
OBSTACLES TO THE PEACE PROCESS

V. S. Nadarajah

There has been a tendency in the Sri Lankan media recently, to give publicity to articles which do not favour a negotiated and peaceful solution to the ethnic problem. This is reflected in two articles published in the *Sunday Island* of 20 / 1 / 02. The one by my friend K. Godage argues against negotiating with the LTTE on the basis of their past record of terrorism, which is endorsed in the editorial comments. In the other, Dayan Jayatilleke takes Prabhakaran to task and denounces him as being untrustworthy and having an obsession to carve out a separate state.

While being mindful of limitations in embarking on an objective that has been frustrated several times in the past, there is a need to have a positive and constructive approach to the problem, rather than a negative and skeptical attitude, that can only scuttle any prospects for a negotiated settlement. There is also a need to look critically at the options available, the dangers involved, opportunities for lasting peace and the manner in which we can expect progress and cooperation from both sides of the conflict.

In response to the criticisms made, it is fair to say that the government is dealing with a dangerous and powerful adversary, which is a creation of several decades of Sinhala chauvinism. It is not the toothless tiger that was and is the Tamil politician(s), who was treated with contempt over several decades. As such the government has to get accustomed to dealing with someone on an equal footing, and possibly from a position of weakness, depending on the state of the armed conflict and other socio-economic factors. Yes, the LTTE has committed several atrocities in fighting the war. But so has the government and armed forces. Yes, the LTTE's ultimate objective is Eelam. They will continue to pursue such a goal if the Sri Lanka government does not deliver on their expectations, which are an acceptable level of autonomy for the north and east and political and economic emancipation for the Tamils within the framework of a sovereign state.

There are sacrifices to be made on both sides, and limitations involved in the present state of affairs, which precludes an ideal solution that may have been realized twenty-five years ago. The territorial integrity and sovereignty of Sri Lanka as a nation state has been considerably eroded during the last twenty years in the north and east. The government is unable to exercise any authority over some parts of the country such as the Wannai, parts of Jaffna peninsula and north-east. Those parts of north & east under state control are held together only by an army of occupation and a continuing civil war.

The country has reached a state of economic and financial bankruptcy, mainly due to escalation of the war especially over the last seven years. There has been considerable loss of life and property especially in the north and east. It has impacted adversely on investment and development throughout the country.

All parties agree that a military solution for either side is not feasible. The LTTE has an interest in a peaceful resolution to the conflict, especially due to loss of manpower to continue the war. They are willing to negotiate a settlement that does not erode their existing power base, and are not required to surrender their arms, especially in view of a breakdown of trust and confidence in the government.

What are the key factors required for resolving the impasse? 1) An acceptable level of autonomy for the north and east. A federal constitution has to be the minimum framework for doing so. It can clearly demarcate powers for state and national governments, and the level of regional autonomy can be identified and effectively utilized, unlike the Provincial Council system which gave no real autonomy to the provinces and as such was ineffective. 2) Minimum financial and economic support to the north and east by the central government on an annual basis, guaranteed by the constitution, in addition to cost of reconstruction of a war ravaged country. 3) LTTE to renounce agitation / war for a separate state and allow control of external security to the central government.

During the period of Premadasa's presidency, the LTTE were able to demonstrate ability for administrative and judicial work in the north & east which effectively came under their control as a quasi state. As they have shown such capabilities, the government should consider utilizing their resources for governing that part of the country after cessation of hostilities.

In addition to the foregoing, the government needs to commence a long delayed reconciliation process in recognition of a multicultural society, covering the whole island, major factors being: -

- a) Reform of the constitution to allow greater participation in government to all sections of the community, especially the minorities. Consider adoption of the Executive Committee System as an alternative to the present one.
- b) Reform of language and education policies to forge national unity, such as greater usage of a common language, i.e., English.

- c) Guarantees of equal opportunities in education and employment by the implementation of anti discriminatory legislation at state and national levels.

As long as chauvinists, as happened in the past, frustrate the reconciliation process, separatist tendencies will continue to emerge, threatening the integrity and sovereignty of the state. Sri Lanka has once again reached the crossroads that can lead the people on the path to social and political emancipation, or back again to war and misery. In order to avoid pitfalls of the past, there is need for courage, statesmanship and foresight among leaders that has been sadly lacking since independence from colonial rule.

As in other parts of the world facing similar situations, such as Palestine and Northern Ireland, it is incumbent on the government to negotiate with rebels, some whom may be even murderers, for the sake of restoring national unity. Finally, eternal vigilance is the price of a viable democracy, especially when the very survival of the state is threatened.

The nation state is a man made creation and can only be sustained so long as it fulfills the aspirations of all sections of the community. The challenge for the future is to justify Sri Lanka continuing to remain one nation state, or break up of the state as occurred in other parts of the world over the last century. ■

PEACE IN SOUTH ASIA: PIPE-DREAM OR REAL POSSIBILITY?

Rohini Hensman

As millions of troops of nuclear-armed India and Pakistan, products of a communal partition which took place 55 years ago, confront each other, a similar communal partition of Sri Lanka is being proposed as a formula for peace. It sounds crazy, but it's true. Sumanasiri Liyanage has to be commended for his honesty in canvassing openly for 'Partition as an Option' (*Pravada*, Vol.7 No.7). Others are more reticent about admitting that the LTTE leadership has not given the slightest indication that they will settle for anything less – but we will return to this point later.

What is striking is the close similarity between the two situations, although the time-sequence is different. In 1947, the communally-defined (Islamic) state of Pakistan was partitioned from a formally secular, democratic India, in which, however, Hindu nationalist elements had a place which has become much stronger over the years. In the mid-1970s, a struggle to partition a communally-defined (Tamil) state, Eelam, from a Sri Lanka whose secular, democratic status had already been undermined by Sinhala Buddhist nationalism was launched, and continues into 2002. Given these clearly irreconcilable nationalisms, what are the prospects for peace on the subcontinent?

The Kashmir Tug-Of-War

Let us begin by looking at the India-Pakistan conflict, in which Kashmir has become the symbol of mutual hostility. The Kashmiri independence struggle against Maharaja Hari Singh began long before India and Pakistan were formed, but he still retained power in the princely state in 1947, when he was given the option of acceding either to India or to Pakistan. As he dithered, Pakistan invaded, and he fled, sending India a formal letter of accession. On 1 January 1948, India lodged a complaint against Pakistan with

the UN Security Council, at the same time undertaking that once the conflict ended, Kashmiris would be able to decide whether to remain with India, accede to Pakistan, or become independent. A plebiscite to decide the status of Kashmir was part of a UN resolution on Kashmir in August 1948, accepted by both India and Pakistan. In 1949, another UN resolution called for a plebiscite. It never took place, largely because of Indian opposition. Kashmir continued to be occupied partly by India and partly by Pakistan, with the ceasefire line, referred to as the Line of Control or LoC, constantly subject to the outbreak of fighting.

The National Liberation Front, later to become the Jammu and Kashmir Liberation Front (JKLF), was founded in 1965, but gained momentum only after rigged elections in 1987 convinced the people of Kashmir that they could not hope for recognition of their democratic rights under an Indian government. Its programme was 'Azadi': independence from both India and Pakistan. But 'In the name of "patriotism" and "security of the nation", the government of India has always suppressed those who have used even peaceful means to express their demands for self-determination.'¹ Kashmiris on the Indian side of the border were subjected to occupation by military forces that engaged in mass rapes, rampant torture, disappearances, extrajudicial killings and indiscriminate firing, for example on unarmed demonstrators or unfortunate bystanders.² The attitude of Indian governments to the Kashmiri people is expressed in their constant repetition of the refrain that Kashmir is a bilateral issue, to be resolved between the governments of India and Pakistan: there is not even a mention of the people of Kashmir, making it sound as if the dispute is over a piece of real estate rather than the home of millions of people. On their side, Pakistan governments pay lip-service to the democratic rights of the people of Kashmir, but their real agenda is revealed by the way in which