SRI LANKA'S PEACE PROCESS —TWO ESSAYS

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I.   The Peace Process, People and Civil Society
II. Peace in Sri Lanka: Prospects after Prabhakaran's Media Conference

THE PEACE PROCESS, PEOPLE AND CIVIL SOCIETY

Introduction

While the UNF government and the LTTE are engaged in an exercise of cease-fire and negotiation, there is a great deal of interest in this process and its outcome among the people in general and civil society activists in particular. Some politicians in the previous as well as the present government have often appealed to 'civil society' for its support for the peace process. Meanwhile, civil society activists have been busy in organizing meetings, rallies, conferences, workshops, vigils and meditation campaigns in support of the present peace drive. There are also others who are cynical about these efforts and even make fun of them. The question, however, remains on whether there is a distinct role for civil society in conflict resolution and if so why. This issue has not yet been adequately discussed or theorized in Sri Lanka's civil society politics. This essay is an attempt to provoke a discussion towards such theorization.

People's Participation in Peace?

As an entry to the discussion on the role of civil society in the present peace process in Sri Lanka, it would be useful to examine another related issue, the role of people, or citizens, in peace building. In conditions of war and violence, people are usually victims and onlookers. People may occasionally get a direct role in the conflict when they are provoked into participation in that dreadful practice called ethnic riots, which have now become events meticulously organized by ethnic leaders turned riot entrepreneurs. With the inauguration of a peace process, different, positive dynamics set in. People begin to entertain hopes and expectations about life and the future. When the killings stop, at least temporarily (as it has consequent to the present ceasefire agreement between the government and the LTTE) people also begin to feel positive about life. How can such hopes, expectations and enthusiasm for peace and life among the people be channeled into a positive force for peace building? Sri Lanka's civil society groups committed to the peace process need to grapple with this challenge.

Is people's involvement necessary for the success of a peace process? Do people really have a role to pay in creating peace in a protracted conflict? One response to these questions is "no." Or else to say that people do have a role, but one that is quite limited and insignificant. Prime examples of this limited role assigned to the people in a peace process are voting in favor of political parties that include peace in their political-electoral agendas and giving support and legitimacy to peace agreements once they are signed. In this 'support paradigm', the citizens' role is limited to supporting the peace actors, supporting the peace process and supporting its outcome. Even then, it is a role allocated for an outsider.

Interestingly, this approach of treating the people as outsiders to the peace process is the dominant perspective in the theory and practice of contemporary conflict management and resolution. We may call this 'leader-actor centric approach to peace.' It is based on a set of influential assumptions which we must critique. It assumes that managing violent, protracted and deadly conflicts is the exclusive and primary task of the leaders of direct parties to the conflict. If we illustrate this point by referring to Sri Lanka's case, the sole responsibility for resolving the conflict is with the government and the LTTE. And the two sides also believe in that assumption. Indeed, as experience in many protracted conflicts has demonstrated, this is not the most effective approach to bringing protracted, deadly conflicts to a peaceful end. Peace agreements negotiated and signed by the top leaders of the two sides are a necessary, but not adequate precondition to peace in protracted armed conflicts. Only people's participation in the peace process can make agreements fruitful in restoring peace in a lasting and sustainable manner.

The leader-actor centric approach to peace presupposes negotiation and a third-party, often international mediation. This is also based on a set of assumptions. One of its key assumptions is linked to the concept of a 'Peace Deal' which has its origins in the 'Realist" paradigm of the theory is of international politics. Indeed, much of contemporary negotiation theory influenced by the realist and behavioral assumptions of international politics. The 'realist' understanding of world politics posits the political world as one existing in a general ambience of anarchy, in the sense that there is

no global authority to maintain law and order in a world made of nation-state units that are concerned with their own, individual 'national interests.' The behavior of each political actor is governed by security concerns; steps taken by one actor to secure its own security generates insecurity in others. In the Realist language, this situation is called 'security dilemmas.' Living in a world of anarchy and insecurity, the best strategy for political actors is to work towards a mutually agreed balance of power. In striking a balance of power, the leaders are called upon to 'negotiate.' They are also called upon to make sacrifices and effect trade-offs in a framework of cooperation, or a win-win perspective. The agreement thus reached is a 'Peace Deal' that will incorporate measures to address security dilemmas of the parties in conflict. These measures are known as security and political guarantees. To enable the parties to work out the deal and ensure its future implementation, the involvement of an outside force is acknowledged in the concept of 'international mediation.' Peace-keeping and peace enforcement are also strategies available for the third party to ensure that parties honor peace deals.

Another significant assumption in the leader-centric approach to peace is the belief that 'peace is the absence of war.' This is the 'negative peace' paradigm that is also present in the peace deal approach. Parties enter a peace deal not necessarily to address the root causes of the conflict, but to suspend hostilities and manage the war through mutually acceptable guarantees. This approach doesn't rely much on building new relationships or addressing issues of identity, justice, and distribution of power so that peace would mean not only the absence of war, but also the presence of conditions that makes war unnecessary.

In such a 'realist' approach to peace, there is hardly any direct, proactive role for either civil society forces or the people in general. Their expected role is a reactive one. The work expected from civil society groups includes assisting reconstruction and rehabilitation work undertaken by the government and the international humanitarian agencies, implementation of social service programs, assisting people in situations of complex emergencies, in some situations organizing elections as well as election monitoring. These are also elements of the global peace agenda in the post-Cold War world. In the slightly more inclusive liberal peace agenda, domestic civil society groups are still conceived as secondary and even subservient to the direct actors to the conflict and the representatives of international political and donor communities. This situation calls upon the democratic civil society constituencies to work towards a goal of positive peace, as opposed to negative peace, and towards transformative peace that should transcend the limits of the peace deal.

Transformative Peace

A program of transformative peace should not reject the agenda of negotiation, mediation and peace deal. Rather, it will place them in a broader and comprehensive process of peace building. In transformative peace, conflict is not rejected as a negative force. What it will reject is the violence, war and destructive dynamics and consequences of deadly and protracted conflicts. From a transformatory perspective, the existence of an intractable, violent conflict is a clear indication that radical socio-economic and political reforms are necessary to address both the causes and consequences of conflict. If we take Sri Lanka's own example, there is no possibility of returning to old, 'normal' politics, if the ethnic conflict is to be effectively managed or resolved. It at the minimum requires reconstructing the state and its structures and revising the constitutional foundations of the state. It is only through such a transformatory reform program that a secessionist ethnic community can be invited back into the fold of a reformed state.

For lasting peace in Sri Lanka through resolving major issues involved in the ethnic conflict, political reforms alone are not adequate. 'Reconciliation,' as theorized in recent discussions on peace building, is essential to complement an institutional-structural reform agenda. As a direct consequence of the protracted and violent ethnic conflict, Sri Lanka's society and polity are deeply divided, acutely fragmented and incalculably atomized. Ethnic and even religious communities fear, suspect and deeply mistrust each other. There are political and ideological groups that seek to spread the politics of intolerance and hatred and they eagerly anticipate the failure of the present negotiation process. As Sri Lanka's recent experience tells us, peace agreements that further intensify existing divisions have little or no chance of working. Nor will they make any positive sense if they are made amidst and atmosphere of the politics of intolerance and hatred. Professor John Paul Lederach's wise words are quite apt: "Contemporary conflicts demand innovation, the development of ideas and possibilities that go beyond the negotiation of substantial interests and issues." [1] Although trust-building and reconciliation are essential pre-conditions for building lasting and sustainable peace in deeply divided societies like Sri Lanka, the agenda of trust and reconciliation cannot, and should not, be assigned to ruling parties and guerilla movements that have until recently thrived on community mistrust and polarization as well as violence.

Building trust and deepening reconciliation in societies caught up with intractable ethnic conflicts involves a political and ideological struggle that should be waged with commitment, sophistication and resources. It is a common experience in many plural societies with ethnic conflicts to cope with political and ideological movements that advocate and reinforce identity intolerance, racist militarism, and political authoritarianism. They deny the legitimacy and relevance of pluralism, multi-culturalism and tolerance that provide the normative-programmatic foundations for lasting peace. They are also quick to make alliance with 'predatory social formations' and 'spoilers' that emerge in societies in protracted armed conflict. They wait for setbacks to the peace process in order to mobilize social groups and classes that may have other, mostly economic, grievances against the government that has entered into a peace deal with the 'enemy.' Usually, governments have neither strategies nor capacity to politically deal with such politico-

ideological forces. They could either subject these forces to bloody repression as the UNP regime did in 1987-89, or capitulate before them as the PA government did most recently. Democratic civil society can do a better job in meeting the threat of these political and ideological forces of militarism, racism and reaction. But it requires strategizing the process of peace building, reconciliation, consciousness raising, political education, networking, resource mobilization, and strategic intervention. It also requires assuming the politico-theoretical leadership for change, reform and reconstruction.

Lessons from Other Conflicts

E ven sophisticated peace deals brokered by the most powerful world power, the United States government, are liable to run into deep crisis, as demonstrated by· the post-settlement complexities in Israeli-Palestinian and Northern Irish peace processes. They offer valuable lessons that highlight the dynamics of contingency inherent in peace-settlements and the enormous risks involved in the settlement implementation phase. The Norwegian-initiated and the US-brokered Oslo agreement between Israel's Labour government and the PLO leadership carried all the classic features of an elite peace deal. Once the Labour government made compromises with the enemy, the PLO, without a political dialogue with its domestic rival, the right-wing Likhud Party, the Labour Party suffered political isolation, creating political space for the extreme right-wing to seize a new political momentum. A few months after the peace deal was signed, Prime Minister Rabin was assassinated by right-wing extremists and at the subsequent elections, the opposition Likhud Party, campaigning on an anti-peace platform, won and formed the government. Nearly ten years since the agreement was signed, the Labour Party has not won a single parliamentary election while all the Likhud Party Prime Ministers who won elections were openly committed to undermining the peace with the PLO. From Netanyahu to Sharon, the right-wing Israeli governments sought to re-define the post-settlement Israeli-Palestinian relationship with the objective of destroying even the limited Palestinian autonomy granted through the peace deal.

The most important lesson that the post-peace deal political change in Israel offers us is that in a democracy that practices elections as the mechanism for regime change, the ruling party that signs a peace deal with the 'nation's enemy' is likely to run the risk of creating conditions for its own political downfall while offering a new momentum for right-wing, militaristic political formations that are opposed to settlement goals. The Norwegians and Americans, who jointly brokered the Labour government-PLO Accord, as well as the Labour government leadership obviously did not anticipate the right-wing backlash. In their approach to peace strategy, they perhaps did not anticipate the capacity of the small extremist groups to make a decisive intervention – by killing the Prime Minister – in the post-Accord political process. It is quite significant that the Likhud Party, the main opposition party, was kept out of the peace and negotiation process and that the Likhud Party's post-Accord

political agenda was largely influenced by the radical mobilization of small, yet extreme, militaristic groups. In brief, we may conclude that no ruling party alone and by itself, even with the political backing of powerful external forces, could ensure peace in a protracted conflict, notwithstanding the fact that a peace deal has been reached with extensive international support.

This is where a distinction needs to be made between peace making and peace building. Peace making – that involves negotiation, mediation, making compromises and signing of accords by leaders of conflicting parties – needs to be subsequently backed by strong peace-building processes. For peace building, it is also necessary to recognize that a peace-making Accord can only open up space for addressing the conflict in a direction of its momentary management and eventual resolution. A credible agenda for post-settlement peace building could usefully begin by the recognition that, as a recent study on the Good Friday agreement on Northern Ireland shows, peace agreements also embody contradictions that "at once open the possibility of a settlement and reproduce the tendency toward conflict."[2] From the perspective of a long-drawn out conflict, a Peace Deal can be a moment of rest during which some of the contradiction may dissipate to the background while new and unanticipated ones may emerge. From the experience of Northern Ireland, there are many positive lessons to be learned. Primary among them is the fact that after all the post-accord political arrangements collapsed in April-May 2001, the conflict did not return to the old scheme of violence. Even with great difficulty and gathering tension in the aftermath of the collapse of political institutions, the main parties to the conflict returned to the negotiation table. One argument emerging there now is that the Good Friday agreement needs to be re-negotiated. A good reason for the parties in Northern Ireland not to return to old habits of violence is perhaps the combination of two factors: the strength of the political processes that produced the Accord and the active engagement of civil society in peace-building before, during and after negotiations.

Strategizing Transformative Peace

O nce we recognize the importance of transformtive peace, our next step would be to propel a transformative peace agenda into an agenda of political action and intervention. In order to map out the framework and stages of such a strategy, democratic civil society groups must initiate a fresh political discussion without delay. It is necessary to recognize the theoretical limitations of the present civil society debate in Sri Lanka on peace. The realist as well as liberal peace agendas are accepted by many civil society activists without subjecting them to adequate political or theoretical scrutiny. Elements of transformatory peace are mentioned in the debate, yet they are couched in an essentially liberal political discourse that has limited value for emancipatory politics. The excessive attention given by some liberal peace constituencies on issues of process, legality and individual rights has already run into conflict with those who advocate group rights, self-determination and substantive, as opposed to procedural,

democracy. The point in Sri Lanka is that the political and theoretical implications of these contradictory positions and debates are not adequately pursued. Advocates of each approach appear to believe in the absolute correctness of their positions that may not be the case if they're subjected to the test of emancipatory political strategizing.

In order to provoke some discussion on this important issue, let me make a few points.

(i). It is the responsibility of the democratic civil society to take the present peace process away from its present state-centric and actor-centric framework. For the peace process to be made inclusive and truly emancipatory, it is necessary to pluralize and democratize its actors and communities of stakeholders.

(ii). There is the crucial need to widen the terms of debate on peace, to liberate it from its 'realist,' 'pragmatic' and partisan limitations, as preferred by the government, the LTTE and the international community. Visions of democratization, human rights, social and community justice, pluralism and multi-culturalism and accountability should be brought to the center of the political debate and agenda on peace. Peace should be an inclusive process, and not a series of events between the government and the LTTE.

(iii). It is extremely important that the question of reconstructing the Sri Lankan state and politics is brought to the transformatory agenda. An effective resolution of ethnic grievances requires the broadening of the constitutional foundations of the state in a creative and imaginative manner while securing public support and legitimacy for a radical reform program entailed in such an effort. The question of autonomy and self-determination, the question of the rights of local minorities in a regime of regional autonomy, the issue of ethno-territorial bases of power sharing, the challenge of dealing with secession in political and constitutional terms in a

period of transition from civil war to post-civil war are some key issues that require a great deal of innovation in political and legal theory. Political parties, regimes and guerilla movements are not the best institutions to grapple with such complex issues.

(iv). For lasting peace, it needs to be made sustainable. Sustainability in this instance would mean that the peace process will have the institutional, ideological and resource capacity to go forward on its own. In other words, the peace process should have self-sustaining capacity. In contemporary approaches to peace building, the idea of building 'infrastructure for peace' means exactly that. It involves building middle-level negotiations and networks, peace, trust and reconciliation among communities, dialogue for peace among identity groups, building a culture of non-violent conflict/dispute resolution and transformative peace education.

(v). The 'Realist' peace process constantly runs the risk of its breaking down either while the negotiations are on or when the settlement agreement – the 'Peace Deal' – is being implemented. Indeed, peace agreements are, while being attempts at resolving contradictions, also embodiments of contradictions which are not always amenable to easy resolution. Who will pick up the pieces when the peace process breaks down? It should not be the forces of racism, militarism and intolerance. Even amidst setbacks, who will resurrect and carry the peace process forward? A weak and dispirited peace constituency may not be in a position to undertake that task.

1 Lederach, John Paul, *1997, Peace Building: Sustainable Reconciliation in Divided Societies,* Washington DC: USIP.
2 Raune, Joseph and Jennifer Todd, 2001, "The Politics of Transition? Explaining Political Crises in the Implementation of the Belfast Good Friday Agreement," *Political Studies*, vol. 49, p. 924. ■