

Hurting Negotiation Stalemate

Sri Lanka's peace process is, to use a rhetorical understatement, in a stalemate. It is a 'hurting stalemate' of a particular kind, in a situation of no war. This perhaps is an original contribution that the Colombo government and the LTTE have jointly made to the theory of hurting stalemate developed by William Zartman, an American political scientist attached to the US Institute of Peace, Washington D.C. Zartman's celebrated theory suggested that parties to an intrastate civil war are likely to seek negotiated options when the war and violence bring them to a state of "hurting stalemate." The peculiar situation in Sri Lanka at present is that in the absence of peace negotiations, the UPFA government and the LTTE are experiencing a stalemate that hurts. They will have to find a win-win outcome in returning to the negotiation table.

Vulnerability

One specific characteristic of this mutually hurting negotiation stalemate is the state of vulnerability which both President Kumaratunga and the LTTE leadership find themselves in. President Kumaratunga's state of vulnerability in relation to the resumption of negotiations with the LTTE arises from the lack of political support for such an initiative within the coalition she leads. Her main coalition partner, the JVP, is not only opposed to Kumaratunga's flexibility to accept the LTTE's ISGA proposals as the starting point of talks. They have also launched an island-wide campaign to mobilize public opposition to such a negotiation move. Kumaratunga's own party, the SLFP, does not seem to openly back her on this issue.

Many of the SLFPers, including her Ministers and MPs, appear to be very reluctant to take up a position on negotiations that would not agree with the JVP's stand. In the absence of an initiative similar to the Suddu Netum movement of the 1990s, the JVP is now giving ideological leadership to the SLFP and the entire Alliance. The JVP's ideology on the negotiations is one of hardline nationalist statism. It is obviously to ensure some autonomous political space in dealing with negotiations that Kumaratunga recently quit her position as the leader of the UPFA coalition. Even then, without explicit support from her own party and amidst opposition from her main coalition partner, and therefore feeling politically vulnerable, Kumaratunga is unlikely to resume talks with the LTTE, until she finds some favorable political conditions that make her own position stronger and unassailable.

Meanwhile, the state of vulnerability that the LTTE leadership is experiencing arises from the Karuna revolt in the Eastern province

and the subsequent developments. Quite apart from the military setback that the LTTE suffered after the disbanding of the military units in the Batticaloa and Amparai districts, Karuna's dissidence has challenged the LTTE politically, at three crucial levels. Firstly, it has irreversibly damaged the monolithic unity of the LTTE as a politico-military organization. Secondly, the cry of Eastern Tamil nationalism has undermined the LTTE's deeply held concept of a unified Tamil nation. Thirdly, it has also seriously undermined the Tamil nationalist claim for a territorially unified Tamil homeland. Moreover, the LTTE Vanni leadership is also quite angry that elements of Colombo government have made attempts to use the Karuna revolt to weaken the LTTE militarily. It appears that the LTTE is unlikely to return to the negotiation table until they militarily crush the Karuna dissidence, and restore their full control in the Eastern province.

Interregnum

The bottom line is that although both President Kumaratunga and the LTTE may be keen to return to the negotiation table, they are not likely to do so within the next two to three months. Both sides need a period of political consolidation before resuming talks. In this optimistic reading of the current negotiation impasse in Sri Lanka, the few months ahead is an interregnum that can be creatively used, particularly by President Kumaratunga in Colombo. What she could fruitfully do is work towards building some measure of political dialogue and consensus within her own coalition on the question of negotiations with the LTTE and the nature of the political settlement that might evolve through negotiations.

Two-Track Dialogue

Intra-coalition dialogue and consensus is becoming extremely urgent in the context of the increasingly nationalist campaign that the JVP has launched throughout the country against a compromise with the LTTE. One of the key political problems of the UPFA is that it has not worked out a reasonably up-to-date political position on negotiations with the LTTE. Before they came into power, the SLFP and JVP leaders had discussions on this issue but they were not able to come to a common position, and agreed to disagree. After forming the government in April, they have not even reviewed their program whereas in India, the new coalition government, a few days after the election, worked out a new common minimum program. In Sri Lanka's coalition regime, there seems to be very little internal policy discussions at the leadership level. But, there is one issue on which President Kumaratunga should not avoid an internal dialogue and consensus within the coalition. It is the next phase of negotiations and the compromise that the government will seek with the LTTE.

Left to its own party agenda within the coalition, the JVP will continue to carry on its militant opposition to a compromise with the LTTE, thereby further restricting the political space for President Kumaratunga to resume negotiations. Incidentally, the JVP at present constitutes a great paradox in Sri Lankan politics. Led by young politicians with a radical self-image and tremendous energy, it represents some of the conservative and counter-reformist impulses of Sri Lankan society. This tendency of the JVP has also been strengthened by the ideological grip that a few Sinhalese nationalist academics of the type of the Indian RSS have managed to maintain over the young JVP leadership. The misplaced radicalism of the JVP is to oppose any state reform initiative, interim or long-term, although any serious advancement towards peace in Sri Lanka objectively requires a radical re-working of the nation's political structures.

Indeed, if President Kumaratunga is serious about bringing peace to Sri Lanka, she has to work on two fronts simultaneously—the LTTE and the JVP. Dialogue and constructive engagement is required for the success in both fronts. The nature and dynamics of this two-track dialogue will have to be different. The dialogue with the LTTE has a formal character and is called negotiation. That dialogue will seek a framework in which the Sri Lankan state and a secessionist ethnic nation, with structures of a parallel state, can co-exist in one broad political unit without war and violence.

Conversion

In the other dialogue, the President's task is to convince and convert the leadership of the JVP, which represents a large mass of the Sinhalese intermediate classes, that a compromise with the Tamil nation, led by the LTTE at present, is for their long-term advantage—in the sense of development, progress and welfare of their own constituencies. Kumaratunga should also convince the JVP that they can easily improve their chances at future elections by being a partner, an agency and even a co-leader in bringing negotiated peace to Sri Lanka. As the President may tell her juniors in the coalition, no party in Sri Lanka's South today needs to retain the outdated Sinhalese nationalist baggage of the 1960s and 1970s to win elections. The electorate has advanced quite a lot in its political consciousness. This would be a perfectly ethical exercise in political conversion!

Interestingly, in this two-track dialogue, the success with the JVP is an essential pre-condition for the success in the dialogue with the LTTE. The reason is simple. It is about social bases of politics and preparing class forces for a major shift in the way political power in Sri Lanka is organized at present. No meaningful compromise with the LTTE will be possible, interim or otherwise, without re-organizing Sri Lanka's present state structure. No such initiative can be put into practice without class and political forces backing the political leadership which will undertake that historical task.

New Violence

Meanwhile, the new wave of political violence involving the LTTE and their opponents has seriously undermined the LTTE's claim to their readiness to pursue a political settlement. After the split by the Karuna faction in the Eastern province, the mainstream LTTE has been entangled in a fratricidal and bloody internal war. Assassination of political opponents who belong to both the Karuna faction and the EPDP has highlighted the argument that it is too early, if not unwise, for the government to enter into an agreement with an unreformed LTTE on the interim administration for the Northern and Eastern provinces. The reports of the continuing recruitment of children as combatants have also undermined the LTTE's claim to its envisaged role under an interim administration. The fear that an agreement in the next phase of talks between the government and the LTTE will result in the Northern and Eastern provinces being handed over to an essentially militaristic LTTE is indeed gaining increasing momentum. The LTTE leadership needs to realize that even an interim settlement without democracy and pluralism will not add much weight to their own claim to be the emancipators of the Tamil masses. Elevating themselves to the position of the administrators of a vast civilian population without undergoing a necessary democratic transition may even mark a new, profound and immensely unmanageable crisis for the LTTE.

In the next phase of negotiations, a settlement agreement, even if it is to be interim, will also have to be one that would make the LTTE the dominant administrative entity in most of the Northern and Eastern provinces. Many in the Sinhalese society might find such an outcome unacceptable. It may even give rise to a new wave Sinhalese nationalist resistance. The best way to prevent such a negative turn of events is for the political leadership of the SLFP and UNP to take collective leadership in the impending negotiation and reform processes.

In this context, the political leadership has the unavoidable responsibility not only to resume negotiations with the LTTE to discuss the details of an interim administration, but also to provide political directions and leadership to the people in Sri Lanka about the country's future political trajectories. New negotiations with the LTTE will certainly pre-suppose interim state reforms, with some far reaching consequences for the way in which political power is organized at present under the 1978 constitution. These implications are already there in the LTTE's ISGA proposals. It would be futile to expect the LTTE to modify their interim proposals to suit the limitations of the 1978 constitution. To accommodate even a somewhat revised set of LTTE proposals, there will have to be constitutional changes, or an agreement between the government and the LTTE that will ignore constitutional constraints. Both options require a basic political consensus. ■