

IN MEMORY OF THE INDO-LANKA ACCORD

Jayadeva Uyangoda

July 27, 1992 marked the fifth anniversary of signing the Indo-Lanka Peace Accord in Colombo. Even before it marked its fifth year, the Accord had relegated itself to the realm of remembered things of the past. For some, the Accord is dead and buried; for some, it is still alive and around us. Such competing claims notwithstanding, Sri Lankans will continue to find themselves, at least for the foreseeable future, living under the colossal shadow of the Accord.

The Jayewardene-Gandhi initiative of July 27, 1987 has turned out to be one of the most controversial inter-state agreements in the recent history of South Asia. Haste, undue optimism, unrealistic calculations of risk-management and fundamental misconceptions concerning ethnic conflict-resolution entertained by its architects made the Accord the target of a range of hostile forces in India and Sri Lanka.

In Sri Lanka, the Accord brought to the surface considerable dissension within the ruling United National Party (UNP). It was also seized by the underground *Janatha Vimukthi Peramuna* (JVP) as a new springboard to emerge as a formidable counter-state force. The Provincial Councils and the Indian Peace Keeping Forces (IPKF) were turned into major anti-UNP propaganda planks by the Sri Lanka Freedom Party (SLFP) and other Sinhalese opposition parties too. For all Sinhalese nationalist forces, both in and outside the government, the signing of the Accord by Jayewardene was a betrayal of unpardonable magnitude.

When Mr. Jayewardene decided in mid-1988 to hand over the reigns of the UNP to the then Prime Minister Premadasa, who had opposed the Accord, the political fate of the July '87 initiative also took an unmistakably new turn. If Jayewardene had outsmarted Gandhi by handing over to India the responsibility of North-east war, President Premadasa, in his first six months in office, thwarted any further Indian assertion in Sri Lanka's ethnic politics. Indeed, Premadasa's peace initiative with the LTTE in April 1989 was a major signal that New Delhi had absolutely no political role in Sri Lanka, as envisaged and conceptualized in the Accord.

This is not to say that Premadasa was single-mindedly determined to invalidate the Accord. Even if he wanted to let the Accord continue in force, he could not have kept it alive. The point is that the very circumstances under

which the Accord was signed had made imperative for its implementation, the presence in power of both Jayewardene and Gandhi. However, the Accord was signed during the last year of Jayewardene's constitutionally mandated second term. Moreover, he had signed this most controversial document without canvassing support for it even within his own party, let alone in the country at large. With a non-supporter of the Accord in office in Colombo, India's only guarantee for its operation was to continue to station its troops, euphemistically called Peace Keeping Forces, in Sri Lanka's territory. But, the Premadasa administration, the SLFP, the JVP and even the LTTE—in short all the major political actors in Sri Lanka—were unanimous on the immediate and unconditional withdrawal of the IPKF. When the last IPKF soldier boarded the ship at Trincomalee harbour in March 1990, New Delhi's direct role—military as well as mediatory—in the North-East conflict came to an effective end.

However, the Accord is not yet a mere archival document. With all the chaos which it led to both in India and in Sri Lanka, with all the hatred and denunciation it attracted, the Accord enabled the Sri Lankan Tamil community to secure one significant gain—Provincial Councils. The 13th Amendment would never have been made possible but for the Accord. The 13th Amendment, by the way, is the most, if not the only, progressive and democratic piece of constitutional legislation that the Sri Lankan parliament has passed since independence. It offered the Tamils a workable, albeit with some limitations, constitutional basis for autonomy. It also envisaged a radical re-structuring of the post-colonial state in Sri Lanka in the direction of devolutionary democracy.

Herein lies the political failure of the Accord as well. The Accord, due to a variety of reasons, signified a sudden willingness on the part of some ruling sections of both India and Sri Lanka to attempt jointly a political solution. For Rajiv Gandhi, Jayewardene's change of mind perhaps meant a rare and surprising moment of accommodation which could also secure a continuous diplomatic and military role for India in the affairs of Sri Lanka. For Jayewardene, as he later admitted, it was a Napoleonesque moment, a strategic opportunity that would not come every day. Hence the haste and optimism of both Jayewardene and Gandhi. Yet, the crux of the matter was that neither Sinhalese society nor the Tamil



knew exactly what a 'political solution' would entail. For the LTTE, the package offered the Tamils in the Accord was too little, too late. For Sinhalese nationalist forces, it was too much and too early. For the EPRLF, which accepted the Accord and attempted to implement it, it was a political experiment to be constantly supported and guaranteed by India. Many other Tamil militant groups decided to watch events, while taking a rest in Colombo. And finally, for the Premadasa administration, survival amidst a Southern rebellion was too urgent a matter to be disregarded.

The Southern opposition to the Accord in a way changed Southern politics too. Resistance emerged from a range of sources; the underground JVP organized and led violent protests with the active support of many other Sinhalese nationalist parties. The entire South swiftly became a battle ground in which contending claims of patriotic allegiance to the 'Motherland' were tested, with increasing ferocity, till the end of 1989. Indeed, the entire spectrum of Sinhalese opposition political parties, except those of the Left, swiftly and willingly capitulated before the JVP's anti-Indian mobilization.

The JVP's demise in the latter part of 1989 marked the end of militant Southern opposition to the Accord. Yet, the Accord and its consequences continued to dominate political debate in Sri Lanka. The Provincial Councils and devolution, which were written into the Constitution of the Republic and constitute a central theme in the political debate, are direct political results of the Accord. Still lacking in much political support and even legitimacy, devolution, nevertheless, is a real fact of post-87 Sri Lankan politics. One may hate and forget the Accord as a bad dream; yet, in being oblivious to the 13th Amendment which has set the parameters for the political debate concerning Sri Lanka's ethnic relations, for today as well as for tomorrow, one can only be foolish.

Looking back at the Sri Lankan Tamil response to the Accord and the political ambience which surrounded it, we are confronted with a seemingly inexplicable question: What made Prabhakaran and the LTTE reject the political package offered through the Accord?

Many reasons have been adduced by commentators for the LTTE's enigmatic behaviour. A somewhat consensus view is that a primarily military and militaristic organization, which had consistently lacked a clear political charter, had to act the way it did. Political and military blunders in Colombo and Delhi enabled the LTTE leadership to justify its own political delinquency. And all this in turn compelled the Sri Lankan Tamil people to bear yet another era of senseless war. The LTTE-IPKF confrontation was immensely destructive as far as the civilian populace was concerned. So has been the second phase of the war with the Sri Lankan state since July

1990. In the course of the post-Accord war, Tamil nationalism too has come to be hegemonized by a phenomenon called 'Tigerism'— an intransigent militarism which, though couched in the rhetoric of the nation, is fascistic in essence.

It may not be a direct result of the Accord that fascistic nationalisms appeared simultaneously in both Sinhala and Tamil societies. Rather, the Accord was the catalyst for the crystallization of these forces. While the LTTE largely succeeded in annihilating, or rendering ineffective, all its rivals in the Tamil political spectrum, the JVP, ironically, paid the heaviest price for its own sudden spurt generated by the post-Accord crisis. At a crucial moment of the JVP's ascendancy, President Premadasa stripped the JVP of its sole claim to anti-Indian patriotism by leading a concerted anti-IPKF propaganda drive. When Premadasa effectively broke the JVP's monopoly of anti-Indian discourse in mid-1989, the job of dealing with the JVP became a mere military task. Thus, the story of the rise and fall of the second JVP insurrection is closely interwoven with the zig-zag course of post-Accord politics.

The story, however, of the LTTE and the Tamil ethnic question has not ended in the same fashion. Again and again, events have proved that it is the most intractable question in twentieth century Sri Lankan politics. Developments since July 1987 have not made the task of ethnic accommodation less insurmountable. India's role as a mediator has now effectively ended and to the utter jubilation of chauvinistic forces in the South, there is hardly space for any other third party mediator, within or outside the South Asian region. Tamil-Muslim conflicts in the East have not only terminated the validity of the old formulation of the ethnic homogeneity of 'Tamil-speaking people,' but have also made sharing of power between Tamil and Muslim communities in the East immensely problematic. In Sinhalese society, the sheer inability of political and ideological leaders to come to grips with the basics of the ethnic question has paralyzed its soul, if it had any. So, despite efforts made by the affable Mr. Mangala Moonesinghe of the Select Committee, the carnage may go on and on.

This is not to argue that the Accord has lost its significance for Sri Lankan politics. Even with its inability to assert a politico-diplomatic validity, it has paradoxically provided a discourse within which political debate concerning some workable solution to the ethnic question can even be conceived. The multi-ethnic character of Sri Lankan society, devolution and provincial councils, and merger of North-East provinces are the key formulations that are inscribed in the Accord and that have found their way into political and constitutional debate. For that alone, long live the memory of the Indo-Lanka Accord!