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A NEGOTIATED STALEMATE?

Negotiations between the UNF government and the LTTE continue to remain stalled, despite many efforts made by the international backers of Sri Lanka's peace process to persuade the LTTE to end the boycott of talks. To fulfill the LTTE's preconditions for returning to the negotiation table, the government has been busy preparing proposals for an Interim Administration (IA) for the Northern and Eastern provinces.

Meanwhile, in late April, the LTTE leadership rejected an initial set of preliminary proposals for an IA saying that they were inadequate. What the LTTE insisted was a concrete proposal for an IA, that would offer the rebel movement a clearly defined role in administration as well as reconstruction, economic development and handling of foreign aid. The government's new proposals will sooner or later reach the LTTE through the Norwegian facilitators. The LTTE may not be in a great hurry to either accept or reject them and possibly they might exercise the option of further delaying their response. In such an eventuality, the present negotiation stalemate is likely to prolong.

Why is it that Sri Lanka's negotiation process has reached a stalemate? Some of the essays in this issue of *POLITY* analyze this question, bringing to the focus the structural dynamics of the peace process as a whole. Given the limitations of the larger political process that provide the overall context for government-LTTE negotiations, the continuing stalemate in talks may not be a negative outcome of the Phase I of the peace process. It perhaps has the capacity to provide space for the two sides to review the Phase I of the negotiation exercise, to redesign the process as a whole and work out an agenda for Phase II to address some of the substantial issues that the two sides avoided during Phase I.

It may be recalled that during the first phase of the negotiations, the government and the LTTE both refrained from bringing to the negotiation agenda any of the so-called 'core issues' of the ethnic conflict. Now it appears that core issues need to be taken up for discussion in order for the peace process to go move forward. The LTTE's insistence for an interim administration is the clearest statement of this new reality which the UNF government seems to have mis-perceived. The moment the LTTE reminded the government that a credible proposal for an Interim Administration is their precondition for returning to the negotiation table, the government leaders were compelled to treat the negotiation exercise with the seriousness it really deserved. Actually, the casualness with which the UNF government as well as its peace negotiators approached the peace process during the entire year of 2002 was so inappropriate that they needed a fairly serious wake-up call.

Meanwhile, it appears that both the UNF government and the LTTE have entered a mini arms race. One gets the feeling that the present negotiation stalemate is the cover behind which the two sides have initiated this arms race. This is one of the most unwelcome developments in the government-LTTE political engagement. It appears that the two sides are moving towards establishing a new strategic equilibrium based on military strength. This indicates that both the government and the LTTE have no new, political approaches to address the security dilemmas that have emerged during the past one and a half years of the peace process. The conventional approach, which has led to the new arms race between the government and the LTTE, assumes that the balance of power could be restored only by increasing the military capacity as well as the war-preparedness of each side. This is an extremely dangerous approach to follow

when the negotiation process in crisis. If the two sides do not change the strategic balance approach to negotiations, the new arms race is likely to intensify for some time and in turn the negotiation stalemate might also be prolonged.

The way in which the international custodians of Sri Lanka's peace process have undermined their own role in the negotiation process provides another backdrop to the possibility of a prolonged negotiation stalemate. Beginning early this

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year, two powerful international players, the US and Japanese governments, attempted to seize control of the negotiation process in such a way that it appeared that the two world powers were attempting to impose their agenda on the negotiation process, its time table as well the outcome. While the UNF government quite willingly went along with this external agenda, the LTTE refused to capitulate. The tactic which the LTTE adopted is a political one, to boycott both the Tokyo aid meeting and talks. It worked quite well to the LTTE's advantage in the sense that although the Tokyo meeting went ahead without the LTTE, there was no way to resume negotiations without the participation of the LTTE. To bring the LTTE back to the process, those powerful global powers were compelled to send their representatives to Kilinochchi to plead with the LTTE leadership.

In the post-Tokyo phase of the peace process, the LTTE could thus restore the strategic political equilibrium in its favor. In the process, the leverage that the international community had in the past over the LTTE also became weakened. As a few commentators in Colombo warned even as early as March-April this year, the international community's role in Sri Lanka's peace process was flawed from the very beginning. The assumption that global powers could force a protracted ethnic conflict to end by the promise as well as threat of their intervention is not a correct one at all. As Sri Lanka's unfolding experience has already suggested, a badly designed and politically flawed involvement of global forces in an intrastate conflict can re-define the conflict, pushing it in unmapped directions and exacerbating its complexities.

Overall, there are some positive dimensions of the present negotiation stalemate. It is highly unlikely that it will lead to re-commencement of the war, unless of course there is a major breakdown of the political equation in the country. Later than sooner, the two sides will return to the negotiation table under conditions of a new strategic equilibrium. That will constitute the Phase II of Sri Lanka's negotiation process. The period of transition to Phase II is likely to be longer than the well-wishers of peace would like it to be. Yet, prolonged negotiation stalemate without war will have some positive dynamics as well as consequences.

July 1983 – Twenty Years After

Twenty years ago, in July 1983, Sri Lanka experienced what many commentators have described as the darkest week in the island's modern history. In the last week of that month, Sinhalese mobs, mobilized and assisted by some powerful sections of the UNP regime of J. R. Jayewardene, unleashed a systematic campaign of terror against Tamil civilians living in Sinhalese majority areas. The immediate impetus for this campaign of organized violence against the Tamil community was the killing by the LTTE 13 Sri Lankan soldiers in Jaffna. But the 'riot' was not a spontaneous one as such. It was the culmination of a systematic campaign of anti-

Tamil violence that has been in the making from July-August 1977 onwards.

What is most horrendous about the events of July 1983 was the way in which the Jayewardene regime condoned, legitimized and even promoted generalized Sinhalese civilian violence against the Tamils. The UNP leaders at the time appeared to have thought that unleashing of regime-sponsored majority violence would serve as an effective deterrence against an assertive ethnic minority. It was a particularly arrogant strategy to politically manage the island's deteriorating ethnic relations. But the outcome of the violence was that Sri Lanka's entire political process, including ethnic relations, reached a point of no return. The rapid militarization of the Sinhalese-Tamil ethnic conflict was one of the major and immediate consequences of the July 1983 violence. That is the point at which the so-called Eelam War for separation effectively began.

Twenty years after these tragic events, Sri Lanka now is struggling to resolve the civil war through negotiated political means. In both Sinhalese and Tamil societies, the impetus for war and violence seems to be diminishing. If one takes seriously the present negotiations between the Colombo government and the LTTE, an opportunity is there to settle the civil war through an internationally mediated peace agreement. But for a peace process to be meaningful, effective and lasting, inter-ethnic reconciliation is one of the more crucial preconditions.

As the recently released Report of the Presidential Truth Commission that inquired into 1983 violence suggests, there has not been much effort by the political leadership in the direction of peace and ethnic conflict resolution through reconciliation. The approach of the UNP leaders to peace appears to be a pragmatic, managerial one, devoid of space for community participation or bringing together a polarized society through a sustainable process of peace-building and reconciliation. How could a deeply divided society be brought together for peace?

It is time now for all communities in Sri Lanka to promote a culture of peace. In that huge effort, constructive dealing with the recent past of violence, in 1983 as well as after, constitutes one of the most important political as well as psychological dimensions. It appears that in Sinhalese society, there is a pervasive guilt about the 1983 violence. Many people prefer forgetting it. But in Tamil society, such forgetting may not be that easy, because they were the victims. Remembering as well as forgetting are intensely political ways of dealing with a past of violence.

This is where the Sinhalese political leadership can now collectively apologize to the Tamil people for the 1983 pogrom. An apology would be one way of constructively dealing with a destructive past. It would be a constructive way of dealing with an emerging future. Such an apology, not partisan but collective, will take Sri Lanka's quest for peace and reconciliation to a qualitatively higher level.

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