



CENJOWS

LTTE & SRI LANKA : A WAY AHEAD

BACKGROUND

In the era of decolonization Ceylon, now Sri Lanka was referred to as a model colony. The transition to independence was smooth; there was no prolonged and bitter anti-colonial struggle as in the case of India, Indonesia and Vietnam. On the eve of independence, it was relatively a peaceful country, compared to the orgy of violence that accompanied the birth of its northern neighbours, India and Pakistan. Mr. DS Senanayake, the first Prime Minister, was not only the leader of the majority Sinhala community; he had also the tacit support of other minority groups. The common links and aspirations, which united the elites among the Sinhalese and the Tamils have disappeared and Sri Lanka, as stated earlier, has degenerated into one of the most notorious "killing fields of the world". The early Tamil nationalists viewed Ceylon as a single political unit transcending ethnic, religious and linguistic differences. Their successors got disillusioned with the political system with the passage of the "Sinhala Only Act" in 1956. It further aggravated due to the irreconcilable perceptions of injustice and relative deprivation of Sri Lankan Tamils vis-a-vis the Sinhalese. An overview of Sri Lankan politics since independence clearly shows that the Tamils had been mainly "reactive" to Sinhalese politics. The politics of Tamil opposition started with the demand for balanced representation and responsive co-operation from the Tamil minority, which spanned the period from 1948-1956; the demand progressed to federal state and non-cooperation during 1957-1972; escalated to separatist slogans during 1973-

CHRONOLOGY OF EVENTS

- * 1956: Act passed which makes Sinhala the only official language. Federal party, an ethnic Tamil party begins non-violent protest.
- * 1960: PM Bandaranaike attempts to implement 'Sinhala-only Act' in Tamil majority areas.
- * 1973-74: Emergence of small militant Tamil Groups.
- * 1976-77: Training of Groups at Lebanon and elsewhere.
- * 1983 Communal riots flare up.
- * 1985: Peace talks at Thimpu fail.
- * 1987: Indo-Lanka Accord and Thirteenth Amendment about regional devolution of powers. LTTE distances itself.
- * 1987-90: IPKF operates in Sri Lanka returns after accomplishment of given mandate.
- * MAY 21, 1991: Former Indian premier Rajiv Gandhi killed, allegedly by an LTTE suicide bomber.
- * MAY 1, 1993: President Ranasinghe Premadasa killed by LTTE suicide bomber.
- * OCT 8, 1997: US declares LTTE a foreign terrorist outfit.
- * DEC 18, 1999: President Kumaratunga is wounded in an assassination attempt blamed on the Tigers.
- * FEB 2001: Britain outlaws the LTTE as terrorist organisation, followed swiftly by Canada and Australia.
- * FEB 2002: Govt. and Tamil Tigers sign a permanent ceasefire agreement which collapses by January 2008.
- * DEC 2002: At peace talks in Norway the government and rebels agree to share power.
- * NOV 2, 2007: Tamil Tigers' political wing head S.P. Thamilselvan is killed in an air raid.
- * JAN 2, 2008: Sri Lanka withdraws from the ceasefire agreement and steps up attacks against the Tigers.
- * JAN 2, 2009: Sri Lanka forces capture Kilinochchi, leaving the Tigers only the jungle district of Mullaittivu.
- * JAN 25, 2009: Sri Lankan troops capture Mullaittivu.
- * JAN 27, 2009: Mr. Pranab Mukherjee visited SL to assuage the Tamils.
- * The battle of the Jungle is on, over 2 lacs rounded.

1976; and ended with the demand for a separate state in 1976. In the early years of Tamil sub-nationalism; its aspirations were internal and not external self-determination. In other words, federalism was the goal and not a separate state. Still more interestingly, every candidate advocating secession suffered humiliating defeat in the parliamentary elections till the mid-1970s. By the mid-1970, the Sri Lankan Tamils, who were, to begin with "reluctant secessionists" began to define themselves as a separate nation, entitled to self-determination and a separate state. Sinhala politics which marginalized the Tamils; and above all the brutal military repression which was unleashed on the Tamils, all these convinced the Tamils that their legitimate rights could be guaranteed only by a separate State.

MAIN CAUSES

At the centre of Sri Lanka's ethnic conflict is the question of State power. From the perspective of the Tamil community, this question of State power has expressed itself in their exclusion from sharing State power in the post-colonial period. The perception as well as experience of discrimination, being treated just as a 'minority' and a community with a second-class status of citizenship and of moral worth, emanated from an unequal distribution of State power among ethnic communities in the years after independence. The majoritarian practice of minority exclusion from the domain of State power was further facilitated by the way in which State-building and nation-building processes took shape in the post-independence period.

SELF-DETERMINATION IN THE SRI LANKAN CONTEXT

Self-determination means, the right of the Sri Lankan Tamils to decide their own political destiny—it can also apply to autonomy and self-government. Perhaps Sri Lankan fears are

that devolution and autonomy are stages en route to the final destination of an independent sovereign state of Tamil Eelam. For Sri Lanka, there must be iron-clad guarantees that self-determination does not imply secession. 13th Amendment, Norway Agreement, Thimpu talks et al do not address the basics. 13th Amendment therefore is the only one which chalks out a devolution agenda. However, some of the observations on the 13th Amendment which the legal luminaries have pointed out are:-

- * Power will continue to reside in Sinhala dominated Central Govt.
- * It has created provincial ministers who will not exercise executive powers but will execute powers exercised through them.
- * Same time it has created Provincial Governor appointed by President (holding office at his will and pleasure).
- * Governor is the administrative head of the Provincial public service and controls Provincial Finance Fund.
- * 13th Amendment has created a Provincial Council without Control of Planning & Control on Provincial budget, Police, public order, State land, higher education, etc.
- * The remaining legislative powers are also subject to the overriding will of the Central Parliament.

The existing power-sharing arrangements in other countries need to be analyzed, so as to suggest innovative principles to assuage the sentiments of that section of society that feels estranged and alienated. There is a need to evolve the principles that would govern the devolution of power so as to eliminate the dangers of perpetual internal strife. There may be a need to explore the options beyond the classical models of federalism. But 13th Amendment should remain the cornerstone of such discussion which chalks out a devolution agenda.

PRESENT SITUATION IN SRI LANKA

The Lankan Army has registered major victories against the LTTE and has captured key areas like Killinochchi, Elephant Pass and Mullaitivu town and regained control of the A-9 highway. Tamil tigers have now been restricted to a small area of approximately 150 sq km adjacent to the coast. The Lankan government believes that it's a matter of weeks before it takes over this area. In the words of Sri Lankan Defence Secretary, Mr Ghotabhaya Raja Paksha, LTTE is now using the civilians as human shields to prevent Govt forces reaching their strongholds. He also added that the forces have led the LTTE to a very small area in Mullaitivu district at the moment (see sketch).



Presently Disaster Relief Programme has been undertaken to provide relief to the trapped civilians (2,00,000) IDP, UN interventions etc. Tamil National Alliance (TNA) recognized as a proxy for the LTTE said the Sri Lanka Government should go for ceasefire with the LTTE. Known for using the ceasefires to regroup and rearm themselves in the past and hence the Sri Lankan Govt is ignoring their call. The Government has repeatedly said that it will not call a ceasefire unless the 'rebels' lay down their arms and surrender. The rebels had earlier ignored the Sri Lankan Government call on 29th Jan 2009.

INTERNATIONAL COMMUNITY AND INDIA'S LEVERAGE

It was felt that Colombo has successfully changed to a large extent the world opinion in its favour. While largely sharing the US perception and posture on the issues of war and peace in Sri Lanka, the European Union (EU) has sought to maintain somewhat an independent stand. The differences are that in contrast to a firm anti-terrorism plank of the US, the EU has taken a moderate stand though it has proscribed the LTTE as a terrorist organization. Within the EU itself, there are disparate voices and contrasting positions, Japan has its own style of functioning and responding to the developments. It has shown its activism in economic diplomacy and peace-building in the island. But international community efforts to draw it out by the use of economic incentives alone and aid failed. This strategy of 'cheque book diplomacy' used by the Japanese during 2003-2004, clearly indicated the limits of economic incentives without political incentives, with regard to the LTTE in particular and Sri Lankan Tamil aspirations in general.

If conflict resolution is the sole objective of the international community's involvement in Sri Lanka, it must take appropriate steps to increase the peacemaking capacity of both the protagonists while creating severe constraints on their war-making capabilities. Since its limited facilitation role, especially by the Norwegians, has proved to be a total failure, it is essential that the international community significantly expands its role and becomes proactive by mediating between the parties. True, such an involvement may evoke an internal political resistance which the mainstream democratic forces should be in a position to manage. This requires a bipartisan political approach i.e, the much needed southern consensus on peacemaking and UN aid to Lankan IDP's. As the major battle on the eastern flank is coming to rapid end and with the last bastion at Puthukudirippu on the verge of collapse UN agency operating in Sri Lanka are

planning to raise staggering US\$ 155.5 million for relief operation in the northern and eastern province. Funds were needed for food aid, shelter, non-food items, camp management, protection, economic recovery, infrastructure, agriculture, health care, water & sanitation, education, nutrition, etc.

PRESENT POLITICAL AIM OF SRI LANKA

The modality of politics that underpins the ongoing anti-LTTE operation of the SLA envisages the competitive struggle posed by the LTTE-led Tamil political elite against the Sinhala elite as a threat to the latter's superior position within the socio-political hierarchy in the region. It goes on to construe that whatever is left of the non-LTTE Tamil nationalists impulse, rooted in the Tamil working class, as a challenge to its position and the hegemony of competitive and stratified socialization it engenders. The overrunning of Killinochi, the LTTE's administrative capital, by the SLA and its current fight to the finish against Tiger guerillas in the jungles of Mullaithivu are, therefore part of a deliberate military-political strategy to crush all genuine aspirations for Tamil autonomy and empowerment. Sri Lanka therefore feels free:-

- to continue to pursue a military solution to the ethnic problem.
- to ignore just demands of Sri Lankan Tamils and continue to heed Sinhala's intransigence.
- to pick and choose pliable Sri Lankan Tamils to head northern region after the elections, which are scheduled in future.

FAILING OF THE LTTE

The international outlook on terrorism changed after 9/11. Thereafter all terrorist organizations including LTTE were banned. With 37 countries, including India, US, UK and members of the EU, having declared the LTTE a terrorist organization, Prabhakaran today faces international isolation. With dwindling political support, even within Tamil Nadu, and

with western governments having ordered a crackdown on Tamil expatriates remitting money to LTTE front organizations, the financial, diplomatic and military squeeze on Prabhakaran is tightening. He is now playing a desperate endgame of sowing dissensions against New Delhi in Tamil Nadu. It was therefore well nigh impossible to support LTTE cause no matter how genuine they were by India. It must also be remembered that the LTTE was also responsible for the killing of Mr Rajiv Gandhi, our former Prime Minister. Some of the other reasons that can be attributed to LTTE's failing are:-

- Prabhakaran remaining brutal, uncompromising and authoritarian.
- Did not allow consensus within the group, resulting in defection of Col Muralidharan (Karuna).
- Has displayed little political skills and refused to accept that military campaigns have limits.
- And lastly he did not understand the intrinsic importance of India.

RESURGENCE OF INSURGENCY

The manner in which the triumphal advance of the island-nation's armed forces into the northern bastion of the Liberation Tigers of Tamil Eelam (LTTE) have been welcomed the world over, indicates this has indeed become conventional wisdom. Buoyed by the current discourse on terrorism, the global opinion seems to have internalized the idea that violence cannot be unjust as long as it emanates from the state. The international support garnered by the Sri Lankan Army genocidal advance into Northern Province of the island-nation indicates how such a discourse can help abet majoritarian state terrorism and render it legitimate. Sri Lankan government has delivered neither democracy nor equity to the eastern province. This has been frequently indicated by reports of a new power struggle having broken out within the break-away LTTE faction, resulting in violence spilling over into the wider Tamil dominated

society of the province. It is politically misplaced to assume that it matters little at this juncture that the autocratic LTTE is being eliminated by the security forces of the majoritarian Sinhala state. **We must not forget that no victory can last if it leads to the humiliation of the defeated.** LTTE has become a movement. The government of Sri Lanka therefore must make every effort to come to a logical solution to this problem in order to assuage the hurt feelings and restore pride, honour and dignity of its Tamil citizens before it gets aggravated. Tamil nationalism will arise again if justice is not done and the time is now. Meanwhile, some observers notably have propagated the view that the LTTE has a devious plan to draw the GoSL into a war in the North, where the topography and the ethnic loyalties suit its combat operations and tactics. From a heavily guarded hideout in Colombo, Colonel Karuna said, 'it will take at least one to one & half years for this Sri Lankan Army to clear the rebels'. He also added that the **Tamils are fed up with war and they need peace and development and not a separate state.**

THE INDIAN OPTIONS

In the coalition politics era Tamil Nadu has 39 seats in Lok Sabha and has considerable influence on centre polity. The two Tamil parties viz, MDMK and UPA constituent PMK are seeking India's interventions to stop military offensive in the island nation. However, this demand was rejected by the government. External Affairs Minister, Pranab Mukherjee told the House that, **India cannot force a sovereign government of another country to take a particular line.** He also denounced LTTE and said that it has caused much damage to the Tamil Community. As the conflict enters what may be the final phase of military operations, the LTTE would best serve the interest of the Tamils by immediately releasing all civilians and laying down arms. This is therefore is an opportune time to implement a political solution something that successive Indian governments have been urging to do over the years. After 23 years of conflict there is today a political opportunity to

restore life to normalcy in the Northern Province and throughout Sri Lanka. Those charged with the responsibility and the Indian policy makers could therefore consider some of the following options at this stage to alleviate the humanitarian crisis emerging in Sri Lanka and to bring the peace process back on the rails:

- * Indian government needs to engage Government of Sri Lanka (GoSL) proactively and persuade it to avert the humanitarian costs of its war efforts against the LTTE and to put peace process back on track.
- * The Indian Government should sensitise the concerned international community about the deteriorating humanitarian conditions in the North and East and engage them to reactivate the peace process in Sri Lanka.
- * It is primarily GOSL's responsibility to evolve a fair and equitable constitutional framework for devolution of power in the North and East. India needs to put this point across to GoSL in a firm manner. The draft outlining devolutionary arrangement between the central government and provincial government of Sri Lanka can be taken as a basis for discussion on constitutional revision.
- * The Government of India in the meantime needs to strengthen economic ties with Sri Lanka keeping in mind the need to ensure wider economic development of all regions and all communities. India could also consider the option of participating in the reconstruction and rehabilitation efforts in the conflict affected areas.
- * The Govt. of India should also consider to influence international agencies like IMF, World Bank to help Sri Lanka's crippling economy to come back on its rails so as to enable the growth and development in the Island.
- * India should consider engaging non-political groups like think tanks, academics and civil society leaders, Buddhist monks and others to create a conducive atmosphere amongst the Sinhalese in the south.
- * At the security front India has to ensure that the LTTE does not develop into a security

concern for India. The Indian government needs to strengthen the coastal surveillance and vigilance along the east coast to avert the possibility of Tamil Nadu becoming a hub of LTTE activities in India.

- * The Govt of India may also consider engaging the Tamil National Alliance (TNA), the elected representatives in the North and East, in absence of direct dealing with the LTTE, in its effort at finding a solution.

Military Options. As far as the Indian military options are concerned the panelists were unanimous that there is no reason presently that should provoke India to take such a step as long as its strategic interests are not compromised.

CONCLUSION

Many have argued that Sri Lanka is fast qualifying to be a failed State. The conflict in Sri Lanka has been internationalized beyond a point of return. A solution can be found only through a major international intervention and guarantee. India perhaps finds itself in a dilemma. It will not welcome any major international intervention nor would it like to become a direct mediator. The Sri Lankan Tamil must realize that while demographically they only form part of 17% of the Sri Lankan total population, yet they are claiming 27% of the most fertile area of the northern and eastern

sector of Sri Lanka. There must be some introspection and realization on this aspect.

The role of the Sri Lankan civil society, media, NGO's as well as various political parties and organizations is extremely important to create a climate of opinion to dissipate the prevailing mistrust which has been clouding the thought process necessary for resolving this issue. Besides the Sri Lankan Tamil population in the North East, there are other minorities, particularly the Muslims and their view point needs to be taken into account. If we really want lasting peace process and it desperately required a multi-partisan southern consensus to bring the peace process to its logical end. There is a need to move away from a Sinhala Buddhist nationalism to a genuine Sri Lankan nationalism which embraces all the ethnic groups of the country in a manner that no one feels left out. After the failure of Oslo Engagements, there has been an all pervasive 'trust deficit', which needs to be bridged. Perhaps under the circumstances, Nehru's moral code remains the only valid political philosophy. Non-interference in another country's internal affairs was a cardinal principle of Panchsheel. **War needs courage. Peace needs courage, clarity & consistency.**

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Views expressed in this paper are of the panelists
and do not necessarily represent the views of the CENJOWS*

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