

NOTES AND COMMENTS

International Mediation?

Once again, it is time for speculation about international mediation in Sri Lanka's conflict. Taking the lead in the present round of mediation-guessing is the international media. The visits to Colombo by two high-ranking officials of the Clinton administration and the Secretary General of the Commonwealth in mid-April were not big events for the world press. If mediation were in their agenda, then of course, there would have been a story worthy of some world attention.

In any case, it has become almost a habit in Sri Lanka to link any visit by a high official of a powerful country with a hidden agenda of peace-brokering. The fact that a Cabinet officer in the Clinton Administration — Bill Richardson, the US Ambassador to UN — flew into Colombo along with the highest-ranking State Department official overseeing South Asia in the State Department — Karl Inderfurth — could have been easily seen as a signal of some political initiative proposed by the US to the Sri Lankan government. Bill Richardson's own background as a skilful negotiator in the Afghan conflict would also have given another point for the mediation - guessing media people.

The seemingly positive Irish peace initiative carried world headlines only one week before Bill Richardson's visit. The Irish peace process has also been helped by a mediator, ex-US Senator George Mitchell. Mitchell, undeterred by setbacks, worked almost full time, on this mediation exercise for over three years, talking to all parties in the conflict. A breakthrough in Northern Ireland, why not in Sri Lanka? Not a bad hope, at all.

In any case, talking of mediation in Sri Lanka's conflict has more than speculative value. There is a growing realization in Sri Lanka too that international mediation could help to bring about an end to the war and the conflict which appears to protract itself with no tangible signs of settlement. An argument that gained ground after the breakdown of talks between the PA government and the LTTE in April 1995, is that the two warring sides are not in a position to return to the negotiation table on their own. The assistance of a third party as a mediator has been seen by many as the only option to resume the peace process. And of course, there were quite a few volunteers to play the mediator's role.



In this issue of *Pravada*, Charles Abeysekera is not present as its co-editor. Nor will he re-appear in future. Charlie, as he was known to *Pravada* readers, passed away on April 03. Among his many scheduled engagements on that fateful day was a *Pravada* editorial meeting. Instead of coming to the *Pravada* office, he went to the hospital, never to return.

Charles Abeysekera was the founder of *Pravada*. When the journal was launched in December 1992, we only had the realization that a serious journal, devoted to human rights, peace, democracy and gender equity was an urgent need. Even without any experience in journalism, Charlie took up the challenge, because he had the commitment, vision and courage.

When Charlie showed the copies of the very first issue of *Pravada* to a group of international human rights workers gathered in Manila, they expressed some surprise at the critical stance it had taken towards the then Sri Lankan government. "We will campaign for your release from jail," an eminent jurist from the ICJ commented with a smile. Charlie too smiled, because he knew he proved a point: in the struggle for democracy and human rights, one must take risks.

For over five years, Charlie devoted his time and energy to *Pravada*. He combined a rare set of talents: an extremely sharp political consciousness of a modern socialist, a wide range of intellectual and aesthetic interests of a renaissance personality, and of course, a gift for the elegance and economy of the English and Sinhala languages. What *Pravada* is partly what Charlie has been.

Pravada will miss Charlie as much as Charlie himself will miss *Pravada*.

We dedicate this issue of *Pravada* to the memory of Charles Abeysekera.

Jayadeva Uyangoda and the staff of *Pravada*.

Charles

Is mediation the most appropriate course of action in the present conjuncture in Sri Lanka's conflict? Does the word 'mediation' adequately capture the complex set of ideas that are being expressed through that word? It is perhaps useful to reflect on these questions.

In its general sense, the idea of mediation refers to the active involvement of a third party to bring together parties to a conflict in order to work out a mutually acceptable settlement. In a variety of conflicts in the world, mediation has been tried and in some cases it has worked well while in some others it has not. In the vast body of literature on conflict resolution, a rich corpus of knowledge is made available with regard to the complexities involved in mediation in inter-state conflicts as well as internal civil wars. One of the crucial pre-conditions for successful mediation, as noted in the literature, is the readiness of the parties to the conflict to make peace through compromise and settlement. If this condition does not exist on the ground, there is hardly anything that a mediator can achieve. In militarized conflicts centered on the question of state power, the mediator's role would be an extremely difficult one, if actors in the conflict themselves do not create the necessary space for a third party to step in.

There are certain peculiarities in the Sri Lankan conflict and they have in turn made the conflict resolution process uniquely difficult. For example, when fighting, the government and the LTTE do not seem to maintain any political communication link at all. The mistrust between the two sides is so great that even when someone comes to Colombo claiming to carry a secret political message from the LTTE, the government politicians would not take such messengers seriously. And as it happened in a number of occasions, while the messenger is earnestly trying to arrange appointments with politicians, the 'secret message' might enter Colombo's political grapevine in no time and even appear in the press. No wonder that Richardson and Inderfurth strongly denied at the Colombo press conference that they were on a mediation mission!

The fact that the LTTE has not so far indicated the framework of compromise that they would possibly consider makes the political process still more difficult. Separate state is not a negotiable option. Then, what would be the alternative they would be willing to explore into? No Colombo politician or official, even sympathizers of the LTTE, would know an answer to this question. The point then is that even if mediation is going to occur, it is likely to be a long and arduous process in which political options will have to be thought out, discussed and debated.

The popular conception of mediation appears to suggest a dramatic breakthrough in the conflict. Given the seemingly unending nature of the Sri Lankan conflict, it is natural that such expectations arise. However, in view of the complexities involved in the Sri Lankan situation, even a strong mediation effort may not produce early results. Therefore, mediation should be seen only as a step — only one step — towards conflict resolution.

What actually appears to be urgently needed for Sri Lanka is the establishment of a line of political communication between the government and the LTTE. At war, they seem to communicate with

one another only through military means. The absence of a political dialogue between the government and the LTTE has made conflict resolution difficult in Sri Lanka. For a political dialogue to resume, a cessation of hostilities or a cease-fire is not an essential pre-condition. In any case, Sri Lanka's own experience in cease-fire agreements and peace talks have not been a positive one.

International mediation is too ambitious a measure in the present circumstances of Sri Lanka's conflict. A more useful option would be some international assistance for the government and the LTTE to start a political dialogue with realistic and minimally achievable goals. Such a dialogue is more likely to create conditions favourable for a settlement.

Rising Labour Unrest

During the past few months, a series of industrial disputes occurred in the state sector, disrupting the services sector. The most affected are health and postal services. The health ministry has, for a number of years, been a centre of strike action by unions of medical officers, technical staff and nurses. The GMOA, the powerful union of government medical officers, is perhaps the trade union which has gone on strike for the most number of occasions in recent years.

The recent pattern of industrial unrest and strikes has certain characteristics. Firstly, they are primarily confined to the state sector institutions. Secondly, the unions that are more inclined to take to strike action as a tactic of bargaining are unions of white collar or managerial employees of government departments. And thirdly, since the strike action is generally taking place in the departments of the government's services sector directly affecting the people, the unions appear to believe that strikes are a relatively effective means of bargaining.

When the PA government came into power in 1994, a wave of strikes occurred, particularly in the private sector. For about three years of uncertainty in the labour front, the private sector now appears to have settled down for a period of industrial peace. The initial impulse for strikes, particularly in factories in the Free Trade Zone, came from political considerations. With the change of government, the workers thought that they got a labour-friendly regime which would support them in industrial bargaining. Despite the fact that the PA came to power through union support, the new circumstances of market-friendly politics had changed the government-union relations. It was a bitter lesson for the unions to learn that the PA government was capital-friendly too.

The most damaging confrontation between the PA government and the public sector unions took place in the summer 1996 when, in the middle of a severe drought, the Electricity Board unions struck work, creating unprecedented havoc in the country. While the government took stern action to break the strike, the union action itself became unpopular, because of the suffering it caused for the masses of the people.

Looking at industrial disputes over the past few years, one may observe that the entire approach that both the government and the unions still maintain towards each other is an outmoded one. The GMOA and the UPTO (the postal officers union) exemplify a certain parochialism deeply embedded in narrow group interests. Being a union of middle-class professionals, the GMOA has repeatedly demonstrated that it would go on strike on issues relating to the status of doctors. Status-seeking is something like a caste attitude and the GMOA has been resorting to strike action whenever that caste status was under threat from subordinate grades of medical officers of the Health department.

The strike action of the Post and Telecommunication Officers Union (UPTO) is a peculiar one. The Union denies that it is one strike. It says that its members are refusing to do overtime work. The union's main demand is that the postal staff officers should be given the right to do overtime work. Although the union claims that its members have been performing their normal eight-hour duty, the entire postal service is at a standstill.

Another disturbing tendency one could observe during most of the disputes between the government and striking professional unions during the past few years is the lack of commitment to seeking compromises. Little do both parties appear to acknowledge that bargaining is a means to reach mutually acceptable solutions in a dispute. Industrial action, in this framework of thinking, is a zero-sum game in which there can be only one winner and the winner should take all.

Even the propaganda during strike disputes displays an amazing lack of modern sensitivities. For the government, it requires only very little imagination to brand a particular strike as anti-government action, manipulated by some conspiratorial elements. And for the unions, there is hardly any realization that public support and sympathy is essential to win their economic demands. Never has a trade union in strike bothered to educate the people who suffer from strike actions that the winning of union demands is essential to provide better and more efficient public services. Public support is the least concern of the unions. No wonder that, as the BBC Sinhala service reported the other day, some pensioners, directly affected by the postal strike, have started visiting *huniyam devales* to invite divine wrath on the striking union.

A more troubling social response to strikes is the middle and business class nostalgia for President Premadasa's style of dealing with trade unions. This oft-expressed sentiment could be summarized as follows: "Had Mr. Premadasa been the President, this kind of nonsense could have been immediately stopped; those union leaders could have already gone under their graves. This government is giving trade unions too much freedom. How can you govern a country with freedom like this? No one wants to work, but every one wants rights. This is all Chandrika's fault."

Chandrika's fault or not, it is time that the unions realized the importance of ensuring social support for class action. Otherwise, they may run the risk of trade union action being perceived by the rest of the society as mercenary behaviour of an organized few.

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