

Ethnic conflict, the Sri Lankan state and the tsunami

by Jayadeva Uyangoda

In a country with a de facto dual state structure, is it possible to build a conflict- and peace-sensitive recovery framework?

Since a cease-fire agreement in February 2002, the prolonged struggle of the Liberation Tigers of Tamil Eelam (LTTE) to establish a Tamil ethnic state in Sri Lanka's Northern and Eastern provinces has given way to an uneasy peace. The sheer magnitude of the tsunami's destructive impact may have averted the risk that front-line tensions between government soldiers and LTTE cadres could spark a return to war. In the space of twenty minutes the number of fatalities – around 35,000 – almost equalled the death toll from twenty years of civil war. The tsunami wiped out cities, villages and communities and made nearly a million people, most of them poor, homeless.

While the government views itself as the undisputed representative of the nation-state and the primary driver of post-tsunami recovery, the LTTE claims to be the 'sole representative' of the Tamil nation. The fact that people living in the coastal areas under LTTE control have suffered almost equally as in the areas under government control has added to the LTTE's claim that it should be treated as an equal partner in the reconstruction process. The Norwegian government, facilitators of the cease-fire agreement and peace talks, has been working with the government and the LTTE to try to reach agreement on the nature, powers and functions of a proposed joint mechanism to oversee reconstruction. After much bargaining and amidst much resistance, the government and the LTTE have now – after six months – reached a compromise to establish a joint administrative mechanism for post-tsunami reconstruction.

Against this backdrop, the massive international assistance pledged immediately after the tsunami has been slow to arrive. President Chandrika Kumaratunga claimed in late March that not even 'five cents' of promised official money had reached the Treasury. Sri Lanka's Foreign and Finance Ministry officials have appealed to

the international community to turn their pledges into cheques and cash. However, for many donors, disbursement appears to be contingent on the government and the LTTE working to establish the joint institutional mechanism. The international community views Sri Lanka's post-tsunami recovery process as integrally linked to the resumption of negotiations and re-launch of the peace process.

The largest share of destruction occurred in the Northern and Eastern provinces where the civil war had been concentrated for two decades and large numbers of IDPs were living in camps awaiting resettlement or relocation. The Eastern province is distinctive in that there are almost equal numbers of Sinhalese, Tamils and Muslims. Despite its mixed ethnic composition, the LTTE claims the province as the 'traditional Tamil homeland'. The tsunami caused severe destruction in the coastal belt of LTTE-held zones, the so-called 'uncleared areas' to which the Sri Lankan state had no access.

Prior to the tsunami, efforts were being made through an uneasy framework of cooperation between the Sri Lankan government, the LTTE and the international community to re-build these war-torn provinces. Due to the inability of the government and the LTTE to evolve an institutional framework, these efforts had met with little success. The LTTE proposed a mechanism for receiving international aid directly from foreign governments and international donors – a move the government viewed, however, as an attempt to bypass the authority of central government and institutionalise separatism by subterfuge.

In the weeks after the tsunami there was much speculation – fed by rumours of the reported death of the LTTE's supreme leader, Vellupillai Prabhakaran, and severe damage to the LTTE's Sea Tiger naval wing – that the disaster had altered the ex-

isting strategic equilibrium in favour of the state. Such speculation helped shape the framework for government-LTTE cooperation. The impetus for cooperation gained strength with reports that Sri Lankan soldiers and LTTE cadres had spontaneously joined forces on a voluntary basis to assist each other in rescue and relief work in the Northern and Eastern provinces. The challenge for the two sides was to transform this ground-level collaboration into a formal framework of cooperation.

By creating a centralised structure to manage the post-tsunami process, the government initially disregarded the institutions of local government. The tsunami has underlined the essentially centralising impulses of the country's political-bureaucratic elites and highlighted the incapacity of the centralised structure to provide immediate assistance to the affected communities. The bureaucracy in Colombo has seen devolution of power to provincial councils as resulting in the erosion of their power and authority and has successfully resisted strengthening of provincial councils.

A further policy failure has led to Muslim resentment. The Muslim communities in the Eastern Province suffered massive losses but state assistance has been minimal. This is due both to the inefficiency of state machinery and the weakness of the deeply divided Muslim political leadership. Muslims have begun to interpret state inaction as deliberate discrimination against the Muslim community. The fact that state agencies have provided assistance to Sinhalese communities and the LTTE's relief agencies have been working primarily with affected Tamil communities, together with the failure to include Muslim political leaders in negotiations for a government-LTTE joint mechanism, have exacerbated Muslim feelings of exclusion. Muslim political leaders have now come out openly against the government-LTTE joint mechanism on the grounds that Muslim interests will continue to be at risk.

Both the government and the LTTE are wedded to centralised decision making and humanitarian interven-



tion from above. This state-centric approach views the affected people as passive recipients of humanitarian assistance. This became evident when the government as well as the LTTE decided, without consulting the affected communities, to ban rebuilding houses within a coastal buffer zone. While the government declared this buffer zone to be 100 metres, the LTTE went several steps ahead with a 300-metre prohibition zone. Though well-intentioned, the buffer zone policy created panic and fear among people who had already lost their means of livelihoods. It was clear that neither the Sri Lankan government nor the emerging regional political entity of the Tamil community possessed a concept, mechanism or structure for popular consultation in policy making.

Civil society response shows up state incapacity

The LTTE responded to the emergency with military precision, mobilising cadres to support its humanitarian wing, the Tamil Rehabilitation Organisation (TRO), but the response of the government was inefficient and delayed. While the government's administrative machinery remained almost dysfunctional, individual citizens, citizen groups and NGOs set to work within hours of the catastrophe, providing survivors with food, clothes and shelter, organising rescue operations, clearing debris, searching for survivors and the dead and even initiating international private philanthropic support. In the Western and Southern provinces, where the state should have responded directly and immediately to the needs of the affected people, the state machinery took in most instances five to seven days to reach

stricken communities. Local officials, when interviewed, revealed that they were extremely reluctant to take any initiative on their own, because of fear of making mistakes that would bring rebuke from central government.

Civil society decision making had a strong element of flexibility that the state sector lacked. NGOs could deploy staff and volunteers within a few hours without being constrained by the bureaucratic rules of the state sector. They could also easily tap individual voluntarism and private philanthropy. However, this flexibility left NGOs open to criticism from the government and those in the media who argued that individual and NGO action led to corruption and to uncoordinated and unplanned interventions. They alleged that civil society programmes endangered national security because of the suspicion that the LTTE could have transported military and war-related equipment in the guise of relief goods.

The responses to the tsunami disaster and the advancement of the stalled peace process are closely interwoven. Effective and sustainable responses to the tsunami disaster require consensus building across political and ethnic divides as well as reforms to make a reality of federalism and decentralisation.

Without reforms to ensure popular participation in the reconstruction process, there will be widespread resistance to 'reconstruction from above'. Affected communities have already begun to protest against official and bureaucratic ineffectiveness in the provision of relief. Post-tsunami reconstruction is not just about constructing buildings, roads

and economic infrastructure. It involves rebuilding communities, community lives and the livelihoods of nearly a million people who suddenly found themselves destitute. Unless the affected communities are active participants, the rebuilding process will be thoroughly undemocratic.

To unblock the impasse between the government and the LTTE, civil society groups had proposed a framework for cooperation between the government and the LTTE guided by the notion of 'conflict and peace sensitivity'. They highlighted the need to combine 'post-conflict' reconstruction and rebuilding with 'post-tsunami' recovery and rebuilding. This requires a formal framework negotiated between the two parties, because the cease-fire agreement – the only formal agreement defining the military relations between them – has been shown to be inadequate to govern the nature and trajectories of this cooperation.

Civil society groups argue that reconstruction and post-conflict reconciliation must be based on the following set of principles:

- The tsunami should not be viewed as a mere natural disaster: relief and reconstruction responses must consider the ethnic conflict and the peace process.
- All communities – Sinhalese, Tamil and Muslim – should be treated equally and their participation encouraged.
- In view of the extent of damage and loss of life, the Northern and Eastern provinces should receive priority assistance.
- The government and the international community should not ignore the role of LTTE in the post-tsunami process but establish a partnership.

The government and the LTTE should use the post-tsunami space to begin a new process of political engagement. Reaching formal agreement on humanitarian engagement, parallel to the cease-fire agreement, is vital.

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Throughout war-torn Sri Lanka, the tsunami washed loose land mines that had been planted around government military bases and other areas.