

FOCUS ON PEACE

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SRI LANKA: A "PRAGMATIC" PEACE AGENDA

The political management of the protracted armed conflict appears to be at the top of the new UNF regime's political agenda. The informal, and unilaterally declared, cease-fire between the government and the LTTE has now entered its second month. Reports indicate that the two sides are likely to sign a formal cease-fire agreement, the terms of which are being worked out by Norwegian mediators. However, concrete evidence is yet to emerge to suggest when and where the much anticipated 'peace talks' would begin.

Most serious among the obstacles to early direct talks between the government and the LTTE is the question, to use the highly emotive phraseology currently in circulation, of the LTTE's de-proscription. In Sri Lanka, the LTTE is banned as a terrorist entity under the draconian Prevention of Terrorism Act. It has been argued by the LTTE that de-proscription is necessary for them to come to the negotiation table. The LTTE's position is that it will not talk to the government as long as it is treated as an illegal, or criminal, entity. Although the Ranil Wickramasinghe administration earlier appeared to be willing to lift the ban on the LTTE, strong resistance from the opposition parties and the powerful Buddhist clergy has compelled the government to find an alternative. Hence talks about a temporary suspension of the ban when the talks begin.

The question of LTTE's de-proscription runs deeper into the complexities of peace negotiations. For the LTTE, the ban has placed the movement in a state of inequality – a sort of structural asymmetry – vis-à-vis the government at negotiations. The LTTE's own approach to negotiations seems to be one

grounded on the position that it would participate in the process as an equal partner with the government, and not as a mere terrorist or guerilla group. This parity in status is a crucial precondition for the LTTE leadership to convince themselves that the negotiation with the adversary – the Sri Lankan government – is a politically meaningful exercise. It is a belief emanating from the position that the LTTE represents the political aspirations of a nation with a right to sovereignty. For the LTTE, the Tamils are not an ethnic minority, but a nation. As the LTTE leaders have been very careful to say during the past so many years, the Sri Lankan conflict is not about a minority problem or an ethnic question, but a national question, parties to which are two nations, the Sinhalese and the Tamils. The LTTE's recent strategy, of forcing most of the Tamil parties and groups to form one political unit, the Tamil National Alliance (TNA) and then act as a political mouthpiece of the LTTE accepting the latter's dominance, needs to be understood in this context. The LTTE's claim, and recent reiteration, to be the sole representative of the Tamil people is also linked to the objective of de-proscription and its conceptual foundation of parity at negotiations.

This time around, the Sinhalese nationalist opposition to the government's political engagement with the LTTE is also centered on this question of de-proscription. As its spokespersons have recently argued, not incorrectly, de-proscription would grant the LTTE the status of parity with the government. Some politically savvy Sinhalese nationalists argue that they are not opposed to government-LTTE talks as such. Rather, their opposition is to removing the ban on the LTTE as a pre-condition for talks.

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Founder Co-Editor
Charles Abeysekera
Editors

Jayadeva Uyangoda
Kumari Jayawardena
*Executive Editor and
Circulation Manager*
Rasika Chandrasekera
Editorial Assistant
Morina Perera

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Interestingly, this argument also reveals a deep-seated ideological position held by Sinhalese nationalists of all hues – old and new, sophisticated and raw: since Tamils are not equals with the Sinhalese, why share political power with an inferior, unequal minority? Perhaps, the present United National Party (UNP) leadership understands this dilemma well and Prime Minister Wickramasinghe is now trying to work around it in a most interesting manner that may or may not produce positive results. Wickramasinghe's inaugural policy statement in parliament, focussed extensively on the proposed negotiations and its complexities. But Wickramasinghe was careful not to describe the problem at hand as an ethnic question. To him, what he has to handle is the 'North-East war.' And it has to be resolved due to two main reasons: economic compulsions and the pressure of the international community. If we take Wickramasinghe's policy statement as a guide, management of the war is urgent. It appears that the UNF strategy, unlike that of

the previous Kumaratunga administration, is to achieve 'peace' through negotiation that would not involve constitutional reform or ethnic conflict resolution. It is not a mere coincidence that the UNP's top constitutional expert, K. N. Choksy, has been appointed as the Minister of Finance in the new UNF administration!

The UNF strategy of peace focussing on deescalation is a classic example of what one may describe as a 'peace deal.' It is a deal that seeks to manage the war within an acceptable framework. Interestingly, it runs parallel with the LTTE's consistent approach to negotiations which focussed on the proposition that before solving the political issues that led to the war, consequences of the war should be addressed. All indications are that both the UNF government and the LTTE, in case they commence negotiations, are most unlikely to move into discussing contentious political or constitutional issues. They are likely to focus primarily on a 'peace deal' acceptable to them as well as the international community. After all, this is the so-called 'realist' approach to peace.

Interestingly, this reveals a fascinating convergence of approaches between the government and the LTTE on 'peace.' They seem to have a shared understanding of peace: de-escalation of war. In theoretical jargon, we may describe this particular conceptualization of peace as 'negative peace.' Negative peace means the absence of war. It is basically a conflict management, pragmatic approach that falls far short of 'positive peace', meaning the eradication of conditions that produced, and may re-produce, the conflict. Positive peace entails more than negotiations between the two adversaries. It involves redressing structural causes of the conflict, reforming the state and political structures, community reconciliation and peace building, democratization, returning to normal politics, human rights, re-integration of communities and many more reconstructive measures. It seems that both the UNF government and the LTTE are not interested in any of those transformatory objectives. They are quite content with a limited project of negative peace.

Against such a backdrop, the present round of 'peace talks' is likely to focus on extending the ceasefire. Facing a disastrous economic collapse with a negative growth rate, the UNF

government finds itself unable to finance the high intensity war, which is the legacy of the previous PA government's mishandling of the ethnic conflict. For the LTTE, in the context of global 'war' against terrorism, political engagement with the government for some time to come is a basic political compulsion. There are objective conditions for both sides to enter into a seemingly stable political engagement. Against this backdrop, there is every reason for the present cease-fire to be formalized and extended for an indefinite period. But, prospects for a negotiated 'settlement' to the conflict do not seem to be as strong. It is perhaps too early for such a drastic change to occur in a protracted ethno-political conflict in which the question of state power has been at the center.

But, for those who seek lasting peace in Sri Lanka through ethnic conflict resolution, a limited peace process has positive consequences. The most positive aspect of the present situation is that both the government and the LTTE have opened up a political front and both sides want to stay in it for some time. Then, there is the international community, with its limited resources, to make the two sides accountable concerning their behavior. If the present cease-fire extends for some time to come, with de-escalation of the war, it may generate new dynamics for conflict transformation. Normalization of civilian life, the return of the refugees and the displaced, reconstruction and reintegration of the communities, people to people contacts – all these are possibilities under conditions of a sustainable cease-fire. These are possibilities that can transform the logic of the present conflict, making conflict resolution preferable to conflict management of the pragmatic kind.

Peace is a process, a long and complex one. Negotiation between the adversaries – the ethnic elites – is only one, necessary condition for peace and one aspect of a peace process. As international experience and Sri Lanka's own past clearly demonstrates, lasting peace is too serious a matter to be left to the two adversarial elites alone. Peace process requires multiple and parallel processes that can complement the negative peace pursued in the track one approach. This is where civil society has a direct role to play in creating a sustainable peace process. This is also exactly where Sri Lanka's peace constituencies need to reassess their own thinking, strategies and interventions. **P**

Cease-fire, Human Rights and Democracy

While the government and the LTTE are preparing for a cease-fire agreement, there are continuing concerns expressed about serious human rights violations by the LTTE in the North East. The University Teachers for Human Rights (UTHR) – Jaffna, has in its latest report documented many incidents of abduction, killing, forced-recruitment of children, attributed to the LTTE. The Movement for Alternative Tamil Opinion and Democracy (MATOD), a new Tamil advocacy group in Sri Lanka, claims that the LTTE, which declared a cessation of hostilities with effect from December 24, last year, has committed during its own cease-fire, acts of murder, abduction, extortion and attacks on civilians. The MATOD statement issued in early February also claims that “nobody has either expressed concern or criticised the LTTE” for these reported incidents of violations.

Meanwhile, the Amnesty International, in a strongly-worded statement, has come out with details of young children reportedly abducted by the LTTE in its new recruitment drive. The Amnesty’s list of children abducted by the LTTE and their ages is as follows:

Duncy Mary (f) aged 15, Sudharshini Tharmalingam (f) aged 12, Gunasekaram Kananayagam (m) aged 16, Kathiresan Ruban (m) aged 16, Ravindran Sanjiv (m) aged 13, Anantharasa Gunaseelan (m) aged 14, Baba Thambirasa (m) aged 12, Mahendran Kapilan (m) aged 16, Mathuraiveeran Selvarasa (m) aged 15, Thiyagarajah Suthaharan (m) aged 12, Selvaraji Suthahar (m) aged 13, Vellaisamy John (m) aged 13, Selvarasa Vishaharan (m) aged 15.

The AI believes that the LTTE has recruited these children as armed combatants.

The AI also recommends the following action:

Please send appeals to arrive as quickly as possible, in English or your own language: expressing concern about the recruitment of children as young as 12 by the LTTE (include details of some specific cases); urging that these children are returned to their families or communities at the earliest opportunity; urging the LTTE leadership to clarify in a public statement its current recruitment policy, so that children, parents and civil society in the north and east of Sri Lanka are fully informed; appealing that such a statement clarifies where and how complaints regarding recruitment can be lodged; calling for the monitoring of the human rights situation, including the recruitment of children, to be incorporated into the proposed permanent cease-fire agreement currently being negotiated between the government and the LTTE.

Appeals may be addressed to:
Dr Anton Balasingham
c/o Tamil Coordinating Committee - France
341 Rue de Pyrenees
75020 Paris, France
Fax: + 33 1 43 58 11 91

World Tamil Movement
64 Eaton Avenue
Toronto,
Ontario
M4J 2Z5,
Canada

Tamil Co-ordinating Committee Norway
Det tamilske Samordningsutvalget
Pb. 1699 Vika
0110 Oslo, Norway
Fax: + 47 22 38 10 40
Email: teedor@online.no

Peace constituencies in the South are increasingly coming under flack for not expressing opposition to LTTE’s violations during the present cease-fire. Democracy, human rights and political pluralism are indeed issues crucial to a sustainable peace process. In the present arrangements between the government and the LTTE, mediated by the Norwegian government, these issues do not seem to figure in at all. In the so-called Track One diplomacy in conflict negotiations, issues of human rights do not usually enter the agenda. That is precisely why peace communities should develop their own political agenda for peace which should open the door for a multi-track peace process. Human rights, reconciliation, pluralism, rebuilding community lives and of course combating anti-peace chauvinism are themes that should constitute the framework for peace with democracy and pluralism. The challenge for civil society groups in Sri Lanka at present concerns the devising of a broad peace - making strategy while maintaining critical support for the efforts by the government, the LTTE and the international community to deescalate the conflict.

P