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DYNAMICS OF CONFLICT RESOLUTION IN SRI LANKA

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The effort put into this thesis was not easy, but it was possible and I finally did it with the best wishes, support, prayers and technical assistance from family and friends.

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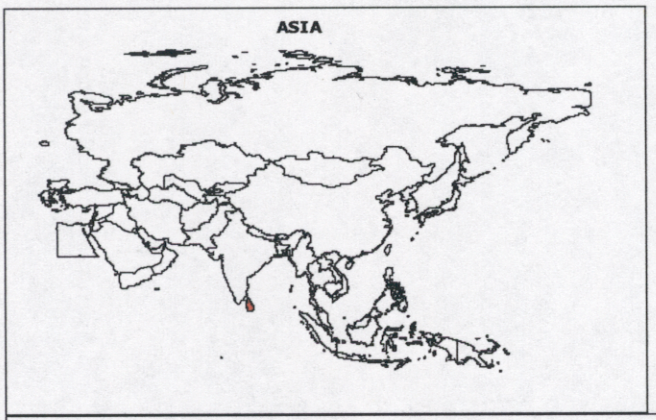

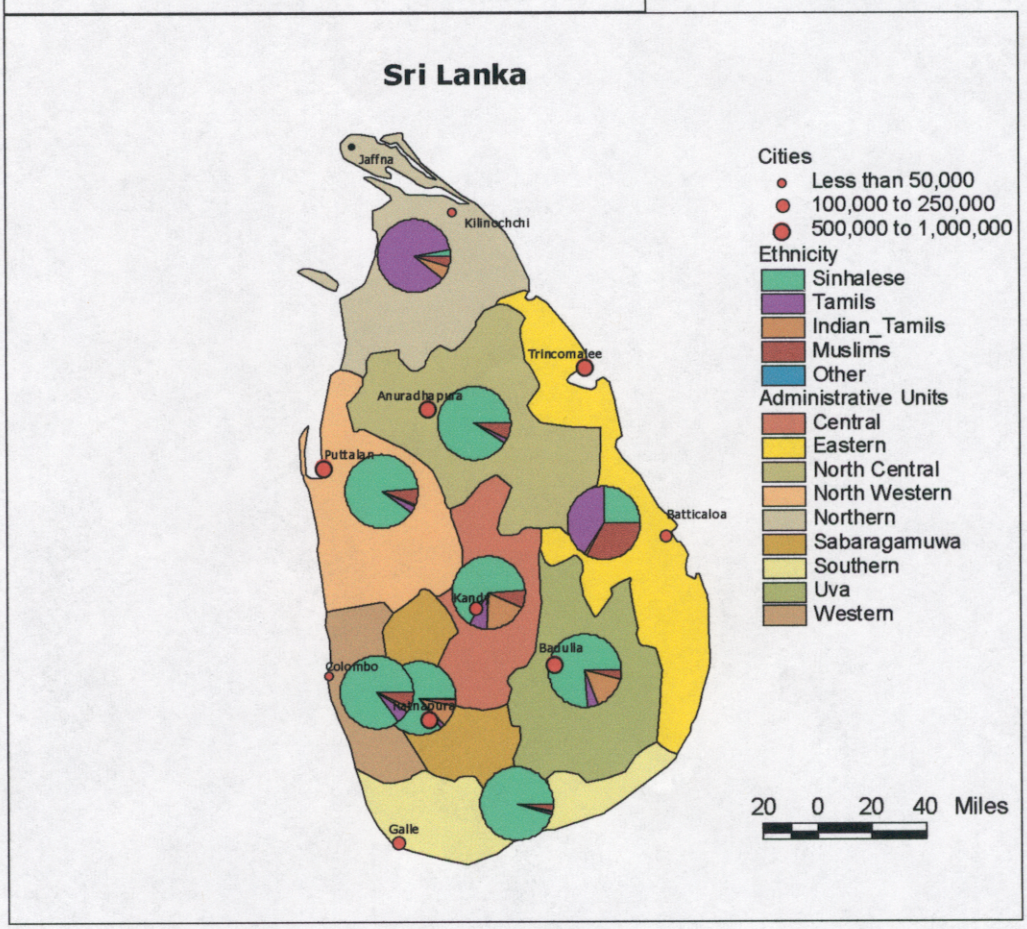

ABSTRACT

This thesis lies within the discipline of conflict resolution. In particular, it deals with intractable conflicts; focusing on the resolution of Sri Lanka's intractable ethnic conflict. Given the recent concentrated initiatives for peace by the Government of Sri Lanka (GOSL) and the Liberation Tigers of Tamil Eelam (LTTE), this study is timely.

In the last decade the issue of resolution of intractable ethnic conflicts has grown increasingly popular, and has earned contributions from many astute scholars. The search for forms of equitable governance in multi-ethnic societies experiencing intra-and inter-state conflict is an important issue which needs to be addressed, especially in the present transition from one world order to another. In this vein, this thesis is noteworthy because it makes a contribution to the literature on Sri Lanka's conflict and peace initiatives by way of filling gaps in the proposals made towards bringing about lasting peace in this war-torn country.

The dependent variable in this thesis is the dynamics of conflict resolution in Sri Lanka. By this, it is meant the issues that are being addressed for consideration in the peace process, the conditions under which the peace process is being conducted (meaning the presence/inclusion of all relevant parties in a mutually acceptable site with an unbiased and trusted mediating team) and the approaches taken by all the stake holders in facilitating the peace talks (whether they are willing, indifferent, harboring grudges, aggressive, "buying time", sincere or trying to impose/promote their wishes). To fully explain the dependent variable, the thesis proposes three independent variables to be considered when negotiating lasting peace in Sri Lanka. These are 1) the history of animosity and distrust between the GOSL and the LTTE, 2) inclusion of the Muslims in

the peace talks, and 3) involvement of pressure groups in the peace process. Hence, the three independent variables together will explain the dynamics of conflict resolution in Sri Lanka and contribute to a final and comprehensive peace in this war-torn country and perhaps in other countries with similar conflict dynamics.

CHAPTER 1

INTRODUCTION INTO THE PROBLEM

Ethnic-based conflicts, whether inter-state or intra-state, have been an important feature of international politics for centuries. They are responsible for the deaths of millions of people, have left behind hundreds of thousands of orphans, produced massive flows of refugees, destabilized countries, and recently, have increased the risk of nuclear war between states like Pakistan and India. What is well known about ethnic conflicts is that when there are multiple ethnic groups sharing a single socio-political environment and one group feels excluded, there will be ethnic rivalry and resentments. This situation often times leads to political instability, displacement and war. As a result, political analysts, theorists and governments have articulated the socio-economic costs of inter-ethnic violence and the absolute need for the cessation of all such conflicts especially because poorer nations are scarcely able to bear the high costs of war.

An ethnic group is described as "a quasi-national kind of minority group within the state, which has somehow not achieved the status of a nation" (Kellas 1998, p. 5). Vanhanen, 1999, further states that "the members of an ethnic group tend to favor their group members over non-members...and tend to support each other in conflict situations" (p. 57). It follows that ethnic conflicts arise in a political situation where competition or division between ethnic groups is more marked or in cases where there is a threat to the security or existence of either group (Kellas 1998). Essentially it is the new-age clash of cultures and/or ideologies, where the clashes occur within a single geographic and sovereign space between two or more ethnic groups, especially when one feels threatened by the other. Simply stated, the ethnic groups are in a battle for ethnic preservation,

recognition/inclusion and respect. This new type of conflict came about because of the growth of ethno-national sentiments and consciousness. The challenge then is to find ways to resolve these conflicts. Unfortunately, some ethnic conflicts may not be easily resolved. These conflicts are termed "intractable". "Intractable" in this thesis adopts the generic understanding of "resistant to resolution". However, the author maintains that this does not mean the conflict is "irresolvable".

Such conflicts have been an important feature of International Relations for centuries, and recent developments on the world stage have brought them to the forefront of current critical issues. Indeed, after World War II, ethnic conflicts had been placed on the backburner because of the rivalry between the Soviet Union and the United States. After the collapse of the Soviet Union in 1991, however, the once "dormant" or "repressed" ethnic attachments gained new momentum to become perhaps the most powerful force in contemporary politics. Such conflicts abound in the former Soviet Union, Eastern Europe, Africa and Asia. What is perhaps more pressing is that, recently, such conflicts have reached new levels of intensity—and hence cruelty—that statesmen and scholars are now turning their full attention towards understanding their nature, evolution and resolution. They have become so devastating that nowadays the field of conflict management and conflict resolution has won the interest of many theorists and practitioners.

There is now a concerted effort internationally to find new and creative ways to foster tolerance and inclusion of diverse groupings within and among nations as well as to bring about peaceful resolution of protracted and difficult conflicts such as those in Israel/Palestine, Sudan and Sri Lanka. Initially, there was no precise and coordinated

national or international effort to contain the growth of this global travesty. However, in recent years, the idea of conflict resolution, as an academic and policy-oriented subfield for addressing these violent conflicts, has developed.

In the 20th century, with the onslaught of a new type of internal conflicts, there have been numerous proposals of conflict resolution (Lepgold and Weiss, 1998; Miall, 1999; Schellenberg, 1996; Kaufmann, 1996; Wallensteen and Sollenberg, 1997). The main objective of these conflict resolution proposals is to address the ever-increasing occurrences of ethno-national conflicts in the modern world since the end of the Cold War. Conflict resolution is a plausible outcome only when the conflict can be resolved to the satisfaction of all concerned parties. It is a comprehensive term, which implies that the deep-rooted sources of conflict are addressed and resolved. It implies that hostilities and violence are no longer present. Essentially, the process towards peace is completed when a decision is sought and made by the parties to end the conflict, and they are both satisfied with the outcome (Lulofs and Cahn, 2000).

The general term conflict resolution encompasses so many different dimensions including, (1) peace making and peace keeping initiatives, which may entail coercion or forcing the parties to a particular conclusion; (2) negotiation and bargaining leading to a voluntary agreement to settle; (3) adjudication or using the power of the state and its legal system to provide an authoritative conclusion; (4) mediation or using third party to help the conflicting groups to come to a mutually satisfactory agreement; and (5) arbitration or using third party to decide, through prior mutual consent, the issues in dispute. The outcomes of these resolution strategies and proposals are not always definite, but some outcomes like power sharing and separation are relatively positive.

This study focuses on the ethnic conflict in Sri Lanka. Formally known as the Socialist Democratic Republic of Sri Lanka, it has endured one of the bloodiest ethno-national conflicts of the past decade. The island is relatively small—approximately 65,606 square kilometers—with a population of some 18.1 million people. It is a plural nation and according to statistics obtained from Sri Lanka Department of Census and Statistics 2001, the Sinhalese comprise 73.96 per cent; Sri Lankan (Ceylon)[1] Tamils 12.71 per cent; Indian Tamils 5.52 per cent; and others 7.79 per cent. The latter group includes Veddas, Muslims (both Moors and Malays), and Burghers who are descendants of European colonial settlers. Each group is distinctive by its cultural and religious beliefs. The religious groups are Buddhists 69.3 per cent (primarily Sinhalese); Hindus 15.48per cent (mostly Tamils); Muslims 7.61 per cent; and Christians 7.55 per cent.[2] For over twenty years Sri Lanka's Sinhalese ethnic group has been at war with the Tamil minority group. In particular, the conflict has evolved into one between the Government of Sri Lanka (GOSL)[3] and the militant Liberation Tigers of Tamil Eelam (LTTE).[4] After numerous attempts at resolving the conflict between these two antagonists, there has been some progress in recent months to bring about peace to the island.

In the case of Sri Lanka a whole new and creative conflict resolution approach is being attempted where the traditional power sharing proposals is facilitated by a new approach at conflict mediation. Essentially, this new approach towards resolving Sri Lanka's long standing ethnic conflict will entail a revolutionary diplomatic approach, which relies upon skillful mediation by the Norwegian led Mediating Mission. There is also a proposed scheme for redevelopment of Sri Lanka. The difference with this new peace initiative is that the initial issues underlying conflict resolution in Sri Lanka are no

longer central to the peace process. Prior to August 2002, the conflict was driven by the irreconcilable aims of the LTTE separatist ideals for an independent Tamil "homeland" and the Sinhalese-majority government's intent to maintain the structure and nature and of the national political system. The Sinhalese position therefore was that the conflict should be resolved within the framework of the existing unitary State. By and large, the conflict was deemed intractable as the two protagonists held diametrically opposite views on best approach to resolving the problems in Sri Lanka.

The most recent twist in the meandering, much-flogged conflict resolution process is the entry of the Government of Norway as a facilitator, to initiate and mediate talks between the GOSL and the LTTE. The Norwegian Government maintained contact with the two protagonists over the past few years and, on several occasions, offered their good offices to help resolve the armed conflict between the GOSL and the LTTE. However, the effectiveness of Norway's intervention would be judged by its ability to keep the relations between the two antagonists at a cordial and accommodating level and the demands made by the conflicting parties have to be reasonable so as to reach a peaceful settlement.[5]

1.1 Statement Of The Problem

The problem identified and analyzed within this study is the dynamics of conflict resolution in Sri Lanka. Specifically, the study will assess whether the present factors which are given consideration in the peace negotiations can actually and realistically settle the long standing dispute between the GOSL and the LTTE. The study would also explore what important issues are being neglected and should be considered when

negotiating peace for this war-torn nation. The peace initiative and peace process in Sri Lanka is timely, because the Government of Sri Lanka and the LTTE militants are seemingly at the end of their rope. The fire which has fuelled the conflict for the last 19 years is dying. Both parties in the conflict are apparently ready for animosities to be resolved and for Sri Lanka to attain peace again. However, though readiness and/or willingness for peace and resolution of differences are apparent, all stakeholders have to be careful when undertaking the negotiations for the resolution of longstanding animosities and disputes that are as deep-rooted as those in Sri Lanka.

Since the early days of Sri Lanka's violent ethnic strife, there have been attempts at ending the conflict through negotiations. But all these negotiation efforts have failed to end the conflict, or to de-escalate the violence. These failures, in a way, buttress the Sinhalese nationalist argument against negotiations with the LTTE and vice versa. However, the failures provide a wealth of insights on which a future process for successful negotiations could be built. Past failures, in reaching a compromise between the two protagonists, should force them to be mindful of the history of their relations while conducting the present peace talks. It is wrong to assume that an internal armed conflict can be brought to an end through one or few negotiation attempts. Once a conflict has started, its termination may become exceedingly difficult due to a variety of factors. Conflict resolution can be as complex a phenomenon as is the conflict itself. Similarly, when negotiations fail once, twice or perhaps many times, it does not mean that the negotiation option is totally invalidated. The questions raised in this study are therefore: (1) what role does history play in the intractable conflict in Sri Lanka? and (2) how can the conflict be resolved? This study argues that in order to reach a peaceful

resolution, the important thing is to examine the history of the conflict and past failures as objectively as possible and take corrective measures to ensure the success of the ongoing peace process. In particular, the study suggests the participation of all stakeholders, including the hitherto inactive parties, in the negotiations for peace and reconstruction.

1.2 Purpose Of The Study

This thesis advances the proposition that lasting peace in Sri Lanka will only be realized if the peace process fully considers and incorporates all the pertinent issues which provoked and sustained the conflict for the past fifty-four years. Specifically, the author contends that Sri Lanka's chance of experiencing lasting peace will be realized only if the peace negotiations (1) take into account the history of animosity and distrust between the Sinhalese led Government of Sri Lanka and the Liberation Tigers of Tamil Eelam; (2) include the participation of the Tamil Muslims who live in the North and eastern provinces of Sri Lanka; and (3) inclusion of religious pressure groups. In this regard, the study has two main objectives. The first is to provide a sound and practical conflict resolution strategy for the peaceful settlement of the conflict between the GOSL and the LTTE. In so doing, it will ensure that Sri Lanka finally has a chance at managing its conflict and eventually experience a society free of the drudgery of war and crimes against humanity. The first objective is obvious because the realization of peace and harmony between and among the various ethnic groups within this plural society is the first step to socio-economic redevelopment and, on a broader level it will bring about social stability and order in Sri Lanka.

Secondly, there is an academic intent to boost the conflict resolution literature and approach by highlighting less ambitious measures of conflict management. This would be a more appropriate strategy for minimizing the number of violent outbursts, or decreasing the level of contention between and among once warring ethnic parties within a single socio-political environment. This objective stems from a desire to modify the tendency of many conflict resolution theorists to underestimate the complex nature of many ethnic conflicts. The mistake made by these theorists is that they assume and allow others to believe that all of the issues driving the conflicts can be resolved when oftentimes the best approach is to find the best ways to control or manage these offensive, ethnic outbursts. Many times the resentments and animosities lay dormant and can be easily revived if provoked. When this happens the very same conflict will resurface and sometimes with greater fervor.

Past attempts at resolving the ethnic conflict in Sri Lanka failed because the facilitators made a number of errors. The errors include among others, failure to recognize the demands of one of the parties in the conflict, namely, the LTTE. For instance, the Indo-Sri Lanka Accord of 1981 failed miserably because the mediating nation at the time, India, facilitated talks between the Government of Sri Lanka and the LTTE, but was clearly biased in favor of the Government. Neither governments took into consideration the four primary demands made by the LTTE. These demands were (1) recognition of Tamils as a distinct nationality, (2) Tamils' right to self-determination, (3) recognition of the north and east of Sri Lanka as the traditional Tamil homeland, and (4) full citizenship and other fundamental rights for all Tamils in the country. The Sri Lankan government rejected the first three of these demands saying they violated Sri Lanka's

sovereignty. The negotiations failed because the GOSL and Indian Government did not satisfy the demands of the contending party and therefore, provoked the resumption of violence.

This failed attempt at peace in 1981 gives added importance to one of the variables being proposed for consideration in this study, that being the need to include and consider the demands of all relevant and crucial parties in the negotiations so that the outcome would be satisfactory to all relevant parties. Other failures came about because the GOSL did not recognize the extent of distrust which the LTTE has for them and that there was the need to soothe these sentiments of distrust and animosity by allowing an unbiased mediator to facilitate any talks between them.

However, Sri Lanka's new conflict resolution approach allows reasonable communication and concessions to be exchanged, which may actually bring the two parties to the negotiating table. President Kumaratunga's rejection of the Norway's assistance in 1994 was an unfortunate mistake, which could have been avoided had the President recognized the extent of the LTTE's distrust of the Government. Also, her attempt at dealing with the LTTE by matching their military force with force and violence served to substantiate these sentiments of distrust and animosity, and this only added to the resolve of the LTTE. Any attempt at bringing about peace must be well thought out, taking into consideration the nature of relations between the two parties directly involved in the conflict, as well as all and every other concerned group within the boundaries of the Republic of Sri Lanka.

1.3 The Variables

The dependent variable in this study is the dynamics of conflict resolution in Sri Lanka. This means that the issues that are being addressed for consideration in the peace process such as the conditions under which the peace process is being conducted (meaning the presence/inclusion of all relevant parties in a mutually acceptable site with an unbiased and trusted mediating team) and the approaches taken by all the stake holders in facilitating the peace talks (whether they are willing, indifferent, harboring grudges, aggressive, "buying time", sincere, or trying to impose/promote their wishes).

In order to explain the dependent variable, three independent variables are considered when negotiating lasting peace in Sri Lanka. There are: (1) the history of animosity and distrust between the GOSL and the LTTE; (2) inclusion of the Tamil Muslims in the peace talks and (3) inclusion of religious pressure groups, namely the Maha Sangha.

The first independent variable, the history and distrust between the GOSL and the LTTE is important. One should consider that though the LTTE has made considerable concessions in these peace talks (September 16-18, October 31-November 3), the past injustices dished out to them by the Sri Lankan Government are not easily forgotten (the GOSL also has similar sentiments towards the LTTE) and has engendered, overtime, a sense of distrust on both sides. These sentiments and the disagreeable relationship between these two are what caused the breakdown of the last four attempts at peace talks. There may be some commitment on both sides and surely significant concessions have been made by the protagonists, but if peace is to be lasting a program of continued confidence building would have to be considered so as to dispel old sentiments. The

paper explains these sentiments of present ethnic distrust by showing how mistrust and hatred (caused by unfulfilled promises on both sides) have played a significant role in the failure of past attempts at peace between the LTTE and Sri Lankan government.

The second independent variable proposed within the thesis is the inclusion of all salient parties. In this instance, emphasis is placed on inclusion of the Muslims in the peace talks between the GOSL and the LTTE. The involvement of this group is crucial if the country is to have a peaceful and lasting settlement of the conflict. One can argue that the Tamil Muslim element is inconsequential given their size and tendency to remain neutral in the conflict. However, events of the past months have shown that this group may retaliate violently or use the five crucial votes they have in Parliament to derail any agreements, which may not meet their demands during the peace talks. Therefore, if this group's issues aren't adequately dealt with in the peace process lasting peace will not be realized in Sri Lanka. Failure to include not only the demands of this group in the negotiations, but also give them input in the talks may lead to contentions later on. One must keep in mind that the conflict started because of blatant disregard and exclusion of one ethnic group however small it may be.

The third independent variable deals with the need to include one of the most influential pressure groups in Sri Lanka, namely the Mahanayakas (the Buddhist high priests) in the peace talks. Given the role and influence of the priests in Sri Lanka's politics and society in general, it would be counter-productive to exclude the opinions of this group in the peace negotiations. This group has considerable power and will not hesitate to use it in order to promote its agenda, especially if its opinions are not given adequate consideration by the Government and the LTTE.

1.4 Scope Of The Study

This will be a qualitative study examining the recent attempts at resolving the ethnic conflict in Sri Lanka. The investigation and analysis will focus on the period 1976 up to the present. The starting date was selected because it signifies the Tamil Tigers' active involvement in the conflict and the year when the demand for an independent Eelam was made. The analysis and proposals made will take into consideration the uniqueness of this conflict—its nature and persistence and the attitudes of the parties involved.

The issue of ethnic conflict and conflict resolution examines groupings of people who are divided by socio-cultural and political issues. These issues may vary according to the nature of the relations between and among the disparate groups. The analysis touches on the unique characteristics of that society and delves into the issues, which may have contributed to the outburst of violence between the parties in the conflict. These very characteristics are analyzed to determine their influence on the peace process. These very situational and behavioral issues are what will be examined closely in order to pinpoint the limitations and strength of practices and strategies currently employed by the parties in the conflict when negotiating a peaceful settlement of the conflict.

Summarily, the contributions made within this study require a careful study and understanding of the "problem issues" driving the conflict in Sri Lanka. The study also calls for intimate knowledge of the personalities of the protagonists so to predict their reactions to decisions or concessions made along the road to peace. Therefore, putting the Sri Lankan ethnic conflict into a historical context and having a deeper understanding and

appreciation of the unique features of the conflict are what would allow one to formulate the best (most applicable) strategy for peace in Sri Lanka.

1.5 Research Design And Methodology

1.5.1 Nation-state Selection

The intriguing thing about Sri Lanka is that though it has been experiencing one of the most enduring cases of ethnic conflict within the 20th century, relatively little attention has been given to it. Here we have a relatively small country whose nationals are fighting and killing each other for reasons stemming from primordial and nationalist sentiments. These reasons may be easily understood, but they are difficult to explain or justify. It also makes resolution of the conflict very difficult especially when, over the years, the core issues in the conflict metamorphosize into something bigger and even more intractable. Since independence in 1948, there has been consistent conflict between the Sinhalese and Tamils—the two main ethnic groups in Sri Lanka. For over fifty years the international community has witnessed a constant state of political turmoil and civil unrest in this South Asian country, ranging from small, isolated political attacks, to large-scale rivalry between the two ethnic communities. This rivalry has also accentuated ethnic and religious divisions within the country.

As a result of this protracted war between the LTTE and the GOSL, over one million Sri Lankans have been displaced, tens of thousands have been killed and thousands have suffered significant socio-economic setbacks. The casualties of war are always unfortunate tragedies and the consequent social trauma is always toughest to handle, but it is always worse for the children of war[6].

Since 1976, the Tamils have been fighting to carve out an exclusive Tamil ethnic state by combining the north and the northeastern provinces into a single independent state to be called Eelam. The Sinhalese government, on the other hand, has vehemently contested the LTTE's separatist nationalistic movement with a peace proposal of devolution and a program of military stabilization and economic revitalization for the war-tainted 'Tamil Eelam' region[7].

The conflict in Sri Lanka is no more severe than that of another comparable nation nor are the casualties of the war more extensive. The issues underlining the conflict are also common to other developing countries where politicized ethnicity is salient. However, the Sri Lankan conflict has its unique qualities, which have captured the interest of many. For instance, the underdog/contender in this battle, the LTTE, has developed over the years a complex network in strategic ports abroad. This organization has set up infrastructure so extensive and resourceful that it has allowed them to endure and succeed in many battles with the numerically larger GOSL military. Also, the LTTE possesses a sophisticated inventory of ammunition and weapons of war. Their organization is superb. It is because of these characteristics that the GOSL cannot disregard the demands made by this militant faction. The LTTE, given its resources and organization, has become a force to reckon with and would not allow the Sinhalese led government to ignore its demands. Also, it is the first time in the history of ethnic conflicts that a mediating body is given much power and influence with regard to ensuring the parties uphold the terms of the ceasefire. Consequently, a greater burden is placed on the Norwegian team as the international community has certain expectations of

them to maximize on this unique opportunity and thus revolutionize conflict resolution initiatives.

1.5.2 Data Collection and Analysis

This paper is a qualitative study. A qualitative approach is preferred over a quantitative one because of the very nature of the study. Qualitative analysis closely relates to the practice of social psychology, where assessments are made and or opinions and conclusions are formed based on careful study of attitudes and motivations, observation or archival records about the particular subject matter. In this regard, it is the best approach possible for undertaking the study on the dynamics of conflict resolution in Sri Lanka.

It could be argued that the quantitative researcher is more precise but the response would be that with people it is not possible to be so precise, people change and the social situation is too complex for numerical description. One cannot afford to make the mistake to comparing the Sri Lankan case to those of any other nation which have had intra-ethnic warfare, simply because the same circumstances are not found in every case, and people react differently according to the context (environment). Thus, the approach must be catered to the particular case. Qualitative assessment would allow one to do this more effectively than a quantitative evaluation, especially when dealing with the history of animosity and distrust among the contending parties. Of course, this does not mean that we cannot draw lessons from Sri Lanka, especially when dealing with conflicts that have commonalities with the case under study.

Although most of the data collected for this research came from secondary sources, a considerable portion was the result of primary sources including numerous

consultations with personnel at the United Nations. In particular, Ambassador De Seeram and his staff at the Sri Lankan Consulate in New York furnished me with statistical data on the conflict as well as their take on the issues relating to the history of the conflict. Also, other informed academicians and researchers of the conflict in Sri Lanka provided substantial information. The majority of the secondary material came from books, peer reviewed articles, dissertations, papers and presentations. A number of them had to be sought from external libraries, but they were easily had through the inter-library loan department of Walsh Library, Seton Hall University.

The process of researching and gathering data also included keeping up to date with the social and political developments in Sri Lanka. A lot of information was supplemented by British Broadcasting Corporation World Service (BBC) reports, as well as information from the TamilNet news website and numerous other government and private owned Sri Lankan websites, which always provide updated news on the conflict and recently the peace process in Sri Lanka. A resource that was extremely beneficial to the author was the courses taken at Seton Hall University which touched upon ethnic conflicts, theories of ethno-nationalism and lectures on peacekeeping and peacemaking operations.

1.6 Organization Of Study

The thesis is divided into five chapters. The first and introductory chapter outlines the scope of the study and the methodology employed. Within this section the reader will be oriented into the nature and scope of the research. It begins by giving the reader an insight into the problem being investigated. The author introduces the concept of ethnic conflict and conflict resolution, which is the general area within which the study falls. It

is also in this chapter that the theoretical framework of the thesis is established and outlined. This portion of the study introduces the research question, propositions and introduces the variables to be examined in the paper.

Chapter two is a review of the literature. The information highlighted was crucial in the process as it helped the author to understand the ethnic conflict in Sri Lanka, the actors, their grievances/problems, lifestyles, beliefs and motivations for pursuing the bloody ethnic rivalry. The literature in general looks at conflict resolution theories, models and applications—some of which have been proposed for Sri Lanka in the past and others that may not apply, but have been useful in resolving similar ethnic conflicts. These theories and models give an insight into which contributions have been made in the field of conflict resolution to date and what initiatives have been suggested and/or employed as the best peace strategy applicable for the Tamil-Sinhalese conflict. This section provides the necessary ground work to build contending arguments as they point to the shortcomings in the practice of conflict resolution and, subsequently, the limitations in the approaches to peace in Sri Lanka. A significant portion of the research and the review deals with the viability of third party mediation and the effectiveness of the Norwegian mediating committee in Sri Lanka.

Third chapter examines the history of distrust and conflict between the GOSL and the LTTE. This chapter attempts to explain the difficult nature of the relations between the two warring groups and the extent to which this issue has prevented earlier attempts at resolving the conflict. It will seek to explain the essence of this relationship by exploring the history of Tamil-Sinhalese relations with particular emphasis on the post 1976 period when the Liberation Tigers joined the conflict. It analyzes how, overtime, the

Tamils have made numerous demands which never materialized though they were promised by a number of Sri Lankan governments. Also, crucial to the analysis and recommendation is an exploration of the previous failed attempts at peace in Sri Lanka. The argument is obvious, many attempts were made and they all failed. The ambition of this study is to find out why and argue that some lessons are learned in this new peace endeavour.

The fourth chapter explores the inclusion of the Muslims and the Mahanayakas, the high-ranking Buddhist clergy of the Maha Sangha religious order. The inclusion of the first group is crucial to the success of lasting peace in Sri Lanka because this ethnic group also has long standing problems with the Tamils in the northern and eastern provinces. The second group is also important because it has significant power and influence. The Mahanayakas is one of Sri Lanka's most influential pressure groups and will be very instrumental in the peace process. This group is independent of government control, and has influenced the decision making in Sri Lanka for decades. In this regard, the conflicting parties in the peace talks must give consideration to the opinions of these two groups, as their support is crucial to the success of lasting peace in Sri Lanka. They also have sufficient reason for derailing the peace process.

The concluding chapter summarizes the research findings and it will make recommendations for the best possible strategy for handling the tensions and violent outbursts in Sri Lanka. The concluding chapter will make predictions on the possible outcomes of the ongoing peace process undertaken by the Sri Lankan government and the Liberation Tigers and facilitated by the Norwegian mediating committee. In so doing, it will discuss possible bottlenecks and impediments in the peace process. Finally, this

section will examine the merits of this new and remarkable approach to peace and make recommendations for rebuilding Sri Lanka and restoring civility in the war-torn communities. The intent of this chapter is to do two things: (1) to see whether peace is a real possibility in Sri Lanka and (2) to make recommendations for rebuilding Sri Lanka. Summarily, this study will make the recommendations for future peace making and peace keeping initiatives and propose a plan for conflict management.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This study looks at the dynamics of resolving ethno-national conflicts such as those in small, multi ethnic nations like Sri Lanka. The literature on this popular phenomenon is extensive, yet little headway has been made with regard to resolving the conflict in states like Sudan and Sri Lanka. Frankly, there are still cases and analyses waiting to be explored, given that existing theories and proposed resolution models have not and cannot fully explain many situations of intra-state ethnic conflict. Simply stated, the literature is scant on the best approach to resolving many of these new-age ethnic conflicts. It is with this in mind that this section of the study will examine the existing literature with focus on (1) the nature of this new type of ethno-national conflict and warfare, with particular emphasis on Sri Lanka; and (2) the proposals and models for conflict resolution within the discipline. These models and theoretical approaches will be investigated and critically assessed with a view to filling gaps in their conceptualization and application, and to construct a model applicable and practical to Sri Lanka.

Again, this study is being approached with the understanding that a lot has been written on Sri Lanka's ethnic conflict. Many scholars, including Schellenberg 1996; Kaufmann 1996; Wallensteen and Sollenberg 1997; Miall and Ramsbotham, 1999 have made various proposals to bring an end to this ethnic conflict. However, the fact remains that the conflict has not been resolved as many of these proposals and models have proven insufficient for Sri Lanka. This study is timely, given that for the first time since

Sri Lanka gained its independence from Great Britain, there is a real and possible chance that the conflict may be resolved. The current ceasefire in Sri Lanka has lasted for almost thirteen months, and the Norwegian-initiated and monitored Memorandum of Understanding (MoU) has paved the way for serious negotiations on how best to resolve one of South Asia's longest standing and violent ethnic conflicts once and for all.

2.2 New Age Of Ethnic Conflicts

One of the more interesting phenomena in the second half of the 20th century is that old ideological hostilities—characterized by nation against nation—have been substituted by intra-state ethnic conflicts. Generally, the principal cause of ethnic conflicts involves a competition for the control of status, rewards, resources and/or territory. Today, these conflicts have become more intense and numerous, and their impact is even more deadly to civilian populations because of the new and creative ways which these militant groups have devised to combat opposing groups. In particular, ethnic conflicts in Third World have gained some attention since the 1960's (the beginning of the end of the era of British colonialism) largely because colonialism left behind many inappropriate constitutional arrangements where not all ethnic groups were given equal and fair opportunities and representation.

With the rise of ethno-national sentiments on the part of ethnic minorities, there has been a call for radical changes in most of these constitutional arrangements. Ethnic minorities that no longer want to be subjected to suppressive and discriminatory governance are rising up against governments based on ethnic exclusion and the restriction of the rights and freedom of ethnic minorities. The unfortunate thing about

these policies is that they have produced widespread killing of cultural groups for the sole reason that these groups demanded equitable power sharing arrangements and adequate recognition of cultural differences within these societies. Today, the consequences of the ethnic tension and armed conflict are not only the loss of millions of lives, but also significant strain on the economies of the warring states/nations. The effects of these policies have been devastating and include the displacement of hundreds of thousands of people, orphaned children, populations living in constant terror and fear, and communities left without food and other basic necessities. This is the dynamics of the new age of ethnic conflicts.

Ethnic conflicts, especially conflicts between ethnic minorities and majorities, such as in Sri Lanka, sometimes appear hopeless and intractable. Countless attempts at resolving the dispute are made and often times there is a glimmer of hope as the parties at war may settle for a period of time. But the primary issues are rarely resolved. Parties in such conflicts very often block the satisfaction of each other's basic human needs. Minorities tend to believe that their identity is not given adequate recognition and representation in the national scheme of things, that they are given less opportunities for development, and that their culture (and sometimes their existence) is under threat. Majorities, on the other hand, in wanting to maintain the status quo, may also perceive minorities as a threat to their security.

There have been many internal conflicts involving different social and cultural groups within a state. The most unfortunate thing is that the attempts at resolving them are not handled by peaceful means, but by waging war or issuing the threat of war. The old hegemonic order—where the U.S. and the U.S.S.R kept their followers in check—has

been replaced by the new world "disorder" which reflects the lack of global, social and political processes to deal with serious conflicts.

Various diplomatic efforts to bring an end to these conflicts have not produced tangible outcomes in many cases, including Rwanda, Columbia and Israel/Palestine. The main reason for these failures is that these conflicts cannot be contained or resolved by simply applying those traditional peacekeeping and peacemaking initiatives, where powerful nations bullied the antagonistic parties into submission and eventual cessation of hostilities. To some extent, these conflicts cannot be contained by mediation, where the intervening parties try to negotiate peace agreements without fully understanding all the issues at stake. It is obvious that there is need for radical change in the approach to conflict resolution because, in the aftermath of the end of the Cold War, state power has eroded and with the ensuring diffusion of power, it is becoming difficult to aggregate interests. Also, negotiated settlements produced by a few political elites are not easily implemented at the local level. Many national governments had to learn the hard way that coerced compromises do not bring about peace. The reality is that the threat of punishment and the lack of military commitment for the implementation of the agreements lead to more confusion than to confidence building (Jeong 1994).

2.3 Literature On Conflict Resolution

As an area of study, conflict resolution is a new and undeveloped phenomenon. For instance, the values that inform conflict resolution are largely western, thus it may inhibit its useful application across cultural and political barriers. Western notion of conflict resolution include non-violence, fairness, individual choice and empowerment.

Also, it is important to remember that the mechanisms of conflict resolution—be they resolution through mediation or adjudication—are merely intellectual constructs. In fact, there is dire need for pragmatic resolution models that can also be applied to actual cases of conflict. Conflict resolution approaches and models must offer more than an alternative to what seems an otherwise dangerous and threatening world.

The literature on conflict resolution is general and it focuses on how to do it, with scant attention paid to situational and contextual issues. Schellenberg (1996) for example identifies five basic practices in the resolution of conflict, including coercion, negotiation and bargaining, adjudication, mediation and arbitration. Burton and Dukes (1990) categorize resolution processes under three headings: management, settlement and resolution. Yet, a more textured and mature approach to conflict resolution demands examination of specific contexts and situations. Without an examination of the actual cases and the factors that constrain resolution, there can be no effective, long term effort to resolve the more difficult social conflicts that are evident today.

Some conflict handling techniques are more closely tied to ideals of democratic liberalism than others. For instance, Burton (1990) argues for resolution to be sustainable, there must be full participation by all stakeholders (those engaged directly and indirectly in the conflict) in the process towards settlement. This emphasis on inclusion/representation of all parties is based partly upon the simple logic that if some parties are omitted from the process, then they may undercut it. Involvement of all parties also reflects John Stuart Mills' emphasis on polling the populace as it ensures the legitimacy of the outcome.

2.4 Models for Resolving Ethnic Conflicts in the Last Two Decades

In the last two decades many nation states experiencing ethnic conflict have employed various models/approaches towards resolving the dispute. In March 1992, the *Conference on Conflict, Governance, and the Devolution of Power in Multi-ethnic States,* sponsored by the United Nations University, Tokyo, and the Institute of Ethnology and Anthropology of the Russian Academy of Sciences in Moscow came up with five innovative and thoughtful mechanisms to be employed in bringing about peace in various types of ethnic conflict situations. These mechanisms were documented in a volume edited by Kumar Rupesinghe and Valery A. Tishkov. The first of these mechanisms involves the decentralization of state power through territorial federalism. However, denunciations of ethno-populism or attempts at dismantling ethno-populist political practices are not enough. Lasting accommodation will only be likely if constructive alternatives are developed. In developing alternatives, the experiences of multi-ethnic countries, such as India, Nigeria, Canada, and Switzerland should be taken into account.

A second mechanism concerns multi-ethnic participation at the federal level as a means of minimizing ethnic conflicts. Effective and workable federative systems of governance can be realized not only through decentralization, but also by inclusion at high levels—in central political and cultural structures—of members of local and regional groups and organizations, which would provide them with additional competence, legitimacy, and a sense of being a part of a whole. This schematic seems to be the preferred option of the LTTE and the GOSL in Sri Lanka. It is from this model that this study builds its argument for a sustainable peace plan for Sri Lanka. However, the peace process would have a positive outcome only if all issues of mutual distrust and

inclusion of all stakeholders are considered in the negotiations between the parties in the conflict. With a civil war as destructive as that of Sri Lanka's, every opportunity should be given to ensure that the contentions are not revived.

The third mechanism put forward involves special measures and inducements to stimulate inter-ethnic political cooperation. Developing substitutes for this powerful paradigm is not an easy task, especially where ethnicity has been central to the formation of political coalitions and for mobilizing those directly affected by crises and attracted to totalitarian/authoritarian solutions. As a first step, attempts should be made to entrench the practice of inter-ethnic electoral and political coalitions legally and constitutionally. The argument made here is that multi-ethnic countries should explore election procedures, which guarantee that a candidate is nominated and elected by a multi-ethnic electorate. Within the Russian Federation, for instance, a politician could not be elected as president unless, besides getting a majority of votes, he or she received a mandate from at least a majority of the ethnically diverse constituent republics. This model, recently tested in Nigeria and elsewhere, has proven to be a promising means of widening and strengthening multi-ethnic cooperation and coalitions, but the case of Nigeria is not that of Sri Lanka's.

A fourth mechanism concerns probably the most deep-rooted issue of interethnic relations, i.e. reducing inequality and ethno-social disparities. In complex societies, a process of devolution and redistribution of political power is usually a viable option to deal with ethnic inequalities. However, such a process must also address economic issues, including the participation in highly-skilled jobs for representatives of underprivileged groups. This can be accomplished through training, equal access to land

and encouraging balanced inter-ethnic participation in distributing shares in privatized enterprises.

The fifth mechanism concerns the strengthening of local self-government and community organizations involved in the management of issues of ethnicity at the grass-roots level. In the former Soviet Union, as elsewhere, when we look closely at how ethnic conflict emerged and escalated, it is evident that most of the disputed issues were local in nature and could have been resolved at the local level. Equally, when conflict escalates into open violence, it is more often than not local authorities, social institutions, and grass-roots organizations that are best able to play pacifying roles. However, it is essential that local governments and other actors have the authority and financial resources to implement constructive initiatives and policies affecting ethnic issues. An extremely important issue for local politics is for leaders to bestow respect for the traditions and values through which small groups and individuals of different ethnic origin and religious beliefs realize and manifest their own identities. This mechanism speaks to one of the three variables included in this study—the variable of inclusion of the Muslims and the Maha Sangha religious order in the peace process. Again, without the full and continued involvement of these key local and community based organizations, groups and personalities, the dispute resolution process would be stymied and peace would be unsustainable.

The interesting thing about each of these models is that though they have worked in certain cases, as referenced earlier, none of the models are holistic and do not consider all possible situations, especially those present in Sri Lanka where there is a history of animosity and distrust between the two adversaries. In cases of long-lasting animosity, an

approach which involves a high level of diplomacy and skillful mediation becomes an essential component of conflict resolution. Then, there is the issue of inclusion. For any peace package to work and endure in Sri Lanka, all possible individuals, ethnic groupings and organizations must be involved in the process, and their input whether constructive or mere grievances should be given adequate consideration.

Always one must keep in mind that this war has been the war of one small minority group (represented by a well organized guerrilla group) fighting against the socio-economic and political dominance of the majority. Therefore, if other minority groups or an organization is not given a role and a say in this peace process, there is no guarantee they will not run into opposition. Again, the aim of this thesis is to fill in those gaps within the existing models with a view to dealing more adequately and appropriately with the ethnic conflict in Sri Lanka. To do so, one must ensure that the needs and demands of all possible stakeholders in this Socialist Republic are heard and considered. Granted, no model is ideal in terms of adequately satisfying the demands of all groups in a multi-ethnic state, but, at least, all parties who can assist the peace process should be brought into the fold to allow easy progression.

2.5 Approaches To Conflict Resolution: How to Fix the Associated Problems

The nature of conflicts in the post Cold War period suggests new interpretations of problems and more innovative solutions. Conflict resolution should be viewed as more than a means to re-establish the status quo. Toward the 21st century, state power has eroded and this may encourage new roles for nongovernmental organizations, especially in meeting basic human needs. There are several basic human needs that are especially

pertinent to conflict and conflict resolution: the need for recognition, for development, for self-determination, for bonding, for identity, and security. Consequently, it is extremely difficult for the parties to the conflict, even with outside assistance, to find a solution that would satisfy all of the above needs for all of them. Therefore, the primary task of conflict resolution should be to understand institutional needs to satisfy social, economic, and cultural demands of parties in conflicts.

Conflict situations are quite complex rather than neatly organized. Thus, the challenge of the new world "disorder" requires a shift in our approaches to problems of ethnic conflict. These approaches include (1) strategy, (2) capacity to resolve and (3) volition. Jeong (1994) outlines three well-thought out strategies for conflict resolution. First, he states that the identification of the needs and values of parties in conflict is essential for any institutional and/or territorial changes. The second relates to the policy of inclusion. He asserts that the "indigenous" problem solving strategies need to be recognized. Secret and exclusive negotiations may bring about fragile peace agreements, but they do not result in lasting solutions to problems. Solution to problems requires participation of all identity groups which are directly connected to the causes of conflict. Involvement of civil society, whose views are usually not considered, is also crucial, because the process of dispute resolution entail rebuilding the society. Jeong (1994) supports this perspective by documenting the successful transition in South Africa, which was made possible by a broadly based consensus building effort within different racial communities.

Thirdly, Jeong purports that since the repression of cultures of minority ethnic groups created many generations of animosities, technocratic solutions to these problems

should consider what may well be hundreds of years of hostility between possible antagonists. Here, the primary task of conflict resolution would rest on understanding and compromise, with respect to making institutional changes that will satisfy the social, economic, and cultural needs of parties at odds.

A second requirement considered for resolution of conflict is the capacity to resolve. Those in conflict must have the ability to resolve, that is they must possess the skills and resources required for resolution. The able to communicate ideas and opinions is one such resource needed by ethnic elites. This is why communication is so often raised as being central to the resolution of conflict. According to Tidwell (1998), people often confuse communication and resolution. Communication is seen as central because unless issues are trashed out, explained and rationalized neither party in the conflict would have an appreciation for what motivates the other side to be antagonistic. It is with communication and understanding that both parties can come to a compromise and make certain concessions to help the peace process along. In some cases, mediation is necessary to allow easy communication between antagonistic groups, especially when a history of animosity and distrust characterize their relationship. Thus, in cases like Sri Lanka, where resentment and tensions run deep, a mediating body, who has very little to gain, is needed to mediate and moderate the negotiations.

The final requirement for resolution is volition to resolve the conflict. Without the parties at war desire and commitment to engage in resolution initiatives, conflicts will persist. Desire may be from a humanitarian perspective, fatigue, or other sources. The will or volition to resolve certainly need not be benevolent. Parties do not have to like one another they do not have to have goodwill or warm hearts: they may simply be tired

of fighting. Whatever the motivation, parties must possess the volition to end the conflict. If opportunity and capacity, the two necessary conditions of volition, are non-existent, several possible outcomes emerge. Heitler (1990) argues that conflict resolution occurs only when both sides share a willingness to pursue mutually optimal solutions. Such a resolution employs a process that is also characterized by talk and largely cooperative behavior.

Essentially, if the conflict is to be resolved all three of the above approaches should be considered—the strategies outlined by Jeong (1994), capacity to resolve according to Tidwell (1998) and the volition to resolve according to Heitler (1990). So far in Sri Lanka there is definite evidence that the last two variables have been considered. The GOSL and the LTTE are definitely showing willingness to end this twenty-year old war. Also, the capacity to resolve is made possible by the presence of the Sri Lanka Monitoring Mission (SLMM) led by Norway. Unfortunately, the strategies purported by Jeong (1994) are what they need to consider most if Sri Lanka is to realize real and lasting peace. The issue of inclusion and consideration of the history of animosity are the very same variables promoted in this study as crucial to Sri Lanka's peace process.

2.6 Effectiveness of Third Party Mediation

Generally, approaches to conflict resolution have relied on third party mediation. Folberg and Taylor (1984) define mediation as "the process by which the participants, together with the assistance of a neutral person or persons systematically isolate disputed issues in order to develop options, consider alternatives and reach consensual settlement that will accommodate their needs" (pp. 7-8). With mediation the third party employs a

variety of processes. Two key and popular behavioral processes/characteristics are the appearance of neutrality and controlled communication. The expected neutrality conflict resolution is premised upon the idea that the third party has no vested interest in the outcome of an intervention. Third-party guarantors can change the level of fear and insecurity that accompanies peace treaty implementation and thus facilitate settlement of dispute. They can guarantee that groups will be protected and terms will be fulfilled and promises will be kept. In short, third party mediation can establish relations of trust with both parties so as to positively influence the behavior of the conflicting parties and help them act constructively instead of antagonizing each other.

Mediating is a cherished and skilled diplomatic tool, which, if used well, can make the aggressors see that the payoffs from finding a resolution to their problems are greater than aggressively pursuing their independent ambitions. A major task for the third party is not to use leverage nor to search for a bargained compromise, but the provision of a safe venue in which productive discussions might take place, maximizing the chances of a genuine exchange of ideas, of free ranging analysis and of the non-committing exploration of options. Mediation of a tougher sort can also discourage cheating on an agreement. Some mediation with the threat of military force can make the contenders see that cheating no longer exceed the payoffs from faithfully executing its terms of an accord. Thus, once cheating becomes difficult and costly, promises to cooperate gain credibility and cooperation becomes more likely.

Norway's present involvement with the Sri Lanka's peace process is more of the trusted and unbiased-mediator approach. Norway's involvement with Sri Lanka began as early as the spring of 1997. In February 2000, Norway agreed to a request from President

Chandrika Kumaratunga and LTTE leader, Vellipulai Prabhakaran to assist the process as a third party. After the December 2001 parliamentary election both the new Sri Lankan government led by Prime Minister Ranil Wickremesinghe and the LTTE officially requested that Norway continue to assist the parties in the peace process.

Primarily, the role of Norway has been to assist the parties in their efforts to reach a political solution—a role that is being defined by the parties at all times. Norway's activities have focused in large part on facilitating communication between the parties, minimizing misunderstandings, and seeking common ground between their positions as the foundation for a peace process. Norway also has supplemented the regular communication activities of the parties, upon their request, by briefing various actors in Sri Lanka and internationally. The test for Norway is if their mediating skills can take Sri Lanka all the way to realizing peace. To achieve this magnificent task would require a lot of patience, tact and diplomacy. They must know when to press issues and how to approach issues with either party. Their commitment to resolving the conflict must also embrace significant financial support towards socio-economic development and reconstruction.

2.7 The State Centric Model and the Conflict In Sri Lanka

The conflict in Sri Lanka has intensified and, at times, over the last two decades it seemed to have become even more difficult to contain. Over the years, attempts have been made to end the conflict in Sri Lanka, but with each strategy/approach there have been costly failures. The problem is that the various approaches to resolving the conflict have failed primarily because the Government did not take into consideration the

variables of inclusion of all relevant groups and the civil society as well as the history of animosity and distrust between the two protagonists. The literature in this section all relate to the argument that the old state centric model and the conventional resolution strategies have become less relevant to complicated and deep-rooted ethnic conflicts. Basically, the traditional method in international conflict resolution is based on a realist model of international relations that emphasizes the state as a primary actor in international relations (Sandole 1993). It focuses mainly on various bargaining strategies which can achieve concrete solutions. However, this approach can contribute more to the problem than to its solution since bargaining behavior often uses coercive and threatening measures (Vayrynen 1991). Thus, the failure of the realist model is related to the emphasis on power bargaining and coerced compromise. This approach may not contribute to resolution of the conflict in Sri Lanka because the state, which the realists assume is capable of imposing its will, is weak. In fact, it has not been able to defeat the LTTE.

Some argue that in dealing with deep rooted conflicts, structural analysis is needed. Historical trends show—in such cases as the collapse of the Austrian empire at the end of World War I and the U.S.S.R at the end of the Cold War—the split of multi-nation states is often inevitable. The disintegration of an empire can easily happen as it cannot effectively mobilize resources to control its territorial boundaries, especially if maintaining a centralized political structure becomes more costly. Scholars like Donald Horowitz (1995) have advocated for the creation of semi-dependent states within the existing state. Unfortunately, the creation of a new state is more complicated than it seems, especially when it involves culturally and socially different groups, which have

their own historical traditions and ways of life—such as the "Tamil areas" of Sri Lanka. In fact, ethnic majority groups like the Sinhalese will not easily concede to minority groups' desire for self-determination or their demand of a semi-dependent state because then such allowances would make it even easier for them to attain a fully independent nation of their own. The resulting situation will mean a split in the geographic and administrative boundaries of the nation. For this reason, the efforts to establish hegemonic power relations within a state system have been a main cause of fighting between various social, ethnic, and religious groups in many parts of the world.

Again, given the history of animosity and distrust between the LTTE and the GOSL, as well as the rivalry between the Muslims and the Tamil in Sri Lanka one must realize that peace will not be realized unless all parties are involved in the peace negotiations; unless the history of animosity and distrust is addressed and amends are made and that the peace process is supported by the participation of the civil society. Sri Lanka calls for radical changes to the traditional approaches to conflict resolution. Therefore any conflict resolution model for Sri Lanka must cater to the nature of the ethnic relations there and the need to embrace all key stakeholders in the peace process.

CHAPTER THREE

HISTORY OF CONFLICT AND DISTRUST BETWEEN THE GOSL AND THE TAMILS

3.1 Introduction

One of the variables to be explored for consideration in this study is the history of animosity and distrust between the protagonists in this civil war. It goes without saying that long standing tension and conflict between diametrically opposed ethnic groups could seriously affect the peace process and more so the outcome of any peace talks. The Government of Sri Lanka and the LTTE have on surface a twenty-three year old conflict, but the contentions goes much deeper and farther into Sri Lanka's socio-political and economic history as it relates to relations between the minority Tamils and the majority Sinhalese. In order to understand the history of animosity and distrust and to provide a clearer understanding of the complexities of the attitudes and emotions of both parties, this segment of the study will review the history of conflict between the Government of Sri Lanka and the LTTE. An even more ambitious intent of this section is to assert that this very issue is one of the main reasons behind the failed attempts at resolving the dispute. Given that this contention may be a real possibility, it is imperative that this variable be given sufficient consideration in the most recent peace initiative for Sri Lanka. First, however, a brief background of the ethnic conflict in Sri Lanka is needed. Sri Lanka has been experiencing one of the most enduring cases of ethnic conflict within the 20th century.

3.2 Ethnic Conflict in Sri Lanka

Since independence in 1948, there has been consistent conflict between the Sinhalese and Tamils—the two main ethnic groups in Sri Lanka. For over fifty years the international community has witnessed a constant state of political turmoil and civil unrest in this Republic, ranging from small, isolated political attacks to large-scale violence between the two ethnic communities. Following independence in 1948, the minority Tamils, who felt that they were being alienated from the body politic as well as their culture being neglected, challenged the island's post-colonial trajectory. As a result, domestic rivalries developed and this served to accentuate ethnic and religious divisions within the country[8].

To further aggravate the minority Tamil population in Sri Lanka immediately upon independence in 1948, the GOSL passed the Citizenship Act, which disqualified the Indian Tamils from citizenship and the franchise. This Act made it constitutional for the Indian Tamils to be excluded from participating in the political and economic sphere of their country. Thus, by this legislative enactment, the Sinhalese administration had cut Tamils' political strength and rights in half (Rabushka and Shepsle 1972). These incidences contributed significantly to the ethnic sentiments, which propelled the armed violence in Sri Lanka as we know it.

During the proceeding years the Tamils "experienced the divisiveness of ethnic, linguistic and religious affiliations in participation in representative government" (Tambiah, 1988, p. 2). For years the language issue engaged politics in Ceylon (the official name for Sri Lanka before it changed its name in 1972). The prime issue was whether Sinhala should be the sole official language of Ceylon or whether Tamil should

be recognized as one of the official languages. Under the Bandaranaike government in 1956, only Sinhala was elevated to the status of official/national language. Therefore, instead of equalizing opportunity in the populace at large, this policy resulted in dividing the body politic and unleashed ethnic conflict. The next decade or two the Tamils spent fighting the Government for equal and fair representation within the political arena. In an attempt to placate and win the support of the Tamils, many Sinhalese led political parties and new governing regimes entered into agreements with the Tamil elite groups. However, few of these governments kept their end of the bargain after they came into power. The failed or broken promises only served to further frustrate and anger the Tamils. These broken agreements also contributed to the serious distrust that the Tamils have for any of the Sinhalese-led governments.

However, many historians, political analyst and conflict theorist document the year of the start of Sri Lanka's ethnic conflict as 1983. Others would say that the actual armed struggle began in 1976 with the introduction of the Liberation Tigers of Tamil Eelam on the scene. The LTTE came into the conflict as radical Tamils who felt that armed opposition was the best way to deal with the Sinhalese population and GOSL who had wronged them. The youthful, militant group was committed to the idea of freeing Sri Lankan Tamils from the oppression of the Sinhalese by establishing a separate system of governance and separate culture for the Tamils.

Since the LTTE started its campaign there have been at least four bloody riots – the worst occurring in 1977, 1981 and 1983, with the Sinhalese being the primary aggressors and the Tamils the victims. However, the riots of 1983 are significant because they "signify a breach between the two communities-a polarization [almost impossible]

to heal" (Tambiah, 1988, p. 2). Since 1983 the LTTE has challenged and overcome the national army on numerous occasions proving that they are not only committed, but a resourceful and organized military unit. Essentially, the militant Tigers have changed the face of conflict, because previous Tamil groups like the Tamil United Liberation Front (TULF) and The Tamil Eelam Liberation Organization (TELO) were driven by a desire to revoke anti Tamil/Sinhalese biased policies that deprived Tamil citizens of recognition and their inalienable rights. Today, the LTTE has radically changed its approach to the problem. The LTTE is a radical movement demanding a new state of their own, and their attitude is nothing like the passive Tamils groups that demanded political representation and social recognition.

Since 1979, and up until last September at the first rounds of the peace talks, the LTTE has been fighting for an exclusive Tamil ethnic state by combining the north and the north-eastern provinces into a single independent state to be called Eelam. The Sinhalese government, on the other hand, has vehemently contested the LTTE's separatist movement with a peace proposal of devolution and a program of military stabilization and economic revitalization for the war-tainted "Tamil Eelam" region.[9] Therefore, if one were to carefully assess the history of Sri Lanka's ethnic conflict, he/she could argue that the initial issues of the struggle have changed. Further, today, because of the sensitivity of the issues involved and the attitudes of the protagonists, the rules and approaches to the armed conflict are difficult and volatile. Accordingly, what began as the minority Tamils' struggle for cultural affirmation, political representation, economic advancement and linguistic parity developed into immeasurable violence and armed conflict.

The LTTE's past experiences with the governments of Sri Lanka have been as complicated as it has been interesting. There are obvious feelings of resentment, hatred, distrust and disrespect for the many Sinhalese led regimes on the part of the LTTE. The feelings and attitudes, which the LTTE have, may not be directed solely to the ruling United National Party (UNP) government led by Ranil Wickramasinghe. Rather these sentiments have been nurtured and festered over the years because of "run ins" the Tigers have had with the last four government regimes since their induction into this civil war. However, the GOSL can also claim the right to be suspicious of and resentful of the LTTE. This has served to undermine most of these peace talks by escalating their demands—and by extension, making peace much more unattainable because the stakes have changed. In summary, both parties have a lot of animosity for each other and they have their own justifications for their feelings.

Over the years, there have been numerous attempts at reaching some compromise and bringing an end to this bloody ethnic conflict, but neither the LTTE nor the GOSL has been able to endure or carryout the terms of a ceasefire agreement. Many writers on the ethnic conflict in Sri Lanka, depending on which side of the conflict they are on, have given explanations for the breakdown or complete failure of ceasefire agreements or peace talks. But the only objective analysis of this would come from a clean and unbiased review of the conflict and the circumstances under which negotiations were undertaken. Therefore, this examination will explore the attitudes and ambitions of both parties, as well as the seemingly difficult demands made by the LTTE since the war started. This exploration will also lead to a more qualified explanation of why the GOSL failed to keep the promises made at various stages in the conflict. Further, to substantiate any claims

made within the study, there will be an analysis of the outcomes of four negotiation attempts, the Thimpu Talks of 1985; Indo-Lanka Agreement of 1986, GOSL-LTTE talks of 1989/1990, and GOSL-LTTE talks of 1994/1995.

3.3 History of the LTTE/GOSL Animosity and Distrust

Summarily, the Tamil culture and identity, even before independence, has been relegated to a second place in Sri Lanka. The Sinhalese had not only had the numerical advantage, but they dominated the polity and the decision-making process. They have ignored, and to some extent, imposed discriminative socio-economic policies against the Tamils. Thus, from as early as 1921 the Tamils have suffered at the hands of the Sinhalese because of their numerical disadvantage. The political administrative system of the island colony gave greater political representation to the Sinhalese as it endorsed the representative provincial councils. This does not mean that the Tamils did not fair well during the colonial administration, especially in terms of education.

However, after independence, the minority Tamils felt they had to challenge the pro-Sinhala policies. Indeed, immediately upon independence, most Indian Tamils were excluded from Ceylonese citizenship and the franchise. This was made possible with the passing of the Citizenship Act. Thus, by legislative enactment, the Sinhalese administration had cut Tamils' political strength and rights in half (Rabushka and Shepsle 1972). These incidences contribute significantly to the sentiments, which propel the armed violence in Sri Lanka.

In the earlier years of the contention the Tamils had asked for federated governance to ensure that the existing ethnic tensions would not persist or escalate.

Unfortunately, their efforts and demands were not given serious consideration. Expectedly, with years of pent up tensions and continuous ethnic suppression and isolation, the Tamil community came to recognize that their demands and approaches to the problem had to change if they were to be given any say. The Tamils moved from a passive group who demanded political representation and social recognition, to a radical movement with a goal of demanding a new state separate from the Republic of Sri Lanka.

3.4 Growth of Tamil Nationalism: Demand for a Separate State, 1977-1994

The year 1977 brought remarkable political transformation in Sri Lanka. The general elections reinstalled the United National Party (UNP) as the ruling party; and allowed for the first time in Sri Lanka, a presidential election. Sir Junius Jaywardena became the first president (1978-1988) with Ranasinghe Premadasa as prime minister. Later, Premadasa preceded him as president (1989-1993). The UNP continued, and to some extent, worsened the Tamil alienation problem.

A deeper examination of this period, beginning in 1977, will allow one to understand the radicalization of Tamil ethnicity, which eventually led to the Tamils' attitudes, demands and stance in this ethnic conflict. According to Tambiah (1998), the year 1977 marked the end of any semblance of civility between the Sinhalese and Tamil communities and heralded the days of explicit violence. In the first instance, with the national elections, J.R. Jayawardene and his party won with an overwhelming majority capturing of 140 out of 168 seats in parliament. The commanding success of the UNP left it with very little political opposition, especially from the TULF, which had won 60 per cent of the votes (18 seats) from the "Eelam" region. The new regime took advantage of

its political position and exacerbated the alienation of Tamil culture through its "politics of ethnicization," made evident by conspicuous images of the island's Buddhist culture and history being incorporated in the daily lives of all Sri Lankans.

Jayawardene saw himself as the successor of a line of Buddhist kings and he deliberately made speeches reminiscent of those past kings. His government also created a Department of Buddhist Affairs. Essentially, the UNP government defined being Sri Lankan as being Sinhalese and being Sinhalese as being Buddhist. According to Eller (1999), what existed in Sri Lanka by the late 1970s and through the 1980s was a "formulaic Buddhism," which equated Sri Lanka with Sinhalese Buddhist past. This hardening of Sinhalese position and crystallization of ethnic boundaries represented a selective activation of Sri Lankan traditional culture and it advocated or inspired intolerance of non-Sinhalese Buddhist groups. It also encouraged conditions for ethnic hatred and violence.

The pro-Sinhalese governance let loose the accumulated grievance of the younger generation, who were less willing to trust Sinhalese promises and more willing to entrust their future to activism and even violence. In 1978 the armed insurrection of Tamil separatist against the Sri Lankan government began in earnest. Time had run out for a political solution and three decades of frustration and escalating ethnic sensitivity had boiled over. Even more significant, organized Tamil extremists and guerrilla groups began to form—most notably the Tamil New Tigers or as they became known the Liberation Tigers of Tamil Eelam (LTTE).

In the years since, there have been constant attacks and counter attacks from both factions. One move made by the government to counteract the Tamil militant movement

was to enact the Proscribing of the LTTE Law (No. 16 of 1978) and then replaced it with a more forceful Prevention of Terrorism Act (No. 48 of 1979), allowing for the abrogation of many civil rights and aspects of due process, where *unlawful activity* was given the widest possible definition. Undoubtedly, the relationship between the Sinhalese and Tamils had transformed drastically from competitive coexistence to intense conflict and even racial warfare (Arasartanam 1987).

By the mid-70s, Tamils were calling for a separate state in the north and northeastern portion of the country. In the 1977 elections, the separatist TULF won all the seats in Tamil areas—hoping to win autonomy over the region, while groups such as the LTTE began to use violence for the same ends. The Tigers began to display overt, aggressive tendencies in their pursuit of an independent state.

In 1983, the country erupted into full-scale communal violence after 13 soldiers were killed by LTTE. The Tamil struggle was propelled to international headlines following riots in the Sri Lankan capital of Colombo. The riots lasted for several days and left over 3,000 Tamils dead and millions of dollars worth of their property destroyed. The week of July 23, 1983, saw some of the worst violence and bloodshed ever in Sri Lanka. The Sri Lankan police, as well as the Buddhist clergy, actively took part in many of the killings. The city of Colombo was literally burnt to the ground (Tamil/Canadian News, 2000). Over 100,000 Tamils fled to south India. Members of the TULF were thrown out of parliament and the security forces moved into the north and east of the country to try to drive out militant groups.[10]

Coming out of the tragedy of 1983 was the recognition that the Tamil claims had to be considered if Sri Lanka were to have peace. Thus, negotiations between the GOSL

and the Tamil leadership, the TULF began in 1985.[11] At this stage there was also the recognition that the Tamils' new league of paramilitary force, the LTTE was growing stronger and a lot more aggressive. Without a doubt, the demand for a separate state was the centerpiece of the Sri Lankan conflict and essentially its politics. It was this desire that, on its own, made any chance of resolving this conflict even more difficult. The Tamils, and now the LTTE, had uncompromisingly and incessantly fought for an independent Tamil Eelam for twenty-five years.

Overall, it was a sense of frustration and the belief that with over 30-years of discriminative and exclusivist politics, which rejected all their demands for fair and just governance that propelled Tamil political organizations including the TULF and the LTTE, to conclude that only a separate state could ensure the security and welfare of the Tamil people. They proposed that this state be carved out of the northern and eastern provinces of Sri Lanka and be called Tamil Eelam. The demands of the Tamil people had by this time become a major factor in Sinhala politics. Sinhala political hegemony was also becoming institutionalized. It is precisely this history of hardening attitudes that persuaded the Tamils that co-existence with the Sinhala in a single polity was no longer possible.

The LTTE demand for separate and independent Eelam marked the stage of an obvious change in the nature of the ethnic conflict. For instance, the mainstream Tamils fighters became restive and several new groups of insurgents were coming into the fold. Eventually, there was the recognition that the Tamils' military resources and capabilities had given them a bargaining chip they never had and it made them an indisputable force. In recognition of this, the Sri Lankan government made a number of concessions to the

Tamils with some devolution of power and granting official status to the Tamil language. This concession came a little too late:

However, for the Sri Lankan government, secession is not a viable option and they were never willing to satisfy this demand. They have countered this separatist ambition with devolution proposals. Therefore, the process towards peace resolution became a struggle of finding a compromise that would satisfy both parties when the opposing parties have irreconcilable differences. The Sinhalese government has argued that a separate state is not politically or economically acceptable to the majority of the island's inhabitants, including many Tamils who live in Sinhalese areas. At the geopolitical level, problems exist regarding the territorial extent of Eelam. There are varying views on the subject among Tamils. First, there is the argument that a state comprising the north and northeastern provinces alone would not be economically viable. For a viable Eelam, extensive tracts of the east and north-west, which include irrigable paddy lands, as well as the magnificent harbor of Trincomalee, would have to be included (Swan 1999). This is something, which few Sinhalese kingdoms would be willing to countenance. Then there are the Sinhala nationalistic claims that Ceylon, now Sri Lanka, is the land of Buddhist/Aryans and should always remain that way.

From the earliest days of Sri Lanka's ethnic armed conflict, there have been attempts at ending, the conflict through negotiations. But, all these negotiation efforts have failed to terminate the conflict, or at least de-escalate the war. These failures, in a way, buttress the Sinhalese nationalist argument against negotiations with the LTTE. However, the failures provide a wealth of insights on which a future process of successful

negotiations could be built. It is wrong to assume that an internal armed conflict can be brought to an end through one or few negotiation attempts.

3.5 The Devolution Proposals: Failed Attempts At Peace

From the 1980's the negotiations between the Sinhalese governments and the Tamil paramilitary organizations have all been, in essence, a debate of devolution versus secession—without compromise on either side[12]. The Tamils justify their desire for a separate Tamil state by charging that they would never be granted fair representation and recognition under a Sinhalese governed state. The Sinhalese, on the other hand, are not willing to split up the nation into micro independent states because they argue that it is not practical. Also, it conflicts with Sinhala nationalism and mythology.

The attempts made by the Sri Lankan government towards a peace settlement with the LTTE have involved some measure of third party or international intervention, including India and, more recently, Norway. After the near holocaust of 1983, there were the Thimpu discussions of 1985. The Summit Meeting between Prime Minister Rajiv Gandhi and President J R Jayawardene in New Delhi in June 1985 paved the way for peace talks that took place in Thimpu, the capital of Bhutan on 8th July 1985. At the talks, the Sri Lankan government presented a set of proposals that are almost similar to the devolution proposals that had been placed before the All Party Conference of 1984 as Annexure C.[13]

During the negotiations in Thimpu, the Tamils, upset with the desultory approach to the peace negotiations, put forward 'four cardinal principles' and called for the Sri Lankan government to come up with a set of proposals based on and in conformity with

them. These principles were: (1) Recognition of the Sri Lankan Tamils as a distinct nationality; (2) Acknowledgment of the Tamil homeland and guarantee of its territorial integrity; (3) Recognition of the Tamils' right to self-determination; and 4) Provision of full citizenship and democratic rights to all Tamils (Liyanage & Wickramasinghe, 2000). To date, these principles are the foundation of any peace proposals put forward by the LTTE.

However, as always, the Sri Lankan government and the Tamil militants seemed to have operated within the traditional one-sided maximizing approach in taking part in the Thimpu negotiations. The Sri Lankan government unanimously rejected these proposals because they claimed that their views were inconsequential. The Sinhala delegates argued that the claims must be rejected because "they constitute a negation of the sovereignty and territorial integrity of Sri Lanka, [and were] detrimental to a united Sri Lanka and are inimical to the interests of the several communities, ethnic and religious in [the] country" (Loganathan, 1996, p. 16).

From August 1986 and in the subsequent months, officials of the two governments held talks in Delhi and arrived at what were described as "draft terms of the [Indo-Sri Lanka] Accord and understanding." These terms envisaged a system of devolution at three levels: divisional, district, and provincial. In particular, powers at the provincial level were defined allowing broadly for devolution with respect to law and order, agriculture, land settlement and other functions (Jayawardhana, 1987). This framework was the object of discussions between the two governments as well as the government of India and the Tamil groups. As a follow up to this, the Indian government

and the Sri Lankan government signed the Indo-Sri Lanka Accord on 29th July 1987 to enable the militant groups, including the LTTE, to enter the democratic mainstream.

The Accord was intended to facilitate the surrender of arms by the separatist groups, and India pledged not to permit the use of Indian soil for terrorist acts that undermine the territorial integrity of Sri Lanka. The Accord also paved the way for the introduction of the Provincial Councils System with the northern and eastern provinces merged temporarily, with one elected provincial council. This administrative unit will have one governor, one chief minister and one board of ministers. However, the Accord was never implemented because of violent protest from fanatic Sinhala groups.

In an effort to facilitate the peace process and alleviate the hardship imposed on the Tamil people in the north President Chandrika Kumaratunga, on 31st August 1994 announced the relaxation of the economic embargo that had been imposed by the previous administration for four years. A Cessation of Hostilities Agreement, signed by President Kumaratunga and the LTTE leader Prabhakaran, came into effect on 8th January 1995. The Sri Lanka Government intended to formally place before the LTTE the government's scheme of extensive devolution.[14] However, the LTTE showed no interest in engaging in any serious discussions. Instead, the LTTE evaded the issue, while pressing for more demands from the government.

Obviously any chance of reaching some peaceful resolution was shattered by the LTTE's reaction. In the aftermath of the unilateral resumption of hostilities by the Liberation Tigers of Tamil Eelam in April 1995 (following a 100 day cease-fire during which it engaged in negotiations with the GOSL), the People's Alliance (PA) recognized that, in order for there to be peace in the north and northeastern portions, they must

continue to use both force of arms and diplomacy to control/contain the Tamils. They figured that to do this would mean to [contain] or remove the daring Tamil leader, Prabhakaran the mastermind behind the insurgence.[15] With both sides being relentless in their ambitions, the LTTE and the GOSL re-engaged in the bloody battle.

It was no surprise that the armed conflict resumed and continued for another five years showing varying levels of intensity with hundreds of casualties amounting. The point here is that the worst approach by the government was to stem the violence is by using brute force or any form of military intervention. The LTTE, as representative of the Tamil, would see and interpret this kind of approach as retaliatory and punitive. The last thing the GOSL needs is to stir up more insecurities and hostilities from the militant LTTE. President Kumaratunga did not realize that her Government was dealing with a very cohesive, well-organized military unit that has demonstrated a high level of military competence and fierceness only matched by a few. The LTTE is indeed a force to be reckoned with and they have proven this to the Government time and time again. Thus, waging war against them in the name of defense was not the best way to deal with the ethnic troubles. The only guaranteed results were the continuation and possible escalation of this bitter civil war and the loss of many more thousands of lives. Further, proscribing the LTTE and labeling the group as a terrorist organization served only to vex them.

Whether right or wrong, the LTTE is a passionate and volatile military unit that is driven by the need to have the Tamils of Sri Lanka not only respected, but to have their culture and identity recognized. Granted that the LTTE's approach to accomplishing this end have been misguided and erratic, but whether it was the call for federated system, an independent nation or more recently legitimate political representation and substantial

regional autonomy, the LTTE has always maintained that their ambition is to free the Sri Lankan Tamils from the unjust and inequitable socio-economic and political policies of the Sri Lankan government over the last eighty years. Initially, that ambition meant overturning the policies of the government and reworking the constitution and laws. Failing this, it meant a separate and independent Tamil nation. Today, the LTTE will settle for a political framework that offers substantial regional autonomy and self-government to the Tamil people on the basis of their right to internal self-determination within a unified Sri Lanka. This aim was recently made clear at the annual Heroes' Day address last November, when the Tamil Tiger leader, Velupillai Prabhakaran, explained that the Tamil people want to live in freedom and dignity in their own historical homeland pursuing the development of their language, culture and economy, and managing their own affairs under a system of self-rule.

The argument within this section is not that the LTTE is right and the GOSL is wrong. It is more a case for the need to recognize and consider the history of distrust and contention between the two warring parties and to realize that these very feelings have and still continue to seriously affect any peace talks between these two rivals. Further, the intent is to make clear that many concessions have to be made on both sides of the negotiating table if there is to be any breakthrough in the peace talks. There must be some give and take, considering that neither party trusts the other. It is obvious that no one will leave the peace table getting his ideal plan. Every possible attempt must be made on both sides to win some confidence in the other and dispel any doubts of possible reneging on the final accord. Therefore, for this to happen, the LTTE, on one hand, has to understand that their demands must be consistent and feasible. Whatever their proposal is for a just

political framework for the Tamil population must be attainable within the context of a unified Sri Lanka. They must also be willing to suppress or contain any military ambitions against the state or any other ethnic population. On the other hand, the predominantly Sinhalese led GOSL must be willing to share political governance with other ethnic minorities especially the Tamils and they must also be willing to revise the constitution of the Socialist Republic of Sri Lanka and erase any exclusionary and pro-Sinhala policies that may still exist and include policies which embrace the fact the Sri Lanka is a multi ethnic polity, which recognizes the rights and representation of all ethnic groups. The best approach to containing the LTTE would be to ease their fears, insecurities and doubts they have of the GOSL.

This initiative will not be easy to expedite, so the most effective course of action would be to embrace the Norwegian team as a mediator and moderator when talks become intense and conjure up old feelings and resentments. Of course, the Norwegian team needs to be very cautious when dealing with sensitive issues and employ diplomacy and a degree of prudence to pacify the participants. The Norwegian team needs to always remember that old hostilities do not die easily or quickly. Today, there is some hope that resolution is possible, but the process is far from over and this new peace attempt can still be jeopardized if the foregoing argument is not considered.

Since the ceasefire agreement between these two adversaries in February, 2002, there have been a number of peace talks. The first round of the peace talks between the GOSL and the LTTE began in Thailand in early May. These negotiations were different from previous attempts at peace talks between these two rivals for one crucial reason—the absence of an agenda for a political solution. Given that reaching a resolution is a

process which may require months of negotiations, it is advisable to develop a sense of trust and camaraderie between the parties before addressing major/difficult issues, especially when the time comes to discuss the how the LTTE and the GOSL would work together to create a practical power-sharing arrangement in Sri Lanka.

The political question is the most contentious issue driving the conflict, and for this very reason it is necessary to factor in the long standing history of conflict and distrust between the two rivals. In support of this argument, it was indeed the lack of trust that caused a glitch in the peace talks in January, 2003 before the fourth round of talks. The relatively smooth course of negotiations was hindered by the Tamil Tigers pressing for the resettlement of civilians in certain strategic areas in the north-eastern province—areas, which the national army had earlier secured. The GOSL did not concede to the LTTE's wishes because they felt that the Tigers could/would use those bases to surround their army in the event that fighting should resume. Also, the national army has been pressing for the Tigers to disarm themselves, but their leader refuses to issue such a command under the pretext that until concrete demands are met/guaranteed, the LTTE cannot afford to be unarmed/defenceless/vulnerable. Actions like these are proof that the peace process is very volatile and could erupt at any time because of mutual distrust that both parties have for each other.

Therefore, in keeping with the need to maintain peaceful negotiations, all parties need to be very careful and cautious. Thus, it was smart to put off discussions on the substantive political question for a later date. It is a good thing because in the initial stages of the talks both parties may not have been sufficiently ready to deal with the difficult and contentious issues, seeing that they still may have had too much reservations

in the early stage to be prepared to handle such talks with reason and tact. Introducing peace talks with the biggest grievances between the parties could have posed significant setbacks in the negotiations, as much compromise would have been required and the parties may not be ready to give up as much without any guarantees so early in the peace process. The best move leading up to the big issue is to resolve the smaller and less volatile sources of contention. On the other hand, some may argue that no peace is possible unless related issues are dealt with early in the talks.

There is definitely some indication that both parties are trying to mend the history of hostile relationships. The greatest show of this move towards ethnic accommodation and camaraderie is the numerous concessions made by both sides since the declaration of cessation of hostilities in February 2002. The GOSL made the first move at compromise and granting concessions to the LTTE. According to an article by Ranil Mendis, entitled "Opportunities Lost", March, 2002, the Government lifted the embargo on goods that could aid the LTTE in their war efforts. Goods like gun powder, cartridges, fuel and artillery. They virtually suspended the Prevention of Terrorism Act, so the LTTE cadres are now free to move about anywhere in Sri Lanka and engage in "political work".[16] This provision dilutes, if not negates the effect of proscription, which has been one of the biggest barrier for the LTTE to trust the GOSL. Even more recently, the Government amended the local election laws so that local elections in the North-East can be postponed so as to facilitate the LTTE dominance in those areas. In addition, the Foreign Affairs Minister has stated that he would not be asking any more countries to ban the LTTE or consider it a terrorist group. The Liberation Tigers have also made some sacrifices. In the first rounds of the talks the LTTE dropped their demand for a separate state and agreed

settle for regional autonomy. In the second rounds the LTTE agreed to share power within a federal system in which the Tamils would have autonomy in the north and east of the country. This decision is also a major sacrifice for the Sinhalese-led government as they are agreeing to enter into a power sharing arrangement with the militant Tamil Tigers.

The LTTE has also made significant concessions. The decision to give up on a twenty-year struggle for an independent Eelam is perhaps the most significant. Also, given that any government would prefer an arrangement where the geographic boundaries of the nation remains intact, this concession makes fulfilling the demand easier and thus peace much more attainable.

CHAPTER FOUR

INCLUSION OF THE MUSLIMS AND PRESSURE GROUPS IN THE PEACE PROCESS

4.1 Introduction

This portion of the study seeks to address the issue of inclusion, specifically the inclusion of the ethnic Muslims of Sri Lanka and the involvement of the Maha Sangha and its leaders, the Mahanayakas. Inclusion of these groups, the Muslims in particular, is crucial to the pursuit and the sustenance of peace and socio-economic reconstruction. The argument, therefore, is that in order for the peace process to succeed in Sri Lanka, these pressure groups and organizations must be considered, included, involved in, and committed to the peace process. Without total and absolute participations of these groups— regardless of whether they are direct parties in the conflict or not—peace would not be lasting. The conflict has been raging for so long that virtually all segments of the society have been adversely affected.

A conflict-free Sri Lanka is not just for the benefit of the Tamil Tigers and the Government or the Sinhalese majority; it is for the well being of all Sri Lankans. Therefore the outcomes and/or the decisions/resolutions made should not only cater to the needs and demands of the two protagonists of this conflict but the entire Republic of Sri Lanka. In the first instance, the Muslims are an important element in this peace process and they have not been given adequate say and representation in the peace talks. Greater visibility and involvement of this minority group is required if the peace process is to endure.

The first group for inclusion is the Muslims. The Muslims comprise a significant per cent of the population in these provinces; and given that the area is the target area for Tamil governance, it is crucial that the Muslims have a say in the negotiations. Muslims are resentful of being sidelined by the GOSL-LTTE Memorandum of Understanding (MoU) signed on 23 February 2002. They argue that the island's ethnic conflict has centred on the divide between the Sinhalese-dominated government and minority Tamils, but the Muslims comprise almost eight per cent of the population and are considered crucial to any final settlement. The only mention of Muslims appears in the Preamble of the MoU and as "not directly party to the conflict". To date, they have no guarantee for their security during the ceasefire period while the LTTE cadres are being gradually allowed to move freely in the eastern and northern non-LTTE areas. The MoU is also silent about what lies in store for the Muslims in the future, especially with 100,000 displaced Muslims languishing in the northwest.

The Muslim community's interest is crucial in this peace process because in the combined northeast, they constitute 18 per cent of the population and in the multi-ethnic east, they number 33 per cent of the population. Given their geographical dispersal, the Muslim community was always opposed to the demand for Tamil Eelam, for the simple reason that they do not want to be a "mini-minority in a minority state" (Suryanarayan, 2002). One needs to be careful of the potential fall outs which may arise because of this LTTE/GOSL exclusive peace process, because ethnic tensions can arise out of the smallest of groups and create serious repercussions, which may even throw off any successes made in the negotiations.

The recent clashes between the "first minority", Tamils, and the "second minority," Muslims, in Eastern Sri Lanka has again brought into focus the strained ethnic relations in the island state. The Muslims have been victims of the LTTE's ethnic cleansing campaign in the northern and eastern provinces (Manoharan, 2002). However, the Muslim-LTTE clashes of last year came about unexpectedly considering two major developments in the Tamil-Muslim relations. Firstly, the LTTE has tendered an apology to the Muslims for the violence perpetrated against the community in the 1990s. According to Manoharan, 2002, the LTTE's chief negotiator and spokesperson, Anton Balasingham, admitted recently that the ethnic cleansing committed by the Tigers was a "political blunder" and "could not be justified." Secondly, the LTTE in the Hakeem-Prabhakaran joint statement signed April 13, 2002), apart from recognizing them as a separate community, welcomed Muslims displaced in the 1990s from the Northeast and exempted them from tax collection. Evidently, for the Muslims, these actions and words came too little too late and they seem to still have pent up resentment and suspicions of the LTTE and the latter's ambitions of a Tamil state based in the northern and eastern provinces. The irony of this LTTE-Muslim relationship is that it is similar to that of the LTTE-GOSL relationship, where neither parties trust each other. The Muslims, given their population size in the north and eastern provinces, as well as their convictions and ethno-political ambitions,[17] should also be given serious and adequate participation in the peace talks if the conflict in Sri Lanka is to be resolved.

4.2 History of Conflict between Hindu-Tamils and Muslims

The Muslims comprise 7.61 per cent of Sri Lanka's population, and as earlier stated, the Tamils (Ceylon and Indian) make up about 18 per cent. However, with regard to the northern and eastern provinces, the Tamils comprise 92 per cent of the 1, 109, 404 people living in the Northern Province and 42 per cent of the 975, 251 people in the eastern province (Peiris, 2000). The Muslims on the other hand comprise 4.6 per cent of the Northern Province and 32.5 per cent of the eastern province according to the 1981 census. Thus, if promotion of participatory democracy is the objective underlying the current demand made by the LTTE, then there should be no serious objection to including all the people of the eastern province in the peace negotiations. In this light, the Muslims should be allowed to decide on the terms of referendum being proposed for the Northern and Eastern provinces of Sri Lanka.

The shadow of the past continues to haunt the two communities. Despite linguistic unity, economic interdependence, similar social organization and geographical coexistence, history is full of divergent interests between the two communities. There was a time in Sri Lanka's history when the Muslims were considered the "ethnic group" against Sinhalese domination. During the latter portion of the 1880's, the Muslims fought for separate communal representation. They were the ones who had asserted their separate ethnic identity. During the 1915 Sinhalese-Muslim riots, the Tamils took a neutral position. However, the Muslims were upset by the Tamils' stance because they interpreted their neutrality as pro-Sinhalese.

As Beck has indicated in *The Telegraph* (January 3, 2003), during the post-independence era, the Muslims adopted the "politics of pragmatic adaptation" to further

their community interests. This was due to two factors. Firstly, in the absence of their own political party, Muslims coöperated with Sinhalese national parties to get representation in the government. They ended up supporting important Sinhalese-sponsored legislation like the Citizenship Act (1948), Sinhala Only Act (1956), and Standardisation of University Admissions (1972), which the Tamils saw as designed to repress them. In return, the Muslims got concessions in terms of educational advancement opportunities and religious recognition, which allowed them to advance rapidly. Even after the formation of Sri Lanka Muslim Congress (SLMC) in 1981, majority of Muslims living in Sinhala-dominated areas continued to favor Sinhala parties due to their scattered demography and the perception of SLMC as the party of eastern Muslims. Also, the Muslims resented the Tamils because they were the minority group that was able to advance in areas of administration and education in the initial years after independence. Therefore, because of this resentment, the Muslims joined forces with the Sinhalese in the hope that they could win certain advantages over the Tamils.

When the LTTE came on the scene by 1980, they tried to ally with the Muslims against the Sinhalese led government by reigniting those 19th century separatist ideals of the Muslims. The Tamil Tigers realized that it would be a plus to have the Muslims on their side given that they numbered over 500,000 (32.5 per cent) of the total population in the eastern province, but the Muslims refused to identify themselves with separatism, not only to avoid straining relations with the Sinhalese, but also due to the inherent fear of becoming a "minority within a minority". Inter-community relations reached a boiling point in 1990 after the LTTE forced the exodus of Muslims from Jaffna Peninsula and

subsequent massacres, kidnappings for ransom and extortion by Tamil militants. This violent campaign radicalized Muslims and led to the emergence of Muslim armed groups.

In 1999 the LTTE made an appeal to the Muslims in the Northern and Eastern provinces to support them in the fight for an independent Tamil Eelam state. However, given the contentious history the Tamil Tigers have shared with the Muslims, the latter found their appeal and pledge very suspect. The Muslims from the East and the North claimed that supporting the LTTE in their quest was not imminent because the LTTE had not officially and sincerely apologized for the human rights violations perpetrated by them against the Muslims. There has never been an expression of regret or an official apology from the leadership of the LTTE for the rampant extortion from Muslim traders, farmers and fishermen in the past ten years, the wholesale expulsion of Muslims from the Jaffna Peninsula and the slaughter of 140 Muslims in a mosque in Kattankudi in 1990. The Muslims, just like the Tamils, wanted guarantees from the Sinhalese government. They are equally suspicious that the Tamil Tiger would and could expel or slaughter them again after they get their support. Even though the LTTE claimed that it was fighting for Tamils as well was for Muslims, many Muslims argue that they cannot take such claims seriously unless it is from the highest quarters of the LTTE and even then they still harbor some reservations.

In June 2002, months after the Memorandum of Understanding was signed between the LTTE and the GOSL, and weeks short of the beginning of peace talks, there was a clash between the Tamils and Muslims on the east coast of the island. The three days of fighting came about as minority Muslims protested an attack on a mosque in the town of Valaichchena; and at the same time, the Tamils were angered by an attack on a

Tamil Tiger guerrilla political office. Up until late 2002, the LTTE was still not allowing the Muslim farmers of Ottamavadi and Eravur to cultivate or get rent from lands held in the LTTE held areas. Their men, boats, lorries, and tractors are still being seized for ransom and monthly contributions insisted upon. The Muslims of the Northern and Eastern provinces claim that there is nothing tangible to suggest that the LTTE has undergone a change of heart, though the relations between the Tamils and the Muslims—at the people-to-people level—have improved over the past few years.

There are also other areas of contention between these two groups that need to be resolved during the peace talks if there is to be sustainable peace in Sri Lanka. On the political front, the Tamil parties and the Sri Lanka Muslim Congress radically differed on a reported government proposal to hold a referendum in the East to find out whether the East wants to be merged with the North to form a Tamil North Eastern province. While marginal Tamil political groups like the TULF, People's Liberation Organization of Tamil Eelam (PLOTE), the TELO and the Eelam People's Democratic Party (EPDP) have expressed strong opposition to the holding of a referendum, the SLMC has said that it may have to support the referendum if the Tamil parties continue to ignore the Muslims' demand for arrangements to safeguard their rights. The SLMC has been asking for a separate South-Eastern Muslim council carved out of Amparai district.

On the other hand, the Tamil parties oppose the SLMC's demand on the ground that it splits the 'Tamil homeland' in the North and East. The LTTE argued that the Muslims do not need a separate council nor guarantees in the Tamil homeland when two-thirds of the Muslims living in the Sinhala-dominated areas are getting along fine without any existing special guarantees and/or constitutional arrangements. Furthermore, there is

an ongoing debate as to the ethnic origin of the Muslims. History indicates that they are indeed of Tamil origin, however they choose to define themselves by religion and not ethnicity.

4.3 The Muslim Argument

The Sri Lanka Muslim Congress (SLMC) leader Rauff Hakeem, who is part of the government's negotiating team at the peace negotiations, is reported as saying that the Muslims had been promised independent representation when substantive issues were discussed (*India Telegraph*, January 3rd, 2003). However, the Tigers have hinted that they do not want a third voice emerging at the talks. In essence, the LTTE has renounced Mr. Hakeem's demand that the talks be treated as a tripartite affair. They contend that the Muslim community is not a third protagonist in the conflict, because the war was primarily the cause of the Tamil community. But Hakeem stressed that any devolution of powers must take the Muslim minority into account. He argues the fact that the Northeast is not a mono-ethnic region, and there are areas which are predominantly the traditional areas of habitation of Muslims. Moreover, the LTTE and the GOSL cannot afford to upset or alienate the Muslims because Hakeem's party also holds the votes to the government's slim majority in parliament. Thus, they have the power to overturn or at least block the implementation of any agreements made between the two groups.

Considering this backdrop, it is of the utmost importance for the LTTE, to address some of the basic grievances of the Muslims if peace talks are to succeed. In other words, the Muslims hold pivotal power in the ongoing search for peaceful settlement of the Sri Lankan predicament. The Muslims have three basic expectations: security, well-

being and preservation of their identity. In any future settlement of the ethnic issue, Muslims' land rights, employment, political and administrative representation must be guaranteed. Ignoring this might result in the birth of another secessionist movement[18]. Therefore, the top leadership of the LTTE should ensure that the lower ranks respect the commitments made in the agreements between Prabhakaran and Hakeem in 2002.[19] On its part, the government must provide security for the Muslims. It is about time that steps for bringing back the displaced Muslims and rehabilitating them are taken. But, before that, the situation on the ground must be brought under control. In any future settlement of the ethnic issue, Muslims' land rights, employment, political and administrative representation must be guaranteed. Ignoring this might result in the continuation of the conflict which will certainly include the Muslims as one of the most active contending party.

The Muslims have a potentially destabilizing effect on this peace process because of the votes they have in the Parliament makes them pivotal in the peaceful resolution of the conflict. It was through their alliance with the UNP, that the Wickremasinghe-led government was able to control the slight majority in Parliament. The SLMC can use these votes against any peace initiatives that the government is making with the LTTE or even worse upset the existing structure of the Parliament by crossing over and siding with the opposition party. The People's Alliance (PA), the Janatha Vimukti Perumuna (JVP), better known as the People's Liberation Front opposition, with the aid of the SLMC votes will most likely derail the peace process and upset all attempts at peace in Sri Lanka. This political threat is one not yet made, but it is a definite trump card for the Muslims if their

demand of independent representation in the peace talks is not granted by the GOSL and the LTTE.

4.4 Involvement Of The Key Pressure Groups

In this section emphasis is placed on the Maha Sangha, the Buddhist religious order and its leaders, the Mahanayakas. Peace is not easily attainable unless the protagonists in the peace talks involve and adhere to the arguments made by this religious pressure group. The role and influence of the Maha Sangha and the three Mahanayakas (the "great leaders/patriarchs/high priests" of the Nikayas Buddhist sect) are crucial to the peace talks and the pursuit of sustainable peace in Sri Lanka. The Mahanayakas have always been influential in Sri Lanka's decision making process, and their role is very crucial if the agreements made in the peace process are to be implemented.

The Mahanayakas are very powerful and influential in the politics of Sri Lanka and they have always been consulted on major decision making processes. From the very inception of Sri Lanka's history Buddhism received royal patronage. This practice continued through the centuries and Buddhism became the only religion accepted by the majority. Accordingly, Buddhism and the Bhikkus (the priests/monks) enjoyed a prominent place in Sri Lanka. Today, one of the key roles of the state is the responsibility to protect and foster Buddhism. That is why almost every politician, even those of other faiths, on election to Parliament or appointment as a minister, calls upon the Mahanayakas to seek their blessings and to report what they propose to do. Generally, the

President, the Prime Minister and other ministers would consult the Mahanayakas on political, economic and social matters, and rely heavily on their opinions.

Therefore, it is no surprise that the Mahanayakas have been concerned about the protracted nature of the ethnic conflict in Sri Lanka and are very interested in the outcome of the ongoing peace talks. They have issued, during the course of the conflict, numerous statements on the impact of the ethnic conflict on the Sri Lankan society and their opinions of the LTTE, its leader and its political ambitions. As late as April 18, 2002, just a few months after the ceasefire agreement was signed by the GOSL and the LTTE, and only a few days after the statement by the LTTE leader at the press conference on April 10, the Mahanayakas issued an important statement on their position regarding the conflict. This statement was in response to the claims made by Mr. Prabhakaran at the conference, in which he indicated that (1) the LTTE had not given up the desire for a separate state, (2) they would not disarm, and (3) the LTTE wanted full control of the interim administration of a unified Northeastern province.

The statement signed by over twenty-two Mahanayakas, representing various Buddhist orders and sections within the society, pointed out that the Mahanayakas take the view that (1) the conflict is due to terrorism, (2) the LTTE is a terrorist organization, (3) the right of the Sinhalese should be protected, (4) Norway has supported Tamil Terrorism, (5) they oppose talks with LTTE, (6) there is justifiable distrust of and revulsion against the acts of Velupillai Prabhakaran who does not represent all Tamils, (7) separatism and even a federal state are undesirable, (8) the Northern and Eastern Provinces should not be merged, (9) armed forces and police should not be withdrawn

from the North and East, (10) the LTTE should not be de-proscribed and (11) there should be no interim administration of the North and East.

Therefore, if one were to accept that the Mahanayakas are an important factor in molding public opinion and shaping policy in the south of Sri Lanka, it is then important to heed these statements made by these religious leaders or to try to find out if they have changed their views, since the LTTE gave up the claim for an independent Eelam in the first rounds of the peace talks. According to De Silva, 2003, part of the answer lies in the belief held by the Mahanayakas and shared by many Sinhalese, that the LTTE is an organization that is inflexible in their objective of a separate state. Therefore, the Mahanayakas may not easily trust the LTTE after Mr. Prabhakaran's statements to the press.

All in all, there are two themes that are particularly significant to the Mahanayakas and the Maha Sangha in general. They are unity and peace but violence if necessary. The unity of Sri Lanka is often an issue addressed in the statements made by the Mahanayakas. Therefore, threats to unity are regarded with a great deal of apprehension both by the Mahanayakas and the Sangha as a whole. Thus, appeals for unity (eksathkama) have great resonance and there is a traditional suspicion of policies that are perceived as producing divisions and discord within the nation. If the cooperation of the Mahanayakas and the Sangha is to be obtained for the peace process, this apprehension needs to be addressed.

Secondly, the Mahanayakas point out that they are for peace. Buddhist monks have campaigned against violence. Their push for peace is articulated clearly and forcefully. Essentially, the claim is that they support the ongoing peace efforts of the

Government of Sri Lanka and will help to nurture support for these efforts across the political spectrum. However, the Mahanayakas argue that they would only endorse the peace process once there is no move to split up Sri Lanka into two independent states. The elders contend that they would not standby and allow the continuation of the peace talks if the ambition of the LTTE leader, Mr. Prabhakaran, is to carve an independent Tamil nation out of Sri Lanka. The Buddhist prelates said that the creation of a powerful Tamil state would result in the subjugation of the majority race by the minority Tamils and the extermination of the Sinhala race and the Buddhasasana from the island.

If the latter is the reality, the stance is that they would demand from the government that the existing ban on the LTTE as the most ruthless terrorist organization in the world remain in place. There is some cause for concern since the LTTE has been charged in recent months with violations of the MoU. In this regard, the prelates and civil organizations said they would reject any federal, quasi federal or a confederate government and fight to have the unitary character of the constitution strengthened. They argue that they are equally opposed to the proposed Interim Administration for the northern and eastern provinces as it may pave the way for Tamil Eelam and that such a move has neither a legal basis nor justification. However, the older patriarchs will support the process as long as there is no partition of the country. Unfortunately, the younger and more radical priests in this sect are allies of the JVP and may be a force against the peace process if they were to officially team up with the JVP deviants. This situation could pose further problems for the peace process.

CHAPTER FIVE

REVIEW OF THE FINDINGS, RECOMMENDATIONS AND CONCLUDING REMARKS

5.1 Review Of The Findings

A review and analysis of the findings in this study will lead to one conclusion—that is Sri Lanka has endured a long and difficult ethno-national conflict and finding a resolution for this war between the Tamil militants and the Government of Sri Lanka is difficult, yet possible if wisdom and diplomacy are employed during these crucial peace talks. If the conflict is to be resolved, there is absolute need for the parties involved to address the core issues in this conflict. Also, it is important that they employ the best resolution strategies, i.e. approaches suitable to the conditions existing in Sri Lanka. It is with this in mind that this study offers three variables for consideration if peace is to be realized and sustained in Sri Lanka. These variables were proposed after careful study of the nature of the conflict in this small multi-ethnic Republic. These variables are (1) the history of distrust and animosity between the two protagonists in the conflict; (2) the inclusion of the Muslim community as a significant and independent negotiating partner in the peace talks; and 3) the involvement of the local and community based groups and organizations in the management of ethnic tension and conflict in Sri Lanka. Essentially, all stakeholders in the conflict must have a say in how best to resolve the problems in Sri Lanka.

Much progress has been made in Sri Lanka since the signing of the Ceasefire Agreement in February of 2002. The LTTE and the Government seem, for the first time,

to be equally committed to the agenda for peace in Sri Lanka. Both parties have participated in numerous peace talks since mid 2002.[20] In general, these meetings and negotiations have been worthwhile and much success has been made, in terms of cooperation between the two groups, and making arrangements for redevelopment of war affected areas and addressing humanitarian and security issues. Though they have encountered some difficult issues and situations, the LTTE and the GOSL have, for the most part, remained faithful to the terms of the ceasefire agreement.

To make the best assessments and conclusions as to whether the GOSL, the LTTE and Sri Lanka's Monitoring Mission (SLMM) are actually following the terms of the MoU/Ceasefire Agreement, one can compare the recent economic, social and humanitarian initiatives and achievements in Sri Lanka. The extent of their commitment to resolving the conflict will be determined by how much progress they have made in terms of improving the lives of citizens, especially the children and communities affected by the war. Understandably, this progress relies heavily on successes made in mending relations between the LTTE and the GOSL and the Muslims.

The findings indicate that through numerous concessions made by both sides, there is now increased mutual trust and both seem committed to the peace process. After a year of peace negotiations facilitated by the Norwegian led SLMM, much progress has been made considering the history between the two parties. The Government is intent on ensuring that the peace talks are not derailed at any cost. The Prime Minister and his Government appear to be open to a power sharing arrangement with the LTTE under a federal system. The LTTE leaders have also endorsed their commitment to the process by making the most significant concession in the negotiations to date. They have given up

the longstanding claim for an independent Tamil nation in exchange for adequate power sharing arrangement, which includes political autonomy for the LTTE in the north-eastern region of the island. Here in lies the evidence to suggest that the LTTE and GOSL are displaying the volition and capacity to resolve this conflict and that they are working on mending the history of distrust and animosity between them.

The Government of Sri Lanka and the Liberation Tigers of Tamil Eelam initiated the second session of the peace talks in Thailand with an evaluation of the implementation of the Ceasefire Agreement over the past eight months. In their determination to consolidate the ceasefire and advance the peace process, the parties agreed to a set of measures to improve the security situation, inter-ethnic cooperation and respect for human rights in the North and Eastern Provinces. In this context, the parties emphasized their commitment to accommodate the needs and aspirations of all three communities in the east—Tamil, Muslim and Sinhalese. The parties also agreed to continuously monitor the implementation of each of the agreed measures and to report on progress at future sessions of the peace talks.

In light of the principal challenges in implementing the Ceasefire Agreement at this stage, the parties agreed to reconstitute the SLMM Local Monitoring Committees, established in accordance with paragraph 3.7 of the Ceasefire Agreement. To this end, the parties also agreed to replace a number of their appointees to the committees with senior representatives from both sides. In the context of the ongoing peace negotiations, the parties agreed to establish peace committees at the community level in order to facilitate the resolution of local problems, contribute to inter-ethnic communication and reconciliation, and promote respect for human rights. The committees may include local

community leaders, such as religious, political, business and civil society leaders. These committees will also include local LTTE and GOSL leaders.

With specific reference to the Muslims, the parties agreed to establish a process of regular consultations between LTTE leaders and Muslim political leaders. Mr. Hakeem (SLMC leader) and Mr. Karuna (LTTE political leader) will work together in the eastern area of Sri Lanka and meet with local communities and to address their specific concerns and aspirations, including matters relating to the occupation and cultivation of land—two of the more contentious issues. The parties further agreed to remove any impediments to the pursuit of traditional economic activities of the Tamil and Muslim communities, such as fishing, farming and trading. They seem committed to fulfilling the agreement made between the leader of the LTTE, Mr. Velupillai Prabhakaran, and the leader of the Sri Lanka Muslim Congress, Mr. Rauf Hakeem, on 13 April 2002.

There are also indicators that the Government will invite the full participation of the civil society in bringing about resolution of the conflict. This initiative is in compliance with one of the agreements made in the Ceasefire Agreement or MoU. Recent media reports indicate that Prime Minister Ranil Wickremasinghe promised to place the issues discussed at the fifth round of the peace talks in Berlin, Germany, before the Maha Sangha (an association of influential Buddhist priests, who are well-known Sinhala Only hardliners) for its consideration. Likewise, the Prime Minister intends to seek the advice of other religious dignitaries. Mr. Wickremasinghe stressed that any resolution of the ethnic conflict would be placed before the people for their approval. His desire is to have a consolidated plan considering the opinions of all citizens of Sri Lanka.

Further, all political parties and parliamentary representatives will be briefed and kept updated on the peace talks by senior ministers Milinda Morogoda and G.L.Peiris (chief spokesperson for the GOSL in the peace negotiations). In terms of the Muslim element, there is also talk that the Muslims will have a more visible representation in the peace talks in the form of the SLMC's leader. Mr. Hakeem took part in the first round of talks as a member of the government delegation, in his capacity as leader of the Sri Lanka Muslim Congress.

Regarding the other crucial party to the peace talks, the Norwegian Government, which has been leading the monitoring mission, has made considerable and significant contributions to the development of Sri Lanka. For instance, Sri Lanka has been selected as one of the pilot countries in the Norwegian Government's strategy for private-sector development in the southern parts of the country. Further, Norway has supported private-sector development in Sri Lanka. Further, the Norwegian State Secretary Olav Kjørven visited Sri Lanka in mid February for talks on the development co-operation between the two countries. In addition to talks with the authorities, Mr Kjørven will visit Norwegian-supported projects in the southern part of the country and have meetings with representatives from the World Bank (WB), the International Monetary Fund (IMF), the United Nations (UN) and other multilateral organizations, as well as representatives of the civil society. The main focus of these talks and meetings was Norway's long-term development co-operation with Sri Lanka.

Considering the initiatives and progress made in the last thirteen months, one can agree that the protagonists in this conflict are addressing all necessary issues for peace to reign in the island Republic. All issues relating to the variables proposed are being

considered for review. It then goes without saying that Sri Lanka is making the right moves towards the restoration of peace and security within its borders.

Moreover, Sri Lanka also recognizes that there are other issues which need to be addressed on this road to peace and redevelopment. The lengthy war has caused many human rights violations, in particular against women and children. In order to address these issues and satisfy the demands of the citizenry, the Government and the LTTE have made arrangements with numerous human rights groups such as the Red Cross, the United Nations International Children's Emergency Fund (UNICEF) and Amnesty International. In recent months, the Liberation Tigers of Tamil Eelam met with high level UNICEF representatives to formalize collaborative arrangements for the welfare of the war affected children in the northeast.

Also, they intend to discuss the return of displaced persons, which is another crucial human rights issue. Certain schemes must be proposed to accommodate the return of all those persons displaced from their homes as a result of the riots of 1983 and those driven out because of the LTTE's political campaign. Tamils in the north eastern districts have argued that since the signing of the ceasefire agreement between the Government and Liberation Tigers no concrete steps have been taken to provide relief to war affected people. Therefore, this meeting with UNICEF and, later on, with Amnesty International will address this very concern. It is known that this war has made at least one million Sri Lankans, the majority of whom are Tamils, refugees all over the world. Recently, members of the Jaffna district have protested that there is need to relocate the High Security Zones (HSZs) so as to allow the displaced to resettle. The argument put forward is that the return of the internally displaced persons (IDPs) is hampered by the presence

of the HSZs and that they have to be vacated. The residents of the northern and eastern provinces stressed that civilian homes and fertile agricultural lands are still occupied by state armed forces and that this is a hindrance to the restoration of normalcy in the region. This issue highlights the importance of involving the civil society in the peace negotiations. In the final analysis, they are the affected ones, so they should have a say.

Clearly, the recent socio-economic development activities serve to support variables proposed for consideration in this study. Restoration of the communities and consideration for the victims of the war are integral to satisfying all three variables. These conciliatory measures on the part of the GOSL are necessary if relations between them and the LTTE are to improve. Indeed with these humanitarian and economic activities, the LTTE's faith in the GOSL will be restored. Also, discussions and agreements between the LTTE leaders and the leader of the SLMC are in support of including the Muslims in the peace process. If Muslim concerns are addressed, then any reasons they give for derailing the peace process will be invalid. Finally, addressing the problems of child soldiers and displaced persons and other victims shows that the parties in the conflict are concerned about the people and their demands. Getting the civil society on board is crucial if the peace is to last.

5.2 Other Considerations And Recommendations

Sri Lanka is on the right path to peace. However, in order for it to fulfill the demands made by the various parties and implement the redevelopment plans proposed, they would need the aid and support of many donor nations. The prolonged ethnic war

has placed considerable strain on Sri Lanka's economy and the nation does not have nearly enough resources to fulfill these redevelopment plans and peace proposals. There are economic needs which can be addressed with international aid. For example, the costs of redevelopment should run into billions of US dollars. Therefore, the Government and the SLMM should seek to win monetary support from nations and other economic institutions such as the World Bank and International Monetary Fund (IMF). The recommendation then is that the Government of Sri Lanka makes every possible attempt to firm up collaborative arrangements with donor countries so that their aid and support is made readily available. The parties to the conflict should also try to maintain good relations by upholding the terms of the peace agreement till the end. It is their commitment to the resolution of the ethnic conflict that has encouraged many nations to support Sri Lanka. To date many of these amenities are being sought or at some level are in place.

The international community recognizes that in order for Sri Lanka to come back from the socio-economic slum, it would require substantial financial aid and other support services. Fortunately, a number of countries have pledged their support for the conflict resolution initiative. Many countries within the European Union, as well as the United States and Canada, have promised considerable monetary support as a show of their admiration for the GOSL's commitment to the resolution of hostilities between them and the LTTE. For example, a Saudi engineering team visited Sri Lanka this year and promised to aid in the rehabilitation, reconstruction and resettlement program geared towards war-torn areas. As a first step, Saudi Development Fund has agreed to allocate US $5.5 million to construct a bridge linking Kinniya with mainland Trincomalee. Then

they will re-open the Trincomalee-Batticaloa highway through Kinniya, which had been abandoned for more than three decades. Saudi development Fund has promised Minister Rauff Hakeem that it would allocate US $17.5 million to rehabilitate the Trincomalee-Batticaloa road, Kinniya Tampalakamam road and Kuchchaveli-Pulmoddai road by constructing bridges.

Another country that has been supportive of Sri Lanka is Japan. Japan has assumed a major role in bringing peace to Sri Lanka and has given the Government a long-term concessionary loan of about US $270 million. Japan is also organizing a major donor conference in Tokyo in June 2003 to galvanize the rest of the international community to do the same. Further, the Infrastructure Development Institute (IDI) of Japan will visit Sri Lanka from February 28 to March 6, 2003 on a fact-finding mission to assess the conditions of roads, water supply and sanitation, and flood control in the North-East province. In Washington, the U.S. Deputy Secretary of State, Richard Armitage, has indicated the United States will make a significant contribution at the Tokyo conference. But, the U.S. aid is heavily dependent on progress made in the peace process. Therefore, to keep promised support and aid, the parties need to keep on the path to peace.

The Government must also look towards multi-lateral agencies for financial aid. Agencies like the World Bank and the IMF are usually very resourceful when dealing with assisting developing countries in restoring their economies. To date, reports indicate that a team of officials from the Government of Sri Lanka, Liberation Tigers of Tamil Eelam and World Bank met in Colombo in late January. They held discussions related to

the funds pledged at the donor conference in Oslo, Norway last year. Hopefully, in these talks, the parties have made a convincing proposal for financial assistance.

A second recommendation is that the Government must seek to provide psychological healing and social services to the victims of this long-standing ethnic conflict. The conflict has made at least thirty thousand widows and over seventy thousand orphans. Both groups need a number of social services if they are to survive. The Government and the LTTE need to address the issue of child soldiers as well. All children recruited by the LTTE as soldiers in their ethnic campaign should be released and like the other children they should be given a chance at education.

5.3 Finding Lasting Peace And Rebuilding Sri Lanka

The question being asked is whether, despite the concessions made and considerations given to sensitive issues, such as power sharing in the political system, inclusion of crucial ethnic elements, economic development and rehabilitation and accommodation of IDPs, peace can be realized in Sri Lanka. The reality is that there is always a possibility of a breakdown in peace talks because of lurking elements that may seem outside of the peace negotiations, but are still very important to the realization of peace. These elements include: (1) the President of Sri Lanka's attitude towards the peace process and her power to revoke all agreements (2) the role and influence of the People's Liberation Front (JVP), and (3) the failure to devise and implement a comprehensive plan for rehabilitation and redevelopment of war-torn Sri Lanka.

In the first instance, the President of the Republic is a noteworthy impediment to the achievement of peace in Sri Lanka. The President, though on the sidelines in the

negotiations, has the power to derail the peace process. Under the Sri Lanka Constitution of 1978, the President is empowered to sack Parliament without giving reason as soon as the Assembly completes its first year of its six-year term. This option is still very possible especially as President Chandrika Kumaratunga is still not in complete support of the Government's stance and approach to the peace talks/process. The President has accused the Prime Minister of failing to consult with her fully on the ceasefire agreement and she claimed that the UNF government has made too many concessions without getting any definite commitment from the LTTE that they would refrain from military attacks and aggression. Ms Kumaratunga, more than most, has ample reason to distrust the LTTE because of their failure to hold up to previous ceasefire agreements.

There is a real possibility that the President can dissolve the present government by calling an election. At present the citizens of Sri Lanka are complaining that very little emphasis is being placed on the well-being of the Sri Lankan economy. In this light, the President can take advantage of the economic plight of the citizens. She can call an election and have her PA party challenge the UNP on a platform of economic development, which can bring about an advantage for the PA in the polls. There is also the issue of her being resentful of the UNP successes where she failed. In 1994/95 President Kumaratunga failed at resolving the ethnic conflict and her party was ousted in the next general elections. The point here is that the Tamil Tigers will resume the fight if the President were to dissolve the present administration. Moreover, regardless of the action taken by the President and her opposition party, the UNF government would require a 2/3 majority vote in the 225 member assembly if any deal made with the LTTE is to pass. Given that the UNF coalition government only controls 114 seats, Prime

Minister Wickremasinghe has to rely on the support of the opposition party. This scenario makes it even clearer that the peace process in Sri Lanka is far from over and may face some hurdles.

Another impediment to the peace process is that The People's Liberation Front has always been an adversary of the Tamil community in Sri Lanka. The JVP is a left-wing militant party that led two bloody insurrections to capture state power, one in 1983 and the other in 1995. This radical party was instrumental in the start of the riots in 1983. Mr Tilvin de Silva, the General Secretary of the JVP claims that his party understands the injustices faced by the Tamil people and they recognize that the Tamils' problem is as a result of succeeding governments refusing to accept the multi-ethnic nature of the Sri Lankan society. However, he contends that the JVP cannot support the LTTE as they advocate independence as a solution to the conflict. Mr De Silva is still of the opinion that LTTE's real ambition is to establish an independent Tamil nation regardless of the recent concessions made by the Tamil leadership. The JVP also thinks that the Norwegian Government is biased in favor of the LTTE, and this makes the peace talks a farce.

There is no argument that the JVP is influential and very much against the peace process. Since the elections of 2001, when the JVP joined forces with the People's Alliance, they have found a legitimate channel to promote their somewhat Marxist views. As a result of this alliance, the PA and the JVP together form the opposition. Essentially, this leftist party singly controls 16 seats in Parliament and they have been condemning the United National Front (UNF) coalition government for what they describe is an effort to divide the nation. The JVP's political leader Ratnasari Wickremanayake warned

Government to guard against forces that were trying to disrupt the peace process. The JVP began a campaign against the UNF government truce with the LTTE and the Norwegian role in the peace process. They have charged the Government with making Sri Lanka a ward of Norway. The JVP held a rally where they symbolically burned the Memorandum of Understanding signed by the GOSL and the LTTE. The JVP and the PA parties are against the setting up of an Interim Administration for the Tamil-dominated north and east of the country. They fear this could be the first step towards the realization of Tamil Eelam, the homeland of the minority Tamil community.

The stance of the JVP is clear. They are against any attempts made by the Tamil Tigers to establish an independent Tamil nation and they will do whatever it takes to stop this from becoming a reality. The argument made by this group is that the peace talks and the concessions made so far are only the first steps in the LTTE's attempt at winning complete autonomy of the Northern and Eastern provinces. It is therefore a real chance that they would use their votes to block the implementation of any agreement which may make the peace process go only smoothly.

However, regardless of the progress made since the ceasefire and the proposals awaiting implementation, peace in Sri Lanka is still some way off and many issues may derail it. For sustainable peace to endure in Sri Lanka and to ensure that there is not merely the absence of war, but the presence of justice and equality for all ethnic groups within the country, many of the issues which have caused the ethnic tensions will have to be addressed. For this to happen, it would take time and the involvement of the civil society and continued communication and concessions between the leaders/representative of the key ethnic groups. Therefore, it is safer to assume that Sri Lanka is between war

and peace at present. Consequently, even at this stage in the peace negotiations, the parties can experience setbacks, which can affect the talks and the achievements of peace in Sri Lanka.

There are three scenarios that can emerge from the ceasefire agreement between the Tamil Tigers and the Sri Lankan government. These are: war, peace, or no war-no peace. The war scenario echoes previous failed attempts at turning ceasefires into more long-term settlements. In this case, one or both sides may find reason to no longer trust the actions or ambitions of the others because they may not uphold their end of the Ceasefire Agreement. Whether one blames the Tigers or the government, the basic dynamic would lead to re-arming, recruiting and re-grouping by both sides. There have been reports even in recent months of both sides refusal to give up certain strategic military posts or ammunition. The SLMM can do little to prevent such activities regardless of the extent of their influence in the process, because preparing oneself for a breakdown in peace talks between two long-standing antagonistic groups is sensible. Preparation for war is inevitable in any ceasefire situation because there is no guarantee that a ceasefire will evolve into a permanent solution[21]. While the presence of a neutral third party mediator makes this situation different from previous ones, this scenario unfortunately is still very possible. To get beyond it, the government will have to engage the Tigers on a series of short-term humanitarian issues and medium-term developmental issues, so to strengthen trust between the two.

A no war no peace scenario is possible if President Kumaratunga and Prime Minister Wickremasinghe cooperate in addressing Tamil political aspirations while thwarting Tiger separatist ambitions. They may even help take the process forward to the

peace scenario. Quasi-peace is possible also if only Tamil concerns and demands are considered and other minority groups, such as the Muslims, are sidelined in the process. This outcome would produce bitter ethnic conflict and could provoke or reignite ethnic disputes.

Another issue which needs to be addressed is rebuilding Sri Lanka after years of ethnic strife. The country, over the past twenty years, has suffered considerable social and economic setbacks because of the conflict. In order for sustainable peace to be realized there is absolute need for the people of Sri Lanka to be able to live without the ruins of the war being present.

5.4 Rebuilding Sri Lanka: What it Entails?

There are no definite blueprints for rebuilding societies after war. While the social and economic challenges and problems faced by societies are surprisingly similar in most post-war situations, the political context and configuration of actors, and the quality and nature of relations between actors and institutions, are unique to each case. Since it is precisely these qualitative and invisible legacies of war that determine the extent to which technical solutions can be applied to specific problems. However, to some extent, general guidelines about priorities and methods of approach can be formulated. It is not possible to simply replicate policies that proved successful in one case to a new situation, even though, it would be wise to heed past successes and failures and act according to the requirements of the specified case. As a result, concrete policy responses to specific rebuilding challenges must be defined anew in each case and in accordance with given political realities.

Essentially, a system of conflict management is being proposed as the best means of allowing the restoration of civility in Sri Lanka.[22] Conflict management is basically a means of reducing conflict or keeping it at a low and manageable level. This diplomatic approach to the issue in Sri Lanka is deemed as the best option given the nature and history of ethnic tensions and discord. An idealistic scheme of resolution of all ethnic disputes between the Tamils and the Sinhalese and the Tamils and the Muslims, and potentially between the Sinhalese and the Muslims is not very realistic at this stage. The best attempt at ensuring that Sri Lanka returns to some level of civility and rebuild its economy is to manage or contain these ethnic disagreements so that they would not spun into any wide scale dispute. To implement this model/scheme "some force may be used, but only to deter or compel adversaries in a measured fashion, without undue escalation" (Lepgold and Weiss, 1998, p. 67). However, the most crucial element in a conflict management scheme is the inclusion and full participation and commitment of the entire populace---community and interest groups, religious and social organizations and commercial and legal entities. The proposal for conflict management is primarily centered on a plan of resettlement and rehabilitation of affected populations including victims of the dead, unemployed, starved and displaced persons in Sri Lanka, especially in the northern and eastern areas. Granted, the restoration of normal economic and social life in war zones is difficult, but it is much more possible than trying to bring about immediate and absolute peace. It is essentially an extended, but coordinated process with the involvement of the entire citizenry towards resolution of the conflict and rebuilding the nation.

In general, any approach to rebuilding a war-torn society should take into account that the primary challenge for societies hoping to restore sustainable peace after years of a bitter ethnic conflict has to do with mending relations and restoring trust, dignity and faith. Secondly, the peace process is not simply about mending relations between two opposing ethnic groups. Rather, it is fundamentally a development challenge, where local, private and public actors are the main forces of rebuilding to be harnessed in a collective effort in which the state plays a key role.

This special development approach must be tailored to meet the requirements of post-war Sri Lanka. Such an approach must be based on a holistic and in-depth understanding of problems and of the ways the Sinhalese, Tamils and other minority groups, including the Veddas, Muslims (both Moors and Malays), and Burghers, relate to each other. First and foremost, there must be an understanding of all the actors and their respective agendas. One must also consider the larger geographical influences and implications of problems and of possible policy responses to these influences and potential problems. It must give particular consideration to political development which is important and crucial to social and economic development. Further, there must be a scheme to ensure that all groups have a fair share of available resources. Given the nature of these challenges, political restructuring is particularly important. Unfortunately, politics is often not given sufficient attention in rebuilding strategies. There is the tendency to place greater emphasis on social and economic development without ensuring that the political structure is coordinated and ready for the challenges at hand. It is imperative that the governing body is adequately prepared for any type of transition within a society.

Specifically, Sri Lanka's attempt at sustainable peace and redevelopment will have to take into account the history of tension between the Tamils and the Sinhalese and the Tamils and the Muslims. Therefore, whatever policies introduced for implementation must benefit all and not just one group at the expense of the others. It is for this very reason that a worthy representative of each group should be at the talks. The Sinhalese government has representation in the person of Dr. Peiris and the Tigers' chief negotiator has been Anton Balasingham, since the beginning of the talks. However, the leader of the Sri Lanka Muslim Congress (SLMC), Mr. Rauf Hakeem, sits as a member of the Sri Lankan delegation. The argument is that the Muslims and their issues should be given fair representation not consolidated/integrated with those of the Sinhalese-led government. This has been the argument of Mr Hakeem since the beginning of the talks.

Post-war development strategies must provide an integrated framework that is able to promote synergy and decrease contradictions between policies and actors addressing the multiple problems. It is at this stage where community and group cooperation will be critical to the process. All stakeholders—those directly involved in the conflict as well as those affected by the effects of the war—must come together, all working towards rebuilding the nation. Consensus is necessary because at the end of a war, priority setting becomes more important and more difficult. Finding the most important issue would be difficult as every group deems its concerns as pressing. Agreeing on what is best for the whole and not necessarily individual units is what it takes. To do this, it would take considerable reasoning and diplomacy on the part of the Sri Lanka Mediating Committee and other international governments committed to

helping in the peace process. It would also require selflessness on the part of all ethnic, social and political groups in Sri Lanka.

Consensus building is important because of the multiplicity of problems and challenges that require urgent action at the same time. Implementing the best scheme for redevelopment of Sri Lanka will be difficult because all problems are interrelated, and because different challenges and mandates may call for action that clashes with the action of other agents or with the broader and longer-term objectives of development. The setting of priorities, based on the "weighing" of challenges and problems and the assessment of the potential "conflict or peace impact" they have, is thus one of the most important and also most difficult for a country when rebuilding the nation and mending ethnic relations after inter-communal war.

In some instances, the Government of Sri Lanka may have to call upon international aid. There are organizations which strongly belief that people living in difficult situations are the ones who are fundamentally best equipped to deal with problems. In this regard, their approach to such a situation is to try to strengthen the capacity of civil society and international and agencies to work with communities to find solutions to the problems within their community. Sometimes the initiative entails creating a united socio-economic whole from its various components by bridging the business sector, the government sector, and the non-profit sector to create larger alliances to combat the very social ills that are plaguing the society. The problem can only be contained if all issue areas are covered and fully integrated in the process of healing.

However, the healing process starts at the negotiation table. First one would need to target the root causes of war, as well as the tensions or problems that may emerge and

grow as an unintended result of the rebuilding process itself and that may then become sources of conflict. It must also be based on a long-term perspective and strategy, since rebuilding a war-torn society can take a generation or more. At the same time, it must be able to accommodate both the need for urgent action in response to urgent problems, and the need for patience and the necessary patience for solutions to mature. Both may be equally difficult and are not common in traditional development approaches.

Also, any development program has to provide relief assistance to 100,000 families; resettlement of another 100,000 families; and ensuring flow of essential commodities among other socio-economic amenities. Therefore, while working on reforming the political and governing sectors, as much effort should be placed on implementing relief measures.

However, for this proposal to work effectively, other provisions have to first be put in place. There is absolute need to introduce measures, which can promote cooperation between the leaders of the LTTE and the Sinhalese government. There is the need to purge the society of extremist Tamils and Sinhalese. Relying on Horowitz's suggestion that human nature is not unalterable, I propose that one can bring about elite accommodation by changing the superstructure of groups like the LTTE and President Kumaratunga's party, the People's Alliance (PA) through party reorganization—thereby allowing room for more open-minded, moderate leaders. Then, with new leadership, there should be every effort to minimize the tensions between them by instilling a sense of patriotism and common objectives. The efforts, at all costs, should be to impose sentiments of nationhood, where the loyalties and love for Sri Lanka supercede any other parochial loyalty.

5.5 Concluding Remarks

For peace to be assured the process will involve resolving two main issues: (1) the history of distrust and animosity between the Tigers and the Government of Sri Lanka and its armed forces; and (2) the contentions between the Tamils and key pro-Sinhalese groups (PA, JVP and the Mahanayakas), as well as the conflict between the LTTE and the Muslims. Again to resolve these issues it will take the full participation of the civil society, inclusion and representation of the Muslims in the peace process and considerable mediated communication between the LTTE and GOSL with a view to dispelling the animosity and distrust between the two groups. Other than mending relations between groups, the GOSL needs to develop a comprehensive scheme of redevelopment of the war-torn communities and find ways to address the basic needs of Sri Lankan population. There must be a strategic plan for rebuilding Sri Lanka after the effects of this prolonged ethnic conflict.

There is hope for Sri Lanka as the Norwegian brokered peace talks have had much success after a year of ceasefire between the LTTE and the GOSL. Continued negotiation and absence of antagonistic forces will help Sri Lanka realize peace. The parties must also continue the economic and humanitarian initiatives geared towards the displaced residents of Sri Lanka, and the resettlement of these persons in their homes in the northern and eastern provinces.

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Endnotes

[1] Ceylon was the name given to the island-Republic before Sirimavo Bandaranaike and her government changed it in 1972.
[2] These statistics are drawn from the CIA World Factbook, 2000 and various other statistical abstracts of Sri Lanka.
[3] The GOSL is representative of the Sinhalese majority. The GOSL has taken many faces since the induction of the Tamil Tigers in 1979. There was the United National Party, (UNP) 1977-1993; then People' Alliance (PA) 1993-2001); and today it is the United National Front led by Prime Minister Ranil Wickremasinghe.
[4] The LTTE has been the most aggressive and at present, the leading representative of the Tamils' cause.
[5]Dr Sachithanandam Sathananthan, **Conflict Resolution In Sri Lanka: Problems, Prospects**, Association of Tamil Eelam in Sri Lanka and the US, 2001.
[6] Millions of children in Sri Lanka are wearing the burdens of war. Some have never known peace. Many of these children are forced to enter into military training in support of the war efforts. Often, these children are orphans, uneducated and scared.
[7] Eelam is the name used to describe the north and northeastern provinces of Sri Lanka including Jaffna and Trincomalee. For this reason, I will be using this term when referring to the region throughout the paper.
[8] See United Nations, Report of the Special Rapporteur, Mr. Bacre Waly Ndiaye submitted pursuant to Commission on Human Rights resolution 1997/61-Visit to Sri Lanka.
http://www.sangam.org/FB_REPORTS/98rappi.htm
[9] Eelam is the name used to describe the north and north-eastern provinces of Sri Lanka including Jaffna and Trincomalee. For this reason, I will be using this term when referring to the region throughout the paper.
[10]Nine months after the event, in March 1984, following his fact-finding mission to Sri Lanka, Paul Sieghart, the Chairman of the British Section of the International Commission of Jurists said that "*Clearly this was not a spontaneous upsurge of communal hatred among the Sinhala people. It was a series of deliberate acts, executed in accordance with a concerted plan, conceived and organised well in advance.*" Pararajasingham, Ana, **State Terror: Black July Of 1983 Revisited,**
http://www.tamilcanadian.com/eelam/massacres/83/ana00.html
[11] At this stage in the conflict, though the LTTE were the main aggresssors, the GOSL did not enter into direct negotiations with them as they were deemed a militant group.
[12] According to the Oxford Dictionary and Thesaurus, American Edition, 1996, 'devolution' is the delegation of power by a central government to a local or regional administration while 'secession' is the act of formal separation/defection from a political federation.
[13] In essence, Annexure C proposed the Northern and Eastern Provinces had one of two options either to be united to form one District Council, or to remain separate and each have the title of Regional Council. The convention will be established that the leader of party which commands a majority in the Regional Council would be formally appointed by the President as the chief minister of the Region who would head a committee of ministers. However, the President and the Parliament will continue to have overall responsibility for all subjects not transferred to the Region and generally for all other matters relating to maintenance of sovereignty, integrity, unity, and security and progress and development of the Republic as a whole (See: Parathasarthy, 1984)
[14] At one point, President Chandrika Kumaratunga headed a government that was presumably committed to democracy, ethnic harmony and social justice. President Kumaratunga proposed to change the country into an indissoluble union of regions. This formulation was designed to satisfy Sinhalese concerns about keeping the country one while giving the Tamils virtual self-government.
[15] The elimination of one man- Prabhakaran could fashion a miraculous change in the island's politics of conflict. The Times; **Tiger Terror**, August 10.1995.
[16] Political work in this sense refers to the promotion of the LTTE's as the political party that represents the views, ambitions and rights of the Tamil population in Sri Lanka.
[17] The Muslims ambitions are similar to those of any other minority group—they basically want cultural recognition and political representation.

[18] This possibility is very real given that the SLMC has been asking for a separate South-Eastern Muslim council carved out of Amparai district.

[19] April 13th 2002, would therefore be a significant date in contemporary Tamil - Muslim history as both Pirapaharan and Hakeem reached agreement on some vital issues after a healthy and cordial dialogue. The positive conclusions arrived at Kilinochchi after LTTE - SLMC confabulations were incorporated in a document and endorsed officially by Pirapaharan and Hakeem. Technically it is not a memorandum of understanding but an agreement of sorts. Nevertheless the agreement removes some immediate problems afflicting Muslims, sets up a mechanism to resolve possible problems through discussions and guarantees an ongoing dialogue that could ultimately pave the way for a permanent settlement (Jeyaraj, 2002).

[20] To date the GOSL and the LTTE have had six rounds of peace talks the first in May 2002 in Thailand, the second in September and the third in December in Oslo, Norway, the fourth in January 2003 and the fifth in February 2003 in Thailand and the sixth in March, 2003 in Japan.

[21] At present, the LTTE military commanders are still engaging in the recruitment of children as soldiers and there have been reports of LTTE vessels seen on the Mullaitivu coast carrying warlike materials and unloading weapons onto small boats (These reports can be found on the GOSL website on March 10, 2003, this site documents the press releases and updates on the peace process). The Times magazine's Asia edition published a statement of the Prime Minister himself admitting the Liberation Tigers of Tamil Eelam was stockpiling large amounts of arms and explosives and recruiting even child soldiers to their guerilla army in violation of the MOU. The obvious reason for these incidences is that the LTTE is rearming itself in preparation for a military combat.

[22] Mohamed Sahnoun, Deputy Secretary-General of the Organisation of African Unity (OAU), proposed a new international institution for conflict management. It role would be to mobilize all approaches to conflict resolution and ...increase communications and networks among different communities in local conflict areas through the integrated efforts of NGO's and the United Nations (Aall, 1996, 441).