

## **International Seminar: Envisioning New Trajectories for Peace in Sri Lanka**

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### **Session 5: Process Analysis of the Peace Process**

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#### **State Formation and Political Change in LTTE-controlled Areas in Sri Lanka**

One notable feature of the 5th peace process has been the introduction to Sri Lanka of discourses on conflict transformation (Uyangoda 2005). While the peace process has had its main focus on conflict resolution through formal negotiations between the Government of Sri Lanka (GOSL) and the Liberation Tigers of Tamil Eelam (LTTE), there has been a rich academic and political debate about the needs and means for transformation of both majority and minority politics.

Examining the 5th peace process in retrospect, one question that should be addressed regards the extent to which the peace process has actually produced any significant political transformations. Since much of the public debate has focused on the need for transformation of the LTTE as a precondition for and product of peace negotiations, it seems pertinent to ask the question about what kind of transformations that can be detected within LTTE?

This is a complex question that includes, among other things, possible transformation of political ends (e.g. external vs. internal self-determination), means (e.g. armed vs. political struggles), and practices (e.g. authoritarian rule vs. democratic governance). While not pretending to provide a comprehensive analysis, I want to draw attention to one prominent aspect of political change during the 5th peace process, namely the LTTE-led process of state formation in North-East Sri Lanka.

Sri Lanka's third Eelam War created a political-territorial division between the GOSL and the LTTE. Within the areas they control, LTTE has been involved in a process of state building, as a political strategy of institutionalising a ground level reality of dual state power as a precursor to future power-sharing arrangements with either internal or external self-government for North-East Sri Lanka (Stokke 2006).

This means that Sri Lanka has a de facto dual state structure with LTTE also exercising considerable influence on state institutions and officials in the government-controlled parts of the North-East Province. At the same time, local government institutions and officials continue to function within LTTE-controlled areas, which means that there is a dual state structure also within the areas that are held by the LTTE. This political-territorial division has been a defining feature of the 5th peace process. One question that should be asked now regard the extent to which this has yielded a political transformation of the LTTE, and how such transformations can be utilised and furthered in a revitalised peace process.

#### **The LTTE state formation**

In general terms it can be observed that the emerging LTTE state apparatus has a primary focus on guaranteeing external and internal security in the context of unresolved conflict. This is first and foremost demonstrated by the continued emphasis on maintaining and furthering the strength of LTTE's armed forces. It is also noteworthy that LTTE has developed a

comprehensive judicial and police state apparatus. This provides substantial coercive capacity, which is seen as crucial in the context of continued violence but is problematic in regard to the prospects for democratic representation and accountability.

Social welfare is a second state function that has been given a central place in the building of the LTTE state, although in a subordinate role to that of maintaining external and internal security. There is a range of institutions serving this welfare function, of which two types deserve special attention. First, there are 'non-governmental' organisations that provide humanitarian assistance and social development for war- and tsunami-affected areas and people. The most prominent example here is the Tamils Rehabilitation Organisation (TRO), an NGO with close affiliation to LTTE that relies on international resource mobilisation and partnerships. Second, there are the LTTE departments in the health and education sector, which provide certain basic services to the civilian population but also function as a check on public services provided by the Sri Lankan state.

Interestingly, the welfare oriented LTTE institutions are characterised by active engagement with external actors, but these are seen as playing a supportive role in regard to the emerging state apparatus. Such external actors include, first and foremost, the Tamil diaspora, but also foreign donors and even Sri Lankan state institutions. This is in stark contrast to the aforementioned law-and-order institutions, where there are few examples of regular links with foreign governments, international NGOs and the Tamil diaspora, and certainly not with the GOSL. Such arrangements are enabled by the conception of humanitarian assistance and welfare delivery as a matter of technocratic development administration, which is clearly related to but nevertheless somewhat de-linked from the conflict itself.

Economic development has emerged as a third focal point of the LTTE state formation. After the 2002 Ceasefire Agreement, when the pressing security concerns were temporarily resolved and replaced with hopes for a political solution to the conflict, a political space was opened up for a new focus on economic development, not the least as development became a point of convergence between the LTTE, the GOSL and the international actors involved in the peace process (Shanmugaratnam and Stokke 2005). In reality, this strategy of using development as a trust-building first step towards conflict resolution failed to meet the high expectations, mainly due to divisive politicisation of the question of development administration for the North-East.

The development work of the LTTE after the 2002 Ceasefire Agreement has focused on the development of institutional capacity to address relief and rehabilitation needs and the need for coordination of development initiatives. The approach to development that seems to dominate emphasises the fulfilment of basic needs and the need for centralised planning and coordination. When it comes to the actual delivery of development, however, the LTTE state relies on partnership arrangements with international aid agencies and NGOs combined with mobilisation of resources, skills and persons in the local and international Tamil community. Tamil NGOs such as TRO and The Economic Consultancy House (TECH) play an important role in this regard.

To the extent that the current practices are indicative of LTTE's approach to development, it implies that they have not adopted an explicit neo-liberal development policy but have rather strengthened their capacity for development planning and coordination and for project implementation through partnership arrangements with NGOs and funding agencies, i.e. a model of state-led enterprise development. However, this model seems to contain a basic contradiction between entrepreneurship and authoritarian regulation, which is especially visible in controversies around LTTE taxation and its possibly stifling impact on entrepreneurship and enterprise development in the North-East.

## **Towards democratic governance?**

Having briefly outlined the main institutions and functions of the LTTE state, it is time to turn to the question of what kind of governance that is embedded in these institutions and about the prospects for democratic representation emanating from this institutional basis. Political representation is clearly the most controversial and contested function of the emerging LTTE state.

The dominant form of governance in LTTE-controlled areas is that of a strong and centralised state with few formal institutions for democratic representation. It should be noted, however, that this hierarchical form of governance is complemented with elements of partnership arrangements, especially in regard to social welfare and economic development. This indicates that the LTTE state holds a potential for transformation towards governance based on state coordination and facilitation of non-state actors in the market and in civil society.

The hierarchical governance arrangement of the LTTE state can be seen as a product of the post-colonial political experiences with majoritarian politics, protracted war and unfulfilled political pacts, combined with LTTE's character and practices as a disciplined militant organisation engaged in armed struggle. This may lead to the conclusion that successful conflict resolution, providing substantial security and power sharing arrangements, is both a precondition and a source of political transformations.

This argument is often heard in pro-LTTE political circles, where it is argued that the LTTE will be both willing and capable of transforming itself and the state apparatus towards a more enabling and democratic form of governance if the structural problem of insecurity is resolved. Opponents of LTTE, however, argue that the Tamil Tigers' political record shows that substantial devolution of power to the North-East under LTTE control is more likely to produce authoritarianism than democracy. In support of this mode of reasoning, references are made to various non-democratic practices, for instance that LTTE has not participated in electoral politics or organised local elections in the areas they control, but have instead displayed intolerance towards competing Tamil forces and have a record of human rights violations that includes use of child soldiers. While these are valid criticisms, it is problematic to rule out the possibility of future political transformations.

As much as governance and democracy is conditioned by complex structural-institutional context as well as the diverse powers and strategies of multiple political actors, it is obviously futile to try to predict the political trajectory of the LTTE and the emerging state formation in regard to political representation. The LTTE has a demonstrated ability to govern the areas they hold, but doing so largely by authoritarian rather than democratic means.

It remains a challenge for LTTE to utilise their present institutional basis for political transformations towards democratic governance. Such political transformations will certainly be contingent on the external security situation, the extent to which LTTE is willing and capable of creating political spaces for democratic representation, and the manner in which pro-democratic forces in Tamil society will fight for and utilise such spaces. Resolving the security problem in tandem with political transformations towards democratic governance remain prime challenges of peacebuilding in North-East Sri Lanka.

## **References**

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