

NOTES AND COMMENTS

A Secessionist War Draws to a Close

A civil war that has been raging in Mindanao, the southernmost island group of the Philippines, for the past 26 years has been brought to an end through a settlement that laid down a framework for future political negotiations. Muslims in Mindanao have been waging a war for liberation from what they considered discriminatory treatment by the predominantly Catholic Tagalog speaking people of the Northern islands. The Philippines Army estimates that the war has led to the loss of over 120,000 lives and has stopped even the kind of development taking place in other parts of the country.

A peace agreement, designed to bring this debilitating war to a halt, was signed in Manila on the 2nd of September between the Philippine government and the Moro National Liberation Front (MNLF), the largest of the many Muslim guerilla groups. The MNLF has agreed to stop fighting and take part in a reconstruction project and work towards an acceptable political settlement. The government has undertaken, in turn, to restructure the autonomous region for Muslims in Mindanao.

The context of the war itself and of the peace process are quite distinctive from our secessionist war; yet the initiatives adopted by the Philippines government and the specific terms of the agreement are quite suggestive, as well as instructive.

The war was supported financially by the Muslim countries, chiefly Libya. With this in mind, the Philippine government first approached the Organization of the Islamic Conference (OIC), persuaded them of its good intentions and then sought their involvement as mediators. The negotiations were conducted in secret, with Indonesia playing the leading role on behalf of the OIC and lasted over four years; the agreements were initialled in Jakarta at the end of August in the presence of representatives of the OIC and the Indonesian government before their formal signing in Manila.

What is of great significance is the nature of the peace agreement. It is not a political settlement but the prelude to one. It accepts the current constitutional arrangements and creates an agency - Southern Philippines Council for Peace and Development (SPCPD) to prepare the way towards a new political structure and to take the responsibility for initiating and overseeing reconstruction and development projects in the 14 provinces that constitute the Mindanao island. The Council of 81 members will be headed by Nur Misuari, the chairman of the MNLF, or by his nominee; 44 of its members will be nominated by the MNLF. 11 members will be nominated by the NGOs working in the area while the others will be the governors of the provinces and the mayors of the chief cities.

Besides overseeing development work in the region which is reckoned to have been neglected in the past, SPCPD will pave the

way for a referendum to be held in 1998. This referendum will enable the people to decide on the exact nature of the political arrangements that will govern the Muslim Autonomous Region and which of the 14 provinces will form the Region. This is necessary as the 14 provinces have a total population of 9 million of whom 6 million are Christians.

Shortly after the initialling of the agreement, Misuari said that he considers federal status as the most appropriate political structure for the autonomous region. Political discussions are now to take place and the arrangements finalized before the referendum.

Another important feature of the agreement is the declaration of an immediate ceasefire and the commencement of a process to integrate 7,500 cadres of the MNLF guerilla force into the Philippine armed forces and the police. The OIC which mediated in the talks will continue to monitor the implementation of the agreement and the progress of events till the referendum.

What is of great significance here is the chronology of the process: first a ceasefire; this in turn creates the peaceful atmosphere within which all parties can evolve political formulas and campaign democratically for them; finally a referendum which will enable the people to determine the nature and form of the Muslim Autonomous Region. In the meanwhile, a stepped up programme of reconstruction under the supervision of a body in which the MNLF holds a majority but which has representatives both from the government and from civil society.

Thus the creation of a peaceful atmosphere for a political settlement and reconstruction have been given precedence over the actual political process, have been seen actually as a necessary foundation for the success of the political process. Misuari has said that he does not regret making this compromise: "It is the least we can do to save our people... from the scourge of another costly war." Of course, the presence of a mediator in whom the MNLF had confidence, indeed the presence of a mediator who could twist the arm of the MNLF when necessary, was a crucial factor in the success of the process so far.

The task of hammering out a political settlement lies in the future. Everyone realizes the difficulties ahead. The Indonesian Foreign Minister, one of the men behind the agreement, has said that "the real hard work begins after the signing... a peace agreement does not implement itself." And Ramos, the Philippines President said that "the root causes of the problems that led to the decades-old conflict in Mindanao will not go away just because we have signed this agreement." The MNLF is equally aware of the difficulties ahead; its leader, Misuari, says: "We have to warn our people not to expect too much. We are not magicians. There are built-in handicaps."

The lessons for both parties in our conflict are obvious.

Political Violence

Violence has been an almost endemic ingredient in the political process in Sri Lanka since 1971. One part of this has been the violent insurrections in the north-east and in the south; in the North, it was part of a struggle to carve out a separate state for the Tamil people and in the South, an armed struggle to capture state power.

However, it is to another area of political violence that we wish to refer in this note. This has to do with violence perpetrated by political parties that are ostensibly democratic as part of their struggle for power. It has also to do with parties in power using the state security forces, particularly the police, as an adjunct to their own forces in the struggle for political hegemony.

The use of violence, aided and abetted by the police, became almost routine during the previous UNP regime, particularly in the period after 1983 but reaching a high peak in the late eighties. The public reaction against this use of violence was one of the primary reasons for its resounding defeat in the Parliamentary and Presidential elections in 1994.

The PA was well aware of this reaction. That is why it made the eradication of violence from the political process one of the main planks of its electoral platform. It promised to end the "reign of terror" that had been unleashed by the UNP and to punish the perpetrators; it also promised not to use violence as a political tool.

In spite of these promises, political violence is again raising its ugly head. We have had during this year numerous examples where violence has been used by sections of the PA as well as of the UNP in the course of their political struggles.

One particular area has been the use of violence to disrupt meetings and propaganda rallies of the UNP. This has happened in Anamaduwa, Kuliyaipitiya, Matale, Galenbindunuwewa in the Anuradhapura district, Galewela and Matugama. In most of these cases, organizers were attacked, banners and posters advertising the meetings were torn down and people intimidated into not attending the meetings. At Matugama tyres were burnt at the site of the UNP meeting from the morning of the day. In most of these cases, the disruptors carried firearms; in some instances, PA MPs and Provincial Councillors were clearly visible in the background. What is most disturbing is that in many of these cases the police did not intervene against the disruptors.

This is an ominous development. It strikes at the very roots of democracy. A political party is being prevented from exercising its right to hold meetings and propagate its point of view. The fact the party in question is the UNP, which was responsible for many such acts in its period of sway, is not relevant. What needs to be ensured is the right to free association and mobilization.

Another area in which violence has erupted is the co-operative sector. Elections to offices in co-operative societies have been accompanied by disruption and violence, including at least one

death in Matugama. One may wonder why co-operative societies are that important. The answer is simple. While co-operatives in urban areas may be merely retail outlets, in the rural areas, they are an important resource base. They run retail outlets, manage loan and credit activities, operate petrol sheds and in many cases, other activities such as rice mills and bought leaf factories. They are therefore centres of power and patronage, the control of which are important for local level politicians.

The recent violence at Negombo has been viewed as the culmination of political violence. These incidents derive from the rivalry of local UNP and PA politicians to control the very lucrative taxi services at the Katunayake airport. The UNP put its people in; the PA when it came to power physically chased them out and put its own people in. The case went to the Courts which restored the previous operators to their positions and found Mr. Jeyaraj Fernandopulle, a Deputy Minister, guilty of violating the fundamental rights of the operators.

The explosion of violence centred round the 50th anniversary celebrations of the UNP which included a service at St. Mary's Church in Negombo. On August 3rd, there was a clash between some members of the PA and UNP supporters who were decorating the streets in Kurana. Two persons, were killed, one of them a known PA supporter. Two persons were taken into custody by the police - Devindra Mendis, UNP provincial councillor and his bodyguard; they were later remanded by the Negombo magistrate.

That evening, PA supporters entered the church premises, tore down the decorations and intimidated the parish priest into abandoning the planned service.

The case against Mendis and his bodyguard was called before the Magistrate on the 20th. The hearing was attended by both PA and UNP politicians and supporters. That afternoon some vehicles carrying UNP supporters returning from the courts were attacked by gunmen near the Negombo base hospital; five were killed, including Sylvan Perera, Vice-Chairman of the Katunayake Town council and President of the UNP affiliated Airport Taxi Service Union. Another UNP Pradeshiya Sabha member was killed the next day in the same area.

Both parties need to be blamed for these eruptions of violence. However the PA, which came to power with the promise of eradicating political violence, needs to shoulder the larger part of the blame. Its general attitude in these incidents remains ambivalent. Many of its spokespersons, notably Minister S. B. Dissanayake and Deputy Minister Fernandopulle in the course of a TV interview, tended to dwell on the violence perpetrated by the UNP in its heyday and to imply that they well deserve what they are facing now. Even the President herself has spoken in the same tenor.

This tendency to use violence to buttress political activity has been condemned by many. We reproduce in this issue two statements - one from the Civil Rights Movement and one from a broad grouping of human rights organizations and advocates including the Free Media Movement.

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