

## ESCALATING WAR

The talks held on October 28-29 in Geneva between the government of Sri Lanka and the LTTE embody some of the major difficulties embedded in Sri Lanka's much maligned peace process. The delegations from the government and the LTTE went to Geneva amidst increasing international pressure to desist from war and resume political engagement. The Norwegian facilitators could not produce an agenda for the meeting because the two sides had different expectations from the Geneva talks. On the first day of negotiations, leaders of the two delegations made lengthy opening statements, indicating that they had come to Geneva committed to engage in positional bargaining. They were also expecting unilateral political gains. They were not in Geneva for problem-solving and conflict resolution talks. When the talks ended inconclusively, the international facilitators pleaded with the two sides not to act in haste, because of the real risk of imminent war escalation. In fact, the Geneva talks appeared to be a conduct of war by other means.

'War by other means' is a phrase that dramatically captures how Sri Lanka's peace process of 2002-2003 has gradually degenerated into conflict and violence. Sri Lanka's relapse to war should not surprise anyone, because the 2002-2003 negotiations failed to produce a *peace* agreement, even though there has been a *cease-fire* agreement in force. But neither the CFA nor the presence of international

truce monitors has deterred the two main parties and their hidden allies from waging an undeclared war.

The current phase of Sri Lanka's war has a few crucial and defining characteristics. First, neither the government nor the LTTE has formally withdrawn from the CFA. No side has formally declared war either. Second, the war is being conducted at low and middle-intensity levels with occasional outbursts of high intensity escalation. Third, the war so far has taken a high toll of civilian victims, yet both sides seem to accept the civilian casualty dimensions as a necessary component in this particular phase of the war. And finally, in the counter-state and counter-insurgency war, that runs parallel to the visible war, civilians are being deliberately targeted. Everyday, there are reports of Tamil civilians being kidnapped, extra-judicially executed or just assassinated. These reports emanate from Jaffna, Batticaloa, Trincomalee, Mannar, Vavuniya and of course, Colombo.

Looking back at events during the past several weeks in Sri Lanka's conflict, one can see a process of build up to a new phase of war escalation. The logic of this escalation has been the commitment of each side to gain unilateral military advantage, whether negotiations take place or not.

What is likely to happen to Sri Lanka's ethnic conflict, when its history has been one of protraction, reproduction and renewal? It may be the case that

this conflict has passed the stage of being ended through a negotiated settlement. The way in which the conflict has been reconstituted through the failure of 2002-2003 peace process and after, suggests that the dynamics of conflict sharpening have effectively replaced the possibilities for conflict mitigation and compromise. The conflict has reached the stage of a 'scissors crisis' in which the two main

### POLITY

Vol. 3 No. 5 & 6  
October-December 2006

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#### Annual subscriptions:

Sri Lanka	Rs. 600
By Airmail:	
South Asia/Middle East	US \$ 28
SE Asia/Far East	US \$ 28
Europe/Africa	US \$ 30
Americas/Pacific countries	US \$ 40
(Please note the revised subscription rates. Cheques in favour of Pravada Publications)	

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protagonists – the Sinhalese political class in the South and the LTTE in the North – have crossed each other’s paths and are now travelling in two separate directions.

The task ahead, from the perspective of conflict resolution, is to ensure that the two paths intersect again. That will require a long process of political transformation of the ethnic conflict in Sri Lanka. Such a protracted process of conflict transformation will invariably be interspersed with outbreaks and escalation of war and violence. Only the external actors presently engaged in Sri Lanka’s peace process appear to have some capacity to manage this recurring crisis--by preventing the state and the LTTE from returning to a decisive phase of war.

Is there a possible way out from the dangerous stalemate in Sri Lanka? There two events that seem to coincide in the month of December. The first is the LTTE leader’s annual Hero’s Day address on November 27 in which he is likely to

outline the LTTE’s future course of action. The second is the submission of the constitution reform proposals prepared by the Panel of Experts, appointed by the government. The panel is likely to present two reports, one majority, the other minority. The minority report will argue for minimalist state reforms, from the perspective of Sinhalese nationalism. The majority report might have the potential to propose a framework of regional autonomy.

If the government of President Rajapakse can back a proposal for extensive regional autonomy, it can provide the impetus for the LTTE leaders to explore further political options, perhaps by reviving the idea of an interim self-governing authority, which the LTTE pursued, though without success, in 2003. Even to activate a new political dialogue between the government and the LTTE, the international community will have to offer strong disincentives to parties with regard to the war option. **P**

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## RAVIRAJ: ANOTHER ASSASSINATION

**T**he killing of Nadaraja Raviraj, TNA parliamentarian, marks another step in Sri Lanka’s march towards barbarism amidst escalating war between the government and the LTTE. The TNA has blamed some unidentified groups for this killing. The killers have carried out their mission in a crowded neighborhood in Colombo.

The killings of political opponents, if it is actually the case, is a dangerous trend. Amidst local and international protests, President Rajapakse has appointed a Commission to investigate a series of unresolved killings, including those of Raviraj and Kethesh Loganathan

Throughout the ethnic war, Sri Lanka has seen political assassinations and the killing of civilians. After the LTTE’s split and the emergence of the Karuna Group in the Eastern province, a new internecine war has broken out between them, dramatically increasing the violence against Tamil civilians. Abductions and killings mostly of civilians loyal to either

group have been a widely practiced mode of war between them.

In 2006, there has been an alarming rise in these activities. They have been taking place in the North and East as well as in Colombo. In such a backdrop, a culture of impunity has begun to corrode the foundations of not only the rule of law, but also the every day conditions of law and order.

While the country is being dragged into another long period of civil war, the leading political parties as well as most of the media in Colombo do not seem to have learnt any lessons from the corroding impact of civil war on the institutions and processes of governance. Many of them want the war to intensify. ‘Military victory first; democracy, the rule of law and the protection of citizens later’ seems to be their formula for success. This is exactly the way the LTTE, – which is engaged in a counter-state war– too thinks. ■