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**Conflict prevention in post-war Sri Lanka: Obstacles
and the way forward**

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SULTANA SHARMIN JAHAN: Peaceful change in post war Sri Lanka: Obstacles and the way forward.

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Abstract

After the end of the devastating protracted civil war, Sri Lanka is undergoing through a comprehensive post war preventive peace building process. These post war efforts in the country reveal a unique approach of contemporary conflict prevention enterprise in the context of the way the government conducts its post war activities. The emergence of the victors' peace situation poses question towards the conflict prevention paradigm, which does not give any clear guidance to prevent relapse and establish sustainable and positive peace in such a context where the victors lacks a political will to address the root causes of conflict through political reform and to use the conflict prevention process as a medium of building trust.

The purpose of the research is to see how conflict prevention has been carried out in post war Sri Lanka and examine whether it is effective to establish sustainable peace and prevent relapse of conflict or not. The research is based on the case study of the various conflict prevention efforts taken by different actors. The study is conducted as a comparative study of theory and case to simplify the research and draw conclusions which can question or support some of the existing practical efforts in Sri Lanka in particular and theoretical approach in general.

As a methodology the research applies the theoretical framework of conflict prevention which covers not only conflict resolution but also prevent the relapse of conflict.

The research is designed to address the question of conflict prevention in Sri Lanka as well as to reveal the deficiencies of the theory in resolving this type of post war situation.

The research proves that the existing theory does not give much guidance to post war situation of victor's peace. Therefore, it requires more research for a successful policy recommendation in such a situation.

Keywords: post war Sri Lanka, preventive peacebuilding, conflict prevention, sustainable peace, relapse of conflict.

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Introduction

The South Asian island country Sri Lanka has witnessed world's one of the most protracted and brutal internal armed conflicts prolonged for 26 years, which ended up in May 2009 by the declaration of the government victory over the Liberation Tigers of Tamil Eelam (LTTE). This bloody war worth of thousands of lives raises important questions what is this war for? Does this end of the war truly mean the end of conflict? Is it the beginning of sustainable peace or is there a potential for the conflict to relapse?

Sri Lanka is a plural society, where majority are the Sinhalese, who are mainly Buddhist. Minority and indigenous groups include Sri Lankan Tamils, Indian Tamils, Muslims, Veddhas and Burghers. However, from the very beginning of independence in 1948, the divide line between majority and minority groups became evident. This discrimination gets more explicit by the ideology of Sinhala nationalism commenced under the leadership of (Solomon West Ridgeway Dias Bandaranaike) S.W.R.D. Bandaranaike. Constitution, education, employment, human rights; in all section Tamil people were oppressed (MRG, 2009). Tamils and to some extent Muslims have faced targeted human rights violations including extra-judicial killings, enforced disappearance, arbitrary detention, torture of opponents, denial of political aspirations and negation of civil and political rights (MRG, 2009). In response to these oppression Liberation Tiger of Tamil Eelam, (LTTE) formed in 1976. Marginalization and human rights abuses led to increasing militant attacks against State targets. The state backed pogrom against Tamils in the capital city Colombo and in other urban areas in July 1983 resulted to thousands of killings and several hundred thousand displaced. This is seen as a turning point in the Sri Lankan conflict leading to a full blown out war between Tamil militant groups and the largely Sinhala Buddhist Sri Lankan army (MRG, 2009). There were many efforts to peace talk, among government and LTTE, initiated by them and sometimes facilitated by third parties, but none of them saw the light of success. All these deficiencies along with the persecution resulted to the devastating war.

On 20 January 2009, the Sri Lankan army began the so called humanitarian operation in the area of Vanni in the north of the county comprising two districts, Kilinochchi and Mullaittivu, and parts of the districts of Jaffna, Mannar and Vavuniya (Vella andValcárcel, 2009, p.1). The

military campaign cornered LTTE rebels on a narrow strip of beach of only 24 square kilometers, together with 250,000 civilians which the LTTE used as human shields (The Guardian, 2009). Over 20,000 deaths occurred between January 20 and May 19 (Human Rights Watch, 2009). The exhausted people who managed to escape from the combat zone are still being detained in so-called welfare villages controlled by the army and surrounded by barbed wire.

Research work operated by Minority rights group revealed that in post war Sri Lanka there are government attempts to change the demographic patterns of Tamil and Muslim areas through various land redistribution schemes, the proliferation of Buddhist religious symbols in minority-populated areas, the weakening of Tamil and Muslim political parties, and the clampdown on minority politics and civil society (MRG, 2011 p.7). Land is being demarcated and sold for tourism projects as a part of development projects which is considered as a means of conflict resolution by the government. However, the report argues that, a little has been done to the promotion and protection of minority rights and freedoms; a serious and credible effort towards justice, accountability and reconciliation; and a genuine attempt to present a political solution that would satisfy minorities (MRG, 2011, p.7).

There has been also extensive militarization in the former war torn area. Even civilian authority in the north and east has nearly been replaced by military authority. No civil activity can take place without military scrutiny and permission. The resettlement either accused of dense corruption. Many who returned found their properties inaccessible due to destruction, de-mining, secondary occupation or occupation by the military. Some families living in broken-down structures are exposed to the weather and to the risk of theft and physical and sexual abuse (MRG, 2011, pp.8-9).

The government policy of limited freedom of expression and association resulted to clampdown on civil space and civil society leaders and journalists. Representatives of opposition political parties have been harassed and the space for dissent continues to be restrained. There is an unprecedented climate of fear evident in most parts of the country. Human rights violations such

as extra-judicial killings, disappearances, torture, arbitrary arrest and detention are widely reported but are denied by the government. (MRG, 2011, pp. 12-15)

It has been already five years the war has ended however, researches show that human rights condition of this minority groups are very poor. The question of reconciliation justice and accountability remain unresolved. Harsh material conditions, economic marginalization and militarism remains prevalent. Höglund and Orjuela argued that the centralized and Sinhalese-dominated political system, and the Sri Lankan government's lack of interest in political reforms for power sharing and minority rights suggest that the 2009 victory has failed not only to address many of the problems underlying the conflict, rather aggravated some of the grievances as well as amplifying support of Tamil Diaspora for separatism (Höglund and Orjuela, 2011, pp.3-4). This situation refers to the potential risk of the relapse of war.

The case of Sri Lanka represents a unique situation in the post war context. Generally post war situation provides an opportunity to the parties to rebuild the country towards positive peace where preventing the relapse of conflict is key concern. This idea undertakes the conflict prevention theory as a broader approach applicable at different stages of conflict cycle and considered a less costly and effective way compared to other measures of conflict resolution in terms of political, economic and humanitarian aspect. However, Sri Lanka takes a different approach than conflict prevention theory. Due to the win of the war by the government and absence of 'other side' apparently challenges the key idea of negotiated settlement of conflict prevention and relapse prevention model. The dominant discourse of the Sri Lankan government after the war seems that as the conflict is solved there is no need for reconciliation.

Therefore, in this circumstances where preventive measures are already on the ground requires the assessment of the ongoing process and how powerful it is to establish sustainable peace.

The central purpose of this research is to inquire about what conflict prevention measures needed in post war Sri Lanka. Moreover, this study also intends to examine how the conflict prevention process in post conflict situation works as an effective way to restrain the possibility of arms conflict. On the other hand the study inquires the conditions for the sustainable peace in post

conflict Sri Lanka and critically assesses conflict prevention measures in this post conflict situation.

The research questions of the thesis seek to address the post war situation in Sri Lanka. The set of question relates to the assessment of the current post war situation in Sri Lanka on the basis of theoretical arguments of conflict prevention. In other words, my research question is the following.

Firstly, what are the current conflict prevention measures in Sri Lanka? Are these measures effective enough to establish sustainable peace, if not, why not?

Secondly, why it needs preventive measures, when the war already ends in Sri Lanka? Can we identify the obstacles of conflict prevention in the victors' peace situation of Sri Lanka? Is it possible to prevent relapse in such a situation?

Wallensteen (2002, p.271) defines conflict prevention as actions that aim to reduce the number and scale of armed conflicts by finding solutions at an early stage. Conflict prevention concerned with resolving conflict before they become violent. According to Michel S. Lund Conflict prevention applies to peaceful situations where substantial physical violence is possible, based on typical indicators of rising hostilities. The situation is defined by the potentiality of lethality; a) the stage or phase during the emergence of violence when prevention comes into play; and b) its methods of engagement, which are geared to the differing drivers of potential conflicts that preventive efforts address (Lund, 2008, p.288).

Conflict prevention got special importance in 1992 when UN secretary Boutros-Ghali addressed the likeliness and seriousness of the threat of internal conflict in his 'An Agenda for Peace' (Hedelin, 2007, p.8). The preventive strategies are; Structural prevention and operational prevention (Carnegie commission, 1997) and both of them are recognized as equally important. This set of strategies address factors that lead to and sustain conflict. Structural prevention (also known as deep prevention) is long-term. These measures address pre-conflict conditions through economic development, governance programs, and human rights, put in place legal systems,

develop democratic institutions and targeted interventions. On the other hand in conflict conditions, operational prevention measures seek to prevent more conflict or de-escalate current conflict. Operational prevention can also be referred to as direct prevention or preventive action. Such measures includes fact-finding and monitoring missions, negotiation, mediation, the creation of channels for dialogue among contending groups, preventive deployments and confidence building measures and so on. (Ackermann, 2003, p.341)

Some research and case studies enable to prescribe the preferable conditions for effective preventive actions. These actions should be facilitated by multilateral instruments, supported by major international actors, considerable degree of domestic support and capacity for regulation (Ackerman, 2003, p.343). However, still there are arguments regarding the successful policy recommendation, implementation and institutionalization of conflict prevention. Concerning these issues this study examines the effectiveness of preventive actions in post conflict Sri Lanka by assessing the major themes of prevention theory.

The research explores that the post war conflict prevention in Sri Lanka can be characterized as militarization of northern and eastern part of the country, Sinhalization through settlement and proliferation of Sinhala religious symbols in the Tamil majority areas and infrastructural development accused of undermining indigenous knowledge and priorities, without having negotiation with them. It also includes government unwillingness of power devolution and international investigation of war crime conducted in the final stage of the war. The policies also comprises resettlement of IDPs, develop education and health facilities, gender equalities, training, psycho-social healing and integrate the whole nation under a unitary state system. Deficiency of good governance, freedom of expression and unwillingness of the government to meet the grievances are also important components of post war preventive peacebuilding in Sri Lanka.

With regard to conflict prevention theory these efforts represents the fact that there is limited possibility and will to implement the conflict prevention measures prescribed by the conflict prevention literature and policy. For instances, in theoretical aspect demilitarization, demobilization, and reintegration, reconstruction and economic development, political power

reform, and Justice and reconciliation are the core assumption. However, in Sri Lanka except the development sector other area does not get attention as it should be. Instead, the efforts can be featured by militarization, political dominance and further centralization of state and the question of justice and reconciliation were characterized by asymmetry of power. These could renew the grievances. The findings prove that Sri Lanka confronting a grave challenge to succeed in establishing sustainable peace and prevent relapse of conflict.

The structure of the research is as follows:

The research is divided into three parts; the first part presents the methodology of the research and covers the main theories and approaches to the interpretation of conflict prevention measures and its effectiveness to establish sustainable peace.

The second part of the research presents the conflict prevention policies in the post war Sri Lanka. This includes an analysis of the general preventive peacebuilding efforts, followed by the assessment of different actor's role. The actors are divided into three parts; the government actions, external nation state actors and international organizations and NGOs.

The last part of the research encompasses the general conclusions on the characteristics of conflict prevention efforts in Sri Lanka, and their effectiveness in establishing sustainable peace and preventing the relapse of conflict.

Chapter 1
Methodological basis

The main focus of the research is placed on analysis of different conflict prevention measures which will supposed to help to understand how the conflict prevention process in post war situation works as an effective way to restrain the possibility of future arms conflict and conditions for sustainable peace. The focal idea of my thesis is analyzing the preventive peacebuilding in post war Sri Lanka. I will approach the case of preventive peacebuilding in Sri Lanka using the 'conflict prevention theory' as a frame work for this study.

This study has a comparative and explanatory approach where the case is central. The conflict prevention theory has been chosen because the theory covers wide range of areas; from pre-war conflict resolution to post war peacebuilding and preventing the relapse of conflict. This research will interpret and compare various primary and secondary sources to have answers of research questions.

The initial focus of the research will be to identify the causes and underlying roots of the war. Then examine the Tamil grievances and the rationales of the government. The history of the conflict will be reviewed. The effectiveness of the measures also have been analyzed through the prism of the history and current situation. Wallensteen argues that 'the success must be very context-sensitive and take history, risks, and goals and so on into consideration' (Wallensteen, 2011, p.127). Similarly, the political context and the ability to read it correctly is also an important prerequisite for successful prevention. In this regard to assess the preventive measures in post conflict Sri Lanka, it is important to analyze the case properly.

To have a comparative analysis of the causation of the conflict and conflict prevention efforts I will assess the field work based reports which is done on the post conflict state of the Tamil people, for example Minority Rights Group International: an international NGO, campaigns worldwide with around 130 partners in over 60 countries to ensure the rights of disadvantaged minority peoples through training, education, legal cases, publications and the media. It has

consultative status with the United Nations Economic and Social Council (ECOSOC) and observer status with the African Commission for Human and Peoples' Rights.

Human Rights Watch: an independent international organization, works to defend people's rights worldwide and investigate abuses, expose the facts widely and pressure those with power to respect rights and secure justice.

International Crisis Group: an independent, non-profit, non-governmental organization committed to preventing and resolving deadly conflict.

The permanent Peoples Tribunal: an international opinion tribunal, independent from any state authority. It examines cases regarding violation of human rights and the rights of the peoples and aims to recover the authority of the peoples when the states and the international bodies failed to protect the right of the peoples due to geopolitical reasons or other motivations. Moreover, various scholarly work and research papers have been used to analyze the conflict prevention efforts in the country.

In addition, to perceive the Tamil policy I will review the Tamil newspapers, articles or reports published by various Tamil Diaspora organizations as well as election manifesto of Tamil political party (TNA) Tamil National Alliance. On the other hand, to examine the government policies I intend to cite the constitutional amendments, LLRC report, recent policies regarding the reconciliation and developments in the war torn areas.

According to Höglund and Oberg (2011, p.9) 'information about structural conditions can be found in official statistics provided by the governments, international organizations, researches and NGOs'. There are arguments regarding the information availability in war torn country due to weak and poor functioning state apparatuses. However, in the case of Sri Lanka the war was restricted only in the North and Eastern part of the country, so here the problem is not the state body rather the transparency of the government. Even so there are various sources to get information on social, economic, political, infrastructure and many other things. Höglund

and Oberg (2011, p.9) also argues that scholarly and NGO reports can provide various types of information that maybe difficult or impossible to find out elsewhere.

News reporting is an indispensable resource for peace research as it provides detailed accounts of various conflicts. In using the news reports I will try to select the international news agencies reports, as they are more neutral and objective in comparison to national news agencies. Even if, they are not totally impartial but the language is neutral, have information on the identity of the primary sources and also some indication of the level certainty of the obtained information (Höglund and Oberg, 2011, p.49). Collecting news reports on post conflict situation will be challenging for me. For instance, generally it is easier to find news on big and extraordinary events but in post conflict situation information on the present state of the Tamil people will not be available. There are few more things to be considered regarding the news selection. I have to be aware that these reports are interpretations and not necessarily facts and these inferences from observation can be mistaken (ibid, p.51). Considering these problems Höglund and Oberg suggest that since the information is about the parties and their goals and beliefs is generally available from the conflict parties, the best source for that kind of information is the parties themselves (ibid, p.52).

There is another important factor to consider that the intended audience or towards which audience the news resource is geared. Sometimes some actions and events being reported directed primarily to an outside audience rather than the adversary or the apparent target with an intention to hurt their opponent or affect the outcome of the conflict by sending message to outside parties. Actors often influence reporting to entice outsiders to actively support their cause and oppose their opponent's cause or to deter outsiders from intervening (Höglund and Oberg, 2011, p.62).

A good strategy to collect information is to use key words and define the concepts clearly. For instance I used key words post conflict, reconciliation, human rights, development, militarization, political power sharing etc. To minimize selection bias I have tried to use the original producer of the news item and to assess the bias, have compared different reports of different media. (Höglund and Oberg, 2011, pp. 47-72)

As I am not doing field work and preferring desk research by assessing various primary and secondary resources so obtaining information is a challenge to me. Due to technological development there is massive influx of textual and audiovisual information which also should be dealt carefully with the question of authenticity. In this regard firstly 'external evaluation' is an important means to test the authenticity of a source. For instance, when and by whom it was made, does it contain signature or other information to validate, where it come from and where it was kept, how it came about and with what purpose, these questions will help to prove the origin (Dulic in Höglund and Oberg, 2011 pp.37-38). Second trick is internal evaluation to analyze the content of the document, its wording, reliability and the biasness. However this part will be difficult for me, as I don't know the Tamil language, so I have preferred the original documents which are written by the author himself in English. For example, to understand the present state and demands of the Tamils I have examined the speech and articles of the Tamil Diaspora leaders and members as well as newsletters, publications and web page of British and Canadian Tamil Forum.

It is a challenge to the researchers to find a comprehensive theoretical framework to explain the target phenomenon. Theories must be carefully selected based on their fit with the target problem and the extent to which their assumptions are consistent with that of the target problem (Bhattacherjee, 2012, p.24). In the context of Sri Lanka I prefer conflict prevention theory as its primary idea is to restrain conflict before they start. However, there are arguments that, can war be prevented by removing its necessary conditions and controlling the circumstances under which they arise. These questions relate to the effectiveness of the prevention process. To better understand it needs to assess theoretical theme, especially those which suit for post conflict situation.

Justification of methodology

The methodology of interpreting and comparing various primary sources, chosen for the research, proved justified as I am not doing field work. For collecting good information, for relevant analysis and appropriate hypothesis I prefer NGO reports for instances, International Crisis group reports, Minority Rights Group report, International Committee of the Red Cross

and Human Rights Watch. In addition, for assessing internal NGO's and civil society's activity I examine the different individual NGO activities for example, Rural Development Foundation, Child Rehabilitation Centre, Jaffna Social Action Centre, National Ethnic Unity Foundation, Centre for Peace and Reconciliation, about thirty similar organizations, those are working in Sri Lanka. As important international actors Norwegian Agency for Development Cooperation, USA Government printing office report also followed for this purpose.

Scholarly researches are also valuable sources of critical information. In this context I followed Höglund and Orjeula, Jayadeva Uyongoda (scholar and Professor of Political Science and Public Policy at the University of Colombo), Nira Wickramasinghe (Professor of Modern South Asian Studies at the Leiden University Institute for Area Studies) and other scholarly reports of research centers for instances, Accord, Centre for Peace and Conflict studies, University of St. Andrews are followed. Various news reports are also viewed to collect information.

In addition, to improve data quality four issues 'validity and reliability, documentation, source criticism, and triangulation are of special concern' (Höglund and Oberg, 2011, p.185). Data collection efforts begin with theory or theoretical concepts, so for operationalizing there will be an effort to conceptualize the terminology of conflict prevention. The operational definition will be used to construct indicators that measure the concept, so validity depends on how well the operational definition matches the theoretical definition. This operational definition also should be consistent that can be applied to the source materials and thus the reliability of the measure. With concern to this validity and reliability I will manifest operational definition of conflict prevention to collect and compare the information on post war Sri Lanka.

Moreover, from ethical consideration having the topic a sensitive issue and security risk in Sri Lanka I decided not to operate field work. However, in a situation where there is militarization and freedom of expression is restricted how effective will be the field work that is also a matter of consideration.

Theoretical framework

At the initial stage I have tried to find a theoretical relevant definition to conceptualize the phenomenon of interest, which can be used to further a theoretical understanding of the concept in focus (Sartori, 1970). Establishing the theoretical structure and operational definition sets the direction - which data needed to be collected. There are arguments on conceptualizing or defining the conflict prevention. Most of them are too broad that Wallensteen (2011, p.126) found them weak on operationalization. Moreover Lund (1996, p.32) argues that more rigorous definition should distinguish conflict prevention from other closely related concepts. It should be applicable in different contexts and yet specified enough to operationalize.

There are arguments that, only to stop a particular situation from escalating is a form of conflict management or conflict avoidance (Wallensteen, 2011, p.129). The potential to prevent conflict differs in the different phases which is very useful to analyze what resources are necessary and when they need to be employed (ibid, p.132). My case study will be a test to evaluate the effectiveness of current conflict prevention theory to establish sustainable peace in victor's peace condition. According to Höglund theory driven empirical investigation introduces the demand for information upon which theories can be evaluated and explored. Theory and case are interrelated; theoretical arguments are needed to make sense of the empirical patterns or observations within and across cases (Höglund and Oberg, 2011, p. 4). It needs coordination of the theory and reality and to gain credibility theory needs empirical confirmation and demonstration to have a counterpart in reality (Höglund and Oberg, 2011, p.16).

Due to conceptual ambiguity the effectiveness of conflict prevention also yet to be determined.

There are also arguments that should conflict be prevented in the first place? (Ramsbotham et al, 2011, p.124). Ramsbotham argues that in constructive conflict 'the parties regard them as mutually acceptable and conflict outcomes are constructive in so far … these constructive outcomes should contribute to well-being and the flourishing of the people affected' (ibid). If we take this definition in to consideration then the end of the war indicates positive and peaceful changes in the society. However, research shows that around 30% of all terminated armed conflicts in the period between 1950 and 2005 relapse into violence within five years (Höglund and Orjuela, 2011, p.20).

This research echo the argument that past civil wars predict future civil war (Ramsbotham et al; 2011, p.130). In these circumstances post war conflict prevention measures could be a possible solution. Compared to conflict management, it seems less costly in political, economic and human terms to develop institutional mechanisms that prevent tensions from escalating into violent conflict (Lund, 2009, p.287). However, many studies examine the potentiality of conflict prevention even if it is difficult to measure that the preventive action had an impact on the course of events (Wallensteen, 2011, p.108).

Although theory provides underlying logic of the social phenomenon by explaining the key operators and processes, nevertheless, the simplified explanations of the reality is sometimes not adequate (Bhattacherjee, 2012, p.29). In addition pitfalls in the theory could make difficulties on its implications, so improvement of the real circumstances of post conflict Sri Lanka depends on the improvement of the preventive agenda. To improve the preventive agenda it needs to assess the success and failure of preventive action.

There are scholarly arguments that preventive measures have to be seen as a continuum of several levels of success and, furthermore, effects have to be seen in at least a medium-term perspective (Wallensteen, 2011, p.129). For instance, firstly, immediate avoidance of escalation to armed conflict is minimum success, secondly, no additional serious dispute among the parties (for at least five years, as a way of operationalizing this), where the situation will be measured by assessing the change of the frequency and severity of the following disputes. The initiation of peace process would be maximum criterion for success (ibid, p.130). If we consider this dependent variable, then in Sri Lanka it has been five years the war ended and there are no armed violence over there, so it can be counted as medium success of preventive measures. However, this cannot ensure that, there is no potential for relapse of conflict. In this circumstances, conceptualize the probability of relapse war as dependent variable will better fit my case.

The limitations of methodological perspective

Collecting and evaluating information and analyzing the case on their basis are problematic in conflict-ridden societies. There are common risks of propaganda; misrepresented, incomplete and biased information or narratives (Höglund and Obreg, 2011, p.112). Considering these difficulties I have tried to select the sources.

Another limitation to my study is field work; having the security problem and controversiality of this Tamil issue field work kept out of consideration. The ethical consideration is very important in peace research. The topic of the research is often sensitive both to the participants in the study and to the government that experienced the conflict, so these ethical dilemmas are very acute for field researchers (Höglund and Oberg, 2011, p.7). According to Höglund and Oberg (2011, p. 114) in post war context the legacy of violence, changing power relations and continued repression of regimes can also hamper or influence the research process. There are several field work based researches on Sri Lankan Tamil issue which faced challenges. For example, Kristine Höglund herself could not operate her field study properly as she intended and she had to narrow down the scope of her study (ibid, 2011, p.118). However, it is easier to operate field work for the NGOs and scholars of reputed institutions but as a student it will be difficult for me to have field work for master thesis. Höglund and Oberg indicate some problem concerning this issue such as, 'people expressed fear about these issues and researchers working on these issues can easily be considered as spy, terrorist sympathizer, human rights activist and suspicious to the authorities' (ibid, 2011, p.125). Considering these insecure research environment and sensitive research topic of Tamil I found it risky to conduct field work.

In addition, Freedom of expression is another challenge to my case. There are examples of arrest and indictment of journalists in Sri Lanka, which illustrates the lack of freedom of information and expression. In this restricted situation it will be hard to get reliable information and there is potential risk of bias.

Moreover, I am using NGO reports which is much influential than the news reports. However, they often have their own agendas and restrictions that might influence their reporting

(Höglund and Oberg, 2011, p.52). Finally, language barrier, authenticity of the interpretation of events and terminology also poses obstacles.

As a comparative analysis this research would be an important source to understand the deficiencies of post war conflict prevention efforts in Sri Lanka in particular and as a part of qualitative research can contribute to reveal the drawbacks of conflict prevention theory, in general, in post conflict settings.

Chapter 2
Theoretical analysis of conflict prevention measures

Post war Sri Lanka has been exposed as one of the unique cases which appeared as a challenge to the well-established peace keeping, conflict management and conflict prevention efforts. The end of the world's one of the most protracted and brutal internal war has been met with various peace building and conflict prevention measures. Generally conflict prevention refers to such a condition where conflicting parties reach a negotiated agreement on the basis of mutual interest. However, scholars like Höglund and Orjuela (2011, p.2) found that, the victor's peace where asymmetric power relation between the winner and losing party defines the post war situation, conflict prevention will render a tool for continued domination and containment of conflicts.

In addition, the failures of numerous peace initiatives prior to the war of 2009 fortify current challenges to establish sustainable peace in the post war Sri Lanka and anticipate the potentiality of relapse of further conflict.

2.1. The concept of conflict prevention

In assessing the post war preventive peacebuilding process it may prove constructive to elaborate the idea of conflict prevention mechanism. Preventing the violent conflict remains one of the most difficult challenges of the twenty first century. The emergence of new international attitude in the late 1980s and early 1990s approached as regional conflicts in the third world were viewed as a regional or global problems which should be addressed multilaterally. The necessity of containment of these violent conflicts shed the light on the urgent requirement to build an appropriate normative framework for the role of international community. As a result conflict prevention draws the central attention of international actors. (Melander and Pigache, 2007, p.1)

Although the idea of 'conflict prevention' emerged as the central concept at the end of twentieth century however, it can be traced back in Congress of Vienna of 1814-1815 to prevent new wars by creating demilitarized areas and neutral states. Moreover, the United Nations emerged with the ambition of preventing conflict. The UN charter in chapter VI and VII includes various

coercive and non-coercive measures to prevent violent conflicts. The Secretary-Generals of UN had a great contribution to strengthen the idea. For instance Dag Hamarskjold inaugurated the term 'preventive diplomacy' in1960 through the 'Agenda for Peace' and defined it as prevent the spillover of regional conflict to the superpower arena, which was modified by Boutros Boutros-Ghali in 1990 as the use of diplomatic technique to prevent disputes from arising, from escalating into armed conflict and armed conflict from spreading. Later on along with this to enhance the UN responsibility and role Kofi Annan stressed the shift of 'culture of reaction' towards 'culture of prevention' in 2001 and 2006. (Melander and Pigache, 2007, p.2)

Nowadays conflict prevention is been recognized as a political strategy to establish more stable and predictable international environment through effective response by states and organizations to emergent, escalating and ongoing conflicts by means of economic, political and military techniques. (Carment and Schnabel, 2004, p.5, v.2)

Despite the wide range interest and adoption of the preventive ideas researchers still could not agree upon the definition of 'conflict prevention'. According to Wallensteen and Moller (2003, pp.4-5) definitions differ mainly according to the aim of prevention: should it address only the immediate causes of conflict or also its underlying roots, or both, from reducing violence to resolving the incompatibility, the time perspective (short or long term), the means, and with regard with their coerciveness. Moreover, the conceptual confusion also linked with the conflict stage when the prevention should be implemented is an important determinant. For instances, Ackermann examined the scope of conflict prevention, whether it should be limited to the early and non-escalatory stages of conflict, or also encompass the escalation and post-conflict stages of a conflict (Ackermann, 2003, p.341).

In the context of this study conflict prevention can be defined according to Michael Lund's suggestion:

> *"conflict prevention entails any structural or interactive means to keep intrastate and interstate tensions and disputes from escalating into significant violence and to strengthen the capabilities to resolve such disputes peacefully as well as alleviating the underlying problems that produce them, including forestalling the spread of hostilities*

into new places. It comes into play both in places where conflicts have not occurred recently and where recent largely terminated conflicts could recur. Depending on how they are applied, it can include the particular methods and means of any policy sector, whether labeled prevention or not (e.g. sanctions, conditional aid, mediation, structural adjustment, democratic institution building etc), and they might be carried out by global, regional, national or local levels by any governmental or non-governmental actor."
(Lund in Carment and Schnabel, 2004, p.5, v.2)

This definition refers conflict prevention as a broad concept and malleable as a policy; it is Multi-sectoral can be applied at different phases of conflict by a range of actors.

For example, Miall, Ramsbotham & Woodhouse map the conflict cycle and general conditions that reduce the likelihood of conflict. The figure also shows the scope of prevention at different stages of conflict.
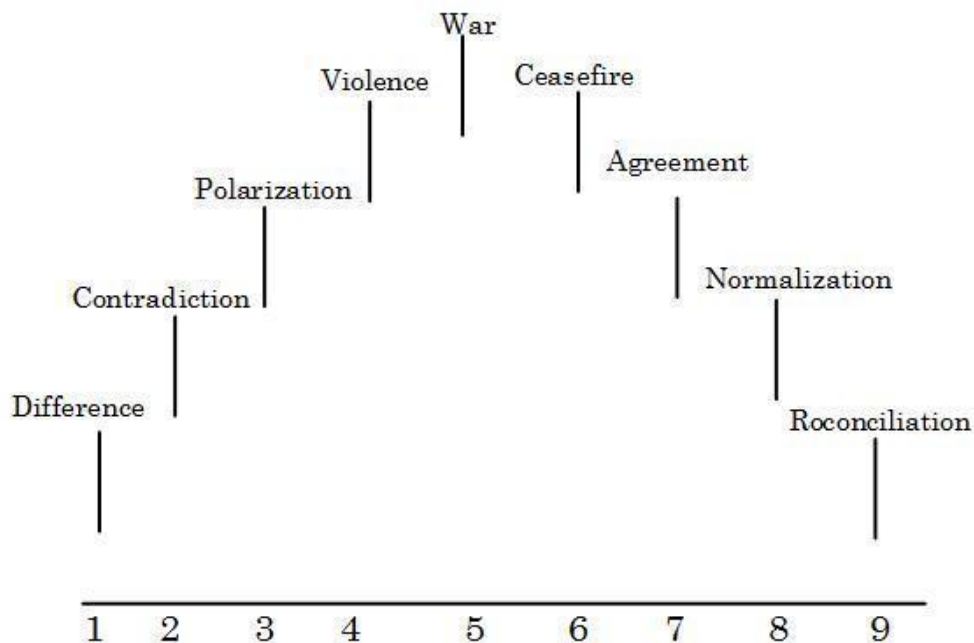

Figure 1: Conflict prevention and the conflict cycle (Ramsbotham et al., 2011, p.124)

1-3 preventing violent conflict (Deep Prevention, Light prevention, crisis management)

4-6 Preventing the intensification, prolongation and spread of violent conflict

7-9 Preventing relapse into violent conflict

To explain the model of conflict cycle and responses a combination has been made of Galtung's ideas of conflict and violence and escalation/de-escalation phases. The escalation and de-escalation model is important component for scholars to match appropriate conflict resolution strategies. According to Galtung's model conflict can be viewed as a triangle with contradiction, attitude, and behavior (Galtung 1996, p.72). Galtung emphasizes on the presence of all these three components in a full conflict. The conflict process is dynamic and unpredictable in which structure, attitudes and behavior constantly changes and influences one another. During the conflict escalation process new issues and conflict parties can emerge, internal power struggles can alter tactics and goals and the situation can be further complicated through the emergence of secondary conflict. As a result it becomes difficult to address the original, core conflict. Similarly, the de-escalation also experiences the changing dynamics which could be resulted with advances in one area or at one level being offset by relapse at others and third parties influence the outcomes in unforeseen ways. (Ramsbotham et.al., 2011, pp. 11-13)

As it is shown in the figure that the conflict escalation faces begin from the initial differences as a part of social developments and emerge as original contradiction and reached to the stage of polarization in which antagonistic parties form and conflict becomes manifest, and culminate through the outbreak of direct violence and war. At these early stages of differences to polarization, Ramsbotham, Woodhouse and Miall suggest deep prevention, light prevention and crisis management measures as preventive strategies. Early warning about the signs of conflict and early response to them, inter-group dialogue and reconciliation, preventive diplomacy, arms embargo, economic sanctions, muscular mediation, conditional budget support, human rights capacity building are strategies were established to reduce the potential inter or intrastate conflicts (Lund, 2008, p.292)

The failure of early efforts and the changing dynamics culminating to violence and war and at this point the aim is preventing the intensification, prolongation and spread of violent conflict through measures which includes threat of force or rapid reaction forces. Finally, at the de-escalation stages after having an agreement the aim is to prevent the relapse of the violent conflict. Structural preventive measures are mostly suitable for this purpose.

Höglund and Orjuela suggest that for long term stability of a war torn country conflict prevention is twofold undertaking. 'First, it includes preventing a relapse to violent conflict, and second; it includes constructing a self-sustained peace' (Höglund and Orjuela, 2011, p.22). These are the overlapping ideas of operational prevention and structural prevention; the distinction made by the Carnegie Commission which has been recognized by the Secretary General's 2001 report on the prevention of armed conflict.

Operational prevention which also refers to the 'light prevention' (Ramsbotham et al, 2011, p.135) comes into action when disputes are close to the point of violence. It aims at giving an immediate answer to an imminent crisis. The objective of prevention is very sharp and specifically targets the reduction of violence between identified actors, in a rather short-term perspective. Generally the responsibility to take constructive strategy and to play decisive role in the conflict falls mainly on the protagonists themselves. However, it is difficult for the parties themselves to find nonviolent solution of their own since they are in a conflicting situation so in many cases they need outsiders help. Scholars for example, Ackermann (1996, 2000) Lund & Mehler (1999) identify fact-finding and monitoring missions, negotiation, mediation, the creation of channels for dialogue among contending groups, preventive deployments, and confidence-building as the measures of operational prevention. (Ackermann, 2003, p.341)

On the other hand Structural prevention or peace building (Carnegie Commission, 1997, p.13) (or deep prevention, Ramsbotham et.al 2005) involves a wider perspective, a larger scope of targets and actions in a longer term (Melander and Pigache, 2007, p.13). It incorporates the measures that facilitate governance, adherence to human rights, and economic, political, and societal stability, as well as civil society building. The aim is not only to reduce violence but

largely to address the root causes and the environment that gives birth to it and the final goal is to ensure human security, well-being and justice (Miall, Ramsbotham& Woodhouse, 2011, p.129).

Michael S. Lund in his paper 'Conflict Prevention: Theory in Pursuit of Policy and Practice' reveals a structure of various preventive instruments:

	A Priori Measures (Generic norms and regimes for classes of countries)	Ad Hoc Measures (Hands on' actions targeted to particular places and times)
Structural Measures (Address basic societal, institutional and policy factors affecting conflict/peace)	Standards for human rights, good governance, Environmental regimes, World Trade Organization negotiations, OAS and AU's protocols on protecting democracy, International organization membership or affiliations	Economic reforms and assistance, Enterprise promotion, Natural resource management, Decentralization, Federalism, Long-term observer missions, Group assimilation policies, Aid for elections, legislatures Human rights and conflict resolution education, Aid for police and judiciary, Executive power-sharing Security sector reform
Direct Measures (Address more immediate Behaviors affecting conflict/peace)	International Criminal Court War Crimes Tribunals Special Rapporteurs for Human Rights Arms control treaties Global regulation of illegal trade (e.g. Kimberly Process for 'conflict diamonds') EU Lone and	Human rights capacity-Building Inter-group dialogue, Reconciliation Conditional budget support Fact-finding missions Arms embargoes Peace radio' Good offices, facilitation,

	Cotonou processes on democracy, governance, and Human Rights	track-two diplomacy 'Muscular' mediation Preventive deployment Economic sanctions Threat of force Rapid reaction forces

Figure 2: Taxonomy of illustrative conflict prevention instruments (Lund, 2009, p. 292).

AS it is shown in the table Lund finds these instruments are actually be operating under different aliases though features into them perform prevention effectively.

Therefore, the task of conflict prevention is not only confined to the 'direct prevention' to particular disputes between emergent parties in the foreground but also as creating capable states and immunizing societies against violence through structural prevention efforts at many levels in the background. The term preventive peacebuilding is sometimes now used to suggest that many of the same wide spectrum of sectoral policies that have been used in post-conflict settings. (Lund, 2003, p.13)

Ramsbotham refers to Dan Smith's (2004) assessment of a framework of peacebuilding:

- Security: This includes disarmament; demobilization and reintegration of combatants and child combatants; security sector reform; de-mining; small arms and light weapons;

- Political framework: Democratization of parties, media, NGOs, and inculcation of a democratic culture; good governance via accountability, rule of law, justice system; institution building; promotion of human rights; are the main features of political actions.

- Socio-economic foundations: This sector ranges from physical reconstruction, economic, health and education infrastructure, to repatriation and return of refugees and IDPs and food security;

- Reconciliation and justice: This embraces dialogue between leaders of antagonistic groups; grassroots dialogue; other bridge building activities, truth and reconciliation commissions, trauma therapy and healing. (cited in Ramsbotham et al., 2011, p.229)

Therefore, to analyze the effectiveness of measures to establish sustainable peace in a post war setting the relevant and applicable theoretical measures has been incorporated.

With this regard conflict prevention entails all forms of measures which range from peace enforcement during the violence conflict, to peacebuilding after the end of war. These characteristics also can be proved by the aims of preventive actions:

First of all, prevent the emergence of violent conflict by creating capable states with representative governance based on the rule of law, with widely available economic opportunity, social safety nets, protection of fundamental human rights, and robust civil societies.

Second, prevent ongoing conflicts from spreading which is done by creating political, economic, and, if necessary, military barriers to limit the spread of conflict within and between states.

Third, prevent the reemergence of violence through creating a safe and secured environment in the aftermath of conflict and the achievement of a peace settlement. Simultaneous, immediate steps will also be necessary to restore legitimate political authority, to install functioning police, judicial, and penal systems, and to integrate external and internal efforts to restore essential services and restart normal economic activity. (Carnegie commission, 1997, p.2)

Due to catch-all feature of conflict prevention this thesis put an effort to sort out a more practical understanding of the terms and measures. As a result it will be easier to assess the preventive peacebuilding efforts in post-war Sri Lanka.

2.2. Sustainable peace through justice and reconciliation

Regarding the employment of preventive measures and involvement in instabilities Lund finds it important to clarify the operational distinctions of different stages of conflict. Therefore, he differentiates between stages and their operational and institutional responses such as:

'peacetime diplomacy or politics works during eras of durable and stable peace, preventive diplomacy or conflict prevention preferable during areas of unstable peace, crisis diplomacy or crisis management during a crisis situation and peacemaking or conflict management comes into action during war'. (Lund, 1996, p.386)

If we take this classification into account to define Sri Lankan post war situation, it can be said that it is in the era of unstable peace where preventive diplomacy or conflict prevention measures are needed. However, it brings about the question of defining sustainable and unstable peace. In identifying the sustainable peace Lund argues that along with the peoples physical security form not being killed there are other conditions which includes the elimination of major known direct or indirect causes of intra-state armed conflicts as well as minimizing the likelihood of relapse of conflict. With this regard he also points some criteria of sustainable peace:

1. "Absence of actual or threatened widespread physical violence from armed force, including repression (mere peace)

2. Accommodative political processes that allow access to decisions affecting the population's lives and provide mechanisms for addressing social grievances of the kind that otherwise could produce major upheavals

3. Functioning government sufficient to provide essential public services, including security

4. Sufficient economic development to discernibly improve the well-being of most people in the society and begin to reduce widespread poverty.

5. Absence of egregious social divisions and material inequalities". (Lund, 2003, p.26)

In addition, Lund reveals some value and ideal based criteria for post war sustainable peace which are codified in UN Security Council Resolution 1325 (2000), for instances: absence of widespread crime and social dislocations, restitution for or acknowledgement of past wrongs to promote social healing and inter-group reconciliation and increased gender equality (Lund, 2003, p.26). This refers to the negotiated settlement and addressing the grievances for sustainable peace.

The situation also embraces Galtung's (1990) idea of negative peace which refers to the cessation of direct violence coupled with repression, depression, exploitation and injustice (Ramsbotham et al, 2011, p.12). It is curative, pessimistic and peace not always by peaceful means. On the other hand positive peace is the absence of structural violence where legitimacy and justice are the key ideas. It is optimistic, structural integration, preventive and peace by peaceful means. Thus, establishment of peace are intertwined with the elimination of violence. Although defining this positive and negative peace brings about huge arguments among the scholars and leads the researchers to move from the negative peace or the elimination of direct violence towards positive peace or eradication of structural violence. Galtung places positive peace at higher ideal than negative peace. In addition, rather dealing with the narrow vision of reducing direct and structural violence he gives importance to understand the conditions of preventing violence. (Cited in Grewal, 2003, pp.3-4) Some scholars consider justice as one of the most important elements to transform from negative peace to truly positive and sustainable and durable peace (Lehti and Saarinen, 2014, p.68).

Negative peace ⟶	Justice ⟶	Positive peace
Absence of violence	Rule of law	Long-term reconciliation
	Truth commissions/trials	
	Reparation/distributive justice	

Figure 3: From negative to positive peace (Ramsbotham et.al, 2011, p.251)

Therefore, reconciliation is a crucial component for conflict prevention. This is assumed as the heart of deep peacemaking and cultural peacebuilding (Ramsbotham et.al, 2011, p.246). Reconciliation refers to restoring broken relationships and learning to live non-violently with radical differences. Negotiation between overlapping interests opens the door to settlement and to overcome the structural injustice which creates an enduring space for further transformations.

However, Ramsbotham finds reconciliation very challenging after violent conflict that in the war-torn circumstances, where relations have been severed, norms are violated, identities are distorted, too many traumas endured, parties are not in a status to sit and negotiate with adversary. With this regard, to build the present ground of a shared future it needs to deal with the past. This brings about the question of restoring justice to overcome the challenges of psychological trauma and creates the space to deal with the subject of psycho-social healing. As the invisible effects are assumed harder to treat than physical effects, thus it requires an attempt to rebuild the social relations after large scale violence and war. (Ramsbotham et.al, 2011, p.249) With this regard Andrew Rigby in his book 'Justice and Reconciliation: After the Violence (2001)' outlines the approach: firstly, amnesia or 'forgive-and forget' which is perceived and followed by some societies easily to achieve reconstitution of relations between former enemies without travails of justice, in contrast vengeance' embrace private revenge on the others and another alternative lies between these two is public justice' which refers to truth commission and compensatory reparations. Along similar lines, Rama Mani in her book 'Beyond retribution: Seeking Justice in the shadows of War' (2002, pp.3-11) distinguishes the public justice into three interdependent dimensions which provides important alternatives to private vengeance and open up the way to eventual reconciliation. The first one is legal justice or rule of law.

This war affected entire apparatus of the justice system needs to be rebuilt. Secondly, rectificatory justice 'will deal with war crimes and crimes against humanity, past abuses and human rights violations. Finally, distributive justice' will address the structural and systemic injustices, mainly deals with the underlying root causes of conflict such as political and economic discrimination and inequalities of distribution. (Cited in Ramsbotham et.al, 2011, p.250)

Connie Peck in the report 'Sustainable peace: the role of the UN and regional organizations in preventing conflict' (1998, p.15) which has been published as a part of Carnegie Commission on Preventing Deadly Conflict'series points that for a sustainable peace it will need a long term approach to address the structural causes and foster institutions to promote distributive and procedural justice to make violent conflict less likely.

The procedural justice refers to transparency, fare representation, and fare play as well as voluntary agreement in the negotiation process while distributive justice covers equality, proportionality, compensation and need (Albin and Druckman cited in Lehti et al, 2014, pp.69-70).

However, some find this idea of just-peace as dubious and confusing. This triggers the debate

'Peace or justice' as some finds contradiction between peace and justice. Ramsbotham, Woodhouse and Miall argue that: whether the goal should be to establish peace at any price to end the bloodshed where power-sharing arrangements fail to uphold basic human rights and democratic principles, or should dive for the objective of democratic peace which respects human rights, though that might prolong the fighting and risk more atrocities in the time that it takes to reach a negotiated solution? (Cited in Ramsbotham et.al, 2011, p, 250)

According to Pauline Baker (1996, p.564) conflict managers' goal is peace in contrast democratizers' goal is justice. Similarly, Mani refers justice as a multidimensional opening space for reconciliation and to make it possible it needs sufficient acceptance by the former enemies of the legitimacy of post war rule of law, sufficient correlation of accounts to allow truth commissions and trials to resolve issues of rectificatory justice, and ample bridging of differences through compensation, reparation or structural adjustments to deliver adequate prospects of improved distributive justice in future. (Ramsbotham et.al, 2011, p, 251)

Regarding the relation of justice and peace Mona Fixdal points that the ideas should not be equated rather they are two different values which are much more supportive to each other than undermining. According to her studies in some cases the goal of justice can lead people to reject peace proposals.

Concerning this issue Avishai Margalit notes that peace can be justified without being just which supports the value of negative peace. Nevertheless, Fixdal argues that in some situation justice is more important than peace and a minimum degree of justice is the prerequisite for peace (cited in Lehti et al, 2014, pp.68-69).

At this point Lisa Schirch (2002, p.3) finds 'just-peacebuilding' approach as the point of departure to address the concerns of both fields. She defines the features of just-peacebuilding: which describe conflict as the consequence of unmet human needs. Its goal is to meet the human needs and human rights of all groups through a variety of short-term, intermediate and long-term approaches. This long term approach includes a range of peacebuilding processes as well as human rights and conflict resolution approaches. It takes a partial stance to values but impartial to people. Herein justice assumed within restorative framework and focuses on restoring victims and their needs and holding the offenders accountable to victims needs. At the same time tries to address offender needs. Just-peace effectively reduces direct violence which eventually plays crucial role in accomplishing long-term goals. Schirch points that the outcome of peacebuilding efforts are unlikely to be sustained if peace is not accompanied by distributive justice where resources and decision making are shared. Just-peace exists in a sustainable set of structures and processes with an absence of direct and structural violence. (Schirch, 2002, p.4)

Correspondingly, transitional justice is another option offered to establish long term and sustainable solution. According to Wendy Lambourne (2007, p.1) transitional justice should be assumed as a critical component in peace building which aim is to rebuild institutions and relationships to prevent the recurrence of armed conflict and violations of human rights. This transitional justice facilitates sustainable peace through the transformation in social, economic and political structure and relationships.

UN Secretary General Kofi Annan 2004 defines transitional justice as a full range of processes and judicial or non-judicial mechanisms associated with a society's attempts to come to terms with a legacy of large scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation (cited in Lambourne, 2007, p.2). Lambourne acknowledges Charles Call's (2004) explanation of transitional justice as a process where societies transforming from repressive rule or armed conflict deal with past atrocities, overcome social divisions or seek

reconciliation and create justice systems to prevent future human rights atrocities. John paul Lederach (2000) confess that the ending of armed conflict and reducing the threats of further violence and construction of the condition for peace is an essential base for peace building. However, the process will be accomplished when there will be transformation of the relationships between people, because it is a difficult task to create confidence in the new regime and to overcome the psychological barriers between people created by the experience of war. (Cited in Lambourne, 2007, pp.11-12) Moreover, the particular cultural and conflict context and the effective participation of civil society should be recognized for successful transformative process and sustainable peace. (Lambourne, 2007, p12)

Observation of Cecilia Albin and Daniel Druckman show that peace treaties are more durable when principle of equality is recognized. They offer a great importance of third party in the peace process and how they treat the adversaries or participants to the negotiation. Thus, according to their observation agreement facilitated by the third parties on the basis of justice is the key element of successful conflict resolution and durable peace(Albin and Druckman cited in Lehti et al, 2014, pp.69-70).

However, Øyvind Østerud has argued that, civil war ending to the victory of one party is more durable than mediated or negotiated settlement. In addition, if the assessment of the durability of peace agreement is measured within five years period, statics shows that negotiated settlements has greater tendency of the renewal of violence in comparison to peace followed military victory (cited in Lehti, 2014, p.67). According to this approach in Sri Lanka it should be a durable peace as the government won the war. This poses question whether in Sri Lanka truly establish sustainable peace or not.

2.3. Addressing the root causes as preventive instrument

Connie Peck also emphasizes on understanding the root causes of conflict as the first point of departure in developing an agenda for peace. Likewise Schnabel notes that the approach of long term prevention of potential violence should be guided on the basis of proven knowledge of the most common root causes of violence.

Schnabel and Carment in their book 'Conflict prevention from Rhetoric to Reality' present an assessment of the sources of conflict. According to them researchers and policymakers seek the causes in order to develop early warning indicators and to define appropriate policy instruments and strategies, because observed growth of a factor which cause violent conflict could constitute a warning (Schnabel and Carment, 2004, p.22).

Deploying the analysis of Waltz the foundation of the level of causation has been distinguished into three parts: the structure of international system, the internal structures of states and the nature of the human individual. To have relevant analysis state level sources of conflict will be discussed in this part. This relates with the intermediate (between the globe and the individual) units can be defined as regions, as states or as groups. Rubin identifies state-level factors equivalent to structural, cultural or institutional sources of conflict. (Cited in Schnabel et.al, 2004, p. 28)

This idea of root causes also intertwined with the concept of justice and human needs. As Peck points that the systematic frustration of human needs is a major cause of conflict. Grievances and feelings of injustice are likely to grow when individual and group needs for physical safety and well-being, access to political and economic participation, and cultural or religious expression are threatened or frustrated over long periods of time, especially when a group feels that it is being unfairly disadvantaged compared to other groups. (Peck, 1998, p.16) Therefore, to prevent the conflict the oppressive culture need to be ameliorated. Peck refers that since the state is the responsible authority to provide physical and cultural safety and to regulate political and economic access, the prime objective of group mobilization tends to be political access. In cases where governments recognize, listen to, and accommodate dissatisfied groups, grievances may be lessened or resolved. Problems arise, however, when governments ignore or repress these concerns. (Peck, 1998, p.16)

Rubin reveals that, among the characteristics of states and political processes the inability or unwillingness of the state to protect human rights or even basic security for citizens are most provocative to violence.

In addition, when important state institutions as well as political parties are ethnically based poses dangerous sign, because both state administration and political competition tend to turn into intergroup contests. Access to the resources is important determinants of conflict. We can get a clear idea regarding resource based conflict from the World Bank economist Paul Collier's assessment of the types of motivation in civil wars: greed and grievance. However, it is difficult to reveal the exact motivation because self-interested leaders may deploy the discourses of grievance to disguise the greed. Along with this perceived unjustified relative deprivation or change in the degree of deprivation or its legitimacy promotes conflict. (Rubin in Schnabel et.al, 2004, p. 28)

'The Minorities at Risk' study shows that most of the conflicts begin with non-violent movement and escalate in violent conflict. This escalation occurs quickly in authoritarian regime because of its repressive nature on the other hand, the transformation is slower in democracies. The study also confronts the idea of religious extremism as the major source of communal violence. Supporting the statement Gurr also argues that since religious differences exist between many minorities and dominant groups, this is more often a contributory factor, rather than a root cause of conflict. (Peck, 1998, p.30)

Lake and Rothchild (1996) argue when physical security and well-being are incorporated with acute social uncertainty, a history of conflict and fear for the future then the situation resulted to ethnic conflict. In addition, the demands for communal and cultural identity are important factors of conflict. Here communal identity refers to the individual quest within a group to share some combination of a common language, customs, religion, myth of descent, history, collective name, and association with a specific territory (which the group may or may not possess at the time) Peck referring to Esman, (1990b) and Lake and Rothchild (1996) points that in modern society, the denial or satisfaction of needs for physical security, recognition of group identity, and access to scarce resources is largely regulated by the state. Thus, one of the first demands of identity groups tends to be for access to the political process. (Peck, 1998, p.30)

The state also can be a crucial predictor of conflict. Sometimes dominant group or groups use the state as a means to maximize their own interest and limit access of non-dominant groups to political and social institutions. Moreover, factors such as state weakness, poor resource base or rapid population growth also contribute to ethnic conflict. (Peck, 1998, p.31)

Study shows that historical grievances sometimes provoke contemporary conflicts. Within the historical process four actions such as conquest, state-building, migration and economic development can be delineated. Due to conquest and colonization there is a process of forcibly incorporating people with new entities which causes physical and cultural decimation. Wherein unequal size and advance groups are thrust together and this uneven situation creates lasting legacies of intergroup grievance. (Peck, 1998, p.32) Along with this, government efforts of homogenous state building resulted to mass population transfer and genocide which inseminate the scars of interethnic hostility. On the other hand, forced assimilation policy also known as cultural genocide; state ban the use of particular language, religion or custom. According to Ryan (1990) the coerced assimilation has backfired, stimulating ethnic revival or secessionist movements. (Cited in Peck, 1998, p.33)

The Minorities at Risk Study provides useful data about the kinds of contemporary grievances that lead groups to advocate demands for autonomy, greater political access within states, and greater economic or cultural rights. Groups which demand political autonomy naturally want control over their own governance. They may desire total secession and independence in a new state, union with a kindred group elsewhere (in a neighboring state, for example), or greater regional autonomy within the existing state. One of the strongest historical factor predicting demands for autonomy is that the group had once governed its own affairs. In particular pressure by the dominant group on group lands and resources, and on cultural distinctiveness intensify the autonomy demand more. (Peck, 1998, p.35)

Another important factor is demands for greater political access which ranges from greater participation in political decision making at central level to the demand for equal civil rights or the demand for replacement of unpopular local officials or policies. Access to political rights will enable them to determine their economic, social and cultural rights. In addition, group discrimination often leads minority groups to demand access to political decision making. (Peck, 1998, p.35)

Demand for greater economic rights also important element to mobilize conflict. Economic rights may include a call for larger share of public funds; improved working conditions; access to higher status jobs; better salaries; better education; access to positions in the military, police, and government bureaucracies; or the protection or return of group lands or other resources. Groups may also want access to wealth, including land, capital credit, foreign exchange, and business licenses (Peck, 1998, p.35).

A study by the United Nations University refers to a process of conflict where elites use political and socioeconomic inequality (termed as 'horizontal' inequality) among identity groups as a basis for mobilizing people to compete for power and resources. Impoverishment without social capital could end up by individual violent crime but, when economic fault lines coincide with cultural groups or political territories then economic disparities are far more likely to translate into conflict. (Schnabel and Carment, 2004, pp.28-30)

Moreover, demand for social and cultural rights which related to mainly language, religious belief and practice, educational settings, equal status in legal matters and community treatment or protection from threats or attacks by other groups are important causes. However, the most important cause of conflict is the demand for basic human needs and human security. Rubin argues that poverty, inequality, or cultural differences do not themselves cause conflict rather, cultural values and differences provide political resources that can be used for different purposes, including conflict. Every culture includes a variety of potential symbolic and political resources for both conflict and peace that cultural elites transform into political resources. (Rubin in Schnabel and Carment, 2004, pp.30-31)

Effective democratic institutions are believed to be an effective way of conflict prevention. Research shows that, characteristics of the state itself are strong sources of conflict. Rubin argues that authoritarianism and repression are modes of dealing with conflict through avoidance or suppression, thus they may prevent conflict but that is not the goal of preventive action. According to him consolidated democracy prevents violent conflict though, the processes of democratization can provoke it, because holding elections without adequate safeguards for the security and interests of those who lose and without effective restraints on those who may wish to cheat, cannot establish peace. This election may constitute another arena of lawless contest of power. However, finally democracy based on power sharing and compensation for loser can be a better option to prevent conflict. (Rubin in Schnabel et.al, 2004, p.34)

2.4. Addressing human security as an instrument of conflict prevention

Different studies respond to the statement that human security compliments state security. UN Secretary General Kofi Annan (2000) points out a comprehensive role of human security in peace. To him in its broadest sense human security not only refers to the absence of violent conflict rather it encompasses human rights and fundamental freedoms, good governance, access to education and health care and ensuring that each individual has opportunities to fulfill their own potential. It also steps towards reducing poverty, achieving economic growth and preventing conflict. The concept of human security embraces diverse circumstances and without protecting human security thinking of the national or territorial security seems insufficient. Schnabel refers human security as a key ingredient for just and peaceful world order and emphasizes on the constant investment to maintain and improve existing levels of stability, peace and justice. Therefore, the stabilization and management of sustainable peace are crucial components of long-term preventive approach. (Schnabel and Carment, 2004, p.110, v.2)

Schnabel finds human security as a norm in a well-functioning political system where citizens have levers to keep those in power under control, and to ensure that they spend a substantial

portion of their resources to secure the people's interest. People are not interested to wage war with their neighbors. A culture of peace prevails when citizens enjoy good, accountable and responsible governance. (ibid, 2004, p.118, v.2)

According to Schnabel and Carment (2004, p.109, v.2) most of the conflict's root can be found in the structural violence which is the expression of persisting threats to individuals 'human security.
He also argues that, the long term prevention of potential violence should be guided by the idea of resolving the root causes of conflict. Hence, appropriate structural prevention requires the fulfillment of the human security needs of all members of the society at the same time it needs to strengthen the institutions which foster democracy, development, human rights and peaceful relations between group and states (Schnabel and Carment, 2004, p.112, v.2). Similarly, Edward Azar argues in his studies that in protracted social conflict such as in Sri Lanka, the communal groups engage into prolonged and violent struggle for such basic needs as security, recognition and acceptance, fair access to political institutions and economic participation. In particular, Azar identified security needs, development needs, political access needs and identity needs (cultural and religious expression). (Azar in Ramsbotham et al, 2011, p.99)

Governance and the state's role are critical factor in the satisfaction or frustration of individual and identity group needs. In stable and peaceful societies basic security needs are met by states and the respectable governments in contrast, the war torn societies are characterized by political and economic instability and deep rooted intergroup or class frictions. During this transformation period and in the environment of distrust societies are more vulnerable to human rights violations and relapse of violent conflicts in future. There are arguments that along with the military threats the nontraditional security threats, ranging from the economic to environmental and societal security, have the potential to escalate into conflict and war (Schnabel and Carment, 2004, p.115). With this regard social psychologists argue that to avoid conflict between individuals certain human needs should be satisfied. Hadley Cantril (cited in Schnabel and Carment, 2004, pp. 114-115) provides a universal conceptualization of human needs.

According to him at the very first point human requires the satisfaction of survival needs then wants both physical and psychological security. Humans are creatures of hope and continuously seek to enlarge the range and quality of satisfaction as well as to exercise the capacity to make choice. The most important features are the aspiration to experience their own identity and integrity and a sense of their own worthwhileness. In addition, humans seek a value and system of beliefs to commit with and a sense of confidence that their society holds a fair degree of hope about the fulfillment of their aspirations.

Schnabel and Carment also refer to Maslow's explanation of the 'Hierarchy of needs' (2004, p. 114) that after the satisfaction of basic security needs the sense of security accompanied with economic security and well-being and then will be eager to express their communal and political needs and eventually will demand to participate in social and political life. Thus, there are arguments that satisfaction of economic and social rights are more critical than the political and civil rights.

However, from realistic perspective where state's interest holds the supreme position, it may sound rhetorical that durable peace can be established through ensuring human security. The issue poses question that how pragmatic it is to achieve global security through the pursuit of security for individual human beings and then the survival and well-being of individuals should be the core reference points for governance at national, regional and international levels. (Schnabel and Carment, 2004, p.116, v.2)

With this regard self-enlightened governments; strong opposition willing to fight bad governments nonviolent way and external pressure by states, regional organizations or the UN pressure can be recommended for governments to behave responsibly, but unfortunately they are costly and non-existent.

However, to overcome the challenges Schnabel and Carment point a framework where it requires building international will, capacity and norms to protect the civilians in the armed conflict; strengthen capacity of international community to prevent or resolve conflict as well as building local indigenous capacity to manage conflict nonviolently.

In addition, to establish the norms of democracy and human rights need to improve the accountability and governance and building capacity to counter the transnational crime for public safety. (Schnabel and Carment, 2004, p.119, v.2)

The synthesis of development, democracy, human rights and peace are widely recognized in recent days and this approach of good governance will allow people to determine their own priorities; safeguard and promote their civil, political, economic, social, and cultural rights; and provide a pluralist environment, within which they can live with one another in peace, with the freedom to develop in all ways (Peck, 1998, p.17). Peck also argues that one of the aims of prevention is to build human security through the development of a system of good governance (ibid). In addition, according to him to promote good governance, it is important to establish an agreed upon standard and norms. With this regard he points to the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, as well as the declarations that have followed in their wake, offer the best available blueprint for good governance, specifying in great detail exactly how human security''should be provided by governments (Peck, 1998, p.18).

Thus, Peck assumes that strengthen the capacity of sates of providing human security through a process of socialization, assistance and problem solving could be one of the crucial component of prevention by international and regional organizations.

Accordingly, different preventive instruments are functioning in different label however, there are arguments regarding its adoption and implementation. The following part will be an effort to assess the pragmatism of the theoretical idea of post war conflict prevention efforts.

2.5. Adoption and implementation of conflict prevention instruments

The conflict prevention measures and involvement in post conflict preventive peacebuilding efforts includes a diversified instrument and activities. Examining the status and accomplishment of conflict prevention could delve into wide-ranging important issues and questions regarding the engagement to the process. There are ample of rhetoric regarding the necessity of conflict prevention, but serious attempts to give organizations the tools, procedures and means to put global and regional preventive systems into place are modest at best (Ramsbotham et.al, 2011, p.2).

2.5.1. The role of actors for effective conflict prevention

The lacking of 'political will' of international actors considered as an obstacle to the success of the prevention processes. Lund points that the problem causes as political wills are directed towards too many different directions. Although, the diversity of preventive measures is source of vitality however, Lund argues that energies are highly dispersed and unfocused; it also suffers from an overload of problems on the agenda and a myriad of perspectives from which to view them‖ (Lund, 2003, p.3). Some reasons can be identified for the slow progression of comprehensive conflict prevention that: the conventional wisdom persists that the costs to be borne and risks to be run are too high and the interests at stake are often too low.

In challenging this wisdom Jentleson shows that political will is not an insurmountable problem: political constraints do have a degree of malleability. Jentleson's claim is pertinent to institutionalized approaches to conflict prevention. (Cited in Schnabel and Carment, 2011, p.4) The strategic significance of the effected country to the big powers is important to mobilize the political will. Moreover, huge financial and political constraints and policy blind spots still keep international actors from addressing many conflicts in a timely, adequately supplied and coordinated way. (Lund, 2003, p.13)

In addition, role of private actors are also concerning issue. The corporate sector's and NGO's participation in conflict prevention is fundamental and necessary however, yet their roles, responsibilities and limitations (especially of the corporate sector) are not well understood. Moreover, in the first instance prevention obviously relies on actors within the affected countries themselves. There is a growing recognition of the valuable collaborative role of governments and the civil society organizations in conflict prevention and post conflict peacebuilding settings. Generally civil society organizations play a crucial role at different stages of conflict as partner with government and inter-governmental organizations. However, the genre of the role not only depends on the nature and severity of the conflict but also the relation with the government is an important determinant.

Some governments are developing policies on conflict prevention with active involvement with national and international CSOs who have been consulted on the contents and on how best to implement the new objectives (Barnes, 2007, p.5). Confidence building is crucial component to bring government and CSOs closer together and get them to cooperate. In 2006 the Secretary General in the UN progress report on the prevention of armed conflict urges that

> *"I encourage new and existing organs of the United Nations, to deepen their engagement with civil society and with other actors that play important roles in conflict prevention. To this end, I urge Member States to consider innovative means to intensify the dialogue with civil society."*
>
> (Progress report on the prevention of armed conflict, Report of the Secretary-General, A/60/891, 2006, p. 29 cited in Barnes, 2007, p.9)

Availability of fund also important factor, for instance ample resources, financial and otherwise, are available to deal with the fallout of conflicts: humanitarian aid, peace missions, reconstruction aid. But very little is available for the business of conflict prevention and peacebuilding (Barnes, 2007, p.8). Regarding the challenges of post conflict intervention's efficacy Peacebuilders often blame the chronic lack of sufficient resources that are typically forthcoming from the international community to address post-conflict situations. (Lund, 2003, p.13)

2.5.2. Adoption of the method of addressing root causes

Addressing the root causes and grievances are widely accepted instruments of conflict prevention. Gurr (1993) in his work shows that when governments listen to grievances and act to address them, problems are ameliorated. Confirming this notion, Lake and Rothchild (1996) argue that prevention of ethnic conflict requires governments to reassure minority groups of their physical and cultural safety, as well as to accord them respect (Peak, 1998, p.40). Considering the causes of conflicts Peck outlined four solutions which government can use to address the concerns of their minority groups: Firstly, territorial reform to satisfy demands for greater autonomy and control, secondly, electoral reform to meet demands for greater access to political decision making, thirdly, balanced distributive policies to provide opportunities for disadvantaged groups to satisfy demands for greater economic rights, and finally, policies of cultural pluralism that allow groups to develop their own identity and that address demands for cultural rights. (Peck, 1998, p.46)

However, there are arguments regarding the assessment of the causes of war. The question what caused the war' has stimulated much discussion among scholars. Suganami in his book 'On the Causes of War' analyzes the causal explanation of war. According to Suganami the historian's responsibility is not only to narrate the history or only to describe the origin of war but also to make explanation of causes. For instance, when we will get the answers to the question how did this particular war came about' is essentially same to have the answer to the question of what caused the war' and none of them requires answering the question under what sorts of circumstances have wars occurred more frequently. (Suganami, 1996, p.115)

According to Suganami it needs to distinguish between relevant and irrelevant causes. Because the question what caused an event is not asked only with presuppositions rather with clear purpose to determine who or what is to blame for the occurrence and how it can be prevented? (Suganami, 1996, p.131). Suganami found the idea of explanation central to the notion of cause. According to Michael Scriven causation can be understood as a special case of explanation, it refers to the relation between explanatory factors (causes) and what they explain.

Explanation as narration can render the occurrence more intelligible by solving specific puzzles. In this circumstance reasonable information works as the explanatory factor to solve the specific puzzles and constitutes the cause. (Suganami, 1996, pp.134-138) To understand the causes intelligibly structured or argued narratives must be presented, so he makes an effort to explore the construction of historical narratives. With this regard Suganami refers to 'genetic' or 'culminatory' type history. This type takes the narrative form and explains the event at the end of the period by going back in time. This structural description gives the background information as a cross sectional „breather". In addition, it provides all the information on the circumstances of historical period, turning points, relevant mechanistic processes, moves of the actors and make us to understand the meandering which lead to the outbreak of war. Here in the concentration is given to depict the transition from peace to war in the relation of states in a given period not strictly to the outbreak of conflict.

Thus, according to Suganami it is not necessary to know about wars in general to give an account of specific war and causal explanation of a particular event does not involve the covering law statement. Suganami's assessment of causation and his way of explanation might be preferable for examining a particular war. However, revealing the causes of war is not only confined to disclose them it also relates to find solution. His perception does not shed light to establish a structure of long term preventive measures of the war.

It is important to assume the circumstances to measure the potentiality of future war. Though, this argument is more general standpoint which is to eliminate all war. In contrast, if we think of the possibility of degeneration of a particular war, it is more apposite to analyze the causes of that particular war and resolve them to eliminate the potentiality of relapse. On the other hand, as all the cases are not the same so it is not easy to generalize it on regularity based theory, but to develop a culture of prevention by strengthening the actors of implementation it needs to structuralize the whole program. To operate them it also needs the general hypothesis so it is also possible to develop a law based on statistic or quantitative research, for example in how many cases does natural resources caused war? What are the circumstances? Are they similar with the given events? Based on these questions we can assume the potentiality of war and take necessary steps.

2.5.3. Implementation of reconciliation process

In order to sustain social cohesion there is always a general need for reconciliation between all societies. However, difficulty occurs when it deals with conflict prone societies. It is undeniable that the road to reconciliation is often long and tortuous. Nonetheless, question appears that when should it come into action? Few scholars insist that attempting reconciliation at the early stages are pointless and could be counter-productive as deeply traumatize individuals and groups are not ready for such an undertaking. This relates to the argument of 'contact hypothesis' that, the more contact between conflict parties the more scope of resolution (Ramsbotham et al, 2011, p.248). In contrast, few scholar such as Kaufmann (1996, p.161) argues regarding the separation; 'good fences make good neighbors'. On the other hand Northrup (1989, p.80) argues that the most necessary thing is an eventual redefinition of self/other identity constructs themselves, so that a sense of 'we' replaces the us/them split.

Throughout the way of de-escalation of conflict have to go through four stages of reconciliation: ending violence, overcoming polarization, managing contradiction and celebrating difference. Political closure and acceptance are assumed as the preconditions for reconciliation.

If the divisive political issues are still active and threatening it becomes harder to move forward with the deeper process of reconciliation. With this regard there are arguments that reconciliation is often easier after decisive defeat and victory: the losers may fell that they might reconcile themselves to the outcome as it is unavoidable, while the winners may find it possible to be magnanimous (Ramsbotham et al, 2011, p.258). Herein the problem is that, sometimes it is considered hard to forgive the defeated or victorious enemy as they are still seen to be an immediate and potent threat, so at the second stage it needs to overcome polarization. While dehumanized images of the enemy are still present and mutual convictions of victimization are widely believed deeper process of reconciliation cannot be reached. In this condition the other should be 'rehumanized'. At the third stage it requires to bridge the continuing deep differences by structural political and economic rearrangements as well as by strengthening psychological possibilities of living together peacefully despite persisting conflicts. Though there is little possibility of reparation in individual cases. However, situation can be strengthening through gradual improvement of political and economic opportunity.

Accordingly, when parents feel that things are likely to get better for their children then space for deeper reconciliation will be widened. Followed by some believe that a true reconciliation can be achieved when society enter to the realm of atonement and forgiveness. According to Ramsbotham in this stage enemies are reconciled to the point where differences are not only tolerated, but even appreciated.

Sometimes there are formal acknowledgement and apology on behalf of previous generations and general acceptance that a shared future is more important than a divided past. In addition, it involves deeper level of peacemaking and cultural peacebuilding through revisions of formerly polarized official accounts and media representations, pluralization of education and stories told in school text books and eventually on to leavening everyday experiences that affect localized transmissions of memory within communities and families (Kelly, 2002, cited in Ramsbotham et al, 2011, p. 261).

2.5.4. . International involvement in conflict prevention

Furthermore, the post war conflict prevention brings about the question of international involvement and intervention, which shade light mainly on the liberal values. According to Lund in this pervasive world view, market-oriented economic reform, democratization, civil society building, human rights, rule of law, and good governance are assumed to be the most promising approach both to preventing intra-state and inter-state conflicts as well as to developing poor societies and organizing nations. In every component, whether economic reform or war crime tribunal liberalism encompasses the theory of peace and long-term conflict prevention (Lund, 2003, p.15). However, there are arguments regarding the efficacy and legitimacy of the intervention. The most important question is whether the activities of conflict prevention actually achieve the results that they seek in the countries in which they are carried out. Studies show that in some cases the peace efforts could be reverse; the danger of failed peace agreement for example Angola in 1993 and Rwanda in 1994, adverse effects of humanitarian aid urge to think about the efforts critically.

In addition, internationally-promoted majoritarian elections in highly divided societies in the interest of democracy can increase the risks of violent backlash by factions who see themselves losing (Reilly, 1999, p.B2). There are also growing concerns, about the half-hearted international intervention which are operated by determined oppressors as a go-ahead signal or tool to carry out more oppression with impunity. Still other concerns arise from the lack of rigidity in the strategies behind interventions and the lack of attention to whether results are really being obtained. (Lund, 2003, p.17) However, there are arguments about the challenges of efficacy and as the main problem refer to the chronic lack of sufficient resources forthcoming from the international community. Thus, in approaching the conflict the objective has been identified as 'do not harm' by taking care in the changing vulnerable societies and 'do some good' if possible, by deliberately and sensitively fostering peaceful and constructive political conflict and avoiding violent destructive expression of the inevitable clashes between interests during a period of strife. (Lund, 2003, p.18)

Finally, for an effective preventive mechanism it needs institutionalization of the policies and strategies. For this to happen, along with incorporating the preventive policies into the government and organization's agendas and programs it also requires to operationalize across a joint group of preventive actors (Ackerman, 2003, p. 6). However, Ackerman reveals problems that the member-states of various institutions often are skeptical as to the legality and viability of preventive action especially during the response to imminent crisis. In addition, the capacity to coordinate and conduct multilateral preventive action is another problem area. Decentralized approach or to shift preventive action to the regional organization level could be a possible solution as referred by Ackerman (ibid). Nonetheless, to assess the efficiency of preventive measures is complex which requires assessment of a large number of situations and conflicts, which further open up the debate among scholars. This urge question that which approach should be followed. With this regard Sriram & Wermester's context-specific approach could be an option (cited in Wallensteen and Moller, 2003, p.7). Therefore, long-term approach could be a solution for an effective preventive mechanism.

Chapter 3
Historical background and causes

The history of bloody civil war of Sri Lanka is very important to be revealed, though it is difficult to be analyzed. To understand the dynamics of the conflict it needs to elucidate the puzzles of the ethnic conflict. This study begins with an effort to explore the causation of the war through explaining the history of it.

To understand the causes intelligibly structured or argued narratives provides all the information on the circumstances of historical period, turning points, relevant mechanistic processes, moves of the actors and make us to understand the meandering which lead to the outbreak of war.

In addition, at this particular stage of post war conflict prevention, addressing the root causes is matters of concern for develop the risk assessment and early warning system. Carment and Schnabel (2004, p.6, v.2) find this early warning and risk assessment not only about gathering facts, conducting diagnostics and developing predictive models but also relates to the anticipating and responding to specific events and preventing them from occurring. Therefore, to analyze the causes of the ethnic conflict of Sri Lanka the history of the war will be explained.

Sri Lanka, a traditionally multicultural, multi-lingual, multi ethnic and multi-faith island where four great world religions: Buddhism, Hinduism, Islam and Christianity, a range of indigenous spirit beliefs, and astrology, have coexisted for centuries. 19 million people with diverse and often overlapping religious adherence. The linguistic majority Sinhalese who number approximately 74 percent of the population 69 percent of them are primarily Buddhist. The Tamil comprises approximately 18 percent of the population are largely Hindu minority. There is also Muslim minority (of Arab and Malay origins), which constitutes a significant portion, about eight percent of the population, at the same time the Eurasian – Christian Burghers – add up to a little under one percent of the population. (Senanayake, 2009, p.3)

Sinhala Buddhist hegemony reinforced the differentiation of ethnic categories along regional identities and this is a significant reason of the Tamil militants to have a strong geographical dimension. Of the ethnic and religious groups, the Sinhalese are predominate in all parts of the country except Northern and Eastern part. On the other hand the Tamil and Muslim community, which have shared common Tamil language, are spread throughout the island but mostly concentrated in the North and East provinces. More specifically, Tamil Hindus predominate in the Northern Province and maintain a significant presence in the Eastern Province. The Eastern Province is ethnically mixed area where Tamils, Muslims and Sinhalese are found in significant numbers even though Tamils have a slightly higher statistical edge. Christians maintain a significant presence in the coastal areas. (World Bank, 2003, p.1)

Historically there is also a dividing line through the Tamil community, wherein one side is known as Sri Lankan or indigenous Tamils who are also internally divided into Jaffna Tamils and Eastern or Batticaloa Tamils; constitute 12.6 percent of population. On the other side, the Indian Tamils whose ancestors came to the island from South India in nineteenth and first half of the twentieth century as tea and coffee plantation laborer. (Wickramasinghe, 2006, p.265)

Despite the coexistence of the divergent ethnicity Sri Lanka has experienced world's one of the most devastating protracted war. The self-sustaining and reproductive nature of the ethnic war raises question on how the conflict gained enduring momentum to reproduce itself, why the parties were not interested in settlement (Uyangada, 2007, p. 2). In exploring these questions this part will analyze the features and facts that repeatedly enforced and reproduced the ethnic conflict. In addition, to understand the reproductive dynamics, Jayadeva Uyangoda suggests the necessity to distinguish the ethnic conflict character from the ethnic war process. According to him 'ethnic conflict may presuppose the possibility of bargainable compromises, Sri Lanka's ethnic war is fought on non-negotiable preferences and options because it is propelled forward by two contradictory and mutually exclusive state formation agendas.' (Uyangada, 2007, p. viii). With this regard we can define Sri Lanka case as protracted ethnic war.

Historically, the sign of the conflict can be anticipated prior to independence. During the colonial period the island known as Cylon then, experienced the tensions and riots between the majority and minority ethno religious communities. The then Tamil political leaders were concerned regarding the inadequate protection of minorities from the potential discrimination caused by the unitary constitution dominated by the majoritarian Sinhalese rule and called for constitutional protection, for instance: fifty percent of parliamentary seats and cabinet posts reservation for minorities. However, having denial of that option federal constitutional structure and self-determination become the key demand. (Nissan, 1998, p.10) Therefore, the question of state power, group discrimination, limited access to public resources and cultural marginalization and all these key components of the minority experiences gradually generated the ethnic conflict and the demand for autonomy. The root of the ethnic war and the obstacles to the way of successful negotiation is vast and complicated to be revealed and also sometimes overlapping. It cannot be considered apart from the ancient history to investigate the emergence of the religion and language based nationalism which afterward proposes the radical form of political interest. Therefore, to simplify the analysis history and causation are integrated into a single part and the causes are divided into different categories.

3.1. Language as a source of conflict

The rise of Tamil militancy has to be understood in the context of power relations and politics within Sri Lanka, which emerges mainly during the British colonial period. The local language, religion and culture were dominated by the English language, Christianity, and the culture of the British rulers (Orjuela et al, 2010, p.14). Local elite class (both Sinhala and Tamil communities) developed who adopted English language or Christian religion and continued to hold power after independence. However, the Tamils gained proportionally higher representation in the administration and professions than the Sinhalese because of the education which introduced by missionary schools many of which were established in the Tamil dominated Jaffna in the north (ibid). In the early 1944, politicians proposed resolutions in Parliament to declare Sinhalese the official language, whereas other amendments proposed both Sinhalese and Tamil as official languages.

A 1944 resolution specified that Sinhalese and Tamil would become the languages of instruction in schools, examinations for public services and legislative proceedings. The resolution was approved by 27 to 2 in the Sinhalese-dominated legislature. Advisory committees were established on how these changes were to be implemented; however, there was little progress. (World Bank, 2003, cited in Tamil Guardian)

English remained the government language and the supremacy of English involved a supplementary arena of ethno-linguistic rivalry between Sinhalese and Tamils (Dharmadasa, 1981, p2). Thus the vernacular speaking majority found little possibility of cultural and political transformation in the newly independent country (Nissan et al, 1998, p.11). The Sinhala speaking rural elites treated English and superior position possessor Tamil community as a major barrier to their advancement. These Sinhala rural elites mobilized Sinhala nationalism asserting close identification between Sinhala people, Buddhist religion and the island of Ceylon (Sri Lanka) (ibid). These elite groups using those sentiments appeared as key political actors and defeated the United National Party (UNP) government in 1956 general election. S.W.R.D Bandaranaike leaded coalition government formed by Sri Lanka Freedom Party (SLFP) and
Mahajana Eksath Peramuna (People's United Front-MEP).

The newly elected government primarily steps forward in quest of redressing two key fronts: firstly remove the barriers created by the formal status of English and secondly rectify those opportunities for which the Tamils enjoyed unfair advantage. On July 1956 the government passed 'The Official Language Act No. 33' which is also referred as 'Sinhala Only' act. Under this legislation Sinhala become the sole official language (Nissan et al, 1998, p.12). This act deprived the Tamil speaker's right to employment so this denial was protested by non-violent movement however; this caused several outbreaks of anti-Tamil violence for the first time. (ibid) In response to this language act Tamil political party 'The Federal Party' (FP) proposed four main demands to the government. For instance: federal constitution; equality of status for the Tamil and Sinhala language; granting of citizenship to the Upcountry Tamils; and an immediate halt to government-sponsored Sinhalese resettlement in the traditional Tamil speaking areas.

(Nissan et al, 1998, p.12) Non-violent civil disobedience was threatened in the absence of necessary steps to meet those demands. As a consequence of eleven months long non-violent agitation the Prime Minister Bandaranaike and Federal Party leader Chelvanayakam agreed a pact approving those demands. However, in April 1958 Bandaranaike abrogated the pact. Similarly, in 1960 before the general election these two parties entered into an electoral pact but after winning an outright majority SLFP ignored the agreement. Moreover in 1961 Sinhala was instituted as the language of administration (ibid). Although, legislation providing for reasonable use of Tamil was passed in August 1958 which is known as 'Tamil Language (Special Provisions) Act' No. 28 which offers that:

Firstly, Tamil pupil in a Government school or an assisted school shall be entitled to be instructed through the medium of the Tamil language in accordance with such regulations under the Education Ordinance relating to the medium of instruction as are in force or may hereafter be brought into force.

Secondly, in accordance with the provisions of the Ceylon University Ordinance, Tamil language shall be made a medium of instruction in such University for students who, prior to their admission to such University, have been educated through the medium of the Tamil language.

Thirdly, A person educated through the medium of the Tamil language shall he entitled to be examined through such medium at any examination for the admission of persons to the Public Service, subject to the condition that, he shall require a sufficient knowledge of the official language of Ceylon or acquire such knowledge within a specified time after admission to the Public Service. Moreover, in the Northern and eastern provinces Tamil language can be used for administrative purposes and for communication in the office capacity. (Tamil Language (Special Provisions) Act, 1958 cited in Tamilnation.org)

However, until 1966 the regulations for its implementation were not created, even after that was not implemented. Through the years this language issue mobilized the sentiment of discrimination and grievance for Tamil speakers.

Tamil politicians stepped up non-violent protest and civil disobedience campaign. However, those were provoked by counter civil disobedience by Buddhist monks and Sinhala activists, also sometimes met with security presence.

In February 1961, the Federal Party launched the biggest campaign throughout the northeast. Parties 'Tamil Arasu (state) postal service' issued own stamps through Jaffna district post offices and blocked the administrative buildings in Jaffna. They called on Tamil government employees not to study Sinhala as well as not to transact any business in Sinhala. In addition they asserted Tamil people correspond with government in Tamil only (Nissan et al, 1998, p.13). However, this time it ended up with a government declaration of state of emergency, deployment of troops to regain the control of this area. Moreover, the government closed the Tamil postal service and all the Federal Party MPs were detained for six months. (Nissan et al, 1998, p.13)

This time in 1965 Federal Party went into an agreement with United National Party (UNP) known as Senanayake-Chelvanayakam pact as a result Tamil language regulations published in 1966. However, these could not meet the expectations of FP as well. 1970s is the turning point which experienced the transition of Tamil demands and tactics stronger from federalism and civil disobedience. These changes were made in response to the Republic Sri Lanka's new constitution in 1972, inaugurated by the new United Front coalition government's Prime Minister Srimavo Bandaranaike, which entrenched Sinhala language and Buddhist ideology as in the foremost place. (Nissan et al, 1998, p.14)

Under the 1978 constitution, the provisions of 1958 Tamil language legislation and the 1966 Tamil language regulations were incorporated, which changed the status of Tamils. Moreover, after the Indo-Lanka Accord the 13th constitutional amendment of 1987 made Tamil official language alongside Sinhala and English. Nevertheless, even today Tamil speakers remain at a considerable disadvantage in their dealing with state and in commercial and business life outside the northeast. Though, the Official Language commission had an effort but policies are not implemented. (Nissan et al, 1998, p.13) Thus the language issue mobilized the ethnic sentiment among Sinhalese and Tamils and sowed the seeds of conflict, which remained unresolved till now.

3.2. Religion as the source of ethnic division and conflict

Religion is an important factor of ethnic division and conflict in Sri Lanka. In the 9th or 12th century the external threat from South India is the emergence of the formulation of clear Sinhalese and Tamil ethnic and cultural identities. (World Bank, 2003, p.2)

Though these wars were wars of dominance fought between regional rulers however, historical chronicles compiled by Sinhalese Buddhist monks defined these wars as campaigns undertaken to protect Buddhism and the Sinhalese nation. These were further reinforced by formal education and these problematic interpretations by many Sinhalese are accepted as fact today. Thus, interpretation of ancient history played crucial role to construct the nationalistic idea. The history and religious symbolic meaning got politicized by the nationalist scholars and government.

In analyzing the identity factors the premordialists conceive the present internal conflict as one reproducing of fundamental antagonism that goes back to ancient times and is anchored in a collective memory transmitted in an uninterrupted fashion through language (Sinhala as opposed to Tamil) and religion (Teravada Buddhism as opposed to Hindu Saivism) (Wickramasinghe, 2006, pp. xi-xii)

Before the rise of states the island of Sri Lanka and South India have been part of single cultural region (Indrapala, 2005 in Fernando, 2008, p.118). According to Tambiah with the rise of states 'galactic politics' developed in the region. Under this galactic politics dynastic conflicts took place. Though, this system was associated with a politics of expansion and plunder but, the effects of such politics began to shape both the religious and political historiography of the literati monks of the period, thus conditioning the system of religious symbolic meanings. The chronicle Mahavamsa considers 'dhamma' as a lamp that gives light to the island. Mahavihara was a monastery of Theravada Buddhism. R.A.L.H Gunawardana reveals the contradictory evidence of Mahavamsa : Duttagamini is projected as the Sinhala Buddhist nation builder by the ethno-nationalist intellectuals fought against not just one principality in the north ruled by a Tamil, but thirty-two different other rulers within the island.

There, not all the people fought against Duttagamini were Tamils on the other hand; there were Buddhist among the Tamils. So there was no ideological connection between language and religion. (Fernando, 2008, pp.118-123)

The author monks of the later vamsa tradition have created a stereotypical image of the Tamils making an essentialist connection between Sinhala and Buddhism. Based on the Asokan and Duttagamini paradigms of 'two wheels of dhamma', where the sangha expected the dynasties to protect sasana. In writing down history, they made the Theravada tradition a sectarian anti-Tamil state ideology and expressed aspirations for a stronger Buddhist kingdom (Fernando, 2008, p.124) According to Reynolds a process of mythologization of history and historisization of myth have taken place in the interpretation.

Dhammadipa which is the teaching of Buddha; the light of the mode of life, got changed the meaning that Sri Lanka has the Dhamma as a lamp. According to Michael Roberts the Sinhala people also believe that they were the chosen people for the island (Fernando, 2008, p.128)

The territorialization of religion turned into Sinhalese Buddhist mainly during the colonial period through narratives. Jayadeva Uyangoda and Seneviratne show that the present model of Sri Lankan unitary nation-state is mainly a modern construction (colonial and post-colonial). For instances, Mahavamsa translated from Pali literature to English then Sinhala, where written that Sri Lanka is belong to Buddhists. There are arguments that due to geopolitical interest in Indian Ocean the British colonial power didn't want to spread the uprising in the island and supported a unitary state system. According to Uyangoda, Sri Lanka enters the stage of formation of a state by the recycling of pre-existing myths mainly through the material conditions of colonialism within the British imperialist project. (Fernando, 2008, pp.128-130)

Later after the independence this idea was mobilized by the Sinhalese educated rural people whose nationalist aspirations for cultural transformation, power and status did not automatically materialize with independence.

In 1951, resolutions of the All Ceylon Buddhist Congress included a statement to the prime minister that, the government is legally and morally bound to protect and maintain Buddhism and Buddhist institutions. Sri Lankan Buddhist strongly believes that they have duty to protect and uphold their faith in the country and tens and thousands of Buddhist monks' sacred vows to do so. If they voice concerns that their faith is under threat, that is extremely powerful and emotive message. (Liyanage, 1998, pp.65-66) Therefore, the politicization of religion is one of the root causes of the conflict.

3.3. Education and ethnic conflict

Inequality in the education sector reinforced the conflict. Since 1970, access to education, particularly to higher education, has been ethicized. Along with this different aspects of education for example, structural organization of schools and universities, contents of textbooks and training of teachers have influenced the ethnic conflict directly. Compared to other ethnic and religious groups in the country, Tamils have had strong cultural norms to value education. Many Tamils attended English language schools which were the passport to higher education and better employment in the colonial period. As a consequence of well-funded American missionary activities, the Tamil-dominated Northern Province had comparatively better facilities for English language and pre-university education. (World Bank, 2003, p.3) In the Tamil predominated areas the traditional land based occupation in the arid areas was limited, which encouraged many to seek employment through education. As a result there were over-representation of Tamils in higher education, professions and the administration in comparison to their status in the general population. By independence, Tamils accounted for over 30% of government services admissions. By 1956, 50 % of the clerical personnel of the railway, postal and customs services, 60% of all doctors, engineers and lawyers, and 40% of other labor forces were constituted by Tamils. (World Bank, 2003) With this regard the Sinhalese took efforts to curb the Tamil presence and the 'Sinhalese only Bill' was one attempt in this process.

The constitutional provisions in 1972 favoring the Sinhalese language and Buddhist religion, along with their educational policies, convinced many Tamils that they had been perceived as a marginal community. According to 1971 standardization policy for the university entrance exam, Tamil students had to score higher than Sinhalese speaking students to gain admission to universities. This was the first time; the ethnicity was used as a basis to tamper the integrity of university admission policy. (World Bank, 2003, p.3)

In 1972, a district quota system was introduced in order to benefit those not having adequate access to educational facilities within each language. These changes had a serious impact on the demographic patterns of university entry. Though in 1977 the language based admission policy was abolished and various adjustments have introduced, still then many Tamil youth feel that they are discriminated in higher education access.

In addition, the organizational structure of educational institution, the training of the teachers, the content of text books and syllabus are strong and long lasting elements for ethno-linguistic impact. Institutions, with more than one language of instruction, are affected by internal segregation. In real terms Sinhalese students are segregated into Sinhalese-language schools and Tamil and Tamil-speaking Muslim students are segregated into Tamil-language schools. If they enter universities or technical institutes, this segregation is likely to continue unless they opt to, and have the money to receive, a non-segregated further education in English in private institutions. (World Bank, 2003, p.5)

Similarly, the teachers training system and institutions are also segregated except in the training of teachers specializing in subjects such as English. Recently the context of multi-cultural society has been taken into account regarding teachers training. Moreover, since 1980s the school text is playing important role in shaping ethnic relation in the country. School texts have been written, supervised, produced and distributed by agencies of the state, which reflects the state policy or thinking. Ethnic politics also have been played out of the process. However, recently the problematic contents have been removed by revision and rewriting process, but in some cases it is extreme that all references to ethnicity and related issues have been removed.

3.4. The issue of land and ethnic conflict

Since independence land has been a highly politicized and ethicized issue in Sri Lanka, and an important factor that contributed to the conflict. In early 1960s state-sponsored colonization schemes, moving Sinhalese into Tamil and Muslim-dominated areas caused much concern at the time (MRG, 2011, p.19). The clearest site of politics of land and ethnicity has been in the sparsely populated areas of the dry zone in the North Central Province and the Eastern Province. The settlement of poor Sinhalese farmers from the densely populated wet zone areas of the country made a different perception among the Tamils. The notion of the traditional Tamil homeland became a potent component of popular Tamil political imagination. The colonization scheme had a significant impact on demographic pattern, particularly in the eastern province. The Sinhalese irrigation settlements in the North Central and Eastern Provinces under direct state sponsorship appeared to the Tamils as a deliberate attempt of the Sinhalese-dominated state to marginalize them further by decreasing their numbers in the area. (World Bank, 2003, p.5)

In addition, in late 1970s 'Acclerated Mahaweli Program' was taken to accelerate the development of dry zone for agriculture and resettle people. As a result of continuing agitation of Tamil people in 1986, the government agreed to allocate the remaining land on the basis of the ethnic distribution of each ethnic group in the total population. On the other hand, the Muslim community tended to reject the countervailing notion of a traditional Tamil homeland in the North East region. Growing cooperation between the security forces and Muslim home guards led to LTTE attacks on Muslim villages in the East, armed counter attacks on Tamil communities in the South East and to the eviction of 55,000 Muslims from the North in 1990 most of whom remain displaced today. (World Bank, 2003, p.5)

3.5. Non-negotiability of state power devolution

The question of political power sharing is one of the key causes of ethnic conflict in Sri Lanka. Self determination and self government have been critical demands of minority groups for over half a century in Sri Lanka.

They were also central to the conflict and were the basis upon which Tamil nationalism and later Tamil militancy were founded. Since independence Sri Lankan governments have held different ideological positions and given different practical response to these demands. During the conflict the government attempted to discuss some form of political autonomy for minorities, mainly for Tamils.

Since the 1930s, and much more clearly since the 1950s, Tamil political parties have been asking for greater political autonomy for the areas in which they predominate. The devolution of power has been recognized at different times as a means to diffuse tensions. A number of pacts had been formulated to define the modalities for devolution of power, including the Bandaranaike-Chelvanayagam Pact in July 1957 that offered a framework for regional devolution. But due to various political pressures, the provisions of the pact were never implemented. In 1965, the Dudley-Chelvanayagam Pact was formulated and agreed upon but, were annulled. (World Bank, 2003, p.6) The failure to implement these proposals led the Tamils to demand separation, instead of Federalism that they had been seeking up to that point. In 1977, the Tamil United Liberation Front won an overwhelming electoral victory on a highly charged political platform of separatism. In 1980, the District Development Council Act was passed in Parliament and elections to the councils were held in July 1981. But given the lack of government commitment to decentralization of power, this attempt also proved to be a failure. This resulted to the armed insurgencies. (ibid)

According to Jayadeva Uyangoda the puzzle of Sri Lanka's ethnic conflict and the difficulties in its termination are embedded in the non-negotiability of the vital question of state power. The fact that the government of Sri Lanka and the LTTE continue to approach the possible negotiated solutions in minimalist (minimum devolution) and maximalist (confederal autonomy) perspective and through this strategic path the conflict dynamics can be defined. The peace negotiations, rather than resolve the issue, had been an occasion for the governments and the LTTE to discover new differences, explore new enmities, and reinforce existing antagonisms. There was a continuing gap between the desired peace and possible peace. While the contestation for state formation has provided a non-negotiable character to the conflict, it continues to supply the ethnic war with an enduring capacity for reproduction. Though there were several mediation, facilitation and negotiation efforts but they proved inadequate to resolve the issue. (Uyangoda, 2007, pp.vii-ix)

3.6. Human rights violation

According to the Minority Rights Group (MRG) report, for at least last four decades Sri Lanka has had a poor human rights record. In early 1970s and late 1980s there were two major insurrections in the south, when tens of thousands of university students, academics, media personnel, activists and politicians were killed by military attacks while hundreds have been disappeared, arbitrarily arrested and detained, abducted and tortured on suspicion of involvement with the Tamil Tigers (MRG, 2011, p.25). In the last few years human right violation was targeted mainly on minorities. State organs like army and police conducted violation against the minorities. Between 2005 and 2009 there was a significant increase in disappearances and extra-judicial killings, abductions, arrests and detentions under the PTA (Prevention of Terrorism act).

Since 1979 this PTA has been used as extensive power to arrest and detains individuals for up to 18 months without trail. This PTI does not comply with international standards. In a joint report, the Civil Monitoring Commission, Free Media Movement and the Law and Society Trust, recorded 662 killings and 540 disappearances, in the period January–August 2007. (MRG, 2011, p.25)

The LTTE also were responsible for large-scale human rights violations, attacks on civilians in places of religious worship and suicide bombings in Colombo as well as eviction of northern Muslims. LTTE also accused of the forceful recruitment of child and adult soldiers. The intolerance of political opposition led the LTTE to kill many moderate Tamil political leaders, journalists and activists. (MRG, 2011, p.25) Along with other issues this human rights violations also reinforce the conflict.

3.7. Global power struggle and geopolitical importance of Sri Lanka

During their colonial rule the British regarded the island of Ceylon as an important strategic post to maintain control over the sea routes and their Indian Raj. The militarily crucial deep sea harbor in Trincomalee was situated in the Tamil inhabited eastern part of the island.

Due to their geographical proximity, Ceylon and India enjoyed close and strong cultural and political ties. This connection was manifested through the existing relationship between the Tamils living in the island and the South Indian Tamil population, which is assumed as a threatening factor for the British objectives to develop the island into a strategic asset. In this context British colonial power took the policy of creating a unified structural entity with a unique identity to enhance geographical separation. (Permanent Peoples Tribunal, 2013, pp.11-12)

The Sinhalese were the 'chosen people' to achieve this important task. In 1833, the British created a unitary structure by forcibly amalgamating the traditional Tamil homelands with the Sinhala areas thus laying the basis for a Sinhala dominated unitary state system. Subsequently through their work in the fields of historiography, archaeology and anthropology the British constructed a new 'Sinhala Buddhist Aryan' national identity which would see India as an 'invader' and the Tamils as the 'descendants of the invaders'. (Permanent Peoples Tribunal, 2013, p.12) Despite the repeated demands by the Tamils for constitutional safeguards that would preserve their collective rights as a nation, the British transferred the power to the Sinhala elite leaving the Tamils at the hands of the newly created Sinhala dominated state that regarded them as an alien threat.(ibid)

After the Second World War, the USA replaced Britain as the dominant power in the region. In partnership with Britain the USA maintained and developed the commitment to support and fortify the unitary structure in the island. According to Permanent Peoples Tribunal, in 2002 during the internationally backed peace process the USA with the assistance of the UK, deliberately took a series of calculated measures to alter the balance of power between the Sinhala State and the defacto Tamil administration and succeed in destroying the negotiations process. The tribunal points that, U.S. motive is to gain control over the island as a strategic asset in their global military power projection. (Permanent Peoples Tribunal, 2013, p.12)

Therefore, all these socio-political factors created the background for devastating protracted ethnic war in Sri Lanka. Until early 1980s the conflict was primarily limited to the political arena where destruction of property and life was minimal.

After this period different sporadic cases of violence gradually gave way to institutionalization of political violence, which was widely used by both the government and the LTTE. LTTE initiated guerrilla war and bombing campaign on central government targets and began to capture territory in north and east. Government responded with killings and disappearances of Tamils. Though there has been several peace efforts and mediation program.

However, rather than finding a solution the negotiation became a platform for the adversaries to re-discover and re-inventing mutual differences, suspicions, apprehensions and even hostilities. This reinforced the conflict. 2004 devastating tsunami even failed to create an environment of cooperation due to dispute over distribution of foreign aid. Conflict intensified through late 2006 and continued throughout 2007; both sides suffered heavy casualties. Conventional battles were accompanied by continuing rights abuses from both sides, including political assassinations, abductions, and targeted attacks on civilians. 20,000 to 30,000 killed between 2006 and early 2009, with government and particularly LTTE suffering heavy losses in battle and estimated 5,000 civilians killed in crossfire and targeted attacks. According to media reports 20,000 civilians were killed in the final stages of war. On May 18th 2009 government declared victory.

Chapter 4

Assessment of preventive measures in post-war Sri Lanka

This part of analyzing conflict prevention process is divided into two parts. The first part is devoted to examine the contemporary situation based on different scholarly researches, government reports and newspapers. The second part analyzes different actor's role in Sri Lanka conflict prevention. The actors are divided into: firstly, government action; secondly, nation-state actors, and thirdly, non-state actors and organizations.

Analyzing the conflict prevention measures in Sri Lanka is a bit complicated as the case represents a unique situation; ended up with the win of the government and absence of any agreement among the adversaries. It also takes a different approach than conflict prevention theory, as the current scheme of relapse prevention is modeled on a situation where the parties are jointly agreed to ceasefire or peace agreement and the assumption of a negotiated settlement serves as the basis for direct and structural prevention. The agreement is seen as a signal of the parties' willingness to move towards a peace which involves the recognition of the other side as a legitimate actor. (Höglund and Orjuela, 2011, p.23) The circumstances of total defeat of the LTTE encompasses that there is no apparent 'other side' with which to reconcile and negotiate a post-war future. The dominant discourse of the Sri Lankan government after the war seemingly that the conflict is now solved and that hence there is no need for reconciliation.(Höglund and Orjuela, 2011, p.24) On the other hand, there are theoretical arguments that war ends with the win of one party brings the peace are more durable than the negotiated one. Accordingly, it requires testing the Sri Lankan model of peace and sustainability.

Höglund and Orjuela (2011, p.20) reveal that the brutality of the war, the centralized and Sinhalese-dominated political system, and the Sri Lankan government's lack of interest in political reforms for power sharing and minority rights suggest that the 2009 victory has failed not only to address many of the problems underlying the conflict, but also aggravated some of them. This refers to the affirmation of negative peace in Sri Lanka.

This part now turns into an analysis of the conflict prevention measures in Sri Lanka. Assessing the conflict-prevention literature Höglund and Orjuela points four major areas which should be focused in a post conflict context to avoid relapse:

4.1. Demilitarization or militarization

Referring to Spear (2002) Höglund and Orjuela point that the conflict prevention paradigm emphasizes demobilization, demilitarization and reintegration of former combatants (DDR) as critical steps in relapse prevention as former combatants may pose a potential security challenge of renewal of conflict (Höglund and Orjuela, 2011, p.26). Therefore, to establish sustainable peace security sector reform and demilitarization are recognized as indispensable.

However, the Sri Lankan context presents a different perspective. The years long civil war evolved as a highly militarized society throughout the country especially north and east of Sri Lanka and in Colombo. The last years of the conflict resulted in unprecedented levels of militarization for instances, over a two-year period the government expenditure among other things, over security forces increased 40 percent (Jane's Intelligence Review, 2009, cited in Höglund and Orjuela, 2011, p.26). After the end of the war in the government's first post-war budget proposal, the defense allocation 15 percent increased compared with the year before (Höglund and Orjuela, 2011, p, 26). According to minority rights group the level of military presence and influence in the former war-torn areas are exceptionally high. New permanent military bases are being set up in areas previously held by the LTTE in the north and east (ibid). In the Jaffna peninsula there are 40,000 army officers and the ratio is approximately 1:11 of military personnel to civilians which is 1:3or 4 in Vanni. On nearly every major road there are military checkpoints (MRG, 2011, p.12).

According to Höglund and Orjuela civilian control over the military is the prerequisite to prevent conflict at the same time separation between military and civilian functions is recommended. However, the Sri Lankan context contrasts with the idea. Along with the military presence the political area and civilian authority also has nearly been replaced by military authority.

Key civilian administrative positions have been bestowed to retired military personnel. In the absence of an elected provincial council, the north is governed by Colombo through the appointed provincial governor including Major General G.A. Chandrasiri (Governor of the Northern Province) and Rear Admiral Mohan Wijewickrama (Governor of the Eastern Province) (Crisis group, 2012, p.15). Similarly, the top district level civil authority 'the government agents' are also occupied by military personnel in Tricomalee district. In addition, local-government-level civil positions such as the Grama Seveka Niladari (villageheads), District Secretary and Urban Authorities now have little control over everyday decisions, which are largely determined by the military. (MRG, 2011, p.12)

Moreover, the entry of former General Sarath Fonseka into the Presidential election campaign in late 2009 was indicative as he was in command of the Sri Lankan Army in the defeat of the LTTE and went straight to political campaigning from military without any civilian experience (Höglund and Orjuela, 2011, p.27). This generated a fear of obscurity between military and civilian government. However, Fonseka was defeated in the election and was arrested and imprisoned due to the corruption of military equipment purchasing. Although, this was not an effort to impede the military uprising rather the military tribunal was used by the president to remove the political opponent. (Höglund and Orjuela, 2011, p, 26)

The military has gained an important role in the Sri Lankan society. There were jubilant celebrations of the military heroes in the aftermath of the war. Moreover, the victory has been celebrated annually by the government on 18th May. Posters and popular media also representing militarization for example, the society magazine 'Hi!!' issued a ten-page cover story to salute the war heroes (the Sri Lankan military forces) with the front covered with a heavily armed special forces commander resembling an action film character (Höglund and Orjuela, 2013, p, 27). This trend defined as anomalous by Höglund and Orjuela in the context with need of demilitarize and reconcile.

The development policy and decision making also has been bestowed to the military. Although, the Tamil civil administration is nominally in charge of decisions on reconstruction, land and resettlement in the north, the almost entirely Sinhala military has enormous powers to interfere with and in most cases directly determine policies on issues it considers important (International Crisis Group, 2012, p, 15). The military's influential role over northern development policy – through the Presidential Task Force on Resettlement, Reconstruction and Security in the Northern Province (PTF) and at the district level – has resulted to the marginalization of the largely Tamil civil administration and led to ineffective and ethnically biased rebuilding. The senior military leaders are at the apex of the task force, the project and agency approval are operated by ex-military personnel and the power to approve beneficiary lists for humanitarian projects are given to the local area commanders, which has become as a tool to control the local people. Donors and humanitarian organizations fear that the process of approving the beneficiary lists could deny benefits to particular individuals or categories of individuals. Correspondingly, NGOs and development agencies also require inviting the local commanders for consultations, openings and projecting disbursement events. (International Crisis Group, 2012, p.15) The government officials are also instructed to inform and involve the military in all their activities. The minority Rights Group report reveals that the villages in Vanni, no civil activity can take place without military scrutiny and permission. Any movement of people in or out of the area also requires military permission.

Military commanders consider the resettlement and land issues with great importance and directly take over decision-making power regarding this. As field study of Crisis Group shows that in Mullaitivu a brigade commander told people not to go to their land and he will arrange to give them land for cultivation in the interior and for them to give up their land in the border area (Crisis Group, 2012, p.16). Regarding the resettlement of the displaced people the army denied the demand of getting back to their own villages for instance, many people were resettled in newly constructed village in Kombavil. Accordingly, there has also been huge influence on government officials UN and NGO's activities. With this regard in October 2011 UN drafted new guideline to limit the extents of cooperation and communications between humanitarian agencies and Sri Lankan military authorities.

According to the guidelines the UN agencies and partner NGOs and INGOs will abstain from providing any kind of information regarding beneficiaries of programs and projects, and cooperating with military monitoring of humanitarian program. Any kind of civilian nature or humanitarian meeting undertaken by military personnel will be abandoned as well as forgoing themselves of utilizing military assets to deliver humanitarian assistance. However, these guidelines failed to make any changes. Crisis Group denominates the coordination of UN, INGOs and NGOs as erratic. (International Crisis group, 2012, p.16)

Building military camps throughout the Northern Province has become a strategy of land seizure which causes new displacement. This policy has been justified by the government to prevent the future armed uprising. A comprehensive security complex consisting of major base camps linked to a system of detachments and satellite camps. These include large cantonments, some of which feature Chinese-built housing that is distinct from typical military-style barracks. There are believes that those are made to house military families. (International Crisis group, 2012, p.17) Along with these the military intelligence units and checkpoints increased in a large number across the Northern Province. Vanni is an ideal example of this, where there are frequent no -go areas scattered throughout the area. The largest cantonment has been built in Kilinochchi-Iranamadu, the centre of Vanni, around the former LTTE camps. This required displacing a numerous families from their houses and land. Similarly, village Santapuram also planned to include which caused 100 returnee families from Menik Farm internment to stay months in a school building. However, strong resistance from the families and local governments garnered international publicity as a result 80 per cent of the village was released for resettlement. Besides this the remaining families were promised for temporary shelter, water and sanitation. However, these didn't meet the reality. This refusal made the families to live in the broken or damaged structures while seeing their well-built houses across the perimeter fence being used by military. (International Crisis group, 2012, p.18)

People in the south western border also experience the displacement for military occupation of several acres of land along the A9 road as buffer zone. In Murigandi village over 115 returnee

families are refused to get back to their home, they have been living there since 1970s. In addition, military restriction over fishing in the Iranamadulake to half the area affects the livelihoods of 100 families dependent on it. There has always been a sentry watching over the marked boundary on the lake. Although, the Sinhala fishermen are allowed to fish during nights but the Tamils can fish only the day time. (International Crisis group, 2012, p.18) Interview taken by the crisis group reveals that since mid 2011 the situation has improved a little. The similar refusal and relocation can be seen in Mullaitivu district. In Kaeppapulavu, Kokkuthuduvai, Maritimepattu which are mainly the site of the last stages of war, returnee families are denied to get back their lands for living or cultivation, instead Sinhala settlement as well as military bases in these lands raise anxieties and a fear of permanent displacement (International Crisis group, 2012, p.19).

Research operated by Crisis group reveals that across the Vanni several hundred acres of lands are belong to the government, military and few are owned by private individuals. The villagers to whom the lands belong to are refused to return home due to the presence of land mines. Though, these lands are used by the militaries for their cultivation. Moreover, private lands are also taken by the military which formerly been occupied by LTTE. Rather than restore the properties to the original owners the armies making this rightful that the property captured from the guerrillas are belong to them. According to the government officials interviewed, the army is planning to occupy more lands for cultivation or agricultural purpose. Besides this land seizure the military farming and their supply of agricultural product to the market in a lower price also creates problems for local farmers as they don't have any government support or subsidy for agriculture like the army gets. Along with the agricultural activities the military also involved in other economic activities for instance, army-run restaurants and shops along the A9 highway, as well as army trading posts scattered throughout the province. Tourist markets are also been captured by the army by establishing a number of hotels and guesthouses in the north. Air force has expanded flights by its commercial wing and now serves Jaffna, Kilinochchi,Vavuniya and locations in the east. The navy, for its part,is reported to manage its own ferry services. Adding to this, the army declared the formation of a private construction company to handle development contracts in the north. (International Crisis group, 2012, pp.20-23).

Another important condition of demilitarization for prevention is the treatment or disposition of suspected LTTE cadres. This has always been a matter of concern. According to Hoglund and Orjuela in the last phase of the war, the government either killed or captured the LTTE leadership and the military structures were destroyed or dismantled. Further, the LTTE Diaspora leadership was weakened by arresting the top overseas leader in August 2009. In addition, around 11,000 are suspected tie with LTTE were held in extra-legal detention centers. Human rights organizations criticize the process because of its lack of legal process and registration. Even the International Committee of Red Cross (ICRC) didn't have any access to the detained LTTE suspects (International Crisis Group, 2010a; also Human Rights Watch, 2010).

In May 2010 the government announced to release over 2000 ex-LTTE cadres including children after rehabilitation for instance, vocational training, opportunities to complete their basic education or garment industry employment and ceremonies have marked the return. In 2009 a DDR program launched to disarm and demobilize Tamil political party TMVP. The party was formed by the former LTTE commander Karuna who splintered from the LTTE in 2004 (Höglund and Orjuela, 2013, p.27). However, the party failed to secure any seats in the parliamentary election. Höglund and Orjuela point that the DDR process could not find success in building trust among the former adversaries in either of LTTE or the TMVP case. Instead, the treatment and detention of the suspected LTTE cadres could be a new source of grievances to those Tamil people who saw the LTTE as the leader for self-determination struggle (Höglund and Orjuela, 2013, p.27).

4.2. Political reform and transformation

Another important element of conflict prevention paradigm is political transformation, inclusion of former political opponents in the political process, and further democratization to address the root causes of the conflict (Höglund and Orjuela, 2013, p.28). Some countries use the wake of a war ending as the opportunity to reform the constitution (ibid). However, Höglund and Orjuela describe Sri Lankan post-war situation as a series of missed opportunities regarding this political reform.

According to International Crisis Group assessment, the end of the war through the elimination of separatist Tamil Tigers (LTTE) made many people to expect an open space for greater political debate and moderation among Tamils as well as the government will abandon the hard-line Sinhalese nationalism and agree to devolve meaningful power to the majority Tamil speaking northern and eastern province. However, the government failed in response to Tamil's democratic and moderate voices. (International Crisis Group, 2012, p. i) According to Höglund and Orjuela (2013, p. 29) in Sri Lanka in the political arena the prevention of relapse to conflict is done through political dominance of the majority and the future centralization of the state, as well as continuous policy of repression to silence and weaken the political opponents, civil society and media actors.

The question of political power sharing has been one of the major sources of grievances of Tamils. Because of a strong centralized state system it is impossible for the Tamils to have meaningful control over land or economic policies in the areas where they are the majority. The abrogation of the Tamil's autonomy agreement of 1957 and 1965 followed by the constitutional reform of 1972 and 1978 centralized the power and defined Sri Lanka as a unitary state. There was no opportunity of Tamil involvement in the politics. Conditions remain same even after the end of the war. The President has consolidated political power in a series of provincial elections as well as in the Presidential and parliamentary elections in January and April 2010. Höglund and Orjuela suggest that this consolidation of power could have been used to carry through with the reforms of the state structures in favor of devolution of power and decentralization of the state, which have been on the political agenda as a solution to the conflict for decades (Höglund and Orjuela, 2013, p. 29).

With this regard, important constitutional amendments also lacks of political will to implement. For instance, the 17th amendment, aimed at depoliticizing the institutions such as Police and Election Commission, has remained unimplemented due to an unwillingness of successive power-holders to restrain their own power (Höglund and Orjuela, 2013, p. 29). Similarly, the 13th amendment is the first constitutional arrangement to devolve power. In 1987 under intense Indian pressure the amendment passed which suggested establishing provincial councils through which Tamils were to be granted limited powers of self-rule in a merged north-eastern province.

However, the system was made for a strong centralized unitary state and offers the most fragile delegation of powers, with multiple avenues by which the president and parliament can take back these powers and obstruct the provincial councils. (International Crisis Group, 2012, p.4) The centralization further strengthens by 18th constitutional amendment in September 2010, which repealed the 17[th]amendment and allowed for a re-election of the president for more than two terms. The 'thirteenth minus' government policy in the post war situation poses challenges to Tamil parties (International Crisis Group, 2012, p.4).

Nevertheless, there are also arguments regarding the adequacy of thirteenth amendment for devolution. It has been rejected by the Tamil nationalists on the grounds that it is locked into a unitary and centralized state, so can offer no legal recognition of or power to the Tamil nation or Tamil speakers (International Crisis Group, 2012, p.18).

On the other hand, from Tamil part the political circumstances also got detriment severely for instances, the LTTE's violent struggle were its sustained attack on democratic Tamil political parties. The aggressive action caused a major damage to the basic structure of Tamil civil society and its traditions of political organization. However, the defeat of the LTTE generates hope for positive change and Tamil National Alliance (TNA) is playing a leading role here. The party founded in 2001 with the LTTE's encouragement which was ambiguous as it didn't has any real autonomy and no right to dissent but used by the LTTE to claim popular support. Nonetheless, in the post war context TNA's action assumed as advancement towards devolution. Despite immense pressure from the government including physical attacks on candidates and other obstruction, the TNA has won all three elections it has contested: the April 2010parliamentary elections, the local authorities elections held throughout 2011 and the September 2012 eastern provincial elections as well as 2013 northern provincial election. (International Crisis Group, 2012, p.7)

However, there was a wide range of suspicion regarding the participation of TNA in the northern provincial election and the positive outcome. For instance, 'British Tamil Forum' (BTF) the UK based Diaspora organization questioned TNA's decision of going for the election. According to the forum neither the acceptance of the thirteenth amendment nor the election can fulfill the legitimate aspiration of Tamil people or resolve the root causes.

Moreover, the decision of participating can poses significant risk for the future. (BTF, 2013, August 4) The forum also urges accountability of TNA towards the grievances and aspirations of Tamils for instance, right to self determination in the north and east; independent inquire of crimes committed against the Tamils; call for international and national action against grabbing of Tamil land; and a campaign to establish an interim administrative mechanism in the North and East to facilitate relief, rehabilitation and reconstruction for the benefit of Tamil war victims, with the direct participation of homeland Tamils, Tamils living abroad and the international community (BTF, 2013, August 4).

Accordingly, the election manifesto of TNA shed light on the Tamil demand of power sharing on the basis of Federal structure and devolution of power over land, law and other socio-economic sectors including an acceptable manner for Tamil speaking Muslims. In addition, address the immediate concerns such as de-militarization, resettlement of displaced people, amnesty to the political prisoner detained without charge, independent international investigation of crimes against Tamils, comprehensive development program are also took significant place in the election manifest of TNA. (Colombo Telegraph, 2013)

The head of TNA Sampanthan repeatedly stated the goal as to address both the immediate needs of war-affected population and too negotiate a political settlement within the framework of a united and undivided country that will enable the Tamil people to live in security and dignity, fulfilling their legitimate political, economic, social and cultural aspiration (International Crisis Group, 2012, p.8).

After the election five resolutions were proposed by the council member Hon M.K. Shivajilingam and adopted by the Northern Provincial Council in Sri Lanka on April 28, 2014. The resolutions are shading light on seeking justice under international norms; thanking the countries that supported the UNHRC Resolution during the March 2014 session calling for international investigation in Sri Lanka; Seeking assistance from the International Community to permanently resolve the Tamil national ethnic conflict in Sri Lanka; showing disappointment on banning of the Tamil Diaspora Organizations and individuals as it is an anti-democratic action by the Sri Lankan government (Northern Provincial Council, 2014, pp.1-2).

However, the response from the government is not satisfactory to the devolution. A proposal by the government to ban ethnically based political parties (parties with ethnic or religious labels in the party name) in 2009 was seen as a further sign of the government's strive to consolidate power for the Sinhalese majority at the expense of the minorities (Perera, 2009b). However, the proposal was deemed unconstitutional by the Supreme Court. (Höglund and Orjuela, 2013, p.12)

Since the end of the war Rajapaksa administration had repeatedly broke promises to Tamil leaders and to the international community including India and the U.S.A and displayed little interest in reaching agreement. It also refused to formulate and present to the TNA or the public its own proposals for the devolution of power. There have been several rounds of negotiations between TNA and government also broke up without any positive outcome. (International Crisis Group, 2012, p.9)

Moreover, in October 2012 the government tried to repeal the thirteenth amendment through a new nineteenth amendment to replace the provincial council system and weaken the provincial power. Despite the governments unwillingness to devolution the TNA leaders have taken a number of other decisions designed to show moderation and willingness to compromise. According to International Crisis Group assessment, the government policy in the north-eastern part and delaying tactics in negotiations have denied the TNA any tangible benefits from its moderation and engagement strategy. This could conceivably lead to the eventual fracturing of the party and a greater role for more radical, possibly separatist groups in setting the direction of Tamil politics (International Crisis Group, 2012, p.13)

The core of the Tamil nationalists demands are the recognition of Tamil nation and its right to self determination in a merged north and east. According to the civil society groups self-determination does not necessarily require a separate state. It does require, however, a clear statement that Tamils are not a minority deserving equal rights‖, but rather a nation deserving a measure of self-governance. (International Crisis Group, 2012, p.14) In response to this demand, as the representative of Tamil people, TNA constructs its agenda to step forward towards the claim of self determination within a united Sri Lanka as the only realistic temporary solution.

The victory of Maithripala Sirisena has created optimism for a positive change. Sri Lanka's new president, Maithripala Sirisena, has promised to break from the Rajapaksa regime's rule with a 100 day plan of widely welcomed reforms, which will ensure good governance, rule of law and judicial independence (Tamil Guardian 23 January 2015 and Colombo Telegraph, 2015).

Ultimately, for establishing sustainable peace Sri Lankan government need to address the issues of identity and recognition of the Tamils as in equal status to Sinhalese, with the right to rule their own affairs and enjoy the respect and protection that only comes with having a territory in which the community is a majority. Thus, it is essential for the government and its international partners China, Russia, India, the USA, the EU, Australia, and Japan to recognize the importance of government willingness to share power. Governments refusal to power devolution in the north and east where Tamils and Muslims have for centuries been the majority, maximalist, even separatist, demands are likely to be attractive to large numbers of Tamils in Sri Lanka, as well as in the Diaspora. This could lead for continued ethnic polarization and political volatility and ultimately makes a potential for renewal of conflict. (International Crisis Group, 2012, p.32)

4.3. Justice and Reconciliation

In the Post war conflict prevention literature there is a general agreement, to establish sustainable peace, on the need of addressing past atrocities and restoring relations between groups divided by the conflict. However, there are arguments regarding the procedure to do this for instances in South Africa atrocities have been dealt with through truth-telling and amnesty or in Rwanda through bringing perpetrators to trial. On the other hand, post war reconciliation emphasis on dialogue and interaction between people from different sides of a conflict divide.

With this regard, in Sri Lanka there has been a culture of impunity deeply engrained in society throughout the years of armed conflict. Perpetrators of violence against civilians and other war crimes have rarely been prosecuted. Almost all alleged crimes during the over 20-year-long civil war have gone unpunished. The escalating violence and the many war crimes have served to deepen the grievances held by all ethnic groups in the conflict. Failures to hold perpetrators accountable have led to lowered restrains and a worsening of abuses (Höglund and Orjuela, 2013, p.30).

The end of the war could be a great opportunity to end the impunity and rebuild trust in the judicial system and across the ethnic divide. However, in Sri Lanka the situation is different. There has been strong resistance against any investigations into alleged war crimes. There are ample evidences of civilian death in the last part of the war though, the government refused it. (Höglund and Orjuela, 2013, p.30) Tamils caught up in the last stages of fighting who were interviewed for MRG report rejected government claims that civilians were not targeted. Those interviewed for the MRG report gave detailed accounts of witnessing dozens of people being killed on daily basis. They witness entire families died due to the shelling of their bunkers. They gave accounts that they saw dead bodies strewn all over the roads while escaping into military custody. One woman said she had to cross a water bunt to get to the government-controlled areas, and all along she could feel she was stepping on dead bodies. In a majority of these cases the people interviewed insisted that those killed were civilians, not rebels. Everyone interviewed for this report who was caught up in the last stages of the conflict were targets of military shelling and had lost a family member. (MRG, 2011, p.15) A Tamil woman from Kilinochchi said:

> *"Of course they were targeting civilians. If they wanted to kill the rebels, they were in the frontlines fighting. They did not need to launch long-distance artillery and shells. It was only civilians who were in the core areas, who were targeted by this shelling, while the Tigers were in the periphery fighting the army."*(MRG, 2011, p.16)

One of the earliest allegations of war crime came after UK's Channel 4 news aired footage of Sri Lankan army personnel executing a Tamil-speaking civilian, which was reportedly filmed in the last stages of the war. A government appointed specialist group found the video to be fabricated however, the UN special Rapporteur on extra-judicial, summary and arbitrary execution, Philip Alston, in 2010 said that an expert group he had appointed to investigate found the footage authentic. In response to international pressure of independent and impartial investigation in 2010 the UN Secretary-General appointed a three-member committee to look into the human rights abuses (MRG, 2011, p.16)

There have been several calls by the UN and international human rights organizations for thorough investigations and prosecution of perpetrators however, so far not led to any substantial

outcomes. Instead, UN Human Rights Council meeting in May 2009 congratulated Sri Lanka for its victory over the LTTE, rather than condemning its blatant human rights violations, illustrates the inability of the international community to act. Moreover, Countries such as China and Russia have repeatedly supported the Sri Lankan government, blocking any international action against Sri Lankan war crimes. (Höglund and Orjuela, 2013, p.30)

Within the country there has been very limited discussion and debate and rarely have any space to do it in an open and acceptable manner. Nevertheless, in anticipation of the establishment of an international independent investigation, the Sri Lankan government appointed a domestic eight member 'Lessons Learnt and Reconciliation Commission' (LLRC) to investigate events in the period February 2002 to May 2009. The commission started its hearing in August 2010. The focus was to a large extent on criticism of the 2002 peace process and the former government that initiated it, while the hearings of Tamil victims in the former war zone received less prominence. The commission has been criticized by the human rights organizations for failing to meet basic international standards for independent and impartial inquire. This deemed the possibility of any serious investigations into government atrocities during the war (Höglund and Orjuela, 2013, p. 30). Key international human rights organizations invited to give testimony decided not to participate, similarly some senior civil society activists decided to boycott the commission. However, some other civil society groups and activists have used the commission to draw attention to human rights violations, including those affecting minorities. Many Tamil individuals and families have also made submissions to the commission, which has helped bring to light some of the atrocities committed in the last stages of the conflict, and some that are ongoing, such as disappearances and the detention of suspected LTTE members.(MRG, 2011, p.16)

The Permanent Peoples' Tribunal (PPT: international opinion tribunal, independent from state authority) took initiative to investigate Sri Lankan war crimes in 2010 in the 'Dublin tribunal' and in 2013 the 'Bremen tribunal'. The Dublin tribunal, looking at the documentation of 149 massacres starting from June 1956 (Inginiyagala massacre) to June 2008 (Puthukuddiyrippu bombing) in which total 10,617 people were killed, as well as considering the atrocities in the final stage of the war, assume that the government of Sri Lanka is responsible for the crime.

In addition, the Bremen tribunal pursue the oppression and killing as a continuous process of genocide. According to the tribunal causing serious bodily and mental harm to the members of the group and deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part are the continuity of genocide through the ongoing acts of genocide. (PPT, 2013, pp. 6-26) However, these initiatives of tribunals have been considered as too one-sided to be taken seriously, as it unilaterally condemned Sri Lanka and disregarded LTTE crimes.

The issue of war crime and protracted violence has created a rift in Sri Lankan society clearly visible in the aftermath of conflict where large sections of the Sinhalese population celebrated the victory, while large parts of the Tamil population mourned their dead and worried about the future. With the victory of Maithripala Sirisena there has been a hope of accountability and justice. However, president Sirisena made it clear during his election campaign and in his manifesto that he would not allow any Sri Lankan citizen who fought against the LTTE to be handed over to face international justice. Instead, vowing to clean up Sri Lanka's image on the international stage, Sirisena promised a domestic inquiry into any allegations of war crimes. (Tamil Guardian, 2015)

Regarding the local level process of justice and accountability there are mixed views. Some activists felt that people are not ready for that yet and for some process should begin slowly on the other hand, government's opposition to such issues being raised would mean that people involved in the process could be at risk. Answering on the same issue some Tamil people showed anger over the LTTE's attack on civilians and for forcible recruitment in the later stages (MRG, 2011, p.16). Activist interviewed by MRG explains various reasons for incapability of demanding justice at this point: firstly, there has been a fear among people that discuss and act on the issue could affect and target their remaining family members being - arrested or killed. Secondly, there is no civil space to hold conversations on these issues or to organize public meetings as any kind of assembly requires military permission and also the matter could be discussed with military (MRG, 2011, p.17). There is also a need for justice and accountability for those who suffered through the war. These issues are of crucial importance to minorities in terms

of reconciling their suffering and to bridge the gap between the majority and minority communities (MRG, 2011, p.17)

A number of UN organizations, international NGOs and local civil society groups are engaged in activities that aim to provide space for dialogue and collaboration across the ethnic divide. However, these are often donor-driven initiatives that are not given publicity and recognition in official discourse, and which have a limited outreach (Höglund and Orjuela, 2013, p.31. There are also some dialogue attempts initiated by Sinhala nationalist organizations or even the Sri Lankan armed forces, with an aim to reach out to the Tamil victims of war and build a unified Sri Lanka. Here the problem is that the reconciliation efforts have been overshadowed by triumphalism and patriotism. The government has simultaneously portrayed itself as the savior of the Tamil people and Sri Lanka as a multi ethnic country. It seems that reconciliation is conditioned on the recognition of the Sri Lankan government as the victor and the Sinhalese armed forces as heroes. Correspondingly, areas that were isolated during the war have been made accessible, allowing for increased inter-ethnic interaction. There has been massive flow of Sinhalese tourists and pilgrims to the Tamil cultural capital Jaffna. This could potentially enable dialogue and reconciliation but local Tamil population has expressed concerns that the Sinhalese visitors do not show respect to local religious customs (Perera, 2010a in Höglund and Orjuela, 2013, p.31). Thus, justice and reconciliation seems largely absent from Sri Lanka's post war policies.

4.4. Denial of multi ethnicity

Ethnic issues in Sri Lanka have been one of the major causes to be addressed for a sustainable peace, which is also a key component of conflict prevention. With this regard when we see the post war Sri Lanka we can see the denial of ethnic existence of minority groups. For instance on May 19th 2009 former president Mahinda Rajapaksa's speech presents the general landscape of politics in the country:

> "*We have removed the word minorities from our vocabulary three years ago. No longer are the[re] Tamils, Muslims, Burghers, Malays and any other minorities. There are only two peoples in this country. One is the peoples who love this country. The other*

comprises the small groups that have no love for the land of their birth"
(Wickramasinghe, 2009, p.2)

According to Wickramasinghe, the prototype of this new patriotism which is, to her, not similar to the post national or constitutional patriotism that has been theorized as an alternative form of loyalty, compatible with universal values but distinct from and superior to nationalism. It has little in common even with a civic patriotism that recognizes the public sphere cannot be neutral. (Wickramasinghe, 2009, p.3) In contrast, the new patriotism of Rajapaksa merges nation and state and promotes a love of country based on Vramsa literature's history and foundation myth of the Sinhala people in which the all other minority groups are merely present as shadows rather than as constitutive elements of a common political culture (ibid). Wickramasinghe defines this as blind patriotism which is a continuation to flag Buddhist nationhood. Moreover, it implies that political parties of the left or right have no role to play as the true path and best interests of all people are being persuade by the ruling party. To her in order to share the patriotism, there should be an effort to ensure that across communities, cultural symbols, religious ethnic of the majority and minorities recedes much as possible from the state apparatus, at least until wounds are healed.(Wickramasinghe, 2009, pp.3-9)

The interview operated on the Tamils and Muslims in north and east by Minority Rights Group reveals that there are two major policies of political leadership that are of serious concern, which could be detrimental to minorities and unfavorable to them. The government policy and practices are evident to the intention of establishing a Sinhala Buddhist hegemonic state. The statement also proved by the interview of the representatives of minority political parties, civil society and religious groups. (MRG, 2011, p.7)

There are strong believes in the government that the main cause of the conflict is the lack of development and everything will come through development. Minority representatives interviewed by Minority Rights Group express that the acknowledgement of legitimate minority grievances that are the root causes of conflict; the promotion and protection of minority rights and freedoms; a serious and credible effort towards justice, accountability and reconciliation; and

a genuine attempt to present a political solution that would satisfy minorities, are appear to be missing from the state agenda (MRG, 2011, p.7).

In contrast, rather than addressing the issues government took the policy of 'Sinhalization' through influx of Sinhalese as visitors to the north and the proliferation of Sinhala Buddhist religious symbols in traditionally minority areas. Recently Sinhalese people, who didn't have access to the north during the conflict; have been visiting to the Buddhist religious sites and military monuments in the north. At the end of the conflict, the military destroyed all the LTTE monuments. On the other hand, massive monuments dedicated to the military victory were erected on the main road. There are also stopping points where the military scored a major victory against the Tigers or where the LTTE perpetrated a civilian attack. However, there is no mention of attacks, killings or human rights violations by the military.(MRG, 2011, p.13) The proliferation of Buddhist religious symbols (Buddha and Buddhist shrines) in the areas generates concern among Muslims and Tamils in the north and eastern part. This tendency becomes so common that a Buddhist shrine is erected where ever a Bo tree is found. Moreover, MRG reveals that sometimes these trees are planted by state agents and shrines are built subsequently. There are also reports of cases where areas in eastern Sri Lanka have been demarcated as Buddhist religious sites because Buddhist artefacts have been found there. However, it is evident in Trincomalee that these artefacts were planted in the area. As the interviewees say people came at night, on motorcycles, with sacks full of items which they planted in the area, sometimes with the help of state officials and police. (MRG, 2011, p.14)

Another concern is the replacement of Tamil place names with Sinhalese names, which occurs mainly after linking a area to a Buddhist religious event and turn into a site of pilgrimage. For instances, Thiruvadinilai in Jaffna, has now been renamed Jambukolapatune. Buddhists in Sri Lanka believe that this is where Prince Ashoka's daughter, the first female Buddhist missionary, first set foot in Sri Lanka. A shrine was built in 2005 and a temple in 2009, which was opened by the President's wife, Shiranthi Rajapaksa, and her son, Namal Rajapaksa, in 2010. Another recent name change in Jaffna is Kathirimalai to Kadurugaoda. (MRG, 2011, p.14) According to MRG assessment the state does not prevent Tamils and Muslims from practicing their religion and culture; yet the activities described above challenge international human and minority rights

guarantees relating to the promotion and protection of minority cultural and religious rights, particularly in minority dominated areas. (MRG, 2011, p.14)

4.5. Reconstruction and development

While some of the important conditions of conflict prevention literature are largely absent in Sri Lanka's post war policies, on the contrary the reconstruction and economic development has been followed by the government as the main path towards sustainable peace. The conflict prevention literature emphasizes on economic stability and swift rebuilding of war-torn areas for successful prevention for instances, according to Collier and Hoeffler (2000, p.5) economic stability is a key concern for conflict prevention because, economic instability can exacerbate grievances that motivate renewed violence, as well as leaving groups of the population unemployed and hence easily mobilized. (Höglund and Orjuela, 2011, p.31)

In the context of Sri Lanka the economic development was unevenly distributed geographically, the main economic prosperity found in the west of the country, mainly around the capital and the north and east of the island falling behind due to lack of investments and the destruction caused by the war (Höglund and Orjuela, 2011, p.32). Therefore, the end of the war has provided an opportunity for large development and reconstruction initiatives in these areas, as well as elsewhere.

Development in the north and east is taking place under two main schemes: in the north 'VadakkinVasantham' (NorthernSpring), in the east 'NagenahiraUdanaya' (EasternAwakening) (MRG, 2011, p, 14). With the help of foreign donors the government has focused on a number of large-scale infrastructure projects. Two ports are under construction (in the south and the east), a new airport is planned (in the south), and several coal, wind and hydro-power plants are being built or are in the planning stages, along with roads, a railway and a range of urban development projects (Höglund and Orjuela, 2011, p,14). Most of the Tamils and Muslims interviewed for MRG report in the north and east are impressed by the development and see potential benefits for themselves and their communities. However, some individuals and activists are concerned about some issues for example, the lack of consultation and participation of local people in the projects, the undermining of local indigenous knowledge and culture, and the politicization and

ethnicization of the process (MRG, 2011, p, 14). For example, during road-building, several Palmyra trees have been cut down. These trees are integral to the northern Tamil culture and every part of the tree is used by local women for their daily activities and livelihood. In comparison of building highways nothing is being done to develop the small roads in the villages, little has done to develop village market while plans are under way to create commercial hubs says the activist interviewed (MRG, 2011, p, 14). Hence, the main question is about the priorities and who will be the actual beneficiaries rather than challenging the development project.

Moreover, Development and reconstruction are planned and carried out by the central government; the Vadakkin Vasantham programme was announced by former President Rajapaksa and plans were drafted by his brother and senior adviser Basil Rajapaksa. Interviewees in the north and east expressed concerns that these plans were prepared without consulting local-level officials or people living in these areas. Politicization and militarization of the development project is another matter of concern. In 2009 the President appointed a task force on northern development where only one Tamil and one Muslim out of 19 members implementing development in an area where nearly 100 per cent of the population are from minority groups. Large-scale development projects are planed and implemented under the purview of Basil Rajapaksa, who is also the Minister for Economic Development, and the Urban Development Authority (UDA). In 2010 reshuffling the government departments and ministries the UDA was brought under the defense ministry and the defense secretary is another of the president's brothers, Gotabhaya Rajapaksa. (MRG, 2011, p, 15) Though, some Tamil and Muslim political leaders are playing active role nevertheless, mostly of them are publicly element of the projects and not in the planning and implementation. MRG reveals that many activists assume the development as an infringement of their right to self-determination and to develop their own areas. According to the UNDM Article 5 the right to participation in development is an integral aspect of minority rights (MRG, 2011, p, 15). All these issues raise concern that the reconstruction projects are carried out without sensitivity to potential conflicts as well as development and security interventions in the north and east of Sri Lanka have paved the way for an inflow of Sinhalese settlers to traditionally Tamil areas (cf. International Crisis Group, 2009; Fonseka & Rahim, 2010, pp. 31ff.) Moreover, in some cases the displacement of

Tamils during the war has taken as advantage for large-scale development investments for instances, the coal power plant in Trincomalee district. According to Höglund and Orjuela an equipment of conflict prevention area reconstruction and development got the highest effort from Sri Lankan government. However, there are lots of examples of creating new conflicts and exacerbating the grievances of minority groups through development initiatives. Thus, International actors can help boost economic growth that may have a conflict-preventing effect, but at the same time they risk supporting conflict-fuelling development initiatives. (Höglund and Orjuela, 2011, pp. 32-33)

4.6. Resettlement and living conditions

Predominantly minority populated area the north and east were affected throughout the conflict. The Eastern Province consists of the administrative districts of Ampara, Batticaloa and Trincomalee. Here about one-third of the populations are Sinhalese and the majorities are Tamils and Muslims. On the other hand, the Northern Province consists of the electoral districts of Jaffna (administrative district of Jaffna and Mannar) and the Vanni (this includes Kilinochchi, Mulaitivu and Vavuniya districts). Here just over 1 per cent of the population is Sinhala. (MRG, 2011, p.8)

Sri Lanka faced a serious humanitarian crisis after the war. In Vanni 284,400 people were displaced from their homes and in temporary accommodation at the end of May 2009. Most of them were in the notorious Menik Farm camp, living in squalid conditions and facing government imposed internment. In November 2009 after strong national and international pressure the government opened up the camps, granting limited freedom of movement and realizing some people to join their families or to move to other camps in Vavuniya and Jaffna. The government began to return and resettle families in the Vavuniya, Jaffna, Kilinochchi, Mannar and Mulaitivu districts in late 2009. According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) by September 2010, 230,000 internally displaced persons (IDPs) had been sent from the camps, too their camps, to rejoin their families or to their homes. The government and international agencies claim that nearly 90 per cent of people have been resettled.

However, MRG argues that this number may reflect the number of people sent out of the camps but not mean they have been returned or resettled. (MRG, 2011, p.8) In September 2010, 25,050 people remain in Menik Farm who are mostly either do not want to return to their homes because of the trauma the experienced, have no relatives to be resettled to, or have no access to their homes due to the de-mining process. Though, the government effort of resettling the displaced people got international attention as a positive step but the process far away to meet the international standard. For instances, according to UN Guiding Principles 28-30 on internal displacement, the state has the primary duty and responsibility to establish conditions and provide means for IDPs to return safely and voluntarily as well as full participation of IDPs are required in planning and management of their return and resettlement. (MRG, 2011, p.8)

According to MRG report the old IDPs are also lacking proper treatment and resettlement. Due to the creation of High Security Zones estimated 84,000 displaced and over 65,000 Muslims displaced in Puttalam as reported in July 2010. Including the remained Menik Farm IDPs, these entire groups situation is uncertain as they receive very little assistance and hardly any pressure is being put on the government to resettle them, as the attention of international donors has shifted to the resettlement process. They are excluded from the resettlement plans of the government. In addition the state authorities declare the IDP crisis as nearly resolved without considering the situation of old IDPs. (MRG, 2011, p.10)

Along with the resettlement issue the poor living condition of these people is another matter of concern. The returnees are provided with the bare minimum financial and material support. Many found their properties inaccessible due to destruction, de-mining, secondary occupation or occupation by the military. Those being resettled were promised 25,000 Sri Lankan rupees (SLR); 5000 in cash and the rest to be deposited in their bank accounts. However, some returnees stated that they did not receive this money. They were also given some plastic sheets, sticks to hold up plastic covers as roofs and a few household items. One interviewee said: the plastic sheets are mainly to put on the floor but they are using this as roofs as they don't have roof.

Every house has been damaged or demolished due to war and the government returned people to these areas without providing the basic shelter and sanitary facilities. (MRG, 2011, p.8),

Internally Displaced People who have been allowed to resettle in their original in the North and East areas of Valikamam have found that their houses were in dilapidated condition with the doors windows and roofs removed by vandals in areas marked for resettlement by the Government in the latter part of March 2015.Ceylon Today quotes one internally displaced person in the North-East as saying,

> *"We lived as IDPs for the past 27 years in welfare centres and in the houses of our relatives and friends. Now we have returned to our own lands without any support to start a new life. All our immovable assets are either damaged or have been stolen."*
> (Ceylon Today, April 17, 2015)

There are serious issues of transparency regarding the reconstruction plans, and returnees' access the international agencies and NGOs supporting the process. (MRG, 2011, p.8)

Families resettled have very limited income and livelihood support. Most of the people in these areas were either farmers or fishermen, but they are unable to return to cultivation or to access the sea front in most areas for security reasons and because of landmines, and sometimes of poor condition of boats and nets. Because of the lack of income-generating opportunities poverty levels are high. Some people grow vegetables in their gardens and sell them, others try to open small shops but these are dwarfed by the big shops on the main roads that are run by the army. Due to lack of infrastructure skilled workers find it difficult to find employment. Though, there are development projects but workers are brought in from other part of the country. Schools, hospitals, markets, and shops have not been properly built and are not fully operational. In the main towns schools and hospitals are being built, but adults and children who live in the villages have to walk miles to access them. In many cases classes are conducted under the trees. (MRG, 2011, p.9)

Families headed by a single woman facing more difficulties. According to recent study there are 89,000 war widows in the entire north and east and around 20,000 female-headed households in Jaffna alone. Most of these women have little or no employment opportunities. They are also exposed to sexual abuse and harassment in resettled areas.

There are also reports of rape: one case in the Visvamadu area (one of the resettlement zones), on 6 June 2010, a group of men reportedly went to the houses of two women – a 28 year-old mother of two and a 38 year-old mother of five – and raped them. In response to the complaint of those women six soldiers were arrested by the police. Activists and women interviewed for MRG report mentioned cases of women being coerced into sexual activity, or in some situations doing so voluntarily in return for favors from military personnel or to ensure their protection. Many families are afraid to report cases because the perpetrators remain in such close proximity to the victim. With the large military presence and power imbalance between soldiers and civilians, families fear that if they complain on such issues, other family members could be arrested, detained or disappeared. (MRG, 2011, pp.9-10)

Moreover, documents such as land titles, birth, marriage and death certificates are basic necessities and particularly important in the context of post-war reconstruction and development. For instance, people need land titles to make a claim for permanent homes or toilets. The marriage certificate and death certificates are important factors for women. For the large number of female-headed households, death certificates proving that their husbands have died are essential to be able to claim compensation, to claim benefits, in some cases to put children into school, and to remarry. Although, the government has begun a process to expedite the granting of death certificates, however, activists interviewed for MRG report expressed fears that the fact that the authorities continue to dispute the numbers of those killed in the last stages of fighting may limit the number of death certificates they are willing to issue. (MRG, 2011, p.11)

4.7. The actors of conflict prevention and efforts

Effective conflict prevention relies on the coordination of a range of actors and their complementary activities, and the timing and sequencing of their involvement. Traditional actors in short-term approaches to conflict prevention are governments and international organizations whose diplomatic channels can make an impact on the escalation of conflict. On the other hand track-two actors, such as NGOs, civil society, universities, epistemic communities, churches, or schools are more suitable to the long-term activities of peace stabilization. Though, the track-two actors have only limited capacities and mandates to create the political, economic, and social stability and justice that are necessary to ensure lasting peace and mitigate the need for short-term prevention. However, they can play invaluable role at the micro-level of conflict prevention through educating about intergroup conflicts and early mediating of social disputes as well as early warning of impending conflicts. (Schnabel and Carment, 2004, pp.7-8)

In the context of Sri Lanka the actors are divided into three parts, government action; secondly, nation-state actors, and thirdly, non-state actors and organizations.

4.7.1. Sri Lankan Government's action

As a primary authority over the citizen the government of Sri Lanka has the prime responsibility to deal with the post-war issues. Having discussed the preventive measures it seems that the government put all its efforts mostly on development sector and other components to establish sustainable peace remain insignificant. According to Dr N. Manoharan, Senior Fellow, Vivekananda International Foundation, New Delhi after the termination of war former President Mahinda Rajapaksa outlined 'Four-Ds' strategy – Demilitarization, Development, Democratization, and Devolution. On the order of transformation, Rajapaksa justified that 'demilitarization' lays the foundation for peace and development; without 'development' one cannot have democracy; 'democracy' is important to know the minds of the people; and then comes 'devolution' (cited in 2013).

The 'demilitarization' strategy of the government was mainly aimed at preventing any regroup of the LTTE in any form in future. In response to international pressure the 'National Action Plan for the Reintegration of Ex-combatants' has been taken by the government. The framework of reintegration covered five aspects: disarmament and demobilization, rehabilitation, reinsertion, social reintegration, and economic reintegration. Separate 'welfare centers' for each category were set up in the districts of Jaffna, Batticaloa and Vavuniya to rehabilitate. Around 556 child combatants – were provided with catch-up education classes and allowed family visits and reunion. Nevertheless, free access to specialized independent international agencies like Save the Child, UNICEF and the International Committee of the Red Cross (ICRC) could have made the rehabilitation more successful. In the initial stages, there were human rights abuses in the rehabilitation process, but mellowed down later. (Manoharan, 2013) Some former LTTE heavyweights have started working with the Sri Lankan military intelligence neutralizing the internal and external networks of the LTTE.

Development has been the most important factor emphasized by the government. As we discussed earlier, the government have undertaken massive reconstruction and resettlement programme under the 'Presidential Task Force for Development of the Northern Province' the process of development in the north has been proceeding on some logic like demining of areas meant for resettlement and reconstruction, building up of basic infrastructure like houses, roads, schools, energy grid, and telecommunications. Providing livelihood opportunities to all the resettled IDPs is yet another mammoth task before the government. In November 2013 the ministry of resettlement took a draft 'Framework for Resettlement Policy'. The aim of this policy is to address the administrative, logistical, advisory, humanitarian and other forms of needs of internally displaced persons, returnee refugees of legitimate Sri Lankan origin and resettled communities. The policy has been prepared taking into account the very special nature of the circumstances within which the displacements occurred and the exact nature of support and assistance apparently required by the persons concerned to encounter the twin challenges of resettling and reintegrating with the society and the economy while reinvigorating their already diminished social and economic potential. It also identifies rights, protection and facilities needed by IDPs and returnee refugees for resettlement and reintegration. (Ministry of resettlement, 2013) It emphasizes on the resettlement of refugees, land and property rights, access to schooling and health care, gender equality and children rights, training, and psycho-

social assistance. It recognized the private property rights and the refugees should be resettled and reintegrated in their places of origin (Ministry of resettlement, 2013, pp.3-6). For housing each family will be provided with Rs. 50,000 for temporary shelter, on long term basis Rs. 325,000 for reconstruction, and 100,000 to renovate houses. As well as, assistance will be provided for sanitary system.

In order to restoration of livelihood, agricultural incentives, fishing industry, animal husbandry and training are promised in the policy (Ministry of resettlement, 2013, pp.5-6; LLRC, 2011, p, 211). In addition, the policy recognizes the IDPs and refugees rights for instances: freedom of expression, protection from abuse, access to all rights and benefits enjoyed by other citizens in the country, and to be heard in decisions making process relating to their rights and welfare (Ministry of resettlement, 2013, p.9). The government finds lack of sufficient resources as the major challenge confronting its reconstruction plans.

According to Dr N. Manoharan, 'Democratization strategy in the post-conflict phase was justified by former President Rajapaksa to give 'voice to the people'. Manoharan points that Rajapaksa's policy of dissolving the parliament and announcing election for April 2010, just after being re-elected as executive president in January 2010, helped him to win the election. In addition, within months after the war, the government conducted elections to local bodies of Jaffna and Vavuniya. This was the first elections held in the Tamil-dominated areas after the formal end of ethnic war in the island. Tamil National Alliance won the election. This is marked significant as the Tamils still nature grievances and look forward to a responsible leadership. Moreover, Rajapaksadid appoint an 'All Party Representative Committee' (APRC) in 2006 to fashion creative options that satisfy minimum expectations as well as provide a comprehensive approach to the resolution of the national question. However, instead of exploring 'creative options' the APRC, in its interim report submitted in January 2008, advised the President to implement the 13th amendment to the Constitution.

Regarding reconciliation, Rajapaksa appointed an eight-member commission on 'Lessons Learnt and Reconciliation' (LLRC) in May 2010. LLRC submitted its report in December 2011. It tried to do a balancing act containing both positive and negative aspects. On positives it talked about the need for demilitarization, investigation of disappearances, apart from acknowledging existence of ethnic grievances; surprisingly, it supported devolution of powers to minorities,

although did not spell them out. At the same time, it did not fix accountability for human rights abuses during the final stages of War, for the collateral damage the report reasoned out as a result of LTTE action and military reaction. Talks with TNA were a good move, but they did not take things any further. In the same vein, the Sri Lankan government must count-in the Opposition's contribution in the nation-building. Without bi-partisan consensus, any political settlement to the ethnic question would be unsustainable.

President Sirisena's victory over Mahinda Rajapaksa in January 2015 was met with both optimism and skepticism across the world. Sirisena made 25 promises to be enacted in the first 100 days of his office, and one of these was to introduce the right to information bill, which will free up access to official information, and the government has pledged to protect the freedom of the press. Moreover, the president promised to replace the military governors in the Tamil-dominated northern and eastern provinces with civilian governments. The Sri Lankan military has a large presence in these Tamil areas - estimates from 2013 suggested there was one soldier for every five civilians in the mainland northern area of Sri Lanka. (Channel 4, 10 March, 2015) According to Fred Carver of the London-based Sri Lanka 'Campaign for Peace and Justice' the day-to-day reality in for the Tamils is similar as it was before, and the problem is that the leadership has changed but the structure and the general attitude in the army and the police and security state is very much still in force. (Channel 4, 10 March, 2015) Finally, the government should take suitable reconciliation mechanism to construct bridges among all the communities in the island.

4.7.2. External Nation-State actors

Since 1980s external actors gradually become connected with Sri Lankan conflict. Among the nation-states India, Pakistan, China, USA, and Norway are crucial actors.

As the close neighbor India formulated much of its foreign policy and peace initiatives in Sri Lanka based on its own domestic issues and national interests. India preferred a solution to the issue within the framework of constitutional arrangements which preserves Sri Lanka's territorial integrity.

India has been feared about that a successful liberation movement in Sri Lanka could inspire radical nationalistic groups in Tamil Nadu and lead to separation or instability within its own boundaries. According to International Crisis Group Report (2011, p.5) from Indira Gandhi's decision to arm Tamil militants in the early 1980s and Rajiv Gandhi's dispatching of the Indian Peacekeeping Force (IPKF) to enforce the 1987 Indo-Lanka accord, to India's support for Sri Lanka's final military campaign against the Tamil Tigers in 2008-2009, the violent conflict between Tamil nationalist militant sand the Sinhalese-dominated Sri Lankan state has always been intertwined with policies and attitudes in New Delhi and in the southern state of Tamil Nadu. After May 2009 India has been pursuing an ambitious package of initiatives in Sri Lanka, with post-war financial assistance of more than $1.5 billion. It includes:

- Firstly, humanitarian assistance for the resettlement of the roughly 300,000 Tamils in the Northern Province and construction of 50,000 new houses.
- Secondly, loans for infrastructure development.
- Thirdly, encouraging the government and the main Tamil political formation, the Tamil National Alliance (TNA), to engage in talks to resolve the ethnic conflict through devolution of power to the north and east, other forms of power-sharing and inclusion of minority representatives in decision-making.
- Finally, increased trade and economic integration between India and Sri Lanka, including through the signing of a Comprehensive Economic Policy Agreement (CEPA), the re-establishment of a ferry service between southern India and north-west Sri Lanka, and the integration of the Indian and Sri Lankan electrical power grids. (International Crisis Group Report, 2011, p.8)

Pakistan has deep military and political ties with Sri Lanka which is appearing to be growing closer. Pakistan's involvement in Sri Lanka can be understood by its relation with India. As a rival of India, Pakistan most likely became involved with Sri Lankan conflict as a means to upsetting India and asserting its own power over the region. Pakistan has long been an outspoken supporter of the Sri Lankan state's campaign against the LTTE, as well as one of the island's largest suppliers of military hardware in recent years. Pakistan had also stationed roughly a dozen military personnel in Sri Lanka over the past decade, who extended technical assistance

and training for the SLAF (Sri Lankan Air Force) during its air campaign against the LTTE. In November 2010, the then Pakistani President Zardari and Sri Lankan President Rajapaksa agreed in Colombo to take the relationship to 'new heights'. The two leaders reportedly agreed to enhance intelligence-sharing on terrorism and President Zardari reportedly offered to train Sri Lankan police and other security officials in counterterrorism, as well as extended $200 million in soft credit to facilitate trade. However, Pakistan's economy is weak and the government has very few resources to invest in Sri Lanka's postwar reconstruction (International Crisis Group Report, 2011, pp.15-17)

Moreover, Sri Lanka's relation with Pakistan is intertwined with the relation of China. There are arguments that China can use Pakistan as force-multiplier in South and Central Asia. India's unwillingness to provide offensive weapons to Sri Lanka allowed China to fill the gap. For long time China has been largest arms supplier to Sri Lanka but the support spiked to roughly 1billion dollar in 2008. Chinese weapons, such as F-7 fighter jets as well as ammunition and radars, were vital. Political support from China, as well from other countries, prevented any meaningful discussions of the war in the Security Council despite the humanitarian crisis unfolding in the Vanni. Beijing's backing allowed the Sri Lankan government to win the war while circumventing India, ignoring the West and blatantly violating the Geneva Conventions. After the war, China strongly opposed the UN Secretary-General's establishment of a panel of experts on accountability for alleged war crimes, pointing out that the Sri Lankan government had already set up its own commission in May 2010. Moreover, since the end of the war development assistance has exploded with an infusion of donation, grants, investments and loans. For instances, in 2009 China promised 1.2 billion dollar aid donation. According to the country's

Board of Investment, China also is the biggest investor. However, most of these dealings with China appear to have little transparency. Most of the large developments assisted by China took place in the southern part. In the Tamil-majority area the investment spilled to the area geographically closer to India. Thus, Chinese involvement in Sri Lanka seems more to strengthen regional influence rather than conflict prevention. (International Crisis Group Report, 2011, p.18)

United States and Norway are two important nation-states outside the region, played significant role in Sri Lankan conflict. Sri Lanka got U.S. attention since late 2001; apparently in 2003 the conflict reached a point where U.S. involvement proves to be vital, argued Armitage. From 2005-2009 the U.S. financing for arms purchase ranges from half to one million annually. In March 2008, the U.S. donated $220,000 worth of anti-terrorism equipment to the Sri Lankan Police as well as a huge amount also provided as aid money for development, (CPCS, p.14). In 2009, the United States was the leading donor of food and humanitarian assistance to Sri Lanka, with a total USAID budget of $43.12 million. More than 280,000 IDPs have been assisted by food rations, water and sanitation facilities, temporary shelters, emergency medical treatment, and mobility aids for the disabled (U.S. Senate Committee for Foreign Relation, 2009). The U.S. administration has consistently called for an end to human rights abuses, protection and rapid resettlement of IDPs, and genuine efforts towards reconciliation in part through statements from president Obama. The State Department, under the leadership of its new U.S. Ambassador to Sri Lanka, Patricia Butenis, has demanded progress from the Government on eight benchmarks including improved conditions in the camps, return of IDPs, political progress, and de-mining. The Treasury Department abstained on the $2.6 billion IMF loan to Sri Lanka this summer because of humanitarian concerns. Moreover, at congress's behest, the U.S. government continuous to suspend military aid to Sri Lanka and issued a report on incidents during the war that may have constituted violations of international humanitarian law. U.S. evaluated its relation with Sri Lanka and recommended the US administration to reflect on new political and economic realities. (U.S. Senate Committee on Foreign Relations, 2009)

As a neutral, nonthreatening and acceptable country Norway was invited by the Sri Lankan government to facilitate the peace process between the Sri Lankan government and LTTE in 1999. Since 1997 Norway has been playing a role as peace process facilitator and 2002 ceasefire agreement has been considered as a great achievement of this effort (NORAD, 2011, p.3). The history of cooperation between Norway and Sri Lanka dates back to 1967 when Norway first started supporting development projects. During the conflict Norway took several initiatives of peace process which was built around heavy international engagement, including international security guarantees, the Sri Lanka Monitoring Mission (SLMM), Norwegian facilitation of Track One negotiations, the co-chair system (the EU,US, Japan, and Norway), international funding,

support for Track Two initiatives, and the donor reconstruction package. Norway played a critical part in keeping these various groups working together in order for a cohesive move towards peace processes (Centre for Peace and Conflict Studies, p.16).

However, the Norwegian role have been criticized by the LTTE as the minority groups felt marginalized within the process with the soft stand of international actors regarding the human rights violation and focusing only on conflict management undermined its role as a credible mediator. In the last phase of the war Norway worked to limit the suffering of the civilians and encouraged the parties to comply with the international law. After the end of the war the priority areas of Norway in Sri Lanka are: peace and reconciliation, good governance, women and gender equality and reconstruction. AS a result of Norway's effort there were dialogue meetings between 571 religious leaders in 12 districts and training of 673 female leaders in political participation,7277 village leaders were educated in civil rights and 400 former LTTE soldiers have gained assistance for reintegrating in the society after release from the government rehabilitation center. 13 organizations have been supported by Norway with an emphasis on peace building, democracy, human rights and good governance. Norway's assistance for environmental initiatives amounted to 5.9 million NOK in 2012, while in economic development and vocational training sector aid amounted to 7.4 million NOK. In the same year it started a technical cooperation with Sri Lanka in the fisheries sector. In addition, Norway also entered a technical collaboration in 2012 via the Norwegian Geotechnical Institute for prevention of natural disasters as a result of climate change. Landmine clearing financed by Norway in 2012 has enabled 6000 families to return to their homes (NORAD, 2013). Moreover, it is also working in collaboration with organizations like 'Transparency International', Sri Lanka Press Institute for supporting good governance and the assistance in this sector amounted to 2.6 million in 2012 (NORAD, 2013). Through United Nations Development Programme (UNDP) and five women's organizations Norway provided three million NOK in 2012 for women's rights. (NORAD, 2013)

Thus, external nation-state actors have been playing a great role in post-war preventive peacebuilding. Actors out of the region mostly working in the development, reconciliation and justice sector however, activities of the regional states are mostly determined by the geopolitical interest in the region.

4.7.3. Non-state actors and organizations

NGOs and civil societies are very important actors in conflict prevention. A large number of NGOs and civil societies are working in Sri Lanka within this process. In the field of reconciliation NGOs like 'Centre for Peacebuilding and Reconciliation' (CPBR) Sri Lanka, 'Centre for Peace and Reconciliation' (CPR) are working. CPBR and Centre for Human Rights and Research (CHRR) aims to bridge divisions in Sri Lanka by creating networked peacebuilding groups in diverse areas of the country, simultaneously empowering communities to address their own needs and raising awareness of the similarity of such needs across the country's ethnic boundaries. CPR works with victims of the war such as school children, teachers, war widows, orphans and people who have been economically marginalized due to war. Their main purpose is to create a safe community for all ethnicities to live in harmony and peace. CPR has conducted training for more than 1,000 students from 55 schools, 25 school teachers, and 30 school principals and deputy principals, in Thenmaratchi and Valikamam. (Insight on Conflict, 2014)

The National Peace Council's (NPC) main focus area is peace education. It has created a network of committed activists throughout Sri Lanka. The Child Rehabilitation Centre (CRC) provides assistance to women and children affected by war. Although its main focus is on women and children's rights, the organization provides general support to communities that were affected by war and it works to improve the life standards of the population, facilitate their recovery from trauma and engage them in the reconciliation process. Non-Violent Direct Action Group (NVDAG) also works to enhance the quality of life of war-affected children, young people and women by encouraging them to participate in social change, community development and rehabilitation activities (Insight on Conflict, 2014)

The Consortium of Humanitarian Agencies (CHA) is an association of agencies working in, and supporting work in, Sri Lanka for peacebuilding and humanitarian work.

The Centre for Performing Arts centre focuses on the performing arts as a method for conflict resolution, healing and promoting co-existence and mutual cooperation between people from different ethnic and religious backgrounds. (Insight on Conflict, 2014)

Rural Development Foundation (RDF) aims to improve the social and economic situation of people in underdeveloped areas of rural Sri Lanka. Moreover, it also aims at reducing sexual and gender-based violence committed in the IDP welfare centers, and to provide assistance to those affected by sexual and gender-based violence. (Insight on Conflict, 2014)

Along with these NGOs there are some other NGOs which are working in different sectors of preventive peacebuilding.

United States Institute of Peace (USIP) generously funded 'Social Networking and Psychosocial Reconstruction in the North'. The program aimed to focus on training project, exposure visits, use of drama for healing, and monthly mental health clinic. Though, it was beyond the scope of a research institution however, it is trying to provide basic counseling and social networking with experienced professionals from the social sciences and medicine. (Herath, 2012, p.2)

Therefore, a wide range of conflict prevention efforts have been taken by varied actors, which ranges from infrastructure development, resettlement, and economic development to reconciliation, justice, and different kind of social healing programs. Accordingly, it's time to assess the efforts, how successful are those to establish a sustainable positive peace. Are they strong enough to prevent the relapse the conflict? Based on the theoretical analysis and the efforts taken by different actors, the next part of the thesis will present a general analytical conclusion.

Chapter 5
Conclusion

Analysis of various preventive actions by different actors in post war Sri Lanka in the previous chapters enables to answer the question whether the measures are effective enough to establish sustainable and positive peace in the light of theoretical insight. The measures represent the national and international policy towards the situation; on the other hand the theoretical analysis provides the framework to assess those measures. Due to high degree of conceptual ambiguity it is very difficult to determine whether the conflict prevention action is successful or not. It largely depends on defining the issue. Talentino argues that success can be considered when it prevents or ends conflict in the short-term and undertake efforts to alter the underlying causes of violence (Talentino, in Carment and Schnabel, 2003, p.73). Generally, there are lots of determinants and factors to examine the success or failure. To some extent defining the success depends on the availability of comparable indicators and there are no precise indicators to determine the outcomes (Wallensteen and Möllar, 2004, p.7). It requires interpreting each case separately. Therefore, focusing on the relevant measures of conflict prevention theory is an important tool to explain the nature of post war Sri Lankan prevention efforts.

The aim of conflict prevention is ending the violent conflict, preventing escalation and preventing reemergence of the ended conflict. Accordingly, it also includes the question of establishing positive and sustainable peace. As it was discussed earlier that the conflict prevention discourse and tools tend to assume a negotiated peace agreement where the conflict parties have an interest in solving conflicts rather than merely suppressing them' (Höglund and Orjuela, 2013, p.4). Nonetheless, in Sri Lanka the power asymmetry between the winning and losing sides, coupled with the lack of power or interest of international actors to influence the country's domestic affairs, have rendered conflict prevention a tool for continued domination and containment of conflicts (ibid). Analyzing these factors it can be demonstrated what type of prevention is in effect and the outcome.

Thus, this chapter is dealing with the characteristics of conflict prevention in Sri Lanka and examining its effectiveness to establish sustainable peace.

The characteristics of conflict prevention in Sri Lanka can be identified, through a comparative study of the theory and case, as follows

First of all, according to the assessment of the conflict prevention measures in the post war Sri Lanka, the situation can be defined as militarization instead of following the core requirements of conflict prevention paradigm: demobilization, demilitarization and reintegration of former combatants. This militarization ranges from increase of military expenditure, high military presence in the former war torn areas and establishment of military base camps, to replacement of civilian administrative positions by military personnel. It also includes settlement of army families in the Tamil populated north and east areas, military controlled development projects and economic activities for instances agriculture and farming, fishing and establishing shopping mall. Arrangement of any family program or gathering also requires military permission. Thus, militarization has been identified as a feature of post war Sri Lankan preventive peacebuilding, which oppose to the conflict prevention approach.

Secondly, economic development and reconstruction has been recognized by the government as the main instrument to establish peace. There are a large number of infrastructure projects. Ports and airports, several coal, wind and hydro-power plants, roads, railway and urban development projects are being built or in the planning stages. The project highly appreciated however; there are concern about the politicization and ethnicization of the process. It is accused of undermining the indigenous knowledge and culture and lack of consultation and participation of local people.

Resettlement of the displaced people in the war torn areas is another necessary feature of conflict prevention in the country. After the war due to strong national and international pressure the government opened up camps granting limited freedom of movement. Later there are resettlements of displaced people but that is not confirmed in their own old places. In some

cases people are living in the war torn roof less houses due to lack of financial and material support. In addition, there are transparency problem regarding the returnees and reconstruction process. Resettled peoples are also suffering of lack of income and livelihood support.

Denial of multi ethnic existence and Sinhalization of the Tamil majority areas can be identified as another characteristic. The process includes proliferation of Sinhala Buddhist religious symbols, and massive monuments dedicated to the military victory, replacement of Tamil place names with Sinhalese name. The Sri Lankan government has destroyed all war cemeteries for Tamil cadres to build military camps on top of these cemeteries, with the claim to erase the memories of ethnic war. However, the government's active promotion of war tourism reminding communities of ethnic divide, projecting the Sinhalese as the victors and the Tamils as vanquished. Sinhalese individuals and families are being settled in Tamil towns and villages with an intention of changing the demography of Tamil majority region. Moreover, coercive population control policies have been taken. On the other hand a new patriotism has been defined by the former president Rajapaksha which is also a denial of minority existence in the country.

Regarding the political reform Sri Lanka's situation has been defined by Hoglund and Orjuela as a series of missed opportunities. The end of the war has brought a great expectation among the people of having space for greater political debate and moderation among Tamils and government's abandon of hard-line Sinhalese nationalism, for meaningful power devolution to the majority Tamil speaking northern and eastern province. However, in response to Tamil democratic moderate voice the government failed to make a positive change. Strong centralized state system denied the Tamil's right to have meaningful control over land and economic policies, where they are majority.

The question of justice has been met with a refusal of international inquire of war crime in Sri Lanka. The Sri Lankan regime is defying the calls for accountability for its conduct of the war in 2009. Evidences collated and various reports produced by the UN panel of experts, documentaries by the UK Channel 4, Amnesty International, Human Rights Watch and International Crisis Group and many other human rights defenders have been pointing to the

need for an international independent investigation into the massacre of final stages of the war as well as the summary execution of those in captivity by the Sri Lankan military. According to Varadakumar of a London based research centre, the Tamil Information Centre, the new Sirisena government is in a gainful position to win over the victims of war (Tamil Guardian, 2015). The new government established a victim-centred transitional justice process that has the capacity and will to deliver credible transitional outcome. President Sirisena promised, in his election campaign, a domestic inquiry into any allegations of war crimes. However, these domestic measures are questionable regarding the transparency and international standard, on the other hand the international inquiry has not recognized by the government yet.

Finally, socio-economic and environmental development is important component of Sri Lankan post war preventive efforts. Different international organizations, NGOs and countries are working for rural development, gender equality, building social trust, youth empowerment, creating work place, child rehabilitation, and environment protection. Moreover, there are also efforts to facilitate reconciliation and human rights protection. For healing the wound and creating awareness for peaceful coexistence there are centers for performing art as well as various training and counseling programs. All these are important elements of structural conflict prevention strategies, focusing on human security, conflict transformation and development cast a much broader net.

Having discussed the characteristics of post war preventive measures a number of notions can be presented regarding their effectiveness of establishing sustainable peace.

First of all, the core assumption of sustainable peace is not only the absence of physical violence from armed force and repression, which refers to negative peace, but also a process which will satisfy the peoples political need to access to decisions affecting their lives and provide mechanisms for addressing social grievances. Regarding this condition in Sri Lanka, the victor's peace can be defined as a situation of negative peace where, there is huge militarization in the war affected areas, establishment of military camps including militarization of

administration, development project and economic activities. As it is discussed earlier that security sector reform and demilitarization of society are necessary for building a self-sustainable peace but, Sri Lankan post war context poses significant challenges for such reforms (Höglund and Orjuela, 2013, p, 26)

Regarding the question of political access hardly any positive solution can be found in Sri Lanka. There were several initiatives and talks between the Tamil political parties and former president Rajapaksha but failed to reach any agreement on state power devolution. In addition, there is little light of resolving the issues of power devolution and demilitarization by the win of new president Sirisena which is evident from his statement in Colombo Gazette that

> *"We have not signed any agreement with the Tamil National Alliance or Sri Lanka Muslim Congress to devolve powers or divide the country"* (Sirisena, Colombo Gazette, January 5, 2015)

Moreover, he has no intention of withdrawing the army from the north if he wins the Presidential election, as national security will be his responsibility (Sirisena, Colombo Gazette, January 5, 2015).

Though there are international and NGO's efforts for resolving the question of power sharing nevertheless, the willingness of the government is key factor to settle the issue.

Another important factor for sustainable peace is addressing the root causes of the conflict, it is also important for preventing the relapse of conflict. Effective actions by the leaders and governments to ensure fundamental security, well-being, and justice for all citizens are the key to address the root causes of violence. All this lies to the structural approach to prevention which not only makes people better off but also it restrains the tendency to use violence to settle differences (Carnegie Commission, 1997, p.2). However, in this context of root causes there is still little genuine willingness to find a political solution to the underlying conflict in Sri Lanka. Fundamental principles of rule of law such as independence of the courts and the democratic environment have been further weakened over the entire country in 2012.

It is alarming that there are rising hate campaigns from the nationalistic Buddhist groups against the Tamils, Muslims and Christians (NORAD, 2013). Absence of egregious social division and material inequalities is crucial feature of sustainable peace. These also generates key component of grievances to construct conflict. However, in Sri Lanka we can see the inequalities and division subsistent. Though, in the post war situation the government took various measures of development and economic growth, bolstered by foreign investment, tourism and IMF loans however, the policymakers directed little attention to the inherent economic inequality that caused the ethnic conflict in the first place.

The government should provide specific opportunities to the ethnic minorities and public communication strategy requires showing the minority communities about the benefits from the development activities. In addition, special attention should be paid to the most vulnerable groups for instances, unemployed youth pro-government Tamil militants, and victims of flood caused by monsoon rains. In the context of high economic development the sense of ethnic focused frustration among these particular minority groups can be build if they continue to feel marginalized and excluded from the country's notable growth.

Justice has been perceived as significant element of sustainable peace as it is shown earlier in the theoretical analysis part. There are arguments that the demand for justice could hinder the process to peace however, it is also evident that a minimum level of justice is emergent for peace. According to Ramsbotham negative peace turns into positive peace through justice. Restoration of justice facilitates to overcome the challenges of psychological trauma and creates space to deal with psycho-social healing. However, in Sri Lanka it can be seen that there is little effort to put a system of justice. The war crime issue in the final stage of war is crucial factor to revive the grievances of Tamils which requires transparent and fair justice and trial of the offenders. Although, there is internal tribunal but it is accused of lacking international standard. The government has been constantly refusing the international call for international investigation. Present Sri Lankan president Sirisena was the acting defense minister at the end of the conflict - and has echoed his predecessor's refusal to co-operate with the UN investigation.

Thus, the question of justice also remains unresolved as well as the standard of sustainable peace getting unreached. Moreover, to reduce the major grievances before they turn into problems, a process is needed with a synthesis of development, democracy, human rights and peace. This can be termed as good governance, which will allow people to determine their own priorities, safeguard and promote their civil, political, economic, social and cultural rights and provide apluralist environment, within which they can live with one another in peace, with the freedom to develop in all ways (Peck, 1998, p.17). In this context also Sri Lanka faces a deficiency. For instances, former president Rajapaksha's new patriotism denies the ethnic existence of other minority groups. Little government response to power devolution, economic inequality, required military permission for gathering or social program, limitation on the freedom of expression; arrest of activists these entire poses question to the good governance process in Sri Lanka.

In contrast, according to the policies of the resettlement ministry a comprehensive framework for the development of war affected population can be noticed. This includes strategies for resettlement, ensuring land and property rights for the returnees, access to school and health care, gender equality and children's rights, training and psycho-social assistance. These seems well organized significant initiatives by the government to resolve the post war challenges however, the reality represents a different condition. On the other hand, other preventive peacebuilding efforts of NGOs and external powers are playing important role towards positive change nonetheless, they also requires a coordination of their activities.

Therefore, Sri Lanka is representing a situation of negative peace, the cessation of direct violence coupled with repression, depression, exploitation and injustice where it is challenging to establish sustainable peace. Structural preventive measures are effective appliance not only to avoid violence or negative peace but rather aspiring to positive peace. However, it requires political will and coordination of instruments and policies. The absence of proper initiatives as well as the failure to address the root causes presents the potentiality of relapse of conflict.

Map of Sri Lanka

MAP NO. 3422 UNITED NATIONS
DECEMBER 1986

9

101
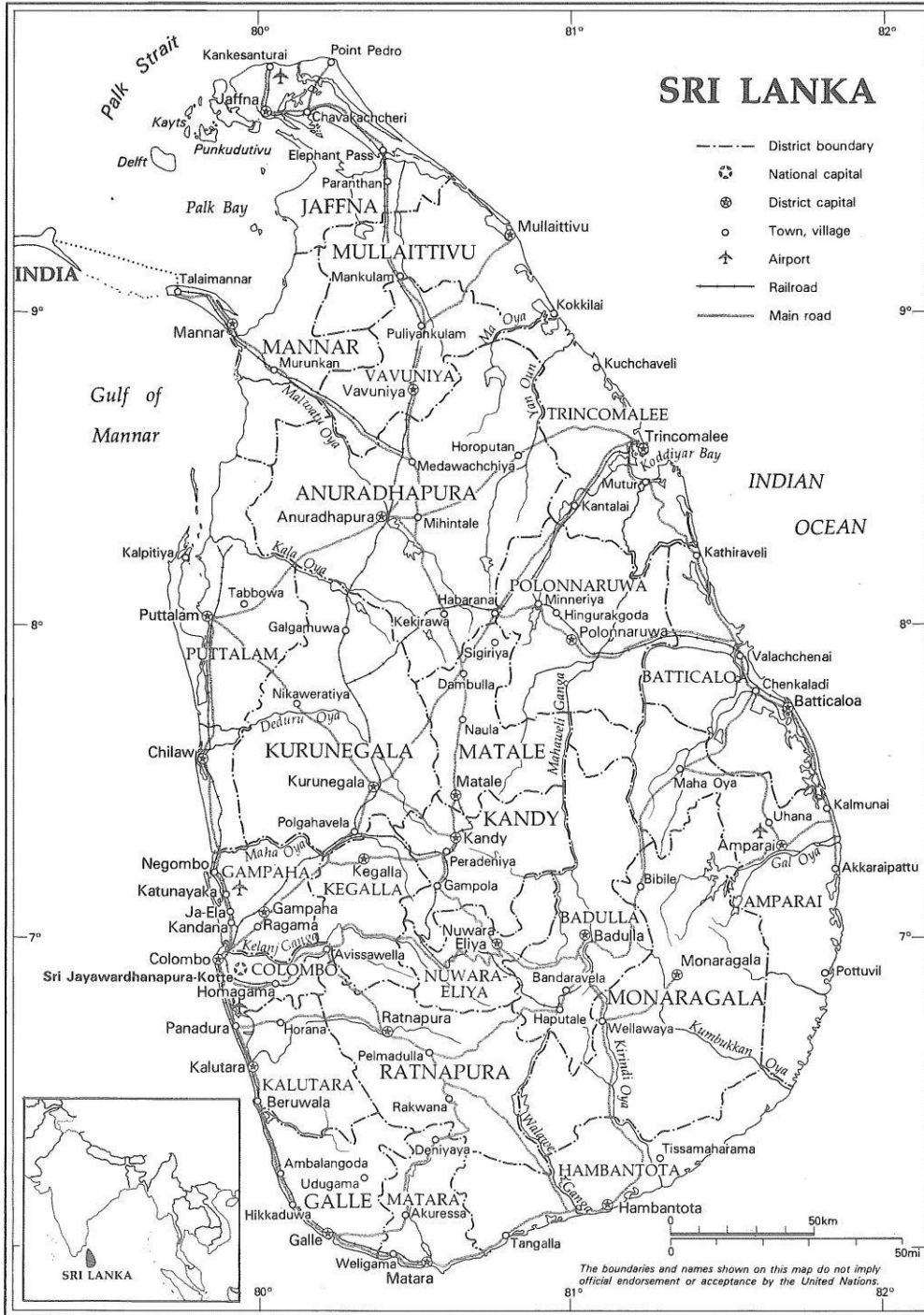
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