Session 1: Causes of the Conflict & Factors leading to Ceasefire

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What led to the Cessation of Hostilities?

> "So both parties, basically, are being forced to the table"
> Devendra mused aloud. "But can they be forced to eat"
> "That remains to be seen"
> *A Cause Untrue* by David Blacker

Peace processes begin oftentimes with the cessation of hostilities. Hence the Sri Lankan peace process began with the ending of overt military confrontations between the main warring parties, i.e., the Liberation Tigers of Tamil Eelam (LTTE) and the Government of Sri Lanka (GoSL). In this sense, the peace process began in December 2001 with the unilateral declaration of the cessation of hostilities by the LTTE to which the GoSL responded positively.[1] In February 2002, this was systematized by the signing of the ceasefire agreement (CFA) by the two parties with Norwegian facilitation. The CFA still holds despite the reported violations and the continuation of covert military actions by the two parties. It is interesting to note that many of the theories of conflict resolution do not adequately explain the experiences of the last 53 months. During this period, the two parties had face-to-face talks for only nine months. Change in the political regime in itself has had very little direct effect on the peace process. The ending of overt military confrontations between the main warring parties has also produced many a military confrontation at different levels without seriously disturbing the main process. Hence the main process, though fragile, continues while many disturbing "marginal" conflict processes are in continuous presence. This may make the term 'peace process' ambiguous since the distinction between "main" and "marginal" has become blurred.[2] Conflicts are sometimes depicted using the metaphor "tree" in order to emphasize the root causes of conflicts. However, conflicts can be better illustrated as a rhizome rather than a tree.

In this short paper, I argue that the Zartmanian notion of a 'mutually hurting stalemate' is not in itself adequate in explaining the decision by conflicting parties to end hostilities. In many cases, the decision to stop fighting is conjunctural, so that it could be better grasped by resorting to Mitchell's idea of a 'conjunction of favorable moments'. Moreover, I posit that if the mutually hurting stalemate continues to prevail, the passing of the favorable moment is not a sufficient condition for parties to reenter into armed engagement. This paper does not question why the current fragile peace process still continues. However, the analysis of the situation that exists immediately prior to the cessation of hostilities would shed some light in answering that question.

Ripe Moment and the Conjunction of Circumstances

William Zartman (1989) advanced the concept of 'ripeness' to describe appropriate moments for negotiation, which are characterized by the fact that the two conflicting parties realize an alternative to a negotiated settlement will involve economic, political, and social 'cost' that will reach unacceptable proportions. Zartman characterizes this moment as two different sorts of intensities. He writes:

The point when conflict is ripe for resolution is associated with two different sorts of intensity - called here *plateau* and the *precipice* – which produce different sorts of pressure – called respectively *deadlocks* and *deadlines*. A plateau and its deadlock begin when one side is unable to achieve its aims, to resolve the problem, or to win the conflict by itself, and they are completed when the other side arrives at similar perception. Each party must begin to feel uncomfortable in the costly dead-end into which it has gotten itself. A plateau must be perceived by both not as a momentary resting ground, but as a hurting stalemate, a flat, unpleasant terrain stretching into the future providing no later possibilities for decisive escalation or for graceful escape. (1989: pp. 267- 68)

In his later writings Zartman elaborates the concept of ripeness by referring to concrete situations in many countries. The following quote may be relevant.

Where both sides perceived themselves to be in a stalemate that was painful to each of them and they saw a better alternative through negotiation (as in Sudan in 1972, Mozambique, South Africa, Colombia, and possibly Angola and Sri Lanka in the mid- 1990s), they negotiated an agreement; and where the pain of the stalemate was bearable or justified (as in Angola, Afghanistan and Sri Lanka, and among the Colombian extremists), no settlement was negotiated. Stalemate was absent in cases where negotiations took place and then collapsed; in such cases parties often negotiated for other reasons, as in the Philippines, the Basque country, Afghanistan in the 1990s and Eritrea. In some conflicts where a stalemate did appear, as in Angola, Lebanon and Sudan in the 1980s, it became a way of life that buried talks, not a deadlock that promoted them. (Zartman, 1996: p. 334)

A ripe moment created by a mutually hurting stalemate is an attractive idea. Its simplicity may be the reason for this attraction. However, empirical evidence shows that the idea needs modifications in order to explain the real developments leading to negotiations. As Chris Mitchell (1995) suggests a mutually hurting stalemate may sometimes lead to what is called game entrapment, i.e. both parties committing more and more to the conflict. Mitchell has also suggested the idea of an enticing opportunity and a conjunction of favorable moments. This is, in my view a useful idea. Conflicting parties may enter negotiations just not only because they confront a mutually hurting stalemate but also because a set of favorable conjunctural factors force them to do so. The emphasis given by the concept of power relationships between two conflicting parties is important, but power relationships in themselves do not explain the happening of negotiations. Outside factors and/or internal changes may also exert an influence.

Sri Lanka: Prior to December 2001[3]

The decision to end hostilities, in my view, is a result of two parallel processes. These two processes may be explained by deploying two conceptual tools, namely, Zartman's 'mutually hurting stalemate' and Mitchell's 'conjunction of circumstances or happy accidents'. I will discuss both in turn.

Since the Sri Lankan security forces captured Jaffna, the city that Thamils consider as their cultural capital, on December 2, 1995, the LTTE has been determined to regain the city primarily not for military but for symbolic reasons. As a result, they have increased military and other kinds of pressure on the GoSL by attacking key security points as well as the economic centers in the South. On July 18, 1996, the LTTE overran Mullaitivu army camp, killing 1,200 troops. The Sri Lankan army lost at least 600 men on 30 September 1998 while attempting to hold the key town of Kilinochchi in the face of a major Tamil Tiger offensive.

The LTTE was able to disrupt the Government of Sri Lanka's attempt to reopen the A9 highway, which connects Jaffna and Kandy and to recapture many parts of the Vanni incurring heavy losses to the government security forces. The LTTE counter attack came to a climax when the LTTE overran the Elephant Pass camp in April 1999 and began a forward march towards Jaffna. This led to a most intense armed confrontation between the LTTE and the security forces of the GoSL. Both the security forces of the GoSL and the LTTE claimed that the other party lost more than 1000 combatants in the fight. The terrible impact of this may be witnessed when one travels from Elephant Pass to Muvamalai. It was speculated that the fall of Jaffna was imminent as the security forces were entrapped within the Jaffna municipal limits. Even discussions as to how the besieged forces could be saved were underway. President Chandrika Kumaratunga returned cutting short her holiday abroad and sought foreign assistance. The security forces of the GoSL were finally successful in retaliating with newly acquired military hardware from the Czech Republic.

During this period of high intense military confrontation, the GoSL security forces and the forces of the LTTE had engaged in military operations, which deployed their entire fighting strength. Military expenditure of the GoSL skyrocketed to Rs. 55 billion, exerting enormous pressures on the government budget. Although exact figures are not available, the military expenditure of the LTTE might have been in the vicinity of Rs 35- 40 billion. One has to keep in mind that part of the expenditure of the LTTE is material and non-monetary. Both parties faced problems of recruitment. This mutually hurting stalemate situation was reflected in attempts, open and tacit, to begin negotiations by both parties. In December 2000, the LTTE declared the unilateral cessation of hostilities. Informal mediation and 'back-channeling' appeared to have begun. The GoSL requested the Norwegian Government to intervene in facilitating negotiations. The GoSL in fact was attempting to find ways to de-proscribe the LTTE. The situation was ripe for negotiation in the sense that the parties were in a mutually hurting stalemate. However, it may be somewhat paradoxical to note that the actual negotiations did not take place at this juncture.

The attack on the Katunayake International Airport in 2000 by the LTTE had revealed that the Sri Lankan government could not protect its key economic positions as the effects of this attack had devastating consequences on the economy. The economic crisis that was visible in 2001 reflected the inability of the economy to cope with the continuation of war. In an earlier article, I have described this crisis as a 'crisis of holding Jaffna' (Liyanage, 2001). The LTTE on their part badly needed to regain its lost international stature. Many countries banned the LTTE and branded it as a terrorist organization. Although, this might not have affected its activities much in Western industrialized countries, the LTTE's project in the final analysis needs international acceptance. Balakumaran has recently highlighted this aspect.

You can see the Liberation Tigers amidst the currents of a favorable breeze from the international community these days. If we continue to keep talking at the peace table, we may be cajoled into and even be removed from the list of 'terrorist' organizations. Getting off this list is among our priorities. Our desire is for who ever called us 'Terrorists' will one day to call us that we are not

that. This will give us a boost for the long haul. (K V Balakumaran's interview to *Thinakkural*, from *Tamil Week*, March 26, 2006)

The non-commencement of negotiations may be attributed to many interrelated factors. First, holding Jaffna had become an extremely costly exercise; and the pressure of military expenditure disturbing the government's attempt to maintain macro-economic stability had called for high levels of taxation. However, raising tax revenue beyond certain limits was not easy in the face of worsening economic crisis. As a result the rate of inflation began to rise. These developments generated mass discontent and the parties of the opposition, the United National Party and the Janata Vimukthi Peramuna (Peoples' Liberation Front), began to mobilize the people against the government.

The government's response to these agitations was repressive. Secondly, in association with these developments, the popularity of the regime began to dwindle. At the Presidential election, Kumaratunga, who managed to survive the attack by a LTTE suicide bomber, was able to obtain a narrow victory over her immediate opponent Ranil Wickramasinghe. The results of the Parliamentary Election held at the end of 2000 clearly showed dwindling support for the government. Some observers even attributed the PA victory to election malpractices. The second PA government was unstable from the outset, as it had to depend on a water thin majority in Parliament. Internal rivalries between the ministers as well as between the President and the ministers further weakened the capacity of the government.

So in spite of the situation being 'ripe' for negotiations, certain contingent factors led to the postponement of the actual negotiations. Although there were talks that 'back channeling' had begun, the LTTE was not keen to begin talks because of the instability and the weakness of the regime. It was also unrealistic to believe that such a regime would go for risky negotiations in a context where there was no assurance of support for its action.

A situation beneficial for negotiations developed with two accidental events, namely, (a) the international campaign against terrorism after the September 11 attack on the World Trade Center and (b) the election victory of the United National Front in December 2001. So 'a mutually hurting stalemate' in association with 'happy accidents' had paved the way for two conflicting parties to begin negotiations. A similar development took place when a new government came to power in 1994. However, one may argue that the moment was not ripe in 1994 since the two warring parties were not in a hurting stalemate position. This difference seems to explain, at least partly, why the CFA holds in spite of many incidents of ceasefire violations, the breakdown of talks and a regime change.

Conclusion

There may be a long way from an agreement to end hostilities to a peace agreement. Parties may agree to end hostilities for multiple reasons, some of which can only be instrumentally justified. They may need a respite after a long period of battle. As Azar (1990) notes, protracted social conflicts invariably experience ebbs and flows as far as the intensity of armed conflict is concerned. Cessation of hostilities is undoubtedly a first step in any peace process; but its final outcome depends more on the characters' capacity and volition to change their deeply engraved positions as well as context transformation.

Will identifying and understanding the factors that led both parties to simultaneously end armed hostilities be useful? Of course, such analyses will definitely help understanding the process dynamics and enable the international community to engage constructively with conflicting

parties. Nonetheless, a post-factum analysis may sometimes be used by the parties for their strategic purposes, which will subsequently lead to a dampening of conflict resolution and peace-building endeavors.

Suppose the Party A perceives that Party B decided to end armed activities because of the hurting stalemate created by Factor C. In this situation, Party A may be pleased to see that the Factor C continues to be present. For example, if the GoSL continues to think that the LTTE was forced to come to table mainly because of its international isolation, the GoSL would try hard to maintain that situation. Similarly, if Party B thinks that Party A's decision to end hostilities is conditioned by the presence of Factor D, Party B will strive to make sure the Factor D continues to exist.

If the LTTE thinks that the GoSL agrees to enter the ceasefire agreement because of the economic and budgetary difficulties, LTTE will be pleased if that situation continues to exist. If the parties behave in this manner, their actions would adversely affect the negotiation process between two parties as it would continuously disturb building mutual trust between parties. A similar behavior may be also seen among international actors. International actors who see the end of hostilities as a positive sign may think that the continuous presence of factors that led to end hostilities is necessary. It may be interesting to see whether the experience in the last four years in Sri Lanka and the way in which parties have behaved support this hypothesis. However, this is a subject for a separate paper.

End Notes

[1] The relationship between war ending and the peace process may be a tricky issue. I would stick here to minimal definition given in Wallensteen and Sollenburg ((1997) According to them, war has come to an end if no violent confrontation occurred in the following year.

[2] These changes pose the need of the development of what I called dynamic mapping of the peace process. At present a team that includes the writer is working on such a mapping project.

[3] This part is a summarized version of a long essay to be published as a chapter of a book.

References

Azar, Edward. 1990. The Management of Protracted Social Conflicts: Theory and Cases. Aldershot: Dartmouth.

Liyanage, Sumanasiri. 2001. "Partition as an Option", *The Island, Midweek Review*, Oct. 3.

Mitchell, C. 1995. Cutting losses: reflections on appropriate timing. Paper given at George Mason University.

Wallensteen, P and Sollenburg, M. 1997. "Armed conflicts, conflict termination and peace agreements 1989- 96. *Journal of Peace Research*. 32 (3), 339- 58.

Zartman, William I. 1989. *Ripe for Resolution: Conflict and Intervention in Africa*. New York: Oxford University Press.

-- (ed).1996. *Elusive Peace: Negotiating an End to Civil Wars*. Washington DC: Brookings Institution.