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# The Challenges of Conflict Management: A Case Study of Sri Lanka

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*Conflict processes are determined both by the larger geopolitical context and the domestic political structure. Yet current studies tend to examine either international or domestic factors, neglecting their interaction. This article undertakes an analysis of the Tamil conflict in Sri Lanka in order to examine domestic-international intersections. In countries where civil war coexists with stable, democratic institutions, conflict management becomes a complex process of balancing competing demands within the government. Under such conditions, noncoercive intervention, such as mediation, can play a more constructive role than military action. The argument of this paper marks a shift from the existing literature which tends to focus on conflicts in failed, anarchic states where coercive intervention becomes necessary.*

Over the last 15 years, the number of civil wars worldwide has declined. Systemic changes such as globalization, the spread of democracy and greater international involvement in domestic affairs are encouraging states to adopt a negotiations-based approach to conflicts.<sup>1</sup> When exploring the ebbs and flows of ethnic conflict, a twin track approach, which looks at both the domestic and the international levels of analysis, is critical. Yet, the existing literature tends to focus on *either* international intervention *or* domestic institutions; that is, each factor is examined in isolation.

What conditions explain the management or resolution of civil wars? Uncertainty and mistrust between the state and minority groups drives political violence. Mitigating these conditions becomes essential for building peace. Extant studies of third-party efforts to resolve civil war are based on the pessimistic notion that conflict-affected states face such acute levels of institutional vacuum that they require forceful intervention. The literature fails to address cases where the dynamic is a more complex interplay of both interstate and intrastate politics. In countries where stable institutions coexist with political violence, third parties must take this intersection into account. Under such conditions, non-coercive intervention, such as mediation, can play an instrumental role in overcoming trust barriers. This article examines the Tamil conflict in Sri Lanka in order to explain the impact of domestic and international interactions upon the peace process, within the context of a relatively stable democratic polity.

The following section reviews the current body of literature in the field. Next, I discuss the reasons that make the Sri Lankan case particularly relevant to such a study. A brief history of the conflict is provided. The paper then discusses different

phases of international intervention and the domestic context in which intervention occurred. The domestic and international dimensions of the conflict management process are explored. The paper concludes with a discussion of its implications. The study is state-centered and focuses on the Sri Lankan government's decisions during the conflict. While the tactics of the rebelling group are discussed, a full-length exploration of both sides to the conflict is beyond this study's scope.

#### INTERNATIONAL INTERVENTION IN ETHNIC CONFLICT

##### *The Need for International Intervention*

Within the robust body of literature on civil wars, there is relatively little scholarly research on the de-escalation, management and resolution of conflict. Despite the growing role of international intervention, theoretical development in understanding third-party action in ethnic conflict is still lacking. The literature exhibits a considerable amount of debate, driven in part by the circuitous nature of conflict processes. Systematic studies of specific cases can help us probe causal processes and understand the impact of various types of intervention.<sup>2</sup>

In security related studies, the international–domestic boundary used to be fairly rigid.<sup>3</sup> Scholars worked under the assumption that the international system is marked by anarchy. As a result, they focused on security dilemma and commitment problems. Students of domestic politics have, in contrast, worked under the assumption that states have a working hierarchy. Consequently, they studied laws and institutions. Scholarship in recent decades has challenged these boundaries between international and comparative politics.<sup>4</sup> As global interdependence increases, conflict resolution is often an outcome of factors at both the domestic and the international levels.

International intervention refers to economic, military or diplomatic activity by a third-party actor, which aims to influence the course of an ongoing civil conflict. International engagements have facilitated the settlement or containment of an increasing number of ethnonational wars. Third parties can modify the costs and benefits of the conflict by providing information, helping to design creative and feasible solutions, offering incentives and/or threatening sanctions. In civil wars, conditions of mistrust make the probability of compromise quite low. In many cases, the conflict comes to be viewed as a zero-sum game by the actors. This often makes mediation, or other forms of external action, a necessary ingredient in negotiations.<sup>5</sup>

##### *Combining Levels of Analysis*

Why is it important that we place intervention within the context of the domestic political situation? Current studies of third-party actions often assume that war-affected states mirror the state of anarchy found in the international system. In part, this has been a result of discourse that suggests a binary opposition of failed and successful states.<sup>6</sup> This dichotomy suggests that conflict-affected states are failed countries with no central authority, legitimacy or ability to provide public goods.

Domestic anarchy calls for a third party to stabilize and monitor the situation through heavy intervention.<sup>7</sup>

In fact, state capacity in countries facing ethnopolitical violence is not uniformly weak. Not all conflict-affected countries are collapsing or failed states.<sup>8</sup> For example, India is an enduring democracy with a federal structure. Yet, institutional weaknesses have encouraged numerous ethnic rebellions. Other examples include Sri Lanka, Indonesia, the United Kingdom (Northern Ireland), Papua New Guinea and the Philippines. Many of these states occupy a middle ground between the supposed dichotomy of failed and successful states. Wars in such situations may be resolved without the heavy-handed stability guarantees that are touted in existing scholarly and policy studies.

Because of the literature's focus on high-decibel cases of state failure like Somalia, Rwanda, Sierra Leone, Liberia, and the Democratic Republic of Congo, we ignore cases of peace negotiations and/or settlements which have occurred with a partnership of domestic and international actors, such as in Indonesia and Papua New Guinea.<sup>9</sup> As a consequence of this limitation, most studies on the role and efficacy of international intervention ignore local capacity. Conversely, studies that examine the relation of domestic institutions to ethnic conflict do not examine the possible intersecting effects of international intervention.<sup>10</sup> Even though scholars have encouraged an integration of international relations and comparative politics in understanding peace processes,<sup>11</sup> few studies of conflict management have actually addressed this gap.

#### INTERNATIONAL INTERVENTION IN DEMOCRACIES

Understanding the complementary role of international and domestic factors becomes particularly important when we examine conflict processes in democratic countries. Because democracies provide more information about decision-making processes and outcomes, the security dilemma and resulting conflict spirals are mitigated.<sup>12</sup> However, since democracies allow the open expression of dissent, they might also send unclear signals to rebelling groups about the extent of consensus and political will in the government.<sup>13</sup> These dynamics have a significant impact on civil war, a point that has not been investigated in the current literature. The research presented here will point to the complex relations between democracy and conflict management.

Theoretically, democratic regimes are more transparent, receptive to dissent and amenable to power sharing. These factors should make them more willing and able to compromise with rebelling groups. Where democratic institutions have been manipulated and weakened, the credibility of political structures declines. In such situations, the challenge of balancing competing claims to state power and resources becomes very complex. Electoral competition can make it difficult for the government to seek a compromise solution with rebelling groups, particularly if the latter are perceived to threaten national integrity and unity. Being receptive to international intervention, especially if it involves foreign military presence, can

make the government vulnerable to accusations of weakness and trigger a nationalist backlash. International intervention, even in softer forms such as mediation, can suggest the government is unable to address its internal problems.<sup>14</sup> In the war of images that often characterize internal conflict, such a move can strengthen the rebels. In other words, stable and democratic countries are also vulnerable to civil conflicts. In such situations, the efficacy of international intervention might be limited by the democratic politics of the affected state. Low- key intervention, which facilitates, rather than forces, the peace process is a more useful conflict-management tool in such cases.

A number of studies in international relations have shown us that states are not unitary actors. Internal debates and rivalries affect most foreign policy decisions. This realization has not been adequately extended to examinations of international influences on civil wars. The state is often assumed to be a unitary actor with a single set of rational preferences.<sup>15</sup> In practice, governments wrestle with clashing demands and interests while attempting to resolve domestic rebellions. Democratic regimes do tend to have a higher probability of engaging in direct dialogue with rebelling groups.<sup>16</sup> At the same time, they have decisional constraints that limit the ability to reach power-sharing agreements with minority groups. Disagreements and competition *within* the state can play a pivotal role in the conflict process. Such processes are often most visible and influential in democratic regimes, where electoral competition and alliance politics determine policy decisions.<sup>17</sup> Recognition of intra-government differences is critical for a nuanced understanding of the effects and limitations of international intervention.

Few studies consider the receptiveness of a country towards intervention in terms of local perceptions of sovereignty. In the Sri Lankan case, India's offer of security guarantees was greeted with intense popular opposition because it was seen as a threat to the country's integrity. Such perceptions are likely higher in countries with a greater degree of local state capacity and can exercise a direct influence on the efficacy of third-party intervention. There is a need to develop a better understanding of conflict situations in stable and democratic countries, and to explore the limitations and opportunities of third-party intervention in such situations.

#### *Enforcement Intervention: Is it Necessary?*

Scholars have argued that enforcement-based intervention, such as military action or providing security guarantees, is necessary to overcome the chronic credible commitment problems that plague civil war. The emphasis on enforcement leads us to neglect the distributional and political conditions that foster dialogue. Strong third-party intervention can create an 'unnatural peace' which merely shifts the problem of credible commitment to external parties.<sup>18</sup> Research on interstate crises has also indicated the negative unintended consequences of heavy-handed intervention.<sup>19</sup>

Peace is viable only so long as the external actors remain committed to monitoring and enforcement activities. Such external commitment is in itself rare. Realist theory suggests that international actors will be reluctant to commit substantial and sustained resources to a distant conflict unless they have a direct interest in it. If the security

guarantors are interested parties, it would follow that they would be perceived as biased by at least one of the conflict actors. It is unclear how such a perception could override the mistrust, which is driving the conflict. In Cambodia, Somalia and Angola, external security guarantees have collapsed, leading to further domestic warfare. In other cases, such as Guatemala and El Salvador, noncoercive, normative intervention has greatly facilitated the peace process.<sup>20</sup>

### *An Integrative Theory*

In sum, the existing literature does not pay adequate attention to the intersections between domestic and international levels of analysis in conflict management. Taking a more nuanced look at this interplay challenges the emphasis on forceful international intervention and security guarantees present in some studies.<sup>21</sup> The United Kingdom (Northern Ireland), Sri Lanka, Bangladesh, Papua New Guinea, Indonesia, India and Philippines, have all experienced rebellions while having democratic institutions and a central focus of control. Third-party actions in such situations face particular challenges due to the weaknesses of internal political structures. Where the state is not facing a collapse of authority, facilitative intervention, such as mediation, can be a more cost-effective conflict management tool than high-cost, high-impact actions. Identifying alternatives to coercive intervention becomes particularly important given the relative rarity of external security guarantees.

### WHY SRI LANKA?

This paper will examine the interactive processes of domestic and international influences on the Tamil conflict in Sri Lanka. The island nation of Sri Lanka has a population of about 19 million people. A majority of the country is Sinhala (about 74 per cent), while an estimated 12–13 per cent are Sri Lankan Tamils.<sup>22</sup> Since the 1980s, Sri Lanka has faced a protracted violent conflict, led by the militant Liberation of Tamil Tigers Eelam (LTTE). The LTTE has demanded a separate and independent state for the Tamil people, who are concentrated in the north-eastern part of the country. The Sinhala-dominated Sri Lankan government (GoSL) has refused to acquiesce to this. The war has affected the vast social and economic potential of this country, once hailed as the next Singapore of Asia. It continues to be one of the world's most intractable conflicts.<sup>23</sup>

### *Political Institutions*

Sri Lanka has several factors, which make it a particularly interesting study, distinct from the failed states that often constitute explorations of intervention in civil wars. First, the country has reasonably strong political institutions, with stable bureaucratic and juridical structures. Except for the LTTE-controlled areas of the northeast, the government enjoys territorial sovereignty and sufficient military capability. Despite the long-standing conflict in the Jaffna Peninsula, the rest of the country has experienced 'regular' life and a strong civil society.<sup>24</sup>

Second, Sri Lanka is a long-standing democracy with an active and competitive multiparty system. Theoretically, democratic structures provide transparent power-sharing mechanisms which can help overcome commitment problems. Some scholars have, however, questioned the ability of democratic governments in developing countries to prevent or manage conflicts.<sup>25</sup> A close examination of the Sri Lankan case will highlight some of the challenges of conflict management in a poorly functioning democracy.

#### *History of Intervention*

Sri Lanka has had a long history of international intervention. Broadly speaking, there have been two major phases of external action. The first phase involved a high level of diplomatic and military intervention by the country's powerful neighbor, India. This intervention culminated in India's controversial, and ultimately failed, military incursion and subsequent withdrawal in 1990. The next major phase of intervention began in 1997 and has involved mediation by Norway.<sup>26</sup>

The case illustrates many of the challenges and opportunities presented by third party-action. The disastrous Indian intervention highlights the potential dangers of military action, particularly in a country with a strong sense of sovereignty and nationalism. On the other hand, facilitative intervention has played an important role in enabling the conflicting parties to engage in dialogue with each other. At the same time, the Sri Lankan state's internal divisions have prevented it from taking decisive steps towards reaching a viable settlement. In sum, examining the Sri Lankan case will enable us to understand the role of different forms of intervention: mediation, diplomatic pressure and military intervention.

#### A BRIEF HISTORY OF THE CONFLICT

Sri Lanka (then known as Ceylon) was a British colony from 1795 till 1948. As in many of its other colonies, the British encouraged the development of a small group of cosmopolitan, English-speaking administrative officials. As a result of the historical concentration of educational facilities in the Jaffna Peninsula, Tamils, who were in a majority in this area, came to dominate this English-speaking group. Much of the Sinhala population was excluded from this elite circle.<sup>27</sup> Sri Lanka gained independence from Britain through a peaceful transfer of power in 1948. From its inception, it was a parliamentary democracy. While the first few post-independence years were marked by a great deal of optimism, ethnic strife was soon to become a scarring and permanent feature of Sri Lankan politics.

In post-independence Sri Lanka, linguistic differences became a highly divisive issue. Acquiescing to the demands of nationalists, the government instituted Sinhalese as the sole official language. Concerned with their marginalization, Tamil politicians began to seek autonomy for their community. Assurances were given to the Tamils that their language would be given due recognition. However, as rival political leaders tried to attract the Sinhala vote by attacking attempts at power sharing, the assurances did not yield results.

In an effort to garner Sinhala votes, successive governments enacted a series of measures aimed at asserting the preeminent position for the majority group. A new constitution in 1972 emphasized the unitary structure of the state. It also made Buddhism the foremost religion and Sinhalese the dominant language. In 1973 the government introduced a system of positive discrimination in favor of Sinhala candidates in university admissions. This resulted in a fall in educational and employment opportunities for Tamils. As the Sri Lankan economy faltered and unemployment increased, the government resorted to greater numbers of populist moves to fuel Sinhala nationalism. Successive governments in Sri Lanka would support greater rights for Tamils but back down in the face of Sinhala opposition. Ethnic outbidding had become a standard feature of Sinhala politics. As a result, Tamil groups looked upon government proposals with cynicism and demands for a separate state became more entrenched. Sri Lankan politics became marked by competing and clashing claims of Tamil and Sinhala nationalism.<sup>28</sup>

Tamil militancy came to the fore during this time. The Tamil New Tigers was formed in 1972; this group was to become the Liberation Tigers of Tamil Eelam (LTTE) in 1976. The year 1983 marked a significant escalation in ethnic polarization and violence. On 23 July 1983 Tamil militants killed 13 soldiers in Jaffna. This was followed by indiscriminate rioting in Colombo, where Tamil civilians were brutally attacked and killed. Politicians and government officials openly participated in the violence and President J. R. Jayawardene showed little, if any, regret for the situation. The riots directly led to the creation of a large Tamil refugee population, both within and outside the country. There was an exodus of Tamils to Europe, North America and neighboring India.

The Tamil diaspora that had been displaced after the 1983 riots helped create a global militant movement. The LTTE evolved into one of the world's most disciplined, well-funded and well-organized militant organizations, with strong bases in India and several Western countries. The group has continued to wage a brutal campaign against Sri Lankan forces.<sup>29</sup>

#### MILITARY INTERVENTION BY INDIA

Because of the island's geographical location and strong kinship links between the Tamil populations in the two countries, India has had a long-standing interest in political developments in Sri Lanka. India's position has, however, been riddled with internal contradictions. As demands for autonomy grew among Sri Lankan Tamils, the Indian government became concerned with the possible impact on its restive southern state, Tamil Nadu. At the same time, Indian politicians used the conflict in their own brand of ethnic outbidding. Political parties in Tamil Nadu vied with one another to support Tamil demands in Sri Lanka. The central government supported these moves in order to garner votes. Additionally, the Indian government sought to enhance its influence over the country. As a result, the Indian government adopted a muddled, twin-track policy. While Sri Lankan Tamil



militant groups were trained by India's intelligence agency, Research and Analysis Wing, New Delhi became a mediator in the conflict.<sup>30</sup>

In 1985 Indian Prime Minister Rajiv Gandhi convinced Sri Lankan President Jayewardene to hold talks with separatist Tamil groups under Indian mediation.<sup>31</sup> Sri Lankan authorities met representatives of five major Tamil guerrilla groups in Thimpu, Bhutan for two rounds of talks in 1985. Initially, the talks seemed to progress well with discussions on devolution of power. Yet, the actors were unable to reach a final decision, as each side continued to blame the other for ceasefire violations.

During the talks, President Jayewardene's ability to make concessions was hampered by domestic alliances and conditions. Sinhala nationalists launched a virulent campaign against the peace talks and the Buddhist clergy allied itself with the rival party. Jayewardene resorted to populist rhetoric to placate Sinhala nationalists and took an increasingly hardline stance toward Tamil demands. The Tamils withdrew from the talks in August, protesting an outburst of violence in a northern town.<sup>32</sup> As the talks headed towards collapse, new fighting erupted between the two sides.<sup>33</sup> The Indian government continued to try and facilitate the peace process, but its efforts were unsuccessful. By 1986 talks had broken down completely and the violence escalated.

In 1987 secret talks between the Indian and Sri Lankan government led to a peace accord. According to its terms, Tamil militant groups would not be permitted to operate on Indian soil. In addition, Indian troops would be sent to the northeastern Sri Lanka to help disarm Tamil militants and protect civilians. The secrecy surrounding the talks fueled the belief that the Accord was imposed by the Indian government upon President Jayewardene and on the LTTE.

The Indian Peacekeeping Force (IPKF) that was sent to Sri Lanka was, initially, a security guarantor to maintain peace in the Jaffna Peninsula. Yet, the role of the Indians was fraught with problems from the onset. Both Tamil and Sinhala nationalists opposed the accord. Tamil militants were enraged that discussions leading to the pact excluded their involvement and were suspicious of the fact that the accord gave primacy to the sovereignty and territorial integrity of Sri Lanka. Sinhala nationalists were virulently opposed to Indian involvement, viewing it as a violation of Sri Lankan sovereignty. Even ministers within the Sri Lankan government expressed their unhappiness with the agreement. The accord led to riots in Sri Lanka's capital, Colombo, and a resurgence of the militantly nationalist *Janata Vimuki Peramuna* ('People's Liberation Front') or JVP. This ensued in extreme and protracted violence in the southern part of the country, where the JVP had its traditional base.<sup>34</sup>

By October 1987 relations between the IPKF and the Tamils had reached its nadir, as allegations of brutal actions against Tamil militants and civilians reached their peak. The IPKF's role changed from a security guarantor to an enemy force, hated by both sides to the conflict. In 1990 the Indian troops finally left Jaffna under persistent demands from the Sri Lankan government.<sup>35</sup> After the departure of the IPKF, the LTTE declared the onset of its Eelam War II and a new phase of military hostilities started.

## LIMITATIONS OF THIRD-PARTY INTERVENTION

The IPKF operation was a disastrous mission. It destroyed India's reputation and entrenched hostilities between the LTTE and the Sri Lankan government. The Indian intervention failed to achieve its goal of ending the war in Sri Lanka and, in fact, had a counterproductive impact on the situation. The Tamils' experience of the harshness of the IPKF operation cemented their commitment to fight for an independent state.<sup>36</sup>

The Indian intervention shows the limitations of third-party action, even when the actor in question is a powerful one. The government of Sri Lanka was suspicious that India favored the Tamil militants, while the latter viewed India with hostility after the IPKF debacle. The military intervention was also seen as an unwelcome challenge to Sri Lanka's sovereignty. In sum, both sides mistrusted Indian involvement.

## FAILED PEACE MOVES

In the 1990s it became more apparent that the two sides were at a military stalemate. As a result, the actors became more receptive to the idea of a negotiated settlement. In 1994 the People's Alliance (PA), under the leadership of Chandrika Kumaratunga, came to power in the parliamentary elections. One of the PA's principal election planks had been a promise to initiate talks with the LTTE. The party's victory showed popular support for this. After coming to power, Kumaratunga introduced confidence-building measures to underline her government's interest in working towards a peace settlement.<sup>37</sup>

Although some talks were held between the two sides, prospects for a settlement were not positive. First, Kumaratunga enjoyed only a slim majority in the parliament, limiting her ability to implement reforms. Second, it was more than likely that even her own party members would resist surrendering political power to the Tamils. Finally, while the talks were continuing, the two sides continued to engage in military hostilities. In response to a major LTTE attack on a presidential candidate in October 1994, the government suspended peace talks with the group.<sup>38</sup>

In 1997 the Sri Lankan government made a renewed push for peace by trying to obtain a broader consensus on devolution while continuing its military actions against the LTTE. However, as in earlier instances, neither the opposition nor the ruling party showed a commitment to cooperate with each other on the peace process. The opposition of the Buddhist clergy played an important role in preventing any concrete proposals from being made. The LTTE, too, continued to arm itself, underlining its own reluctance to follow a negotiations-based approach. The Sri Lankan government's postponement of provincial elections and renewed military operations in the north underscored the lack of credibility in its peace overtures.<sup>39</sup>

In sum, the ongoing policy of ethnic outbidding ensured that the government was unable and unwilling to offer tangible autonomy to the Tamils. For its part, the LTTE was not committed to the peace process and the group declared Eelam War III in 1995.

## NORWEGIAN INTERVENTION

From 1998 the two sides once again appeared more willing to engage in dialogue. This was facilitated by a growing interest from Norway and a steady realization that the conflict had reached political and military stalemate.<sup>40</sup> The Norwegians held meetings with senior members of the Sri Lankan government, opposition parties and the LTTE in order to facilitate dialogue. India supported the Scandinavian initiative.<sup>41</sup> International interest pushed both sides in the conflict towards attempting to find a political solution.

Efforts to generate cooperation between the government and the opposition ultimately fell victim to the ethnic outbidding that has plagued Sri Lanka for decades. Hardline Buddhist monks and other Sinhala nationalists opposed the proposal on the grounds that it relinquished too much to the Tamils. The Sinhala nationalists were also suspicious of Norway's overtures to the LTTE and alleged that the intervener was biased in favor of Tamil separatists. Keen to avoid losing the nationalist vote, the President and the opposition leader publicly declared that they would take decisive steps only after consultation with Buddhist monks.

In 2001 military hostilities increased with a renewed battle for Jaffna and a major LTTE suicide attack on the international airport in Colombo.<sup>42</sup> At the same time, the major Sinhala political parties traded accusations on the handling of the conflict. The growing strength of Sri Lankan nationalist parties, such as the JVP, contributed to the unwillingness of the leading parties to take bold decisions on the conflict.<sup>43</sup> Once again, the efforts of the Norwegian mediation team were stymied by ethnic outbidding between the major political players in the country and the intransigence of the LTTE.

## AFTER 9/11: A SHIFT IN PERSPECTIVE

Despite these setbacks, international opinion in India, Canada and the US continued to support a peace process. Donor countries and international organizations began to exert pressure on the government of Sri Lanka to work towards a negotiated settlement. The terrorist attacks of 11 September 2001 marked a change in the LTTE's position. International sentiment and policy towards militant organizations hardened. Access to funds was tightened in several Western countries in which LTTE had a base. The group's sympathizers became more open in their questioning of the viability, effectiveness and legitimacy of its militant activities. As a result, the group showed an increasing preference for dialogue with the GoSL, even though it did not dilute its military strength.<sup>44</sup>

In December 2001 the UNP won the parliamentary elections and Ranil Wickremasinghe, who had promised to hold talks with the LTTE, became prime minister. Highlighting the importance of international intervention, Wickremasinghe said that he would rely on world opinion to withstand opposition from hardline Sinhala parties.<sup>45</sup>

A significant breakthrough was achieved by the Norwegians in March 2002. The two sides signed a ceasefire pact and agreed to hold direct talks. The agreement provided for the creation of the Sri Lanka Monitoring Mission (SLMM), led by Norway. Direct talks were held in Thailand and in Norway in 2002. GoSL and LTTE representatives discussed rehabilitation work and security issues such as the withdrawal of the military from certain Tamil-dominated areas. In December, the two sides made a major tactical shift by agreeing to explore a federal structure for Sri Lanka. Previously, the LTTE had been adamant in its secessionist stance. The agreement in Oslo indicated that the group was finally willing to seek a solution within the framework of a united Sri Lanka.<sup>46</sup> For its part, the GoSL had earlier been very reluctant to explore federalism. Sinhala nationalists had viewed the concept with a great deal of suspicion, concerned that it would directly lead to a breakup of the country.

The Oslo summit also underlined the LTTE's continuing quest for international legitimacy. The group welcomed the presence of foreign officials at the meeting and sought to send representatives to different democratic countries to study various models which could be applied to a reconstituted Sri Lanka.<sup>47</sup>

While these talks generated optimism and were encouraged by both India and the United States, concerns remained about the impact of domestic politics on the negotiations. In particular, the bitter rivalry between Prime Minister Wickremasinghe and President Kumaratunga was expected to be a major impediment.<sup>48</sup> The President alleged that the ceasefire terms violated the sovereignty of Sri Lanka by giving too much power to the Norwegians. She also opposed lifting the ban on the LTTE, a demand to which the Prime Minister had already agreed. The JVP was very hostile to the agreement and accused the government of betraying the country and succumbing to Norwegian interests.<sup>49</sup>

In April 2003 the LTTE unilaterally suspended negotiations. The Norwegians continued their attempts by talking to both the Sri Lankan government and the Tigers. Despite its pullout from direct talks, the LTTE showed a continued, albeit questionable, interest in the peace process. The ceasefire stayed in place, despite some minor violations and allegations that the LTTE was recruiting children as soldiers. On 31 October 2003 the LTTE presented its much awaited counterproposal outlining an Interim Self-Governing Authority for northeastern Sri Lanka. This was a significant step, as in the past, the LTTE had awaited the government's offers rather than offer some of its own.

Soon after the counterproposals were presented, however, the government of Sri Lanka once again found itself in turmoil. Exercising her constitutional powers, President Kumaratunga took over several key portfolios and prorogued parliament. Kumaratunga's move highlighted the bitter conflict between her and Wickremasinghe and the danger that this rivalry posed to the peace process. Because of the lack of clarity over the authority structure in the GoSL, the Norwegian government formally put its role in the peace process on hold.

In the 2004 parliamentary elections the PA came back into power with the support of the nationalist JVP. This cast doubt on the government's ability to push

forward a settlement with the LTTE. The JVP has consistently and vociferously opposed moves to recognize the LTTE and share power with Tamils. The party has also protested government cooperation with the militant group in the tsunami-affected areas of northeastern Sri Lanka. Nonetheless, Kumaratunga's government showed an interest in continuing the peace process. After assuming power, the President said that she welcomed Norwegian intervention and supported working with the LTTE on tsunami-related relief work.

Unfortunately, the hope that the conflict in Sri Lanka would be eased through cooperation in tsunami-related reconstruction efforts proved to be short-lived. Amid continuing ceasefire violations, increasing incidences of LTTE violence and frequent changes of power in the government, the peace process appears to be in serious jeopardy. In 2006 the Norwegians were able to arrange the first face-to-face dialogue between the two sides, preventing a possible return to war. The dialogue failed, however, to stem the rising numbers of killings. In the absence of a strong political direction from the Sri Lankan government and the recalcitrance of the LTTE, it is unclear where the peace process will ultimately lead.

#### INCENTIVES TO AGREE AND TO DISAGREE

There are at least three compelling reasons for the conflict parties to seek a negotiated settlement.

First, there is tangible war weariness among the population of the country.

Second, the conflict has reached a military stalemate, with neither side in a position to score a compelling victory. It is possible that the LTTE views its present situation as preferable to an ultimate settlement because it has de facto control over parts of the country. Nonetheless, the likelihood of the group being granted a separate state is small. Moreover, post-9/11 sanctions are believed to have hurt the finances and legitimacy of the organization.

Third, international pressure to resolve the conflict by peaceful means is strong. This includes both political and financial incentives. The conflict actors stand to gain from the substantial amounts of international financial assistance promised for post-conflict rehabilitation, reconstruction and development.<sup>50</sup>

Furthermore, leading Sinhala politicians acknowledge that the Tamil population has been wronged in the past and devolution is necessary. Yet, the path of peace has been filled with vacillation, both from the LTTE and the Sri Lankan government.

Given the strong incentives to continue the peace process, why has the Sri Lankan government been so unwilling to commit to it? One obvious reason is the mistrust of the LTTE. Many domestic and international officials are skeptical of the group's interest in co-existing in a united Sri Lanka. LTTE's violent methods do not reflect a credible commitment to the democratic governing process. The group has been criticized for continuing to violate the ceasefire, procure arms and forcibly recruit children as soldiers. The LTTE also mistrusts the government's intentions, as do many Tamil civilians. Consequently, each side's negative perceptions get reinforced, creating a formidable obstacle to the peace process.<sup>51</sup>

The second reason is the internal nature of Sri Lankan politics. Just as denying Tamils equal rights and status had been the hallmark of Sri Lankan politics in earlier decades; scuttling the peace process has become an integral part of recent party politics. The party in power supports the peace process; in response, the opposition casts doubt on the ruling party's commitment to a united Sri Lanka. As a result, the credibility of the government's assurances to the Tamils is very low. Ironically, the two principal parties, the UNP and the PA, have very few substantive differences on the peace process. They agree that the conflict has reached a military stalemate and that a decisive victory is unlikely. They also concur that a negotiated settlement is necessary for Sri Lanka's economic and social progress.<sup>52</sup> Yet each party questions and challenges the other's peace moves and refuses to give the support necessary for a settlement to be reached. The LTTE's quest for absolute power among the Tamils is matched by the intense competition between the PA and the UNP. These two forces have worked together to entrench the conflict and prevent it from ending.<sup>53</sup> The Sri Lankan case illustrates some of the ways in which democratic politics can hinder conflict management.

#### THE PARADOX OF DEMOCRACY AND THE POTENTIAL BENEFITS OF INTERVENTION

Theoretically, a democratic regime is well placed to mitigate commitment problems by allowing for a structure of competition, dialogue and power-sharing. We would expect that democracies have a greater probability of having substantive and successful negotiations with a rebel group. In Sri Lanka, however, we see an opposite process at work. Sri Lanka's electoral politics has been marked by ethnic outbidding from the outset. In addition, the structure of electoral politics in Sri Lanka and the division of power between the President and Prime Minister makes it difficult for any single party to gain decisive control over governance. As a result, the party in power is often dependent on alliances with smaller parties, who, in turn, have their own agendas. As a result, no government is strong enough to push through a peace agreement; and no opposition is willing to support the government in its attempts to secure such an agreement. Uncertainty has become a constant and defining feature of politics in Sri Lanka, affecting every stage of the peace process.

There have been times that the government and the opposition have attempted to cooperate on peace plans; however, these have been always been thwarted by the exigencies of party politics. The unwillingness to cooperate has affected the peace process by making the government's offers less credible. It may be true that democracies are more transparent in their negotiations.<sup>54</sup> This does not, however, lead to stability, particularly where democratic institutions are governed by the politics of expediency and shifting alliances. While democratic transparency can help the process of negotiations, democratic politics can, paradoxically, hinder it.

The international community does not support LTTE moves to establish a separate state. Such recognition would violate international norms against secessionist movements. It might also send a signal that terrorism can yield benefits.<sup>55</sup> This has

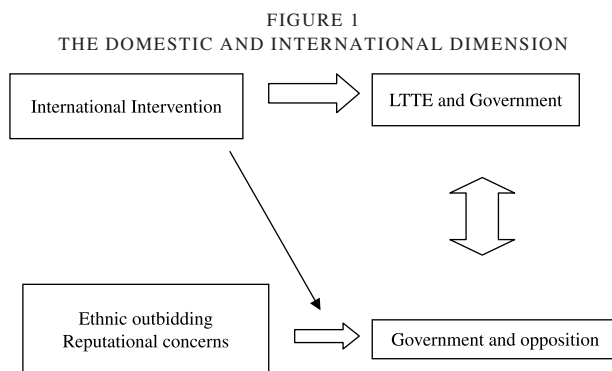
worked to the advantage of the Sri Lankan government. In addition, there are significant financial incentives for both sides to arrive at a peace settlement. Thus, international pressure has been active in encouraging negotiations.

During the phase of Indian military intervention, relations between the LTTE and the GoSL were very weak. When intervention took a more diplomatic, facilitative nature, we witnessed periods of substantive talks between the two sides. This was the case during the Thimpu talks in the mid-1980s and the Norwegian push towards peace from the late 1990s. International intervention has, however, had a weaker influence on the dynamics of intra-Sinhala politics. While the party in power tends to adopt a more conciliatory position, the one in opposition follows a more belligerent and critical path. This, in turn, impacts the progress of talks between the government and the Tamil separatists. Ultimately, this has created a situation where facilitative intervention does create room for talks but no agreement is reached.

In contrast to Norway’s intervention, India’s military action had a highly detrimental impact on Sri Lankan politics. It exacerbated the conflict and created a long-term antipathy toward foreign intervention. This, in turn, has led to mistrust of Norwegian intervention. The IPKF debacle shows the far-reaching pitfalls of a poorly planned, coercive intervention. In countries with functioning political institutions, noncoercive, facilitative intervention might be more useful in dealing with civil conflicts. Noncoercive intervention, such as mediation, represents a low-cost alternative between inaction and risky large-scale military intervention.<sup>56</sup> It also has a higher likelihood of getting local support as it does not threaten the country’s sovereignty.

Figure 1 illustrates the international and domestic dimensions of the conflict.

International intervention has helped facilitate dialogue between the conflict actors. Given the extent of mistrust between the two sides, third-party action is, in fact, essential to facilitating negotiations. Ethnic outbidding and reputation concerns have, however, created a situation where the government and opposition parties



Source: The author.

are unwilling to cooperate to find a credible, peaceful solution. The question of international intervention feeds into this dynamic to the extent that the government needs and seeks external help, but is reluctant to seem dependent upon it. These dynamics, in turn, affect the success of talks between the government and the Tamils.

From a policy perspective, the situation raises some difficult questions. It is not clear if the international community can, or should, take any action to alter the domestic political calculations. Nonetheless, this dimension is a critical intervening factor, one that the international community must be cognizant of and sensitive to. From a theoretical perspective, it is important to consider the impact of electoral politics on the efficacy of international intervention efforts.

Political institutions can and do play an important role in maintaining ethnic peace. In order to play a constructive role, however, they should be viewed as an impartial mediator by citizens. When institutions are not consistent and impartial, the citizenry will lose confidence in them. In Sri Lanka, political institutions have been weakened and manipulated to the extent that ethnic outbidding has become a standard feature of the island's politics, creating an atmosphere of extreme mistrust.<sup>57</sup> In such a situation, impartial external intervention becomes essential to fulfill the mediatory role abdicated by domestic institutions.

In Sri Lanka, previous peace efforts have been obstructed by two factors, the LTTE's extremism and domestic politics. Under international pressure, both economic and political, the positions of the LTTE and the GoSL had softened, although there are renewed fears about a return to war. What remains missing is a domestic consensus on a viable settlement. While third-party action has been successful in convincing the LTTE and the government of the need to reach a negotiated settlement, it has not been able to restrain the ethnic outbidding characterizing Sri Lankan politics. Even in strong states, negotiations to end violent conflict require a significant amount of diplomacy and political will. Leaders need to consider popular support and their political survival while arriving at a compromise solution.<sup>58</sup> In other words, domestic consensus on the peace process is essential, even in the face of strong international support for dialogue.

Electoral considerations in competitive, multiparty systems can make the construction of such an agreement very difficult and complex. The international community must, therefore, be sensitive to actions that might harm such a consensus (e.g., mention of sending peacekeeping forces) and those that could help build an agreement (e.g., offering economic support to a peace agreement, which would benefit the country as a whole).

#### IMPLICATIONS OF FINDINGS

The Sri Lankan case provides some interesting and previously understudied insights into the challenges of facilitating peace through international intervention.



*The Importance of Recognizing Intrastate Divisions*

Debates over power sharing, autonomy, constitutional reengineering, and intervention create significant fissures within the government of a conflict-affected state. Contentious issues can become particularly public and bitter in democratic states, such as in Sri Lanka. In a multi-party system, numerous contrary opinions on how to deal with conflict are inevitable. The existing literature on conflict management tends to view the state as a unitary actor with a rationally defined set of preferences.<sup>59</sup> The case study presented here shows that the state's internal divisions can be as germane to the conflict as external factors. Often, the government does *not* have a single set of preferences. Rather, opposition and ruling parties can have contrary positions, based on electoral calculations. Conflicts in other democracies, such as India and the United Kingdom, reflect a similar dynamic. Recognizing the non-unitary characteristics of many conflict-affected states will encourage third-parties to pay greater attention to the need to develop an internal consensus before an agreement is signed. This dynamic is particularly strong in democratic states.

In order for international intervention to be effective, third-party actors must have a keen sensitivity to the motivations of the government to compromise (or not) with rebelling groups. The Sri Lankan case challenges our earlier understanding of when and why governments seek to reach negotiated settlements with insurgents. The past literature has argued that conflict actors are more receptive to negotiation when a mutually hurting stalemate has been reached.<sup>60</sup> A more recent study by Walter (2003) shows that governments are less likely to negotiate if territory is at stake and if the state is also facing other, potentially disgruntled minority groups. She contends that if a country has only one significant challenger (as is the case in Sri Lanka), it is rational for the government to negotiate rather than bear the high costs of fighting.<sup>61</sup>

An unpacking of the 'black box' of the Sri Lankan state challenges some of these arguments. First, the country is unlikely to face significant threats from minority groups other than the Tamils. Second, it is evident that a military victory is unlikely, if not impossible. Third, the conflict has reached a stage where secession – that is, actual loss of territory – is far less likely than before. Fourth, the financial incentives for ending the conflict are enormous. The Sri Lankan government is unwilling to negotiate because of its reputation concerns with *its own domestic voters*. In other words, its position is driven by electoral compulsions.

Being aware of this dynamic is critical for the efficacy of third party intervener. The latter can no longer assume that territorial or military questions are the most germane issues in the conflict. Instead, building alliances with the various domestic, often conflicting, constituents is essential for a viable peace process. From a policy perspective, it may not be feasible for an external actor to play an active role in structuring or modifying domestic politics. Nonetheless, an awareness of this dynamic is critical because it highlights the fact that interveners cannot simply address two sets of demands – one of the government and the other of the rebel groups. Rather, they must grapple with a multitude of demands within the government.

*Democracy and Negotiations*

The Sri Lankan case challenges the argument that democracies are more able and willing to negotiate with minorities.<sup>62</sup> The literature on international conflict has long argued that, when dealing with international crises, democracies generate distinctive patterns and outcomes because of the public nature of political competition.<sup>63</sup> When there is strong domestic consensus, the credibility and strength of the decision can be very high. In the absence of such consensus, credibility signals are very weak. The finding of this article extends this argument to the arena of domestic conflicts. The Sri Lankan case highlights the difficulties of balancing electoral compulsions with the need for compromise. International intervention can mitigate the problems created by internal dissent by giving consistent support to particular peace moves and encouraging domestic constituents to recognize the long-term political benefits of peace. Controversial forms of action might, however, exacerbate intrastate divisions.

## CONCLUSION

This paper has argued that the growing body of literature on intervention must take into account the interactions at the systemic, state and intrastate levels. In other words, situating third-party action within the domestic political context of the conflict-affected state will yield valuable insights. Such an approach marks a shift from the prevailing literature, which tends to assume that civil wars occur in anarchic environments, where domestic institutions are non-existent or virtually ineffective. The case study of Sri Lanka showed a contrasting finding. The country's relatively stable institutional structure has created a culture of democratic politics that is both an opportunity and a significant challenge. On the one hand, the island's long history of competitive multiparty elections provides avenues for inclusive policies and open dialogue. Its relative political stability means that the international community does not have to invest resources in creating entirely new security or governance structures. On the other hand, the practice of ethnic outbidding hampers the efficacy of international intervention. Successive governments have had an inconsistent response to mediatory efforts, because of concerns regarding electoral performance.

External intervention must not be seen as usurping the country's sovereignty or favoring either the government or the rebelling forces. In sum, international intervention in Sri Lanka must work with existing structures and actors without overtly challenging the country's pre-existing political institutions. These findings are transferable to other cases, such as Indonesia, the Philippines, India and Papua New Guinea, where violent political conflict has not precluded the existence of relatively stable and democratic institutions. In several countries, including Mozambique, Mali and Tajikistan, third parties have played a valuable role in conflict management. They achieved success not by offering independent incentives but by mediating in order to making the negotiating process more credible.<sup>64</sup> A closer examination of such cases might provide us with a valuable understanding of the role of facilitative intervention in peace processes.

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