

# PEACE IN SRI LANKA: PROSPECTS AFTER PRABHAKARAN'S MEDIA CONFERENCE

**M**r. Velupillai Prabhakaran's meeting with the media on April 10 has generated a great deal of negative response in Colombo. Judging particularly by the way in which some opposition politicians and Sinhalese nationalist intellectuals are trying to articulate an emerging scenario of apocalypse, the Sinhalese polity may run the risk of once again losing the grip on another rare moment for reconciliation and peace with the Sri Lankan Tamil polity. The ruling UNP's measured and wise response to Prabhakaran's peace offensive, backed by the overwhelming desire of the Sri Lankan masses for peace, constitutes the main defense against a possible lapse back into political chaos and war, as we experienced in the late 1980s. Yet, the Ranil Wickremasinghe administration will have to manage the 'peace process,' the emerging resistance to it as well as the new contradictions that may develop on the way with patience, prudence and courage. Peace in war, of course, requires more courage than modern warfare.

## Main Points

**B**efore we forget it all in the midst of the strong political emotions Mr. Prabhakaran provoked in our minds through his two-hour long TV appearance, it may be useful for us to recall the main political points he and his political advisor made in that mega media event. De-proscription of the LTTE is a precondition for the LTTE's participation at any negotiations. In the proposed Bangkok talks, the LTTE's focus will be entirely on creating an interim administrative setup for the North-East. The LTTE leader does not believe that the theme of a political solution to the ethnic conflict should be in the negotiation agenda, at present or in the near future. Neither does he think that the present Ranil Wickremasinghe administration has the political capacity to resolve the conflict as such. The LTTE, under new circumstances, is willing to reconsider its separatist goal as well as the armed struggle, yet it has not yet found suitable objective conditions to give them up either. However, the LTTE entered the present peace process on its own, well before September 11, 2001, in order to allow conditions conducive for peace to emerge as well as to demonstrate its own commitment to peace. The task of offering the Tamil people an alternative to the separate state is the responsibility of the Sri Lankan government. However, for such an alternative to be credible, it should be based on three 'core principles,' namely, Tamil nationhood, the concept of Tamil Homeland and the right of the Tamil people for self-determination.

How should one look at these points in order to discover constructive possibilities for peace, and for treating Mr. Prabhakaran as a potential ally in the quest for a political settlement to the ethnic conflict? However slim such chances may appear to be, peace-

makers have no option but to seize them, work on them and eventually expand them. While assessing the core political message Mr. Prabhakaran delivered on April 10, it is also important to recognize two crucial aspects of the context in which the LTTE leader explicated his positions on a variety of issues, as posed to him by journalists. Firstly, for the LTTE, this is a press conference before the commencement of negotiations with the Colombo government. No negotiating party is likely to announce any significant concessions, unless there are strategic reasons, while making preparations for a fresh round of negotiations with the adversary. But, in a classic case of pre-negotiation behavior, the LTTE leader demanded from the government a significant measure of concession; the de-proscription of his movement. But at the same time, he kept the window for negotiation open. It is indeed surprising that Mr. Prabhakaran did not make any other hard bargaining demand to extract more concessions from the government. Secondly, the LTTE has not entered the peace process as a militarily vanquished guerilla entity, or from a position of military weakness. On the contrary, the LTTE leader initiated the present negotiation process after a series of military victories and from a position of military strength *vis à vis* the Sri Lankan state. No doubt, the present world configuration against terrorism – or non-state political actors—would have reinforced Mr. Prabhakaran's earlier decision to explore a political settlement. Against this backdrop, two observations on what Mr. Prabhakaran said at the press conference may be made: It is quite rare, and therefore interesting, that a militarily unvanquished secessionist movement actively seeks an alternative to their separate state goal. Similarly, it is quite significant that at a pre-negotiation press conference, the movement's leadership has strongly hinted at the framework of such an alternative – internal self-determination as autonomy. The acknowledgement of this new political reality should constitute the most useful point, from where Colombo's post-April 10 politics with regard to the ethnic conflict should begin.

## Interim Processes

**I**n Colombo, there are fears currently being expressed in almost apocalyptic terms by some that Prabhakaran is out to play his usual game of deception in much greater scale this time than he did in the past. The point these committed critics of the LTTE are making is that the LTTE by means of peace talks and through the interim administration is out to achieve what they have so far failed militarily, namely establishing its absolute hegemony, both political and military, over the entire North-East. In a protracted ethnic conflict which has seen many negotiation efforts ending in disaster, such prognoses of catastrophe cannot be easily discounted. However, that is only a negative way of looking at the window of

opportunity for peace available in Sri Lanka at present. A positive and constructive response would begin by recognizing that there is now a real opportunity to launch an interim process, which is essentially political, in the North-East with the LTTE's active participation in it. This approach will enable us to view the interim administration as an interim process that may lead to creating conditions for an eventual de-linking of the ethnic conflict from war and violence.

Mr. Prabhakaran's insistence of an interim administration for the North-East, viewed from the perspective of an interim process, is not actually a bad one. It offers a valuable opportunity for constructive political engagement with the LTTE and it is up to the Sinhalese polity to recognize it as such. As contemporary research findings of many global conflicts tell us, protracted ethno-political conflicts, like the one we have in Sri Lanka, are 'unending conflicts.' They are marked by what Fen Osler Hampson—in *Nurturing Peace: Why Peace Settlements Succeed or Fail* (1996)—has recently called "self-sustaining patterns of hostility and violence." Getting the parties to the negotiating table and building momentum towards an agreement are enormously difficult exercises in such conflicts. Even if one is lucky enough to secure an agreement, an even greater challenge is to translate the agreement into a concrete package of mutual commitments and undertakings aimed at ending violence while the political order is restored. This challenge is sharper and greater in ethnic conflicts where the question of state power is contested through a secessionist insurrection. Researchers now argue that 'separatist wars' are a special type of civil war that has no definite ending or termination as such. The most feasible way to handle them is through interim processes, of course through trial and error, so that the militarized conflict is transformed into a political mode that requires no violence and war.

### A Positive Response?

The Colombo government should view the LTTE's interest in an interim setup in a positive light. One crucial task of the Ranil Wickremasinghe administration in Colombo is to nurture a continuous process of political engagement with the LTTE. It will minimize the chances of returning to all out war, as in the past, in case the present cease-fire agreement breaks down. It will have other benefits for the LTTE too that are relevant to the entire peace process. Assuming that the LTTE is liable and willing to be locked in a continuous process of political engagement with the Colombo government, their running the North-East interim administration will have many opportunities for the rebel movement to transform itself into a relatively autonomous, not separate, component of the Sri Lankan state. The interim administration would ideally be a training ground for the LTTE cadres in administrative matters that require direct links with, and accountability to, the people of diverse ethnic and social backgrounds. The best and the surest way to transform a guerilla movement into a political entity is to entrust them with the responsibility of administering everyday needs of a civilian population. The LTTE leaders will learn that administering vast

civilian populations in two huge provinces is qualitatively different from running guerilla training camps or managing refugee communities living on international humanitarian aid. They will be confronted with such mundane challenges as economic development, service delivery, creating employment opportunities, dealing with crime and corruption in accordance with the rule of law, listening to public petitions and of course running a political party. There will also be such inescapable issues to deal with as democracy, pluralism, human rights, multi-culturalism, accountability, public scrutiny of political action and the standards of political behavior in line with civility and the rule of law.

### Constitutional Innovation

Meanwhile, the question of the LTTE's military capacity to undermine the Sri Lankan state remains to be addressed along with the interim administrative setup. There is no way at present for the Sri Lankan state to make ineffective or inoperable the LTTE's awesome military machine. In its negotiations, the LTTE is highly unlikely to agree to the latter's dismantling. As a politico-military entity, the LTTE differs from the IRA that agreed to decommission its weapons. The LTTE has over the years built up its own armed forces, almost like the coercive apparatus of a quasi state. In any peace deal, the LTTE would insist on measures that incorporate its military apparatus into the legitimate structures of the state. It is advisable for the Wickremasinghe administration not to take up this extremely tricky issue during the early stages of negotiation. Instead, the government should look for innovative interim arrangements that can address the question of the LTTE's military power. There are many forms of regional autonomy, or internal self-rule, that can be brought into our political-constitutional imagination when grappling with this question. The concept of 'shared sovereignty' would offer a less objectionable, and state-of-the-art, way out from this complex dilemma.

In the institutional designing phase of negotiations, it may not be wise to ignore the existing military realities on the ground. Indeed, in dealing with realities of the counter-state military power of a secessionist group, there is no better option than designing and building new political institutions that can go parallel with military power and eventually take over the entire process. The point is that asking the LTTE to dissolve its 'armed forces' as a precondition for settlement may not be an option. Among the limited choices available for the state is the setting up of an institutional arrangement for the LTTE's military apparatus to be linked to the Sri Lankan state structure through the interim administration. Meanwhile, one way to shape the emerging trajectories of Sri Lanka's ethnic conflict, while tackling the question of the LTTE's military power, is to work towards creating new structures of political power in the North-East that will be available to the LTTE as a political entity, yet will not require the services of the LTTE's coercive apparatus. In this sense, the coming period of conflict transformation in Sri Lanka could ideally be one of both political imagination and constitutional innovation.

## Security Guarantees

**F**inally, why do the LTTE leadership appear to be so keen on normalizing their relationship with India? One may adduce many reasons, but there is no harm in speculating that they are in fact looking for 'security guarantees' for Mr. Prabhakaran in the event of a peace deal. A useful insight we can derive from the 'realist' school of conflict management is that in armed conflicts parties are confronted with security dilemmas. A peace settlement needs to address them in the form of credible security guarantees. Otherwise, as Professor Stephen Stedman argued in his study of the civil war in Zimbabwe (*Peace Making in Civil War* – 1991), the 'fear of settlement' can set in, forcing the rebels to unilaterally withdraw from the peace process. Foremost among the security guarantees which the LTTE will seek in the future is its leader's safety and immunity from prosecution, particularly with regard to the Rajiv Gandhi assassination. If we interpret the LTTE leadership's present campaign to normalize relations with India as a quest for obtaining security guarantees for Mr. Velupillai

Prabhakaran, we can also see that the LTTE's current shift to the political path has something more political in it than what its critics would like to imagine.

Many people appear to consider Velupillai Prabhakaran essentially as a murderer, a fascist and hardcore terrorist. There was a time when the Sri Lankan state also engaged with him exclusively on those terms. Although political parties out of power would want to continually deal with the LTTE leader in that uncompromising spirit, the state, or the political party that runs that state, might not find any irresistible reason to do so in the present conjuncture of Sri Lanka's conflict. If the LTTE is viewed primarily as an unreformable terrorist entity, the only way to deal with the LTTE is continuing war. A state in severe economic crisis can hardly make that choice. But if the state wants to engage the LTTE politically and constructively, then dealings with the LTTE and its leadership should be on political terms that require dialogue and eventual trust. The fear of a settlement process and of its unpredictable trajectories will not help the state either. ■

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