

Guatemala and Sri Lanka's Peace Processes

The government's primary tactic then [1993 in Batticaloa], to alter a description approvingly applied by a US diplomat (overheard by me at a party) to a similar Guatemalan government game-plan, consisted of 'raising the threshold of terror' on the district's population until the 'sea' in which the LTTE 'fish' swam would be poisoned. The LTTE, itself no slouch at Clausewitzian (or Shermanesque) tactics, was answering each army outrage with outrages of its own, each army terror with a tiger terror...

Mark Whitaker^[1]

Norway & Lessons Learned

Eric Solheim, the Norwegian facilitator of contacts between the Sri Lankan government and the LTTE, expressed his opinion^[2] that few models developed in previous peace negotiations are relevant to the Sri Lankan situation. It is his opinion that solutions to the conflict in Sri Lanka must arise out of the specific circumstances of Sri Lanka, rather than templates being brought in from other experiences.

It is worthwhile, however, examining the specific circumstances and outcomes of previous peacemaking efforts to learn some of the pitfalls to avoid during attempts at negotiation in Sri Lanka. Norway has been associated with two other efforts - those between the Israelis and the PLO and between the Guatemalan government and the URNG (Unidad Revolucionaria Nacional Guatemalteca) who fought on behalf of the indigenous Maya people. The Oslo Accord between the Israelis and the PLO is very well known and that conflict is covered in excruciating detail in the Western press. The dynamics of the Guatemalan negotiations and their aftermath are much less well known except to Latin American experts, so it is worthwhile examining this case for any lessons to be learned. The Norwegian effort in Sri Lanka is not presently active because of the current political instability in Colombo, the inability to commence direct, substantial negotiations and elections in Norway, so reflection on the past year's effort is in order.

The primary lesson to be learned from the Guatemalan case is that when a peace accord is signed in Sri Lanka there should be **guarantees that all agreed upon issues are implemented**. These guarantees might be in the form of:

- A reliable external guarantor (reliable is the keyword here) who will have the power or capacity, the willingness and the desire to be that guarantor.
- The weaker side, meaning the Tamils/LTTE, to retain their military machinery intact until all agreements are implemented.
- An escape clause such as "if all agreements are not implemented to the satisfaction of all parties, each party be allowed to secede from each other", or something along these lines. There is precedence for such an arrangement. When the Malaysian federation was formed, the agreement contained this clause and Singapore later exercised it to secede from the Malaysian federation.

The outcome of both the previous negotiations that the Norwegians have been involved in have not been particularly beneficial for the two weaker parties involved, the Palestinians and the Maya, but it is hard to fault the Norwegians for this. Rather, the extremely unequal balance of military and economic

power in each case has been the determining factor. Most of the problems associated with the two attempts have occurred not at the time of the initial negotiations and agreements, but in the period after international attention turned elsewhere and the agreements were being implemented. After military pressure had let up on the stronger party, the power of wealth, state hierarchies and bureaucracies and a standing army asserted themselves to the detriment of the weaker side. Why this was not foreseen is hard to explain. Perhaps the problems were foreseen, but in the euphoria of the moment, everyone just hoped for the best and were relieved at the end of the fighting.

The most fundamental lesson to be learned for Sri Lankans from examining the Guatemalan case is **how extremely hard it is to change the basic power structure** of a country and, as a result of this, that any changes which are essential must be made directly at the time of the peace negotiations with international or other guarantees rather than waiting for step-by-step changes or constitutional processes. If changes do not take place immediately they cannot be counted on to occur in due course. There is constant backsliding on agreements over time by the more powerful party as international attention turns elsewhere, so unless there is a firm schedule in which both parties are somehow locked into their commitments, changes over long time frames are very problematic.

Another lesson of the Guatemala case for Sri Lankans is the **long time that such a negotiated peace effort takes**. Initial discussions in Guatemala began in 1990 and a formal peace agreement was signed at the very end of 1996. There were long periods when little seemed to be going on and the process felt like it had broken down. Entrenched interests generated much resistance to the effort, often brutal, and each bit of progress was followed by a return of fighting, terror against civilians or the resurgence of rightist political positions. The international involvement in the peace effort was not monolithic and different players, both individuals and institutions, were involved to different degrees at various times. The political situation inside Guatemala also changed significantly, with elections for a new president taking place, etc. The lesson for Sri Lankans can be interpreted in one of two ways. Either the process in Guatemala was a lucky fluke which happened despite the lack of an overseeing 'godfather,' or, once important international and domestic players become convinced that negotiations, rather than war, are the only path to ending fighting which has become an international and domestic irritant, then the process gains a certain momentum which outlasts political and personnel changes.

This writer predicts that, even though Norway's facilitation in Sri Lanka is in abeyance at the moment, the external pressure for negotiations will not let up as long as the government cannot finance the war internally, there continues to be a significant flow of refugees to the outside world, and neither side is believed capable of winning militarily.

A fourth lesson from Guatemala for Sri Lankans is that the rather rapid, willing and complete **demobilization** of the URNG after the peace accords left one side with complete coercive power and much less motivation to implement the agreements. Civil society had been mobilized during the negotiations of the accords and has provided an important force for articulating the needs and wishes of the indigenous people, but one is left to wonder if changes might have occurred more rapidly if the URNG had been slower to give up arms before agreed-upon reforms were implemented, especially in the army and police.

Intro to Guatemala

Guatemala is a country of 5 million in Central America that is divided between the 60% of the population who are indigenous Maya, most of whom are rural and work in subsistence agriculture or as laborers in plantation agriculture, and the 40% of the population who have loyalties to an elite of European descent and is primarily urban. Wealth, race and geography are the fault lines of the country, with the majority living in poverty. Social services and the belief that the government is responsible for

the well-being of the people do not exist in Guatemala, in contrast to Sri Lanka.

For Guatemala the US is the regional superpower, as India is to Sri Lanka, and any peace agreement must take its desires into account. Guatemala's peace process seems to have had at least the acquiescence of major political actors in Washington, but the US military has not been as cooperative and continues its relationship with the Guatemalan armed forces, now with the excuse of drug interdiction, rather than counterinsurgency. Similarly, the BJP government in India seems to have accepted Norwegian intervention in Sri Lanka, but the attitudes of the secret service (RAW) and the bureaucrats of the South Block (US State Dept. equivalent) are less well understood. There is considerable evidence that there are conflicting interests within the Indian bureaucracy and military on the issue of Tamil rights.

The UN took a lead role in negotiations in Guatemala. Francesc Vendrell, who was UN Political Director for Asia for many years and, upon his retirement has been appointed a Special Representative for Afghanistan, was the UN's initial observer in Guatemala, but was replaced because he was viewed as too 'pro-URNG' by the Guatemalan government.^[3] Note that a similar fate has befallen Eric Solheim, the primary Norwegian facilitator in Sri Lanka over the past 2 years, because the Sri Lankan government believes he is too understanding of the LTTE's position. The Norwegians' main role in Guatemala was as an interlocutor with the guerrillas. The first agreement of the long series of accords that resulted from the peace process, the Comprehensive Agreement on Human Rights, was signed in 1994 in Oslo and set out the guidelines for the resettlement of displaced populations and the establishment of a Truth Commission. Most of the other agreements in subsequent years seem to have been signed in Mexico City and, once the UN had a formal role in the process, the Norwegians faded into the background. Today, the Norwegians are the only outsiders trying to bring the two sides in Sri Lanka together, while Norwegian diplomacy is also active in Sudan, the Baltic and post-communist Russia.^[4]

In Guatemala, a coup backed by the USA in 1954 against an elected socialist government which was attempting land reform amongst other changes is blamed for the rigidity in the economic and political system which led to an insurgency in the 1960s. A state of insurgency in one form or another lasted from that time until the signing of a final peace accord on Dec. 29, 1996. Guatemala endured 36 years of civil war. The height of the insurgency was in 1980-81 when the guerrillas had 6,000 to 8,000 armed fighters and 250,000 to 500,000 (note the wide range) of collaborators and supporters. In response, in 1982 the Guatemalan armed forces launched a "scorched-earth, genocidal war" against the highland Maya population in which, in the space of 2 years, 440 villages were wiped out, up to 150,000 civilians were killed or 'disappeared,' over one million people displaced, 200,000 of whom fled to Mexico, and huge areas of the highlands were deliberately destroyed. Note the similarity of the statistics with those of Sri Lanka, although the time frame in Sri Lanka has been somewhat longer. "The aim of these genocidal politics was not only to eliminate the guerrillas' popular support base but also to destroy the culture, identity and communal structures of the indigenous populations." After 1983 coercive institutions were imposed to consolidate military control over the population, including mandatory paramilitary 'civilian defense patrols,' rural forced resettlement camps and the militarization of the entire administrative apparatus of the country.^[5] Civilian defense patrols by Tamils have not been a feature of the Sri Lankan landscape, perhaps because of the ready availability of the 'ex-militant' groups and the danger of suicide bombings or wholesale defection, but resettlement (or usually non-settlement) of IDPs and the militarization of the administrative structure in the areas of the Northeast under government control are notable similarities between the two countries at war.^[6]

Is this similarity in the destruction of Maya and Tamil indigenous communities and environment coincidental? According to Jeff Sluka, "...violent, systematic repression is never an isolated phenomenon. State terror in Third World countries is invariably linked at both instrumental and

structural levels to militarism (e.g., the arms trade and military assistance) in the countries, particularly First World ones, with which they have military and economic ties.⁹⁷

Why Peace?

In both Guatemala and Sri Lanka, the endorsement of a peace process by important actors after many years of war is in itself problematic. War becomes an accepted way of life from which many benefit, including arms dealers, security companies, the families of soldiers, the subcontractors to UN agencies, and thinktanks dedicated to peace. In Guatemala the URNG had been decimated by the mid-1980s, but they remained a presence in Guatemala, albeit on a small scale. Important players in the government and military acknowledged that the URNG could not be completely eliminated. In the 1990s 2-3,000 fighters faced a military of hundreds of thousands. A sufficiently large segment of the government, army and, notably, the business community came to believe that Guatemala could not completely participate in the growth and changes occurring in the rest of the world - that it would be a backwater - unless the nagging insurgency was resolved. Peace processes in the neighboring countries of El Salvador and Nicaragua were creating a momentum for an end to wars in the region.

In Sri Lanka all indications are that most important players on the Sinhalese side have not yet reached this decision concerning the need to end the war. During the summer of 2001 the Colombo *Sunday Leader* carried a conversation in which Prime Minister Wickramanayake and Deputy Justice Minister G.L.Pieris opportune President Chandrika Kumaratunge about the need to alleviate the sufferings of the people because of the increase in the cost of living and she asks if they want to take action badly enough to commence negotiations with the LTTE, i.e. to allow a cut in the defense budget, and they quickly backed off. There has been no indication that anyone in the military is anything but enthusiastic about prosecuting the war. The top of the Buddhist hierarchy supports the war and is against any form of autonomy for Tamil areas, unlike the Catholic hierarchy in Guatemala who played a significant role in arranging the peace settlement. Some of the biggest businessmen in Sri Lanka are at the moment attempting to start a grassroots movement advocating peace, but it is unclear how effective this will be and whether the effort was a reaction to the socialist JVP being a member party of the government for a short period. Sri Lanka has not reached the heights of prosperity possible (considering that Sri Lankans were better off than Singapore and Malaysia at the independence), but, especially amongst the elite in the capital, Sri Lanka feels very much like a dynamic part of the world community. When one compares Sri Lanka to other countries in South Asia, Sri Lankans feel quite pleased with themselves despite the war. The only fly-in-the-ointment is when the war intrudes into Colombo and, of course, that the cost of the war is a major constraint on social and infrastructure spending and requires significant foreign exchange. The IMF grumbling about the government budget deficit has been drowned out by domestic political considerations. Arjuna Parakrama, at a talk in April, 2001 at the Carnegie Council on Ethics and International Affairs in New York, opined that the only inducement for the ruling powers to want peace is fear for their personal safety during the infrequent attacks in the capital. If the war could be confined to the Tamil Northeast, all would be well in their world.

Peace in Sri Lanka, thus, seems a possibility only if these elites are persuaded, as they were in Guatemala, that peace is a necessity by pressure from the outside, military pressure from the inside, some unforeseen economic crisis or a combination of these factors.

The Sri Lankan economy is increasingly shaky, but is not in crisis. The rebels in Sri Lanka are exerting steady military pressure, but based on the May, 2001 experience (see below), have not been permitted by India and the US to gain any decisive military victory. The role of the international community is thus determining. This community's role until recently was primarily benign neglect

because of India's dominant role in the region and Sri Lanka's small size. India withdrew from Sri Lankan affairs after Rajiv Gandhi's assassination and seems primarily interested in keeping outsiders from taking advantage of Sri Lanka's turmoil. India is one of the main factors in keeping the UN's participation very low key. Britain is the ex-colonial power whose role has been declining steadily. Japan provides 40% of Sri Lanka's foreign aid based on business and religious ties, but exerts little obvious political influence. Similarly, with little obvious say in affairs are China and Pakistan which sell military equipment, and Korea which is the largest business investor. The US's part in Sri Lanka's affairs, however, has been growing as it is now Sri Lanka's largest export market, it has a dominant role in multilateral financial institutions increasingly important to an indebted Sri Lanka and its military influence is growing both in Sri Lanka and in the entire region. Even though US policy toward Sri Lanka has been described as 'closely coordinated,' the result has been rather unfocused and crisis-driven concerning peace efforts and, instead, is concerned with US commercial and strategic interests in the region. It is unclear if any of these international players have the drive necessary to support or impel the long and complicated series of negotiations required for a peaceful solution.

Aspects of the Peace

The question of **constitutional reforms** is relevant in both the Guatemalan and Sri Lankan cases. Both are nominally democracies in which fundamental laws are written into a constitution which must be changed to institutionalize the results of any peace process. In Guatemala, changes in the constitution negotiated through the peace process were actually voted down at a popular referendum in 1999, notwithstanding that they were to the benefit of the indigenous who constituted the majority of the population, because those who supported the changes did not have the resources or the experience to mount a convincing campaign against those who currently hold power. "Given these conditions [of racism against the Mayans], and given the vast disparity between the makeup of the population and the makeup of the voting population, the most fundamental structural problem was the very requirement that the reforms be approved in a referendum. To make a rough analogy, if the federal Civil Rights bills of the mid-1960s United States had been submitted to a direct vote in Mississippi or Alabama, they would doubtless have been massively defeated."^[8]

Sri Lanka's President Kumaratunge could not even bring her initial proposals on power-sharing to a vote in Parliament until they had been watered down to irrelevancy, and even then she could not obtain the two-thirds vote required to change the constitution against entrenched beliefs of Sinhala nationalists who are convinced that any weakening of the centralized state will lead to separation and/or domination by Tamils. If changes in the nature of the state negotiated to end the current war require changes in the Sri Lankan constitution, these changes will undoubtedly be voted down either by the parliament or by the people in a referendum because Sinhala nationalists who form the majority of politicians and the electorate are not yet sufficiently suffering from the war to be willing to compromise their belief in a 'unitary' state. As in Guatemala, this presents a conundrum for peacemakers, barring a military victory by one side or the other.

The role of the **international community** was vital in assuring that the Guatemalan peace process moved forward, notwithstanding important segments of the existing power structure that were against outsiders playing this role. Not only did the international community provide neutral locations for antagonists to converse, but international players took an important role in monitoring agreements that had been made, primarily through MINAGUA, the UN human rights monitoring mission inside Guatemala. International players, including multilateral agencies, at important junctures made aid contingent on peace negotiations, most specifically at the 1995 Paris meeting of the Consultative Groups

of Donor Countries (primarily the US, Europe and international lending agencies).^[9] The lending agencies in particular, however, did not maintain this threat over the long term to assure the implementation of the resulting accords. In Sri Lanka, the attitude of donor countries, the IMF, the World Bank and ADB are of critical importance in persuading the government that negotiations are a necessity. As in Guatemala, sustaining this focus over the course of even one year has proved difficult. Important entrenched interests in Guatemala hunkered down during the period of the negotiations with the goal of “surviving the peace,” waiting for the process to finish and the foreigners to leave to reassert their power.^[10]

One of the most important accords negotiated in Guatemala was the Accord on Strengthening of Civilian Power and the **Role of the Armed Forces** in a Democratic Society. “The accord mandated constitutional reforms to limit the functions of the previously omnipotent army to defense of the national borders and of Guatemala’s territorial integrity. The accord also eliminated the PACs [civilian self-defense patrols, or ‘homeguards’ in Sri Lankan parlance] and other counterinsurgency units, reduced the size and budget of the army by one-third, and created a new civilian police force to guarantee civilian security. Finally, it mandated necessary reforms of the judicial system to eliminate the pervasive impunity. In short, this represented on paper a plan for the “de-centaurization” of Guatemala, the dismantling of the Cold War counterinsurgency apparatus.”^[11] This accord contained numerous inherent weaknesses and significant portions have never been implemented. Personnel involved in abuses remain in the system and the army remains involved domestically, with the current excuse that it must deal with the crime wave that followed changes, as it did in South Africa, because the new police force is not yet effective. The US’ role is also troubling, because, rather than encouraging the process of demilitarization and realignment to defense alone, the US has continued its involvement and support of the armed forces with the excuse that the military now has an ‘anti-drug’ mission.

Many of the problems in Guatemala are from the intersection of **ethnicity and class**, the impoverishment of the indigenous which resulted from the plantation system put in place by the conquering Spanish five centuries ago. The accords did not deal with landholding structures or inequitable ownership of resources, so these problems remained. Most of the reforms resulting from the peace negotiations required funds to implement, but Guatemala has the lowest tax to GDP ratio in Latin America. As a result, taxes and fiscal policy were one of the most contested issues of the accords.^[12] The accords required the government to raise the ratio of taxes to GDP by 50% by the year 2000 to internally finance the social programs agreed to, but the wealthy few have managed to prevent these changes in taxation. Sri Lankan Tamils are well aware of how fiscal policy can be used to derail reforms. Notably, the Thirteenth Amendment setting up the Northeast Provincial Council was disemboweled by Pres. Premadasa’s government not providing the Council with funds ‘even for desks.’ For this reason, there is skepticism about the government’s ‘devolution’ proposals of the past few years, which would give the Northeast Province little independent fiscal authority. Also of importance to the stability of any peace accord in Sri Lanka are a whole host of financial issues to do with the distribution of government subsidies and external aid.

In Sri Lanka, however, an end to the war with a just resolution for the Tamils does not entail a social revolution on the scale that would be required in Guatemala. While certain Sinhalese elites may be profiting from the war and the ideology of Sinhalese nationalism upholds the state, a resolution which provides either extensive autonomy or separation for Tamil areas will not affect the economic foundations of the country the way land reform would in Guatemala. International actors may react with hostility to the idea of smaller and smaller state entities, but not with the fury that socialist revolutions evoke.

The **successes** obtained from the peace accords in Guatemala are numerous and include

- Formal recognition of indigenous rights
- Energizing civil society
- An end to most violence
- Return of many refugees
- Targets for social spending and outcomes, such as literacy rates

These successes, however, do not completely do away with the severe disappointment that many supporters of the indigenous feel over the outcome of the peace. The power structure in Guatemala remains in place and the space for indigenous political activity remains tenuous. The army still has much of its domestic presence. The centaur state (see footnote 11) retains many of its defining characteristics with little to counterbalance its power. Civil society in conjunction with the international community, the URNG and a desire for peace managed to effect some change in Guatemala. Civil society alone is struggling to continue the process.

Recent Peace Efforts in Sri Lanka

In December, 1999 Pres. Kumaratunge announced that the Norwegians had agreed to help Sri Lanka work toward a solution to the ongoing war through negotiations. In the ensuing few months, the LTTE had its largest military success of the war, when it captured the army's base at Elephant Pass and moved toward Jaffna. It was only prevented from taking the entire Jaffna peninsula by remonstrances from India, an airlift of arms from Pakistan and Israel, and threats to the civilian population from the army, including the complete destruction of the second largest town, Chavakkachcheri. The US State Dept.'s Thomas Pickering visited Sri Lanka to announce that the LTTE would have an independent state "on the planet of the dead." However, the international community woke up to the fact that this war is not going to be won by the army. Notwithstanding this understanding, the Sri Lankan military then embarked on an arms buying spree, raising the defense budget from US\$700 million/year to \$1 billion.

Discussions commenced in a quiet way with Eric Solheim, the designated Norwegian facilitator, shuttling between Anton Balasingam, the LTTE's political advisor who is based in London, the Sri Lankan foreign ministry and other interested parties, notably India.

In early November, 2000 Eric Solheim, the Norwegian facilitator, met with the leader of the LTTE, Mr. Prabhakaran, in the Vanni and came away convinced that he was interested in resolving the conflict through negotiations. In his annual Heroes' Day speech on Nov. 27, 2000 Mr. Prabhakaran emphasized his desire to end the war through negotiations. His only caveat was that these negotiations should take place in an 'atmosphere of good will.' The momentum for negotiations was encouraged by the Paris aid group in December, 2000 saying that aid would be dependent on progress toward peace and that Sri Lanka had a crisis of governance.

On December 24 the LTTE announced that it would observe a one month unilateral ceasefire in an effort to encourage moves toward peace. The government derided the ceasefire as a breather for the LTTE to re-coup after a long military campaign and did not reciprocate. The LTTE renewed its ceasefire three times, extending the ceasefire for a total of four months. On April 24, 2001 the LTTE hurriedly ended its ceasefire in the face of an impending army assault to push back toward Elephant Pass. The army attacked in the early hours of April 25, but was repulsed with heavy casualties. The length and strict observance of the ceasefire impressed the international community, particularly India, at the seriousness of the LTTE's desire for a negotiated settlement.

Solheim worked during the winter and spring on a 'Memorandum of Understanding' which could lead to face-to-face negotiations between the two parties. An understanding seemed tantalizingly

close, but foundered on the rocks of the army's economic blockade of Tamil areas and the composition of international parties to observe any halt to hostilities. An end to the blockade of Tamil areas was also the first issue raised by the LTTE during the talks with Pres. Kumaratunge's government in 1994/5. It is seen as a litmus test of the government's ability to control the security forces and of its genuine interest in reintegrating the Tamil population into the Sri Lankan polity.^[13] All the different parties, including India, had concerns about outside observers to any ceasefire or lifting of the blockade.

During this period, Britain was considering anti-terrorism legislation and was deciding which groups should be covered by the legislation. Both the Sri Lankan and Indian governments lobbied hard for the LTTE to be restricted by Britain, which duly occurred. The LTTE had evidently informed the Sri Lankans that if they pressed for restrictions on the LTTE in Britain, they would insist on the lifting of the anti-LTTE laws in Sri Lanka before entering substantive negotiations, which also duly occurred. The Sri Lankan government found it difficult to step back from its assertion that the LTTE was a terrorist group, while the LTTE insisted that it could not negotiate as an illegal entity. Moderates suggested that the LTTE be legalized temporarily, conditional on forward movement in the peace process. Sri Lanka's foreign exchange reserves had shrunk significantly because of the purchase of military equipment, rises in oil prices and a downturn in the global economy and the IMF stepped in with crucial funding in the spring. The ADB, the World Bank and various aid-giving countries announced aid programs in forestry, small business improvement, etc.

The Sri Lankan government invited the Norwegian Foreign Minister Jagland to Colombo in June without specifically inviting Solheim. Officials met the Foreign Minister alone and asked him to take a primary role in the negotiations, with the excuse that more political muscle was required than Solheim could provide. The LTTE perceived that Solheim was being sidelined for being open to their issues and concerns and called this an unacceptable 'bilateral agreement in a trilateral situation.' The Sri Lankan government had been particularly irritated by Solheim's public rebuttal of a statement by Foreign Minister Kadirgamar about the status of an agreement and by his spring visit to Washington, DC where he had explained the positions of both sides to a variety of interested officials.

In late June Pres. Kumaratunge's coalition became a minority in parliament because of mishandling of Muslim issues and the focus in Colombo turned exclusively to domestic political issues. The President suspended Parliament for two months to attempt to rebuild her majority. Talks concerning a 'national government' of both major political parties, the PA and the UNP, failed. Kumaratunge finally allied with the JVP, a socialist, nationalist party that insisted on writing into the document cementing the year-long alliance that no devolution or other changes could be effected during the alliance without a broad consensus throughout Sri Lankan society. After much political drama, on Oct. 7 a new parliamentary election was called for early December. Little movement on peace negotiations is expected until after this election.

It is difficult to see where peace efforts in Sri Lanka will go from here, but it may be possible to discern some issues and concerns. The wild card is the US' current 'war against terrorism' and its effect on South Asia, especially India.

The LTTE is unwilling to give up its fight unless Tamil political and economic rights on Sri Lanka are safeguarded, but they have indicated some willingness to discuss the exact form for the protection and exercise of these rights. They believe that any negotiations must begin with alleviating the suffering of the Tamil people. Their military force has not been weakened as predicted a few years ago and the support for their cause has risen substantially amongst Tamils both under and outside their control. This increase in support is a result of their growing institutionalization, both as a competent, uncorrupt administration and as a semi-regular military force capable of holding their own against the army. Their

moral strength, in the eyes of many, comes from their unwavering focus on political rights for Tamils. All but one of the Tamil political parties in the South have recently acknowledged the LTTE as the main representative of the Tamils. The international community is more willing than in the recent past to acknowledge the LTTE as a player, but is still moving toward isolating them as an illegal entity. Pressure to end the war for the LTTE comes from the beggaring of the Tamil people, the large numbers of refugees, international isolation and the inability to win the war decisively by military means. These factors have not been persuasive enough to make the LTTE willing to end the fighting unilaterally. Because of the difficulty of communicating with the LTTE high command, the presence in London of such a high level official as Balasingam has been a vital component in the current round of discussions.

The government has been fighting to maintain the current unitary state. This unitary state is based on a worldview that believes the entire island was given to the Sinhalese language speakers to preserve their brand of Buddhism. It is this belief that gives the government the basis to prosecute the war. Western educated elites voice a desire for a plural, multicultural nation, which sounds attractive to foreign ears, but seem unable or unwilling to take the steps to implement such an evenhandedness in fact. In its early days the government proposed a mild form of devolution that it has been unable to implement. Encouraging the government to enter negotiations are the economic consequences of high military spending, fear for the personal safety of key members of the government and the inability to win the war decisively by military means. These factors have not been persuasive enough to make the government willing to end the fighting unilaterally.

Predicting future events is always a tricky affair, but here again, perhaps, Guatemala's experience can be of use. As neither side on the island is willing to give up what it is fighting for and what they are fighting for is mutually incompatible, the prediction is for another round of battles in Sri Lanka after the December, 2001 elections. Each side will use their newly acquired weapons in these battles and the results are unpredictable, other than that they will not be decisive. The international community will put pressure on both sides to negotiate and some sort of negotiating process will continue. It is important to the government that it be seen as interested in a peaceful resolution to the war. This is why Pres. Kumaratunge makes frequent statements about her desire for peace and her willingness to negotiate. This is not indicative of anything more than a desire to please her foreign benefactors, rather than a commitment to the hard work and painful compromises that a real settlement would entail. As Aluf Benn remarks in his recent *Foreign Policy* article, "Blessed are the peacemakers, for they shall receive foreign investment."^[14] In Guatemala, Jonas observed that some of the players in the war went into the negotiations 'tactically' without any real belief that negotiations would be productive, but once they found great receptivity to the peace process within Guatemalan society, they became much more supportive of the whole effort.^[15] There is hope that this same dynamic may occur in Sri Lanka, and that with the help of a skilled go-between such as Norway, all sides will see that they have something to be gained by a negotiated settlement of the war.

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[1] "Tigers and Temples: The Politics of Nationalist and Non-modern Violence in Sri Lanka" in Siri Gamage and I.B. Watson (eds.) *Conflict and Community in Contemporary Sri Lanka*, 1999, Sage Publications, New Delhi. Clausewitz was a German military strategist who wrote a highly regarded treatise on war in the 1800s. Gen. Sherman was a Union general who cut a broad swathe through

Georgia using scorched earth tactics to divide the Confederate states during the US Civil War. The burning of Atlanta in the book and movie *Gone With the Wind* was done by Sherman. There is a fancy statue to Sherman in New York City on Fifth Avenue and 59th Street.

[2] In a chat sponsored by www.theacademic.org in May, 2001

[3] Susanne Jonas, *Of Centaurs and Doves: Guatemala's Peace Process*, 2000, Westview Press, Boulder, CO. This is my primary source on Guatemala.

[4] *The London Times*, June 6, 2001

[5] Susanne Jonas, *op.cit.*, p.24

[6] Of interest to Sri Lankans of both sides is Jonas' discussion of the insurgents' responsibility for such devastation of their own population:

...A far more troubling set of issues concerns the responsibility of the URNG and its relationship to the indigenous civilian population in the highlands conflict zones during the second wave of the insurgency (late 1970s and early 1980s). A wide range of critiques has been made. The harshest is exemplified by David Stoll (1993), who argues that the highlands indigenous civilian populations in the Ixil area were, by and large, caught "between two armies"; whatever support they gave the guerrillas was based on coercion or deception. Rather than playing an active role in the war, they were victims of the revolutionaries' decision to challenge the Guatemalan army in their villages. Moreover, the revolutionaries deliberately or knowingly brought down repression on the highlands population in order to recruit; the population voluntarily joined the PACs in "self-defense" against both the guerrillas and the army. Some versions of the "two armies" thesis have been used to imply that the URNG bears a responsibility equal to that of the army and that it used tactics equally brutal (whether or not in equal proportion).

A significant part of the answer to such sweeping accusations lies in facts that have just recently begun to be systematized for the historical record. The April 1998 report (*Nunca Mas [Never Again]*) by the (Catholic Church) Archbishop's Human Rights Office (ODHA 1998) -- a report based on over 6,000 testimonies taken throughout the country over a period of several years -- was very clear in attributing responsibility for more than 85 percent of the war atrocities to the army and/or (army-controlled) paramilitary units, and slightly under 10 percent to the URNG. The February 1999 report of the official Truth Commission (CEH 1999) based on over 9,000 testimonies, went even further, attributing 93 percent of the atrocities to the army and paramilitary forces, versus 3 percent to the URNG (and 4 percent not determined). Both reports...documented and criticized the abuse. The February 1999 report of the official Truth Commission (CEH 1999) based on over 9,000 testimonies, went even further, attributing 93 percent of the atrocities to the army and paramilitary forces, versus 3 percent to the URNG (and 4 percent not determined). Both reports...documented and criticized the abuses committed by the URNG. But they both revealed that the army, unlike the URNG, deliberately engaged in levels of brutality far beyond what was militarily necessary. Furthermore, the CEH report demonstrated that the army committed acts of genocide, as defined by international law, as part of state policy during the 1981-1983 period.

But leaving aside the question of "two armies," equally responsible for the carnage, there are more nuanced critiques of the URNG's role. Yvon Le Bot's incisive book (1985) poses central questions that have troubled many Guatemalans: To what extent was the war of the early 1980s really a war of the Maya -- as contrasted with a war waged on Mayan territory by revolutionary organizations? In fact, was armed struggle a method that would have been taken up by the Maya had they not been forced to do so in self-defense against the army? Unlike less careful analysts, Le Bot does not accuse the URNG...of waging war against the Maya, but he does hold the guerrillas to account for unleashing the army's war against them and of not knowing how to contain it or defend the civilian population once it was

unleashed. This is unquestionably the historical responsibility of the insurgents.

Finally, an important current of opinion in Guatemala, from ex-members of the URNG among others, maintains that after the genocidal counterinsurgency offensive of 1981-1983, the URNG should have laid down its arms in order to avoid any further suffering by unarmed civilians...Coming at the end of a genocidal counterinsurgency offensive, and coming in large measure from ex-militants of the URNG, these criticisms of the URNG had a great deal of legitimacy. However, they assumed that the URNG in 1984 was a defeated force and could do nothing further...Yet from the perspective of 1999, that argument is belied by subsequent developments. As it turned out, the URNG was able to use its remaining military strength and its political capital to get the government/ army to the negotiating table; the peace negotiations resulted in substantive agreements that could truly benefit the civilian population --above all the indigenous population. That, at least, is the argument of the rest of the book. (Jonas, *op.cit.*, p.33-5)

[7] Jeffrey A. Sluka, Death Squad: The Anthropology of State Terror, 2000, University of Pennsylvania Press, Philadelphia, PA

[8] Jonas, *op.cit.*, p. 208

[9] Jonas, *op.cit.*, p.46

[10] Jonas, *op.cit.*, p. 50

[11] Jonas, *op.cit.*, p.52 The Guatemalan state as 'centaur' is an image of Carlos Figueroa Ibarra which describes "its domination by a counterinsurgency apparatus that was half-beast, half-human, a mix of civilian and military power, with the prevalence of the military component." (p.11) This description is most apt for Sri Lanka, especially considering the President retaining the defense portfolio and her uncle being her deputy of defense, notwithstanding that most reports to the outside focus on the civilian aspect. A detailed list of weaknesses of the Accord on Civilian Power is given by Jonas on p. 85.

[12] Jonas, *op.cit.*, p.80

[13] "The economic blockade and other bans and restrictions imposed under the cover of 'security measures' did not affect or undermine the armed resistance of the LTTE. These measures denied the Tamil civilian population essential needs and caused them untold suffering. The economic repression was an essential part of the military strategy of the previous government to dominate and subjugate the Tamil people...Because of the intensity of the suffering of our people as a consequence of these prolonging bans and embargoes, we decided to place the problem as the central issue on our agenda for talks...We knew that Chandrika might encounter opposition from the military establishment if she dared to lift the ban on fuel and fertilizers. For the military hierarchy, the war was paramount and the bans served the interests of the military to prosecute the war. The sensible way to secure the removal of the sanctions without controversy was to effect a permanent cease-fire and bring an end to the war. Based on this premise, we decided to include the issue of cease-fire in the agenda for the preliminary discussions." p. 25-6, Anton Balasingam, The Politics of Duplicity, 2000, Fairmax Publishing, Ltd., Surrey, England

[14] Aluf Benn, "Why Peace Doesn't Pay," *Foreign Policy*, May/June 2001, p.64-5

[15] Jonas, *op.cit.*, p.62