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THE INTERNALIZED PEACE PROCESS IN SRI LANKA

I. INTRODUCTION

Ethnic conflict management in most cases is a complex process.¹ Its complexity is attributed to the nature of issues (which are rooted in the identity of groups) and parties (majority and minority communities), less cohesive structure and organization of the parties, and the control of the conflict management process by the adversaries' local constituencies. The complexity is more in the case of a politicized ethnic conflict occurring in an ethnicized polity. Ethnic conflict is politicized when political parties seek to bring into their political contest the ethnic or segmental issues. An ethnicized polity is characterized by the government's involvement in a 'partisan way' in the public policy arena which impinges on the values and interests of ethnic groups.

There are three ways in which the process of conflict management can be conducted - unilateral, bilateral and multilateral. The unilateral strategy involves the adoption of legislative measures or public policy making by the political

1. By management, we mean those political arrangements made by the political incumbent to accommodate the minority ethnic group's genuine

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incumbent. The bilateral mode of conflict management is characterized by direct negotiations between the political incumbent and the minority group leaders. The multilateral approach can involve, apart from the conflict group leaders, a third party intermediary who may undertake a wide spectrum of roles.

The process of conflict management in Sri Lanka has been a long drawn event. Beginning in the late forties, several attempts involving three different modes were made to achieve inter-ethnic accommodation. Sri Lanka is a classic case in hand for mismanagement or bad management of ethnic conflict. The entire process can be divided into three different phases. In the first phase (covering the period up to July 1983) the conflict management process was conducted by the conflict group leaders without any external assistance. The second phase (encompassing the period between July 1983 and March 1990) was marked by the external (i.e. India's) involvement in the peace process.² The third phase (since March 1990) has been again characterized by internal initiatives to manage the conflict. As the first two phases have been covered by various studies,³ this paper seeks to concentrate on the peace initiatives of the third phase (i.e. post-1987 Indo-Sri Lanka Accord period).

identity-related interests to the extent that it would curtail the conflict growth and prevent the ethnic turbulence from becoming an enduring part of the political landscape of the given conflict-riven society. At the same time, it is not expected that the process of conflict management would achieve an enduring harmony between the groups which have experienced a bitter inter-ethnic conflict.

2. India's involvement in the Sri Lankan peace process began in the wake of the July 1983 violence. It ended its peacemaking and peacekeeping roles when India withdrew its forces from the island in March 1990.
3. There is a very large literature on various aspects of the conflict in Sri Lanka. Some of the notable works are: S. D. Muni, *Pangs of Proximity: India and Sri Lanka's Ethnic Crisis* (New Delhi: Sage, 1993); Robert N

The discussion begins with an outline of the changes which occurred on the conflict front, followed by a review of the peace process conducted by the Parliamentary Select Committee (PSC) and the direct negotiations between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE).

II. THE CHANGING CONFLICT SITUATION

A dynamic feature of any conflict system is its amenability to undergo the processes of escalation and de-escalation. This points to the fact - well explained in conflict theories - that the characteristics of conflict do not remain static but change throughout its life cycle. These dynamics of conflict indicate a conflict escalation or de-escalation process. The factors which determine these processes are: (i) the degree of the inter-related goal incompatibilities of the adversaries, (ii) the nature or the mode of conflict pursuance mechanisms (violent or non-violent) adopted by the parties, and (iii) the nature and the extent of support given by the patrons (allies) to the conflicting parties.⁴ A greater degree of goal incompatibilities of the parties coupled with their violent coercive conflict behaviour tend to escalate the conflict wherein the involvement of patrons or allies in most cases is inevitable.

Kearney, *Communalism and Language in the Politics of Ceylon* (Durham: Duke University Press, 1967); A. Jeyaratnam Wilson, *The Break-Up of Sri Lanka: The Sinhalese-Tamil Conflict* (London: C. Hurst & Co, 1988); Sumantra Bose, *States, Nations, Sovereignty: Sri Lanka, India and the Tamil Eelam Movement* (New Delhi: Sage, 1994); V. Suryanarayan, ed; *Sri Lankan Crisis and India's Response* (New Delhi: Patriot, 1991); Chelvadurai Manogaran, *Ethnic Conflict and Reconciliation in Sri Lanka* (Honolulu: University of Hawaii Press, 1987); Satchi Ponnambalam, *Sri Lanka: National Conflict and the Tamil Liberation Struggle* (London: Zed Books, 1983).

4. For a conceptual elaboration see Vivienne Jabri, *Mediating Conflict: Decision-making and Western Intervention in Namibia* (Manchester: Manchester University Press, 1990), pp. 15-37, and C.R. Mitchell, *The Structure of International Conflict* (London: Macmillan, 1981).

The conflict waging in Sri Lanka is between two equally determined ethnic groups with 'highly' incompatible goals. The characteristics of the Sri Lankan conflict have been constantly altering since the 1920s. Issues which were considered significant and prominent at one point of time became less important and less dynamic as fresh issues cropped up and gained prominence during the different phases of the conflict. The relationship between the parties and their chosen means in pursuit of conflict goals have not been the same throughout the conflict. Finally, the patron input into the conflict structure was significant only during the period 1983-90.

The issues in the conflict have originated from the Tamils' varying demands which have been incompatible with the goals of the Sinhalese. The differing goals of the Tamil movement can be listed chronologically in the following order: first, it was a limited movement for a larger Tamil representation in the colonial legislature, then a movement for equal linguistic and religious rights and a federal constitution, followed by a movement for greater autonomy and equal educational, employment and cultural rights, and finally, a movement for a separate state. The Eelam movement was formally born in 1976, gathered its momentum in the early eighties, attained its pinnacle in the mid-eighties, and started losing its strength and vigour in the late eighties. In the rise and fall of the Eelam movement what is clearly evident is the changing goal of the Sri Lankan Tamils.

If the Eelam movement has lost its strength and support base, what is the current conflict goal of the Sri Lankan Tamils? Have they reverted to the demand for greater autonomy? The plausible answer can be that the Sri Lankan Tamil community as a whole does not stand together to author a particular goal, either Eelam or greater autonomy. This points to the polarization of the community manifesting itself in the less cohesive structure and

organization of the conflicting party (i.e. the Sri Lankan Tamils). It can be confidently stated that all the Tamil groups except the Liberation Tigers of Tamil Eelam (LTTE) have abandoned their Eelam demand in favour of an autonomous singular Tamil geographical unit encompassing the Northern and Eastern provinces of the island.

However, there are many contradictions and inconsistencies in the LTTE's goal in pursuing the conflict. Its position appears to be entrenched on Eelam when its military apparatus enjoys even the minimum strength to embark on a surprise strike at the adversary's forces. However, it talks about a compromise on the Eelam demand when it is in need of respite and time, in order to consolidate its strength. Also, the LTTE's tendency in the past has been first to opt for peace talks only to make use of the relaxed security environment to carry out attacks on political leaders placed on its 'hit-list'. When the Sri Lankan government has abandoned peace talks after rejecting the LTTE's plea for not being the guilty party, the normal course followed has been the revival of Tiger insurgency in the North-East and a renewal of its Eelam demand. Hence, it could be said with reasonable accuracy that the LTTE's conflict goal is structured around the matrix of 'Eelam - Federal autonomy - Eelam'. If this is a deliberate contradiction, it can be a good strategy only if the aim is to strengthen the LTTE's bargaining power *vis-a-vis* the government.

The LTTE's contradictory stance indicates its growing loss of confidence in its strength to achieve Eelam. When a realistic view of the ground situation is taken, it is not unclear that the Eelam was the Tamils' goal of the past. A few who adore it at present are those who have completely lost confidence in the Sinhalese-dominated Sri Lankan state and who have developed a tremendous internal resistance to the acceptance of any thing less than Tamil self-rule in the North-East. For some of these people

(such as Prabhakaran and a band of his followers), the process of transition to a democratic culture and way of life appeared to be a difficult proposition. They may be aware of the reality in which they live and yet refuse to restructure their approach and goals to suit the ground situation. If this refusal is a part of a grand strategy to maximize the Tamils' gain in negotiations with the Sinhalese, it is not a bad idea to live pretentiously in idealism. But that the LTTE is not making use of the opportunities given to promote the larger Tamil interest is evident from the manner of its functioning.

With contradiction characterizing the LTTE's approach, the credibility of their leadership is low in the eyes of the Sinhalese. The popular perception is that the Tigers are not trustworthy and so negotiating with them for peace is to tamely hand over their Eelam. This in the past helped the ruling Sinhalese elites to justify their non-serious approach to the peace process and the military operations in the North-East. Today, it seems that the longing for peace is as much high among the ordinary Tamil masses of the Jaffna peninsula as among the rural Sinhalese masses. Both of them are the direct victims of the present ethnic war. The Jaffna Tamils have paid a heavy price for the war as they have experienced the crudest possible form of Tiger terrorism as well as brutalities sponsored by the Sri Lankan state. It is for these two groups of people that peace is highly valued.

Another important change in the conflict situation arises from the changing conflict behaviour of the Sri Lankan government and the LTTE. Their behaviour is certainly violent and coercive but, today, the effects are not as intensely widespread as it was in the eighties. In undertaking a limited military offensive intermittently against the Tigers, the Sri Lankan government is conscious of the need to minimize civilian casualties. Evidently, the Sri Lankan government's identification of its focal adversary,

viz, the LTTE, is clear. So is the Tiger leadership's whose enemy targets are the Army (an instrument of the state) and the Sinhalese leaders (controllers of the institutions of power and authority). The LTTE's conflict pursuance strategies are, therefore, centred around waging guerilla warfare against the Army in the North-East and undertaking a select killing of the Sinhalese politicians in Colombo. The point is that with both the adversaries making a clear delineation of their enemy targets, the intensity of violence is not widespread in the nineties.

Furthermore, the domain of the conflict has undergone a change in the nineties. The conflict waging, which obtained a serious international support in the eighties, has now been confined within the power domain of the adversaries. This change accrues mainly from the cessation of India's involvement in the conflict and external military support to the Sri Lankan government in its war against the Tigers.

The above sketch on the changing conflict situation illustrates in some ways the trend marking the conflict deescalation process. This is a welcome trend. However, its contribution to evolve a meaningful peace process is not yet evident. As is seen below, peace initiatives since 1990 are so far fragile in nature and unproductive and stagnant in outcome.

The conduct of the post-1990 peace process has been at two levels. The first level had enlisted the collective involvement of many political parties representing different ethnic groups in a political forum called the PSC. At the second level, the parties involved were selective in the sense that the Sri Lankan government and the LTTE held direct negotiations.

III. COLLECTIVE INVOLVEMENT IN PEACE PROCESS

For an enduring settlement of a 'national question' like the conflict in Sri Lanka, the internal political forces cannot be

ignored. The conflict management project should be a collective venture of all the nationalistic forces whose partisan-free participation or support can contribute to evolving a consensus on peace package. In Sri Lanka, India's mediatory exercise (1983-89) co-existed with a deliberative and consultative mechanism, the All Party Conference (APC), a political body constituted by the Sri Lankan government. The APC, which functioned from the Presidential Secretariat, had scrutinised various peace packages evolved from time to time under the Indian mediation. Its failure to come to grips with the conflict and the ending of India's peacemaking and peacekeeping roles had created the necessity for a forum to continue the search for peace in any other possible manner. A 45-member PSC was constituted on 9 August 1991 under the chairmanship of Mangala Moonesinghe, an experienced Member of Parliament from the Sri Lanka Freedom Party (SLFP), who took the initiative by introducing a motion in Parliament to form the PSC.

The PSC was represented by all the political parties in Parliament.⁵ If its strength lay in the fact that all major Sinhala parties were its members, its weakness was that the LTTE was not involved in the exercise. According to the mandate of the PSC, any political package to settle the conflict was to be evolved through a 'consensus' among the committee members. This meant that peace proposals were not to be adopted on the basis of majority vote. This was because the PSC was dominated by the Sinhala party members who held 37 seats, while the Tamil and the Muslim parties accounted for only 8 members.

5. Its membership was distributed in the following manner: United National Party (23); the Sri Lanka Freedom Party (11); Mahajana Eksath Peramuna (1); Sri Lanka Muslim Congress (2); United Socialist Alliance (Eksath Samajavadi Peramuna) (2); and one each for Ceylon Workers Congress, Tamil United Liberation Front, Eelam People's Revolutionary Liberation Front Tamil Eelam Liberation Organization, Eelam Democratic Front and Eelam National Democratic Liberation Front.

Hence, consensus was the key word in the exercise. The question, however, which confronted the Tamil leaders, was how to arrive at a consensus when the mainstream Sinhala parties - the United National Party (UNP) and the SLFP - acted in a manner which indicated that they were courting Sinhalese votes. That both the parties were using the ethnic issue for political one-upmanship was evident from their non-committal role in the PSC. Feeling vulnerable to political sniping from the Opposition, the UNP did not spell out its proposals to reach a consensus, especially on the North-East merger issue. Instead, it wanted the SLFP to take the initiative to work out a consensus. The SLFP, on its part, preferred to know the position of the UNP before it could make any proposal. If the UNP were to adopt an anti-merger stance, the SLFP would not take the risk of antagonizing for majority Sinhalese opinion on this major plank.

Nevertheless, the non-LTTE Tamil groups took the entire exercise in the PSC seriously. In June 1992, the Ceylon Workers Congress (CWC) leader, S. Thondaman had worked out, in consultation with other Tamil leaders, a 'minimum programme' for consideration by the PSC. It asked for an 'unconditional permanent merger' of the Northern and Eastern Provinces, greater devolution powers to the Provincial Councils, and institutional units and constitutional safeguards for the protection of the interests of the Muslims and the Sinhalese living in the Tamil areas. Other salient features of Thondaman formula were creation of a High Court in each province, exclusive control of the provincial government over the state lands, establishment of a provincial police force, setting up of a Provincial Planning Commission, and powers to the Provincial government to exercise a full control over provincial public finance as well as conduct negotiations for foreign aid and currency. According to the peace formula, the ports and harbours, and even provincial television

and broadcasting came under the Provincial List. The Reserved List included subjects like defence, foreign affairs and currency.⁶

By any standard, the Thondaman peace plan was asking more than what the Sinhalese were prepared to concede. That it was not even considered for a serious discussion in the PSC indicated its outright rejection by the frontline Sinhala parties. Strangely, the rejection was not accompanied by any alternative formula (outlining the Sinhalese position) as the UNP and the SLFP dodged submitting their proposals in the PSC.

The North-East merger formed the core issue generating a high point of inter-ethnic incompatibilities. Each group was expecting the other to fall in line with its goal. To exert pressure on the frontline Sinhala parties to give up their instantaneously rejective response to the merger demand, the non-LTTE Tamil group's strategy in 1992 was to forge an alliance with the Muslims.⁷ The negotiations between the Tamil groups and the Sri Lanka Muslim Congress (SLMC) resulted in an understanding whereby the latter agreed in principle to support the former's demand for a permanent North-East merger, if an 'institutional

6. CWC, *Peace and Political Stability in Sri Lanka: A Memorandum from the CWC Submitted to the Select Committee of Parliament of Sri Lanka to Recommend Ways and Means of Achieving Peace and Political Stability in the Country, 10 December 1991* (typescript).

7. The population distribution (according to the 1991 Census) in the Eastern Province is such that the Tamils need the Muslims' support for achieving the North-East merger. The Tamils account for about 42 per cent of the total population in the East, while the Sinhalese and the Muslims are 21 per cent and 32.3 per cent respectively. In regard to district-wise strength, Batticaloa is a Tamil dominated district, Amparai is a Muslim majority district and no community is predominant in Trincomalee district. See, Government of Sri Lanka, Ministry of Plan Implementation, Department of Census and Statistics, *Census of Population and Housing 1981, General Report*, vol. 3, Colombo, 1986, Table. 9.7, p. 118.

mechanism' was established to protect the rights and interests of the Muslims. Subsequently, differences began to develop between the leaders of the SLMC and the non-LTTE Tamil groups on the nature and structure of the promised mechanism for the Muslims. The SLMC demanded separate provincial councils for the Muslims and the Sinhalese within an apex Regional Council for the North-East,⁸ but the Tamil groups were not prepared to accept a separate Sinhalese provincial council in the North-East. Finally, the Tamil members of the PSC came to realize the futility of seeking 'ethnic alliance' with the SLMC when its leader, H. M. Ashraff, went back on his commitment to prepare a comprehensive package of proposals for the consideration of the non-LTTE Tamil groups and, subsequently, for presentation to the PSC in September 1992.⁹

When the prospects for a consensus became elusive in the PSC, Mangala Moonesinghe took initiative to submit proposals. His first proposal, called the *Concept Paper* (October 1992), suggested the establishment of two separate units of devolution for the North and East with an apex institution (identified as Regional Council) inter-linking both through a system of provincial

8. *The Hindu* (Delhi), 22 August 1992.

9. The SLMC's reluctance to join hands with the Tamil groups on the merger issue seemed to have been borne out of political compulsion. The party was under political sniping from other Muslim leaders belonging to the UNP and the SLFP who opposed the North-East merger. Also, the Premadasa government itself was working behind the doors to woo the Muslim representatives of the Eastern Province as it felt that the Sinhala parties would find it difficult to prevent a consensus from emerging in the PSC on the merger issue if the Tamils and the Muslims joined together to adopt a common stand. Evidently, the government sponsored Muslim Convention in Colombo on 18 July 1992 had reiterated the Sinhalese demand for the demerger of the Northern and Eastern Provinces. cf. *The Hindustan Times* (New Delhi), 21 July 1992.

representation.¹⁰ Subsequently, the PSC Chairman presented an *Option Paper* which, while retaining the units of devolution worked out in the *Concept Paper*, proposed Regional and Provincial Lists of devolved powers. The matters relating to land, finance and law and order were to be listed under the Provincial List, while the Regional Council was to exercise control over planning and development. The Provincial Councils were to have power to control the legislative process in the Regional Council. There would be only one Governor and a Chief Minister for the region covering both the provinces, and the provincial administration was to be under the overall control of a Board of Ministers headed by an Executive Minister. The posts of Chief Minister and Deputy Chief Minister of the region were to be rotated between the two Executive members of the Northern and Eastern Provincial Councils. The Paper also suggested the creation of a 'coordinating' and 'mediating' Devolution Commission, a full-fledged Finance Commission and a Second Chamber (upper house) in Parliament with its powers being restricted to an advisory role.¹¹

The Moonesinghe proposals were not acceptable to the Tamil groups. For them, institutional integration in the North-East was not a viable alternative to their demand for a territorial linkage. Evidently, the Sinhalese and the Muslim members were also not supportive of the two papers. Nevertheless, the *Option Paper* had generated debates in the PSC and encouraged some of its members to work on a compromise formula.

K. Srinivasan, a dissident MP from Jaffna district who was expelled from the Eelam National Democratic Liberation Front

10. Bruce Matthews, "Devolution of Power in Sri Lanka", *The Round Table* (London), No. 330, April 1994, p. 237.

11. Reported by V. Jayanth, "A New Formula for Tamils' Issue", *The Hindu*, 7 November 1992.

(ENDLF), took the lead in suggesting an alternative peace proposal in the PSC. The cardinal feature of his ten-point formula was the restructuring of the Sri Lankan political system from the existing unitary constitutional framework to a federal one (with the concurrence of a majority of the people in a referendum). The other provisions were the de-merger of the North-East as against the merger demand of the Tamil groups, the setting up of a Boundary Commission to identify the ethnic contiguous areas and a Land Commission to distribute unalienated state lands in keeping with the 1971 demographic proposition of communities. Srinivasan also suggested the adoption of measures to strengthen the 'ethnic oriented' grass-root institutions in the North-East.¹² Although the provision of a federal schema interested the Tamil groups in the Srinivasan formula, the de-merger clause discouraged them to accept it. By rejecting the formula the Tamil groups made it clear that their position on the North-East merger was 'not negotiable'. At the same time, the UNP and the SLFP seemed to be 'cautiously supportive' of the proposals but were 'reluctant to commit themselves to a federal solution'.¹³ This was probably out of their fear of evoking criticism and opposition of the Sinhalese hardliners who have always considered the Tamils demand for federal autonomy as a first step towards achieving a separate state.

The next event was the UNP government's decision to flaunt a modified version of the Srinivasan formula. The essence of the UNP proposal was the introduction of a system based on the 'Indian Constitutional model' for devolving powers to the 'unbifurcated' provincial councils of the North and the East.¹⁴ This was expected to be done without changing the unitary consti-

12. *The Hindu*, 23 November 1992.

13. *Pravada* (Colombo), November 1992, quoted in Matthews, n. 10, p. 237.

14. *The Hindustan Times*, 14 December 1992.

tution of Sri Lanka. Notably, nowhere in the proposed formula was there a mention of the word 'federal'.

This raised certain questions : Was the UNP trying to effect a proper 'federal' solution or present a 'unitary' solution in a different way? How did it perceive the Indian system - federal, or unitary system with federal features, or federal system with unitary characters? What did it mean by 'Indian model'? In adopting a system exactly on the Indian model, was it prepared, for instance, to place the state land and law and order machinery under the provincial control, establish a High Court in each province, and create a Provincial Planning Commission --to mention only a few features of the Indian system?

Probably the principal reason behind the frontline Sinhala party's desire to structure the devolution of power on the Indian model was the quasi-federal nature of the Indian Constitution. In other words, it declared to follow the Indian system precisely because its constitution is not purely a federal one. As such what it actually proposed in the PSC was not a federal solution but a unitary solution in the spirit of quasi-federalism.¹⁵ However, it was not clear as to what extent the UNP formula would emulate, in practice, the Indian system. And for the Sinhalese hardliners, the adoption of quasi-federalism would also mean giving 'too much' to the Tamils.

The SLFP's endorsement of the formula on 12 December 1992 was a significant development in the island's party politics. So did members of several smaller parties. Expectedly, none of the Tamil members of the PSC, except K. Srinivasan and Basheer

15. This was evident from the statement of the Law and Justice Minister, A.C.S. Hameed: "There is no need for federalism. It is not possible in the present context. It is not a reality. We will give powers enjoyed by states in India". cf. *The Hindu*, 15 December 1992.

Segudawood of the Eelam Democratic Front (EDF), the political wing of the Eelam Revolutionary Organization of Students (EROS), extended their support to the UNP formula.¹⁶ Not only this, they protested at the decision of Moonesinghe to put to vote the de-merger clause of the Srinivasan formula (which was passed by a majority vote).

What the PSC achieved in December 1992 was at best a consensus between the Sinhalese and the Muslim parties on a possible constitutional model, and yet the UNP government sought to project it as a 'consensus' in the PSC.¹⁷ A consensus decision needed a collective concurrence of all political parties and not a majority vote, more so because the PSC was dominated by the Sinhalese members. In a joint statement, the Tamil groups described the reported 'consensus' as "nothing but the unilateral imposition of the narrow, chauvinist outlook of the major Sinhala political parties on the long suffering Tamil people".¹⁸ They also complained that during the entire process, "there was no serious consultation, no sign of any compromise by the UNP or the SLFP and certainly no consensus with the Tamil parties on any matter".¹⁹ "History will, instead, record that consultations were

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16. Rejecting the Indian model, Thondaman said: "It has power weighted towards the Centre. The threat of dissolution hangs ominously over the State Assembly. This emasculated system cannot attract the attention of Tamils, much less win their allegiance. A wrong model cannot rectify a malady. It compounds the problem". cf. *Ibid*, 23 December 1992.
 17. The government owned *The Observer* (Colombo) stated that "never in the history of this ethnic conflict have we reached such a consensual heights". cf. *The Times of India* (New Delhi), 15 December 1992. But Moonesinghe's letter to Parliament correctly noted that the agreement on the Indian model of devolution to the bifurcated North-East Province was reached between *only* five parties.
 18. *The Hindustan Times* (New Delhi), 16 December 1992.
 19. *Ibid*.

purely diversionary and compromises blatantly farcical and dishonest", they maintained.²⁰ This was also the view of the Nava Sama Samaja Party (NSSP) which branding the PSC as a propaganda exercise by the Premadasa government had boycotted it from the beginning.

With the Tamils' rejection of the UNP formula and disassociation from the PSC itself, the peace process did not go very far. Moonesinghe's report to Parliament has remained a document, without any instrumentalities to bring about peace in the island. The conflict management behaviour of the UNP and the SLFP leaders in the PSC showed their desire to evolve a 'Sinhalese peace package' to settle the Tamil problem. At the same time, the Tamils' weak bargaining position was also exposed in the PSC. They did not have enough strength to transcend the tide of Sinhalese resistance to their merger and autonomy demands.²¹ Finally, the Muslim members' approach indicated that their linguistic affinity with the Tamils would not guarantee the Tamils their support in the conflict and that they would go along with Sinhalese in the peace process if they could provide a peace formula ensuring the Muslims' independent share in devolution.

IV. SELECTIVE INVOLVEMENT IN THE PEACE PROCESS

The failure of the PSC experiment left the peace process at the crossroads. For almost two years, the Sinhalese and the Tamils felt the imperative need for creating a peace constituency but there

20. *Ibid.*

21. Thondaman's suggestion - that the temporary merger of the North-East (effected under the Indo-Sri Lanka Accord) be continued for a specific period (five to ten years) and the final decision on their permanent merger be rested with the North-East Provincial government (*The Hindu*, 23 December 1992) - was borne out of his understanding of the ground reality. Implied in the suggestion was also the Tamils' uncompromising position on merger and their determination to achieve it now or later.

was actually not structured peace talks between them. While both the Army and the Tigers continued to engage themselves in a no-win low-intensity war against each other, the Tamil moderates based in Colombo were haplessly witnessing the sufferings of the civilian populace in the Jaffna peninsula.

However, there occurred a notable positive development in the latter part of 1994 following the dramatic political changes brought about by the elections in the island. The victory of the SLFP-led People's Alliance (PA) in the Parliamentary elections and Chandrika Kumaratunga's election - first as Prime Minister and subsequently as President (in the election held on 15 November 1994) - to lead the nation have injected a new realism into the conflict situation and raised the hopes for peace in the island. This is all the more so because, although the SLFP rule in the past had created the ground for Tamil separatism, 17 years of UNP rule (1977-94) had added a violent dimension to the conflict. With the government adopting a politico-military approach to conflict management, peace process and bloodshed went hand in glove. If the SLFP rule initiated the process of alienation of the Tamil minority, the UNP government made its completion to the extent that ethnic reconciliation has become a difficult task.

For the PA government the road to peace has not been without any heavy odds. Nevertheless, encouraged by the mandate for peace which the Sri Lankans gave to the PA, Kumaratunga sought to pursue a peace process with sincerity and determination. Her willingness to go "very far for peace" was explicit. So was her refusal to accept peace "without morality".²² Giving a serious try for peace would remove the stigma attached to her parents (i.e.

22. President Chandrika Kumaratunga's interview to *The Hindu*, 24 January 1995.

S.W.R.D. Bandaranaike and Sirimavo Bandaranaike whose overtly anti-Tamil and pro-Sinhalese policies widened the chasm between the two communities) and fulfil the dream of her husband, Vijaya Kumaratunga, who laid his life for the cause of peace.

Kumaratunga's peace approach, which remained relevant until the LTTE broke the truce on 19 April 1995, was guided by political realism and experience of the past. This is what was lacking in the approach of the previous UNP regimes. The PA government seems to be the first one to openly acknowledge the fact that it has lost physical control of the North to the LTTE, that the government needs to get clearance from Prabhakaran to move its machinery (even the negotiation team), and that peace cannot be restored without the cooperation of the LTTE.²³ The previous government did not talk about this, but used 'terrorist menace theory' to give legitimacy to its military operations in the North. Even when a dozen deadlines fixed for the defeat of the LTTE passed without any change in the ground situation, the UNP government refused to openly acknowledge its failure to make its writ run in the North.

As a change of approach in tune with the ground situation, the PA government openly accepted the 'primacy' of the LTTE in the peace process. The other Tamil groups who have come into the parliamentary process were given merely a consultative role by the government. Their views on the political package were ascertained. Also, to mark its positive approach to peace and changing attitude towards the LTTE, the PA government, unlike the UNP regime which called the Tigers as "terrorists", considered them as "misguided youth".²⁴ This appears to be a less costly way

23. *The Hindu*, 24 January 1995.

24. This point was stressed by the cabinet spokesman and Information and Broadcasting Minister, Dharmasiri Senanayake, at a press briefing in Colombo. cf. *The Times of India*, 23 September 1994.

of inculcating the spirit of 'positive attitude' in the minds of the Tigers *vis-a-vis* the government and satisfying Prabhakaran who, while dismissing the UNP government's description of the Tigers as a 'bunch of terrorists', has sought to consider them as 'freedom fighters'.

The most noteworthy feature of the new approach was the government's consideration of the North-Eastern Tamils and the LTTE as two separate actors who are depending on each other for survival. The ordinary Tamil people's dependence on the LTTE has been the result of the UNP government's clinically wrong policy of achieving the latter's submission through coercion of the former. Having got alienated from the Sri Lankan state which used the Army to perpetrate violence and imposed large-scale civil disabilities (through economic blockade since January 1987 which was eased for 14 months in 1989-90), the Sri Lankan Tamils' loss of confidence and trust on the government in Colombo has been quite natural. During the height of the ethnic war, the popular perception of many Tamils was that the LTTE could be the only force capable of countering state terrorism in the North-East. That the custodian (the LTTE) of the Tamil interests has functioned in a manner which is detrimental to the very cause it has sought to promote is not understated, however. The point is that with the Sinhalese hegemonic state adopting an overtly anti-Tamil posture, the people of North-East have been driven to rely on the LTTE for protection. In return, this has helped the LTTE carry forward its movement against the Sri Lankan state.

Kumaratunga's perceptive understanding of the dynamics of the LTTE-North-Eastern Tamil relations enabled her to structure a strategy that would use the latter to accomplish the former's serious participation in the peace process. In other words, it was the government's thinking that the most appropriate way to bring

about a change in the LTTE's attitude and enlist its sincere commitment to peace could be through winning the support of the people of North-East to the peace process. This was because the LTTE as a guerrilla movement required the "support of the people" in order to "protect themselves from the armies of the State".²⁵ The PA's victory created an opportune atmosphere to embark on an exercise with the aim of bringing the LTTE into the democratic process with the help of the Tamil people because they wanted peace "so passionately that even the most war-like leader ... cannot turn a deaf ear to that desire".²⁶ The Sri Lankan President appeared to be more optimistic about the Tamils' capability to change the LTTE. "All movements and all political forces have had to change with necessity their positions", she observed and added: "Most implacable enemies have sat down at a table and discussed democratically".²⁷

In attempting to build bridges with the people of North-East, the PA government was conscious of the need to mitigate the suffering to which they were subjected by the previous UNP regime. Its unilateral decision (announced on 1 September 1994) to effect a partial lifting of the economic embargo on Jaffna and the offer of a package of about Rs. 4,000 crore to rehabilitate and reconstruct the North could be seen as a serious confidence building measure. First, the ban on 22 out of 76 items was lifted. Later, in January 1995, 12 more items were struck off the banned list.

The new approach also included the PA government's commitment to search for an alternative compromise formula. The statement like the one which Kumaratunga made in January 1995 - that she was more concerned with a 'unified' country rather

25. *The Hindu*, 24 January 1995.

26. *Ibid.*

27. *Ibid.*

than a unitary structure, and that "unity does not mean unitary"²⁸ - was quite extraordinary and unusual to hear from a Sinhalese politician. Some may consider the President's statement as political rhetoric because, given the traditional Sinhalese opposition, she may not venture into a radical restructuring of the political system (from unitary to federal framework) in order to make a peace formula acceptable to the Tamil minority.²⁹ However, the very fact that the present unitary system stands to be perceived in her statement as an inadequate arrangement (in so far as meeting the legitimate demands of the Tamils in the realm of regional autonomy is concerned) is itself indicative of the growing realization among the ruling Sinhalese elites of the need to restrict the centralizing tendencies of the state and strengthen the local units with more powers.

It must be noted that while seeking to involve itself in the peace process with all its sincerity and seriousness, the PA government was clear about the extent to which it would accommodate the Tamil minority. Kumaratunga's statement made it clear that a 'truly federal' structure remains to be an unacceptable demand to the present government too. Hence, it seems to be an unattainable goal for the Tamils even under the present regime. What may be possible is an extensive devolution of powers aimed at creating a strong structure of autonomy for the Tamils of the North-East. Even the North-East merger is ruled out. As a compromise formula, the PA government has suggested

28. *Ibid.*

29. Kumaratunga has so far carefully avoided committing herself to any systematic change. Her position was that "the unit of devolution will give extensive powers to the districts or to the regional authorities, whatever they may be finally called. Federalism is just one form of devolution; there could be many others. It does not matter what it is as long as the needs of various communities are satisfied. The main point is that it must satisfy the minorities as well as the majority". cf. *Ibid.*

the re-demarcation of district boundaries so that some parts of the Eastern Province may get attached to Northern Province, especially the areas with heavy concentration of Tamils.³⁰ The crux of the matter is that on certain intricate issues, the PA government's stand is not rejective of the previous government's position. Rather, it endorses those positions after some modifications.

Talking about the response and position of the LTTE, the Tiger leadership welcomed the new peace initiative as a serious effort by the PA government, whatever might have been its covert intentions and calculations.³¹ Accordingly, it announced its desire to pursue the "path of negotiations" to work out a "substantial alternative to Eelam". While this being the explicit response of the LTTE, it casually reiterated its commitment to the principle of "self-determination",³² thereby contradicting its very statement abandoning the Eelam demand. Yet, the Sri Lankan government sought to underplay the ambiguity clouding the LTTE's stand in the desire of initiating a serious peace process.

By 'substantial alternative', the LTTE meant creating a constitutionally guaranteed and internationally recognized structure for 'greater autonomy' to the 'Tamil traditional homeland' (the merged North-East province).³³ Peace talks, in the LTTE's view, cannot be constructive and meaningful without both

30. *Ibid.* This formula somewhat resembles the '19 December proposal' evolved by the Indian mediators and the Sri Lankan government in 1986. See, Partha S. Ghosh, *Cooperation and Conflict in South Asia* (New Delhi: Manohar, 1989), p. 188.

31. The LTTE considered Kumaratunga as a "progressive leader" and "not a chauvinist, nor has she come to power invoking chauvinist slogans as past leaders have done", Anton Balasingham, the ideologue of the LTTE, told *The Frontline*, (Madras), 21 October 1994, p. 46.

32. *Ibid.*, pp. 46-47.

33. *Ibid.*, p. 48.

the parties agreeing to cease their hostilities. "If the government agrees to declare a ceasefire, we will construe it as a good-will sign and gesture of peace", Prabhakaran stated in an interview.³⁴ Other demands of the LTTE included the complete lifting of economic embargo and opening up of land routes (at Elephant Pass and at Pooneryn) to ease the civilian traffic between the Jaffna peninsula and the mainland. Significantly, the LTTE did not view these demands as preconditions for the resumption of peace talks but as essentials' to engage in a constructive dialogue.

The Sri Lankan government was initially not prepared to suspend the military operations until the peace talks made a headway. Given the LTTE's track record indicating its strategy of using ceasefire situations to acquire strategic benefits *vis-a-vis* the Army, Colombo maintained that a declaration for cessation of hostilities should come in the process of achieving a progress in peace talks. This was also intended to enlist the support of the Army for the peace process, as the government sought to convince them that it would not repeat the mistakes of the Premadasa government in 1989-90.³⁵ As regards the issue of opening a safe passage to Jaffna, the Sri Lankan government's position struck a greater degree of incompatibility with that of the LTTE's demand.

Nevertheless, both the parties' desire to push ahead with the peace process had accelerated the interaction between them. After the exchange of two sets of letters through the International Committee of the Red Cross (ICRC), the government and the LTTE decided to conduct peace talks in two stages. The first stage was to involve discussions on the preliminary issues (such as the lifting of economic embargo, cessation of hostilities and safe passage to Jaffna) whose amicable settlement would create the

34. *Ibid*, p. 51.

35. At that time, while talking peace with the government, the LTTE was simultaneously preparing for war.

ground for conducting the political negotiations on the substantive issues in the second stage. In other words, the real peace process (involving political leaders) with an agenda of evolving a set of formula to resolve the ethnic conflict would begin only after the success of the preliminary talks.

The first round of preliminary talks were held on 13-14 October 1994 in Jaffna against the background of skirmishes between the LTTE and the security forces. It was an exercise involving the government officials and the second-rung of the LTTE leadership. The LTTE delegation pressed hard for a ceasefire agreement and insisted on the withdrawal of the Army camp at Pooneryn so that people and goods could move freely to Jaffna *via* Sangupitti route.³⁶ No agreement emerged out of the talks. Nor was there any expectation for a compromise because the entire exercise was meant to open the channels and build mutual trust to get on with the serious agenda ahead. The talks, nevertheless, enabled both the delegations to understand each other's position and design their strategies accordingly for the second round of negotiations originally scheduled for 24 October 1994.

The UNP leader, Gamini Dissanayake's assassination had delayed the resumption of the second round of preliminary talks. The need for its suspension was felt by the PA government in view of the public outrage suspecting the LTTE's involvement in the

36. There are three main passages connecting the Jaffna peninsula with the mainland in the North. The easiest is the land route *via* the Elephant Pass which is under the control of the Tigers. The LTTE has refused to open this strategic route because it would make the Army's task of invading the peninsula much easier. The Kilali route is the most inconvenient and risky (during the monsoon) for the civilians. The only mode of transport is a ferry service operated by the LTTE. The third is the Pooneryn causeway-Sangupitti route which is also through the lagoon. The Army controls the traffic through its camp at Pooneryn.

murder. However, the massive mandate for peace which Kumaratunga obtained in the Presidential election encouraged her to resume the dialogue with the LTTE. This was a tactical move to deny the LTTE a chance to point a finger at the government for breaking the peace process, especially when the Tigers unilaterally declared a cessation of hostilities for seven days beginning from the day Kumaratunga assumed the office of President.

A major breakthrough was achieved during the second round of talks held on 3 January 1995. The government delegation agreed to the cessation of hostilities from 8 January 1995. An agreement (see Appendix I) to this effect was signed simultaneously in Colombo and Jaffna on 5 January 1995 by Chandrika Kumaratunga and V. Prabhakaran respectively and it was exchanged through the ICRC. That the Sri Lankan President and the LTTE supremo were signatories to the agreement indicated the need felt most probably by the government to enlist the commitment of the top functionaries to the peace process. Prabhakaran's direct involvement in the peace process seemed to be a departure from his strategy of committing his lieutenants to deal with the government in matters like negotiations for peace.

The salient features of the agreement were the establishment of direct communication links at the field level between the commanders of the security forces and the LTTE, and the creation of a buffer zone of 600 metres between the bunker lines of the two combatants with their right of movement being restricted to within 100 metres of their respective bunkers. The rest of the area covering 400 metres between the bunkers of both the parties was to be a 'no man's land'. As per the agreement, the two sides invited four observers from Canada, Norway and the Netherlands to chair four regional peace committees (covering Jaffna-Manner, Vavuniya-Killinochi, Trincomalee, and Batticaloa-Amparai districts) to monitor the cessation of hostilities.

The truce declaration, though a victory for the LTTE because the government accepted it without putting any preconditions, did not convince the Tiger leadership to start a serious discussion on the political agenda for a negotiated settlement of the conflict. Rather, it insisted on the acceptance of its other demands too. The LTTE's argument had been that "the people must live in peace" before initiating any discussion on the political package.³⁷ For this, apart from the complete lifting of the embargo and making a safe passage to Jaffna, it wanted the government's Rs. 4000 crore rehabilitation and reconstruction package for the North to get under way before political talks begin. Colombo offered to set up a task force to implement the rehabilitation programme. On the issue of withdrawal of the Pooneryn Army camp, President Kumaratunga offered to pull it back by 500 metres to keep out of the 'safe corridor'.³⁸ For the LTTE, the offer was too little to change its unrelenting position on the camp issue. At the same time, the government had been under pressure from the Army not to make any more concessions. Winding up the camp was not acceptable to the Army, for which it meant the loss of a strategic location to the LTTE.

The third round of preliminary talks held on 14 January 1995 did not break the ice. The only positive outcome of it was the government's decision to lift the ban on 12 more items. While agreeing to consider the LTTE's suggestion for the establishment of a Jaffna-based Development Authority to implement and monitor the rehabilitation programme, the government delegation

37. Tamilselvan, the leader of the political wing of the LTTE who headed its delegation to the talks, told the journalists on 14 January 1995. Report by V. Jayanath, "Talking Peace: The Government and the LTTE", *The Frontline*, 10 January 1995, p. 144.

38. She did so on 25 February 1995, leading to a declaration to open the Pooneryn and Elephant Pass Routes.

rejected the LTTE's demand for relaxation of restrictions on fishing.³⁹ Dissatisfied with the response of Colombo, the LTTE refused to delink the opening of substantive political negotiations from the acceptance of its demands by the government. At the same time, Colombo seemed to be less interested in continuing the preliminary talks any more. It was convinced that the partial acceptance of most of LTTE's demands was sufficient to upgrade the peace process to the political level so that the top leaders would address themselves to more sensitive and thorny issues such as the unit of devolution and the extent of devolution. With both the government and the LTTE taking an irreconcilable position, as is shown in Table 1, there was an *impasse* in the peace process.

To break the deadlock in the peace process, the government came out with a suggestion to engage a French intermediary, namely, Francois Michel, a former Ambassador to Haiti and Ethiopia. This was rejected by the LTTE on the ground that it did not approve of mediation by a private individual from a foreign country.³⁹ It also suspected that the French diplomat was preferred because he was a close friend of Kumaratunga. The government, however, denied the charge and maintained that Michel's name was suggested by the French government on Colombo's request for a suitable intermediary.⁴¹

39. *The Hindu*, 15 and 22 January 1995.

40. Prabhakaran, in his letter to the Sri Lankan President, said: "We desire that the talks should take place between representatives appointed by you on behalf of the Sri Lankan government and those appointed by us... Our problems have today attracted international attention. The international community and our people are today giving close attention to the Tamil ethnic question. Our people wish and expect to be kept informed of the talks between the two sides and its progress. In this situation, it will not be proper for me to exchange views with you through a private individual in secret". cf. *Ibid*, 9 March 1995.

41. *Ibid*, 9 March 1995.

Verbal volleys between the government and the LTTE in March 1995 created uncertainties about the continuation of the peace process. The Tigers accused the PA government of adopting a hardline position and refusing to resolve the urgent day-to-day problems of the Tamils people, thereby, creating an *impasse* in the peace process. In his letter to the Sri Lankan President, Prabhakaran charged Colombo with practicing "military subterfuge" and "deception" through propaganda measures like

Table 1 : LTTE'S DEMANDS AND GOVERNMENT'S RESPONSE

Issue	LTTE's Demands	Government's Response
1. Economic Embargo	Complete lifting of the embargo and a free flow of goods to Jaffna	Items with a military use would not be removed from the banned list of items
2. Pooneryn Camp	The camp should be wound up to open the safe passage for civilians on the Sangupitti route	A peaceful resolution of the conflict was necessary for the camp. The LTTE refused to open its side of both the Sangupitti and the Elephant Pass routes
3. Implementation of Reconstruction Package	An LTTE represented Development Authority for the North should be set up to implement the package	The LTTE was invited to nominate two representatives to serve on the Special Task Force
4. Fishing Along Northeast Shores	Total Removal of restrictions on fishing and free movement of boats off the north-eastern shore	Most of the restrictions were withdrawn but the rest could be lifted only after the improvement in situation
5. Ceasefire	The accord on cessation of hostilities should be made into a permanent ceasefire agreement. A free movement of the LTTE cadres be allowed in the East as well.	A permanent ceasefire was contingent upon the LTTE's participation in the monitoring committees. An appropriate arrangement would be worked out for the free movement of armed Tiger cadres.

Source: Compiled from reportage in *The Hindu* (New Delhi) from January-April 1995.

the unilateral decision to open the Elephant Pass and the Pooneryn routes.⁴² The LTTE also viewed the decision on a safe passage to civilians as "propaganda yardage" meant to "deceive" foreign donors and obtain aid for reconstruction and keep it for military purpose later.⁴³ Hence, it refused to reciprocate with the government on the reopening of the routes to Jaffna until a basic agreement was reached on other pending issues.

The PA government was also equally critical of the LTTE. Accusing the Tigers for slowing the peace process by their inadequate response to the government efforts, Kumaratunga stated that the Tigers were more keen on extracting concessions from her government than on beginning a political dialogue to find a negotiated solution.⁴⁴ Significantly, the government indicated its preference for a carrot and stick policy in its peace initiative as it was talking of the inevitability of a 'military option' if the peace talks collapsed.⁴⁵

Each adversary attempted to mobilize international opinion to exert pressure on the other. Kumaratunga's address to the Social Summit in Copenhagen (1995) sought the international community's support for the success of her peace initiative. As a counter measure, with the aim of holding the government respon-

42. *Ibid*, 2 March 1995

43. Tamilselvan's response to the Presidential Secretary, Balapatanbendi. cf. *Ibid*.

44. Her interview to two French dailies - *Le monde and La Figaro*, reported in *The Hindu*, 2 February 1995

45. Speaking to the troops in the forward camps of the East, the Deputy Defence Minister, Anuruddha Ratwatte, said: "If the peace process fails, there is no option but military action... I am even prepared to don my uniform and join you in the campaign" [if another military adventure becomes imperative]. cf. *Ibid*, 6 March 1995. On another occasion, he said that "there can be no peace without preparations for a war. You know what happened on the last occasion [Premadasa's experience]. We want to ensure that nothing like that happens again..." *Ibid*, 11 March 1995.

sible for the *impasse*, the LTTE's Paris-based spokesman, Lawrence Thilagar, circulated a signed document among the Summit leaders urging them to pressurize Colombo to redress the Tamils' grievances.⁴⁶ Even the annual session of the UN Commission on Human Rights in 1995 was made use of by the both sides for their pressure tactics. Here the government seemed to have succeeded in mobilizing greater support for its initiative with the Commission being critical of the LTTE's record on human rights.⁴⁷

Simultaneously, each adversary was also directly stepping up its pressure on the other to accept its position. If the unilateral decision of Colombo to reopen the safe passage to Jaffna was a tactical move to create a regime of pressure on the Tiger leadership through the North-Eastern Tamils,⁴⁸ the LTTE's decision on 18 March 1995 to release the remaining 14 service personnel was a calculated step to pressure Colombo to yield to its demands. By this act and allowing a dozen foreign diplomats based in Colombo to visit Jaffna on 6 March 1995 for an assessment of the situation there (necessary for recommending project aid), the Tigers sought to drive home the message that they were committed to peace and that it was the government which was reluctant to pursue the peace process. The government, at the same time, sought to demonstrate its seriousness about achieving

46. *The Hindu*, 14 March 1995.

47. The Foreign Ministry of Sri Lanka released a communique containing the statement read out by the Chairman of the 51st session in Geneva, which stated: "The Commission expresses its support for the peace process initiated by the President of Sri Lanka and strongly urge the LTTE to respond positively and speedily to the steps taken by the Government and to take all necessary steps towards the achievement of a durable political solution". cf. *Ibid*, 14 March 1995.

48. Kumaratunga claimed that "the people of the North are already on our side, whatever the Tigers say or do. We have won their hearts and minds". cf. *Ibid*, 5 March 1995.

peace by effecting further relaxations on fishing along the North-east coast and lifting the ban on fuel supply to Jaffna. It also revised its earlier decision of discontinuing the preliminary talks. The fourth round of talks, held on 10 April 1995, proved to be an unproductive exercise. Nevertheless, the Sri Lankan President desired to hold the fifth round in early May with the hope that the LTTE would agree for political negotiations on the peace package.

The growing determination of the Sri Lankan government to engage the Tiger leadership in a serious peace parley had the resultant effect of making the LTTE's position more and more rigid. Prabhakaran seemed to be deliberately unrelenting in his stance because his real intention was to disengage from the peace process. The government's constraints in conceding the LTTE's demands were not unknown to him. So was the unreasonableness of his demands, especially at a stage where the government merely wanted to initiate political negotiations on the possible peace formula.

Since the LTTE wanted to conduct the peace process according to its own terms and conditions, its breakdown was inevitable. Following the government's failure to comply with the LTTE's deadline of 19 April 1995 (extended from 28 March) to accept its demands, Prabhakaran ordered for an attack of naval gunboats berthed to Trincomalee harbour, leading to the killing of 12 sailors. The attack was carried out without any provocation; nor the LTTE gave a notice of 72 hours for the termination of the agreement on the cessation of hostilities. In retaliation, the government reimposed the embargo on the transport of 19 items to the North and reintroduced the restrictions on fishing. The resumption of hostilities has once again set the trend marking the conflict escalation process.

V. CONCLUSION

The peace process initiated by the PA government was the most serious and sincere exercise in the post-Indo-Sri Lanka Accord (1987) period. This, and the PSC experiment, proved that the path to an enduring peace constituency remained hard and torturous.

A noteworthy feature of the latest peace process was that the adversaries chose to make it a 'bilateral' exercise with the ICRC playing the crucial role of a facilitator of communication between them. The PA government and the LTTE exchanged nearly 34 letters during November 1994 - March 1995, thereby indicating the vibrant channels of communication established between the adversaries. While this had certainly facilitated their interaction, the measures adopted to generate the much needed mutual trust and confidence did not yield any significant result. In a way, the main reason for this lay in each adversary's perception of the other being rigid and non-reciprocal in any meaningful sense. The LTTE considered the PA government's cautious approach reflecting in its partial acceptance of the Tigers' demands to initiate substantive political negotiations as rigid, while in Colombo's view the LTTE was more keen on taking without giving much to the government.

The preconditions laid by the LTTE for initiating substantive political negotiations were unreasonable and beyond the requirement for an effective engagement in peace parley. This was more so because the government had not put any precondition for talks. Colombo's preference for a 'step-by-step' approach, linking it up with the progress in peace process, in meeting the demands of the LTTE, was quite reasonable. This was justifiable too because the

LTTE's demands were not free of any dubious objectives. In its demand for a complete lifting of restrictions on fishing and free movement of boats off the Northeastern shore lay, perhaps, its plan to ferry arms. If the LTTE's sole objective behind its demand for the winding up of the Pooneryn Army camp was genuinely to ensure a free traffic to Jaffna, it should have felt contented with the government's offer of pulling the camp back by 500 metres and doing away with the practice of checking the civilians on the Sangupitti route. War preparations cannot go along with preparation for peace, and a peace process without both the adversaries' strong commitment to and genuine desire for peace is a futile exercise.

If the LTTE's 'behaviour' marked by a hardened attitude and intransigent position was a calculated way to bring about a breakdown in the peace process, what did it intend to achieve by its loud proclamation abandoning its Eelam demand and engaging itself in a peace parley with the government? Although it is difficult to read the minds of the LTTE leadership, one or both of the following objectives might have figured in its preparation for peace talks: it either intended to secure respite and time to consolidate its forces before resuming its insurgency with much vigour or, most probably, to 'antagonize' the new regime headed by Kumaratunga (who in the LTTE's view is not a part of the past 'mistakes') so that it can justify its militancy and tell the world that "it tried fore peace, but the government was not forthcoming to accept the basic demands of the Tamil people". In other words, the LTTE's probable aim was to create a situation which would lead to the failure of the peace process which, in turn, would compel Chandrika Kumaratunga to resume military operations in the North-East.

The latest peace process made clear the PA government's renewed interest in engaging an international intermediary (mostly non-Indian) to help resolve the conflict. For the LTTE, however, any external involvement in the peace process seemed to be unacceptable.

The task of enlisting the LTTE's genuine commitment to peace is daunting. This is so long as the LTTE remains a cohesive organization with its cadres being singularly loyal to Velupillai Prabhakaran, who seems to be paranoid about peace and democratic ideology. Why he refuses to give up his ruthlessness and commit himself to a negotiated settlement of the conflict can be a subject for a full-length enquiry.

APPENDIX I

DECLARATION OF CESSATION OF HOSTILITIES

1. There will be no offensive operations by either party during this period. An offensive operation will be considered a violation of the agreement.

2. The security forces and the LTTE will maintain their present position on the ground, keeping a minimum of 600 meters between each other. However, each party would reserve the right of movement within 100 meters from their own bunker lines, keeping a minimum of 400 meters in between. Any party moving in the restricted areas would be considered an offensive operation.

3. The Navy and the Air Force will continue to perform their legitimate tasks for safeguarding the sovereignty against aggression, without in any way engaging in offensive operations

against the LTTE, or causing any obstructions to legitimate and *bona fide* fishing activity in specified areas.

4. Acts such as sabotage, bomb explosions, abductions, assassinations and intimidations directed at any political group, party or any individual with amount to an offensive operation.

5. (a) It is suggested that committees to deal with violations of this agreement be set up to inquire into any instances of violation of the above terms of agreement. These committees could be set up in the areas of Jaffna, Mannar, Vavuniya, Mullaitiva, Trincomalee and Batticaola and Amparai, and any other areas deemed necessary.

(b) It will be the responsibility of these committees to take immediate action on complaints made by a either party to this agreement to inquire into and resolve such disputes.

(c) These committees could comprise representatives drawn from Canada, the Netherlands, Norway, ICRC and from among retired judges or public officers, religious heads and other leading citizens, all appointed by mutual agreement.

(d) Each committee could consist of five members, *viz* two from Government, two from LTTE and a foreign country who will be chairman.

(e) Freedom of movement for the committees to perform their tasks will have to be ensured by both parties to this agreement.

(f) Facilities for the committees to act swiftly and impartially, will have to be provided by mutual agreement.

6. Recommend establishment of communication link between security forces and LTTE military area leaders which will enable them to sort out problems expeditiously, locally.

7. Cessation of hostilities will continue till notice of termination is given by either party. Such notice should be given at least 72 hours before termination.

V. Prabhakaran

Leader, Liberation Tigers
of Tamil Eelam

Chandrika Bandaranaike Kumaratunga

President of Sri Lanka &
Commander-in-Chief of Armed Forces