Serbs, Croats, and Bosnians, or Blacks and Whites, or Hindus and Tais, or Israelis and Palestinians) as either hating each other, because of conflicting nationalisms, or competing with each other for resources because of greed.

Where the nationalism comes from – ancient history (we did bad things to each other thousands of years ago), myth (we told stories about what we supposedly did to each other), or recent acts of violence (your father killed my uncle, so I will kill you) – is less relevant than that it exists and manifests itself in mutual hostility between Tamils and Sinhalese. Similarly, where greed comes from – individual interests (that a Tamil took the clerk's job I wanted), group solidarity (I want my kin to get more stuff) or nationalist passion (my people deserve more because they are superior to yours) – is less important than that it ultimately leads ethnic groups to get into conflict.

Existing approaches to ethnic conflict, however sophisticated, converge on hate and greed as the motivations to explain it. They fail to examine how reasonable differences might also cause conflict. If hate and greed are the only motivations of conflict, then we would be living in a very grim world indeed. Prospects for its resolution would depend either on external force (NATO will point a gun at you and make you co-exist) or economic incentives (the World Bank, EU, and other rich westerners will give so much money that you will be bought off and corrupted into not fighting). This is the implicit assumption behind contemporary models of peace building or humanitarian intervention. The failure to secure the support of rich western countries for UN peace keeping efforts in Africa and the abysmally low amounts of aid provided to these countries suggest that mobilizing the resources for this approach is simply impossible in most parts of the world. Moreover, the widespread challenge to international efforts in the Balkans indicates how this approach is rarely sufficient – even when billions have been spent and tens of thousands of peacekeepers continue to be present.

Another approach is to focus on how identities are constructed, and to change them from more violent to less violent expressions. This is the implicit assumption behind the plethora of studies about the construction of identities. These studies show (correctly) how what it means to be a Sinhalese or a Tamil, a Jew or a Palestinian, a Hindu or a Taisi, a Serber or a Muslim, today, is quite different from what it meant fifty or a hundred years ago. But the silence about

how to change identities for a peaceful future indicates that the latter is too difficult or takes too long. All these approaches invariably lead to deep pessimism about peace in situations of ethnic conflict.

While the explanation that Tamils and Sinhalese are enmeshed in a conflict over ethnic identity and material resources may continue to have relevance, it is becoming less and less plausible today as the only explanation for Sri Lanka's intractable conflict, or for that matter many others, as well. Most Tamils and Sinhalese desire an end to the war. Many of them have come to realize – whether enthusiastically or reluctantly – that a solution to the conflict will require the central government dominated by the Sinhalese to share political power with other ethnic groups, particularly the Tamils. Whatever the various solutions proffered, they will invariably converge on some form of federalism, in fact, if not in name. Except for extreme Sinhalese who want to centralize all power in Colombo and deny the presence of an ethnic conflict, and extreme Tamils who want a separate state on the grounds that the only conflict is ethnic, the majority of the people in Sri Lanka are likely to accept such a solution. But if that were the case, why haven't we arrived at a solution. This is where reasonable differences come in.

### Reasonable differences can cause conflict

Even many Sinhalese who are critical of power-sharing are less concerned that it will give more rights to Tamils than they deserve, than that it will enable the Tigers to consolidate their power and establish a separate Tamil authoritarian state. Similarly, many Tamils who are wary of sharing power in a single state are less concerned about living among Sinhalese and more concerned that the state will actually implement its promises in the absence of the armed leverage of the Tamil Tigers. This reasonable difference can even lead to advocacy of war, belying the common association of those who seek peace with those who are reasonable.

For example, there are many who distrust the Sri Lankan state so much that they advocate violence as a way of pressuring the state to come to a solution that is just by Tamils. These people, mainly Tamils, but also members of other ethnic groups, do not necessarily believe the Tigers are decent freedom fighters. On the contrary, they condemn and even oppose its excesses. But they fear that only violence against the state, or the threat of it, can lead to a political solution where power is shared and that is subsequently implemented.

Similarly, there are those who advocate military violence against the Tamil Tigers. These are Sri Lankans, primarily Sinhala, but also members of other ethnic groups, who feel that the Tamil Tigers are only interested in consolidating their own power and not interested in a political solution for the Tamil people. They believe that as long as the Tamil Tigers are present a peaceful solution will not be possible. The Sri Lankans who advocate these positions are not opposed to a just solution that treats members of all communities as equals. So it would be a mistake to simply view them as chauvinists, although many do so.

These two political positions – exerting military pressure on the Tigers or on the Sri Lankan state for a just solution – may appear in the heat of war to be on opposite sides of the political divide. But they are ideologically closer to each other and desire the same political solution, than those who may share their views about militarily fighting the other side.

Unfortunately, because reasonable differences are rarely acknowledged in ethnic conflicts, we do not look for ways to reduce their adverse impact on finding a solution. This also leads us to more pessimistic views about the prospects for peace. By contrast, identifying reasonable differences offers a more optimistic alternative by showing how contemporary identities that lead to conflict may also be compatible with just and stable solutions, for which institutions can be designed. Taking these reasonable differences into account can help design a peace process that mitigates the role they can play in exacerbating conflict. Part of the challenge of identifying these reasonable differences in an ethnic conflict is that there are two other conflicts that complicate it further.

### Armed Conflict

Addressing the ethnic conflict is complicated by the armed conflict between the Tamil Tigers and the Sri Lankan state. Although the armed conflict is generally viewed as stemming from the ethnic conflict, it is also distinct in character. States claim a monopoly over the legitimate use of force in a given territory. So any state will repress those who seek to oppose it by force. It matters little to the state that those who oppose it do so on the basis of democracy, ethnicity, class or regionalism. And when it comes to suppressing an armed rebellion, it matters little whether the state is capitalist or socialist, authoritarian or democratic. All states have acted with varying degrees of violence and repression in stemming armed rebellions. So also have rebel

groups opposing states. There are two ways armed conflicts between states and a rebel group can end – when one side defeats another or when both sides concede that they cannot defeat each other. Sri Lankan governments and the Tamil Tigers oscillate between these two approaches, sometimes promising outright military victories, and at other times agreeing to ceasefires. Which option will ultimately prevail is still unclear. The current Sri Lankan government continues to give deadlines for defeating the Tamil Tigers – the latest is yet another year. And the Tamil Tigers continue to assert that they are militarily secure. In the next few months, the fighting capacities and political sagacity of both sides will provide the answer to this question. I do not intend to speculate about the military outcome of Sri Lanka's war. Rather, I simply want to point out another element in the conflict – that of an armed group versus a state – that is distinct from the ethnic conflict, with its own dynamic, and one that cannot be reduced to ethnicity alone.

### Political Party Conflict

Addressing the armed conflict is complicated by the political power conflict among the main contenders for power in Sri Lanka – the ruling SLFP, the opposition UNP and the Tamil Tigers. While there are many other smaller political parties and paramilitary groups contending for political power – it is only these actors that have the capacity to unilaterally transform the political context. There is a distinct power conflict among these three contenders that is derived from competition over the business of rule. The main political parties compete over who gets to rule the Sri Lankan state, while the Tigers seek to rule a separate Tamil one.

This competition cannot simply be reduced to varying ideologies of nationalism or competing policies over how to resolve the ethnic conflict or, for that matter, different socio-economic policies. Political parties are built around the express intent of securing political power. They may have different ideological leanings or social bases and therefore wish to carry out different programmes. Still, one of their central goals is simply to rule, not rule in order to do something else. Clearly, all three parties – the SLFP, the UNP, and the Tamil Tigers – do not contend for power in the same way. The two main political parties in Sri Lanka do so through more or less democratic means. The Tigers do so through more or less violent means. Yet, an important part of what they all contend for is power.

The position taken by these parties helps illustrate the distinction between policy on the ethnic conflict and political

alliances to secure power. During the last presidential election, the candidate of the current ruling party, the SLFP who is the current president, was considered to be a hardliner. During the campaign his manifesto condemned the ceasefire agreement and opposed a joint mechanism to work on post-Tsunami reconstruction. He also opposed a federal solution in favour of a unitary one. Yet the president said he would be willing to talk directly with the Tamil Tigers to resolve the conflict, even when he took hard-line positions on a political solution for the Tamil people.

This kind of contradiction between political deal-making and ethnic policy is not limited to one or the other ruling party in Sri Lanka – or for that matter only to Sri Lanka. During the two earlier parliamentary elections, the current opposition UNP opposed the government's political proposals for resolving the conflict – saying that it granted too much autonomy to the Tamils. At the same time, the UNP supported a ceasefire and talking to the Tamil Tigers, who were asking for a separate state.

These seemingly contradictory positions – opposing Tamil autonomy, but supporting a dialogue with the Tamil extremist Tigers – can be reconciled. The two parties competing for power to run the state wanted Tiger support to obtain Tamil votes or back them, in areas under Tiger domination, while keeping their Sinhala base satisfied. Similarly, the Tigers seeking a separate state were implicitly supporting a political party that sought to dilute measures granting autonomy to Tamil areas. The Tigers expected one party, and then the other, to be more conciliatory towards them. All three – the Tamil Tigers, and the two main political parties – have been disappointed by the outcome of their pre-electoral dalliances after the elections.

The Tamil Tigers attribute this disappointment to opportunism on the part of the political parties, and the governing political parties to deception on the part of the Tamil Tigers. But, this explanation is too simplistic and ignores instances where mutual commitments have been adhered to by different sides. Rather, once political parties secure power, they are now running the state, and the logic of the armed conflict between a state and an armed group takes over – making it harder for these parties to unilaterally fulfil political commitments they may have made in the past, when they were parties, operating outside the constraints of being office bearers of the state.

So if there is one thing I have learned about what an ethnic conflict is, it is that ethnic conflicts are never about ethnicity alone. This does not mean that ethnicity is not a central

element of the conflict or that ordinary people often experience the violence as ethnic. It is simply that failing to take the other two elements of the conflict – the armed and the political power – into account and seeing how they are inter-related, can lead to a mistaken view of what the conflict is and can befuddle efforts to resolve it.

### **How do you resolve ethnic conflict?**

The toughest part in resolving conflicts, in general, and ethnic ones in particular, is less about finding the correct solution, or even agreeing on what it ought to be, but actually getting to a situation of peace from one of war. For example, in the case of Sri Lanka there is little doubt that the political solution will be federal in nature, if not in name. Similarly, in December 2002 the Tamil Tigers and the then government of Sri Lanka agreed “to explore a federal solution.” Now, clearly agreeing to explore is not the same as actually agreeing to such a solution, but the key point is the common understanding that any future solution to the ethnic conflict will be along these lines. The challenge we face lies less in intellectually figuring out what the solution should be, but in actually getting there politically. And these challenges can be better understood once we get beyond the broad goals such as reducing levels of violence and protecting rights, to actually seeking to implement these goals through practical mechanisms.

In Sri Lanka, as in many other situations, a solution requires that we move from a situation of violent polarization to one of peaceful co-existence. And this usually entails doing the following – reducing violence, protecting human rights, working out a political solution and reconstructing the war-affected areas.

### **Ceasefires are not always helpful to peace negotiations**

Ceasefires are an integral part of all peace processes. How and when does a ceasefire help negotiate an end to violence, and how and when does it hinder such a process? While most mediators work to secure a ceasefire prior to political negotiations, they often find the ceasefire becomes the focus of the talks, rather than the political settlement itself. Mediators involved in resolving a conflict usually make an effort to secure a ceasefire agreement between the two parties before they do anything else. The implicit assumption is that a ceasefire will be helpful both in humanitarian terms as well as in political terms.

In humanitarian terms, ceasefires lessen the daily pain and suffering caused by war. They allow people to go about their daily lives without fear and anxiety. They create a climate that enables freer travel between areas, the movement of goods to markets, and the transportation of the injured, the infirm and the old for medical treatment. No one disagrees that no war is better than war from a humanitarian perspective. Obviously people prefer the peace and the right to go about their daily life without hindrance over the pain and suffering that inevitably accompany war. This is true even when the respites from war are only temporary, since a temporary respite from war is better than no respite.

In political terms as well, ceasefires are considered to be helpful. The assumption is that ceasefires can contribute to a positive climate for negotiations by improving the lives of civilians and building trust between the two parties. In addition, a ceasefire, it is believed, helps insulate political negotiations from military fighting, and move the negotiations away from pressing military and humanitarian concerns to longer-term political ones. So many efforts to resolve conflict begin with mediators working out a ceasefire and proceeding to monitor parties' compliance with it.

But the humanitarian and political desirability of ceasefires is not that clear cut, and in many cases can actually lead to the opposite – more adverse humanitarian consequences and less trust. For example, ceasefires can contribute to temporary respites that allow parties to re-arm and regroup and begin another phase of conflict with greater intensity, rather than to engage in political talks. Respites from war that lead to intensified fighting may not be desirable on humanitarian grounds if the subsequent conflict results in even greater pain, suffering and loss of life. Furthermore, a ceasefire that enables parties to attack minorities or suppress dissenting political opinion within their own communities can also vitiate the humanitarian arguments in favour of it. All of these factors have had a perverse effect on ceasefires in Sri Lanka – where children have been recruited, dissidents killed, and minorities expelled during ceasefires, and more intense fighting has broken out after they have ended.

Ceasefires can also have a perverse impact on a peace process because they are not isolated military decisions to cease fighting that take place outside of a political context. Instead, in most conflicts ceasefires are expressly political decisions made in the context of political jockeying for power. When negotiations and ceasefires are linked, it is common to find the relative military strengths of the two conflicting parties on the ground affecting their decisions whether or not to

support a ceasefire. The party that is militarily gaining ground is unlikely to favour a ceasefire and vice versa. Under these circumstances, for a ceasefire to lead to viable negotiations, the two parties must not only be in a strategic stalemate but also a tactical one. They must feel that neither side is likely to win the war in the long term, and that neither side can gain a tactical advantage in the short term that will strengthen its bargaining position at the negotiating table.

Ceasefires can also hinder progress in political negotiations, because parties will, in the absence of clarity about a permanent settlement, prepare themselves for a possible outbreak of conflict. This preparation can lead to increased suspicion among belligerents, and lead them to focus efforts on addressing ceasefire violations, rather than political problems. Ceasefires can also reduce the political pressure on parties to a conflict to work out a settlement. Finally, when ceasefires are a precondition for political talks, any violations, however small, can lead to parties dissipating political focus and effort on maintaining a ceasefire rather than proceeding towards tackling the longer-term political causes of the conflict. This can not only delay a solution, but also lead to the erosion of trust and goodwill.

This suggests that mediators/peacemakers ought to resist the instinct to negotiate a ceasefire prior to political talks. Instead, making efforts to de-escalate a conflict with steps to improve the humanitarian situation, rather than a ceasefire, may contribute to a more stable peace process. Several peace processes – such as the Salvadoran one mediated by Alvaro de Soto, and the Aceh process mediated by Martti Ahtisaari – did not include a ceasefire.

### **Conflict resolution and human rights do not always go together**

**W**e generally expect and would like good things to go together. When conflict breaks out, human rights violations invariably take place. So we hope the opposite is true – i.e., when we protect human rights, we can contribute to ending armed conflict. While this may be the case in many situations it is not always so. In my experience observing Sri Lanka's conflict closely, as well as studying a number of other violent conflicts, efforts to protect human right do not always contribute to efforts to promote peace. Sometimes

these efforts can come into tension with each other in practice.

First the good news, strengthening human rights can be good for resolving conflict. Human rights can contribute to the long-term stability of a society. It can help identify causes of conflict and potential mechanisms for its resolution. It can protect bridge builders between communities in a divided society. It can provide a neutral standpoint for addressing contentious issues, and it can generate international support for a peace process.

But strengthening human rights can sometimes be in tension with resolving conflict. This is particularly true at the initial phases of a peace process. Raising human rights violations with belligerents can reduce trust in a mediator. For example, the Tamil Tigers and the Sri Lankan government today are accused of widespread human rights violations. Indeed, they are also probably guilty of most of these accusations. Nevertheless, unless one or the other is decisively defeated, it is hard to imagine a serious peace process that does not involve these two parties. But is also equally hard to imagine these two parties entering a peace process, if the first issue raised is their violations of human rights, because this is bound to make them anxious that they will have to face some form of justice and make them skittish about entering a serious process of peace. Similarly, they will see protection for human rights as reducing their control over populations. And finally they may be anxious about the prospect of being prosecuted for war crimes. While these tensions between resolving conflict and promoting human rights exist, they are not inevitable and can be reduced through institutional design and political skill.

These lessons can be summarized. Ethnic conflicts are not only about ethnicity. They are also about political parties seeking power and armed entities confronting each other militarily – who are not necessarily divided neatly along ethnic lines. Starting with a ceasefire may not be the best way to resolve ethnic conflicts, even if this might give you a temporary respite from the armed conflict. Protecting human rights may not always help with promoting peace, though such tensions can be reduced with political shrewdness and strategic design. These lessons I believe are true not only for Sri Lanka, but for many countries struggling to go from a situation of war to one of peace. ■

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