

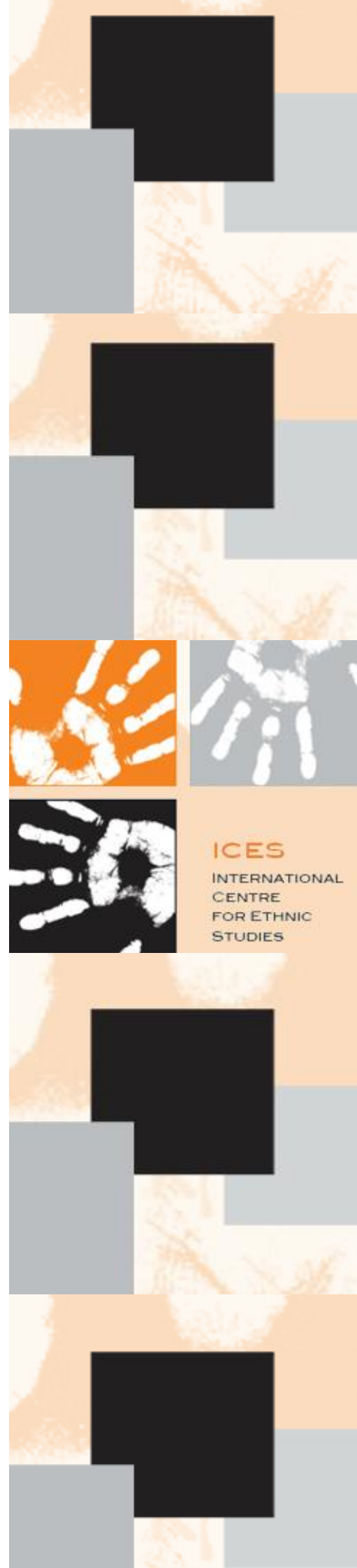
Thimpu and the APC

The Making of a War Trap

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Politics of State Reform Project



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Introduction

In 1977 the United National Party led by J.R. Jayewardene was elected with a four fifths majority to Sri Lanka's Parliament. With this landslide victory the UNP regime embarked on a massive economic restructuring programme, making Sri Lanka the first country in South Asia to take the path of neo-liberal policies for economic development. Historically this was also a significant period on the political front, as the years of the Jayewardene/UNP regime saw the intensification of the ethnic Tamil insurgency in the North and East of the country. While, to many an observer, it seemed that it was a matter of political expediency to resolve the ethnic Tamil demand for political autonomy, given the UNP Government's agenda of creating an investor -friendly environment in Sri Lanka,¹ this period proved to be a turning point for Sri Lanka's ethnic Tamil problem, which transformed into a protracted civil war that ended only in May 2009. The question that observers of Sri Lanka's ethnic conflict have grappled with is why the seemingly logical path of an early political solution to a simmering problem was not sought by a government committed to a programme of significant economic restructuring, and therefore wishing at all costs, to avoid political destabilization. Or, to frame it another way, why was the UNP government willing to initiate significant economic reforms, while backtracking on the agenda of state reform for political autonomy, which at this point could have been resolved at the rather conservative level of District Councils?²

Amita Shastri provides an explanation to this question on the basis that there was continuity in the mental constructs favouring Sinhalese dominance and control of the state through a unitary structure that was characteristic of Sri Lankan politics even in the pre-1978 period.³ Other writers have emphasized the reform resistant nature of the Sri Lankan/Sinhala political elite, who have formed the ruling regimes since 1956. Uyangoda for instance has argued that constitutional reform in the 1970s and 1980s promoted a process of centralisation, which also led to the narrowing down of the social base of the state to a single ethnic group. In one sense, the social base was democratized to include various social classes in Sinhala society, but it also intensely ethnicised the post colonial State. The resistance to state reform in the form of power-sharing with the periphery among Sinhala parties then became linked to the

¹ This argument was made even by Ministers within the UNP government namely Ronnie De Mel the Minister for Finance.

² While the TULF had in Vaddukoddai adopted a Resolution for secession; some participants at Vaddukoddai interpreted this move as a bargaining strategy. Despite the Resolution, the ethnic Tamil party was still willing to work with a District Council system that gave some degree of autonomy in decision making, (Interview with V. Anandasangaree, TULF, in September 2010).

³ Shastri, Amita. 'Democracy and Democratization: Elite Agency in Sri Lanka'. Paper presented at the UK Political Studies Association Annual Conference, University of Swansea, Wales, April 1-3, 2008, p.14.

politics of coalition-building across class lines in Sinhala society.⁴ It has also been pointed out that economic restructuring required the redesigning of political institutions to further strengthen or centralise State power within a unitary framework. This was because the implementation of liberal economic policies meant adapting strategies to manage electoral politics. The UNP regime did this by introducing a new constitution and paving the way for authoritarian politics. In this context the demand for political autonomy from an ethnic minority group went against the UNP regime's agenda for economic and political reforms.⁵ Venugopal has put across the idea that the reform resistant character of the UNP regime, which championed a Sinhala nationalist agenda in the post 1977 era, was an outcome of a politics of expediency. As this argument goes, the UNP as a party commonly perceived from 1956 onwards as a party of Westernized, cosmopolitan elites, required an ideological linkage with the masses in order to implement a policy of restructuring the Sri Lankan economy. This ideological link was formed in the regime's overt support of Sinhala Buddhism and a rejection of the political demands of sections of the ethnic Tamil leadership.⁶

What this paper seeks to explore is not so much the lack of political agency to initiate state reform as a solution to the ethnic conflict, but the crucial interaction between structures and agency in the 1980s, which may have shaped the politics of state reform in the decades to come. This paper will therefore focus specifically at two of the early engagements at negotiation between the Sinhala political elite and the ethnic Tamil political leadership, namely the All Party Conference (APC) held in 1984 and the Thimpu Talks of 1985, to engage with the puzzle of what sort of a dialectical process of political agency and structures resulted in the failure of reform attempts in the early 1980s.

There are moments in history that could be analytically categorized as critical junctures, in which elite leaders exercised enhanced agency, and Amita Shastri identifies the UNP electoral victory which brought the Jayewardene regime into power (1977-1988) as one such juncture. Shastri goes on to observe that in situations of uncertainty and transition, when existing structures are likely to be weak and exercise far less or little constraint, the impact of elite agency is likely to be at its greatest in initiating and building new structures. As Shastri quoting North has observed, once structures come into being, the patterns of activity and incentives set up are likely to persist over time, in large part due to the human tendency towards incrementalism and inertia.⁷ Structures therefore can then constrain or enable elite

⁴ Uyangoda, Jayadeva. 'Travails of State Reform in the Context of Protracted Civil War in Sri Lanka', Stokke, Kristian and Uyangoda, Jayadeva (eds), *Liberal Peace in Question: the Politics of State and Market Reform in Sri Lanka*, London and New York: Anthem South Asian Studies, 2011, pp. 35-62 and Uyangoda, Jayadeva. 'The United Front Regime of 1970 and the Post Colonial State of Sri Lanka', in Jayatillaka, Tissa. (ed.), *Sirimavo: Honouring the World's First Woman Prime Minister*. Colombo: The Bandaranaike Museum Committee, 2010, pp.31-45.

⁵ Bastian, Sunil. *The Politics of Foreign Aid in Sri Lanka: Promoting Markets and Supporting Peace*. Colombo: ICES, 1997.

⁶ Venugopal, Rajesh. 'The Politics of Market Reform at a Time of Ethnic Conflict: Sri Lanka in the Jayewardene Years', in Stokke, Kristian and Uyangoda, Jayadeva (eds), *Liberal Peace in Question: the Politics of State and Market Reform in Sri Lanka*, London and New York: Anthem South Asian Studies, 2011, pp. 77-102.

⁷ Shastri, Amita. 'Democracy and Democratization: Elite Agency in Sri Lanka', op.cit., p.3.

agency in politics in various ways, though the channelling or restraining effects of structures may be more in some contexts and junctures and less in others.⁸

As mentioned in the introduction of the article, when the UNP led by J.R. Jayewardene came to power in 1977, the debate on state reform in Sri Lanka, initiated by the ethnic minority Tamil community at the time of independence, had reached a turning point. The regional Tamil party, the Tamil United Liberation Front (TULF), which represented the ethnic Tamil constituency of the North and East provinces of the island, had, at their annual conference held in Pannakam (Vaddukoddai constituency) in 1976 passed a resolution to launch a struggle for secession from the Sri Lankan state. At the general election of 1977, the TULF sought from their Tamil constituency a mandate for their separatist struggle. Despite campaigning for such a mandate, the TULF continued to operate within the Parliamentary system and continued to seek a democratic option to address the ethnic Tamil issue. The UNP at the elections of 1977 had officially recognized the existence of a political problem, and their election manifesto revealed an understanding of the nature of ethnic Tamil grievances.⁹ The new constitution that was promulgated in 1978 made Tamil a National Language, though Sinhala continued to be the official language of the State. However, simultaneously, this period saw the intensification of violence against Tamil civilians in the form of ethnic riots in 1977, 1981 and then 1983. Despite the reservations of the TULF leadership they were persuaded to work within a system of District Development Councils (DDC), which lacked any genuine form of political autonomy. By 1983, the TULF leaders had come to realize that the UNP government had no intention of engaging with the question of political state reform.¹⁰

The All Party Conference

The riot of July 1983 was widely seen as the push factor that resulted in the document titled Annexure C and the All Party Conference (APC) or the Round Table Conference, which was convened at the end of 1983 and continued to the end of 1984. The wide scale attacks against the Tamils in July drew condemnation from India and from other parts of the world, at a time when the government of Sri Lanka was on a track of economic liberalisation and was dependent on international support for funding its economic programme. This interplay of external and internal factors put pressure on the government of Sri Lanka to initiate a dialogue with the Tamil political parties, in an attempt to restore Sri Lanka's image abroad. India's involvement in Sri Lanka's ethnic conflict during this period of time has been written on extensively, and needs no elaboration. To recapitulate very briefly, the Indian intervention centred on geo-political considerations and ideological and domestic considerations. Foreign policy under the Jayewardene government with regards Western nations, China and Pakistan, raised concerns for India in terms of regional security, given New Delhi's intentions of

⁸ Shastri, Amita quoting Skocpol 1979, in 'Democracy and Democratization: Elite Agency in Sri Lanka', op.cit, p.3.

⁹ Kois, Lisa M. (ed.), *Transcending the Bitter Legacy: Selected Parliamentary Speeches – Neelan Tiruchelvam*. Colombo: ICES, 2000, p.51.

¹⁰ "The Tamils who asked for a separate state were prepared to work for a DDC, if J.R. was willing to drop the word development, "We wanted District Councils but they did not want to give", Interview with V. Anandasangaree, September, 2010 and interview with Dr. D. Nesiiah, (GA Jaffna in 1983), December 2009.

maintaining the South Asian region free of cold war politics¹¹. The ethnic conflict in Sri Lanka was seen as a space for Indian intervention to influence Sri Lankan policy that could be unfavourable to India, and to deter any other external power from intervening in the affairs of the island. It needs to be said, this fear was not only in relation to the Sri Lankan government, but also due to the growth of Tamil militancy; the decision to provide succour to the militant movement was shaped by the need to prevent the militant groups from seeking help elsewhere. India also saw Sri Lanka's ethnic conflict, or the Tamil question, not as a purely military problem but a political problem stemming from the policies of exclusion adopted by successive Sinhalese governments. The linkage that Tamil groups, especially the militants, had with the political leadership in Tamil Nadu, shaped New Delhi's responses to the Sri Lanka ethnic conflict. Aside from these factors, it has also been observed that the Indian leadership's interest in the Sri Lankan Tamil issue at the time, specifically on the part of Indira Gandhi and Rajiv Gandhi, was motivated not only by purely political concerns but also shaped by personal concerns¹².

The overall result of July 1983 then, was the offer of mediation made by Indira Gandhi to Jayewardene, immediately after the riot. It was in this context that G. Parthasarthy entered the Sri Lankan political scene, to help the Sri Lanka government craft a set of proposals for state reform to meet the demands of the ethnic Tamil political groups for power sharing and greater democratisation of the State. On his visits to Sri Lanka, Parthasarthy met with Sinhala political leaders from the government and the opposition, minority leaders like the Ceylon Workers Congress (CWC) leader Savumiamoorthy Thondaman, Muslim leaders and groups that enjoyed the symbolic privilege of representing the principle religious communities of the island, such as the Buddhist Congress and other religious leaders. Parallel to Parthasarthy's visits to Colombo, a conference of political parties (APC) was summoned in order to arrive at a consensus on power sharing.

The APC, which initially met in December 1984, included the parties in the South, but not the TULF. Subsequently, the decision was made to invite the TULF but not the Marxist parties proscribed following the July riot. The participants at the APC that met in January 1984 included the UNP, the SLFP, the Communist Party of Sri Lanka (CPSL), Lanka Sama Samaja Party (LSSP), Mahajana Eksath Peramuna (MEP), All Ceylon Tamil Congress (ACTC), Ceylon Worker's Congress (CWC), Democratic Workers Congress (DWC), and the TULF. In January 1984, when the APC met, the gathering of representatives from the political parties was expanded to include representatives from the Muslim, Sinhalese, Buddhist, Christian and Hindu communities.¹³ Loganathan has interpreted this as a move on the part of the Sri Lankan President to undermine any meaningful debate on power-sharing.¹⁴ The essence of the proposals drafted by Parthasarthy described as Annexure C, envisaged the amalgamation of the existing District Development Councils into one or more Regional

¹¹ Muni, S. D. *Pangs of Proximity: India and Sri Lanka's Ethnic Crisis*, New Delhi and Newbury Park, London: PRIO and Sage, 1993.

¹² Interview with Bradman Weerakoon, 21 December, 2009.

¹³ *Eela Nadu*, 12 January, 1984, pp. 1 and 8.

¹⁴ Loganathan, Kethesh. *Sri Lanka Lost Opportunities: Past Attempts at Resolving Ethnic Conflict*. Colombo: CEPRA, University of Colombo, 1996.

Councils with legislative powers. A special case was made for the Northern and Eastern regions, from which stemmed the demand for separatism, where such an amalgamation could take place without a referendum, on the basis that the DDCs for those regions were no longer operational.

When some of the participants at the Conference namely the Buddhist Sangha protested over the proposals the Prime Minister, R. Premadasa, presented a new agenda, leaving out the proposals in Annexure C that the monks had objected to. The new agenda presented by the PM had three subjects which were far more diffuse in content:

- a. Grievances of all communities to be looked into
- b. If there is a need for decentralization, how should it be done?
- c. Terrorist activities should be crushed.

The new agenda was revealing in many ways. It demonstrated the extent to which the Sinhala ruling elite was willing to commit to reforms. By locating the ethnic minority demands for state reform and power-sharing within a discourse of law and order and national state security, the political question of ethnic minorities and State power could be delegitimized. As Uyangoda and Bastian have stated, the ruling elite's responses to the Tamil ethnic insurgency have been complex and diverse. The initial reaction to incipient rebellion was to manage it as a law and order problem. When this approach failed, it was combined with a military approach. When the military approach seemed ineffective, political leaders emphasized the necessity of political approaches to address the root causes of the conflict, but from a position of military strength. However, whenever political strategies failed, there was a revival of the military approach, once again treating the rebellion essentially as a security challenge to the state.¹⁵ The role of the APC for the Sinhala ruling elite at this time was more of a time-buying exercise in preparation for a military engagement with the Tamil militant groups.

This approach to Tamil militancy as a problem of law and order and a security challenge to the State were not limited to the UNP and the Buddhist clergy. The responses of various groups within the Sinhala polity shared the same perception in terms of the Tamil question.

The Janatha Vimukthi Peramuna (the Marxist Sinhala Nationalist Party), which was proscribed following the '83 riot and was excluded from the APC, criticised the Conference in their pamphlets. The party opposed any form of power-sharing and stated that:

“If by means of the Round Table Conference, District Councils, Provincial Councils or Regional Councils or a Federal System by any other name is created then, not only will it not abolish the Eelam movement, but will give it a fillip, and it will grow, as is happening in India which has a Federal set up”¹⁶.

¹⁵ Uyangoda, Jayadeva and Bastian, Sunil. *State Responsiveness to Public Security Needs: The Politics of Security Decision Making*, Sri Lanka Country Study, CSDG Papers, No. 15, June 2008, p.20.

¹⁶ *Lanka Guardian*, 'J.V.P. takes 'Masala Vadai' line, rejects devolution', 1 June, 1984, p.8

The most important factor in this text was the fear that a federal structure would further spur the movement for Eelam, leading to the break-up of the country. While the Federal structure was for a long time associated with disintegration by the Sinhala political leadership even in their engagement with the Federal Party in the 1950s and 60s, the militant movement for Eelam from the mid-1970s further exacerbated this fear and, as some commentators have written, further strengthened the resistance of the Sinhala political leadership to ethnic minority demands for state reform.¹⁷

At a meeting between Jayawardene and Indira Gandhi in Delhi, Jayawardene stated that progress at the APC was hindered by those engaged in violence in Sri Lanka (such as the terrorists living in Tamil Nadu and having training camps there)¹⁸. In an interview with a Sri Lankan newspaper in February 1984, Jayawardene stated that the Sinhala people had no faith in the proceedings of the APC. The reason he gave was that there was a fear that if the demands of the Tamil parties were met, it would lead to further demands, resulting in a threat to the unity of the country.¹⁹ The Sri Lankan President stated that it was the extremist (militant) activities, coupled with the TULFs attempts to meet the demands of the militants that were acting as an obstacle to the APC reaching a consensus.²⁰

The President's view of the expectations and reactions of the Sinhala constituency was echoed by the National Security Minister, Lalith Athulathmudali. In an interview with the BBC, Athulathmudali stated that there was an integral connection between the political and military aspects of the conflict. "The chances are that the more you succeed in curbing terrorist activities, the better the chances of a political settlement..."²¹

His argument was that the Sinhalese would be in a more responsive and liberal frame of mind if terrorist activities were curbed, thereby ensuring that the government could make better advances on the path to a political settlement. In the politics of post colonial Sri Lanka, two discourses guided the Sinhala political elite in their engagement with the ethnic Tamil demand for power sharing. One was the construction of the Tamil political elite demand for Federalism as divisive and a threat to the unity and sovereignty of the country. Secondly, in the late 1970s and the early 1980s, the Sinhala political elite played a key role in the construction of Tamil militant politics as a problem of law and order and terrorism. These two discourses in turn would be a key impediment to any ruling party that sought a negotiated settlement to the ethnic question. To use De Votta's term, the politics of ethnic outbidding²² among Sinhala political parties in the subsequent decades, when the conflict turned in to a

¹⁷ Uyangoda, Jayadeva. 'Travails of State Reform in the Context of Protracted Civil War in Sri Lanka', op.cit., pp. 35-62

¹⁸ *Lanka Guardian*, 'The end of jaw – jaw', 15 July, 1984, p.3.

¹⁹ *Eela Nadu*, 'Sinhalese have no faith in the APC – JRJ worried', 7 February, 1984, p.4.

²⁰ *Eela Nadu*, 24, 'Ethnic problem – do the terrorist groups want a solution? JR', February, 1984, pp.1 and 8.

²¹ *Lanka Guardian*, 1 July 1984.

²² De Votta, Neil. 'Sri Lanka's Political Decay: Comparing the October 2000 and December 2001 Parliamentary Elections', in Sahadevan, P and De Votta, Neil. *Politics of Conflict and Peace in Sri Lanka*, New Delhi: Manak Publications, 2006, pp. 70-109.

protracted war, would invariably involve the question of security in accommodating the ethnic Tamil demand for autonomy. By the mid 1970s, the Sinhala political elite had established the institutional structures to deal with the Tamil ethnic insurgency as a law and order and 'National' security problem. Modelled on the British PTA of 1974, and drawing inspiration from anti-terrorism laws in Israel, the Government of Sri Lanka was the first in South Asia to follow the course of anti-terrorism legislation with the Prevention of Terrorism (Temporary Provision) Act No. 48 of 1979. In May 1978, the Liberation Tigers of Tamil Eelam (LTTE) and 'any similar organizations' were proscribed by Act of Parliament. In 1979, the State of Emergency was declared in Jaffna, and army counter-insurgency operations were started. Interestingly, 'terrorism', as defined in Sri Lanka, encompassed not only the commission of violent anti-state acts for political aims, but also the advocacy of such methods. Thus, as Wickramasinghe observes, terrorism was also a state of mind which had to be erased if the rule of law and public order was to be implemented.²³ Following the July '83 riot, the Sixth Amendment to the Constitution of Sri Lanka defined the support or advocacy of the establishment of a separate state within Sri Lanka as a punishable offence.²⁴

The Draft legislation for reform was placed before the APC in September 1984, but there was no significant change in the government's position. The Government of Sri Lanka continued to offer the district as the only feasible unit of devolution. In a Memorandum to the APC in July 1984, President Jayawardene maintained that it was not justifiable for a provincial or regional basis of operation to be demanded for its own sake; the demand must be based on actual needs

UNP Government's commitment to state reform was minimalist to say the least, and simultaneously, Ministers in his Government and Jayawardene himself were advocating a military plus political solution.

The Leader of the Sri Lanka Freedom Party (SLFP), Sirimavo Bandaranaike stated that "*no political solution could be accepted until terrorism is resolved through military means.*" Furthermore, Bandaranaike also stated that the proposed legislation is merely to legalise the handover of the North and East of Sri Lanka to the TULF as Provincial Councils.

In the public domain, leading media institutions gave primacy of place to the voices opposing state reform, reinforcing the notion of power-sharing as equal to disintegration. Throughout the process of the APC, the Sinhala press such as the *Divaina* gave primacy to specific voices i.e., the Buddhist Sangha. At a meeting convened by the Sinhala Balamandalaya, Ven. Dr. Walpola Rahula stated that the proposed facility for the DDCs to merge was dangerous. While there was no necessity for the DDCs in the south to get together, the five DDCs in the north will merge and the "North will immediately get the Federal status". The TULF leader Amirthalingam was frequently portrayed as a puppet controlled by terrorist groups or Tamil Nadu politicians (Figure 1).

²³ Wickramasinghe, Nira. 'Unthinking the Terrorism – Globalization Nexus,' in Ahmed, Imtiaz. (ed.), *Understanding Terrorism in South Asia: Beyond Statist Discourses*, New Delhi: Manohar, 2006, pp.375-376.

²⁴ Sixth Amendment to the Constitution, Article 157A Prohibition Against Violation of Territorial Integrity of Sri Lanka, http://www.parliament.lk/about_us/constitution.pdf, pages 131-134.

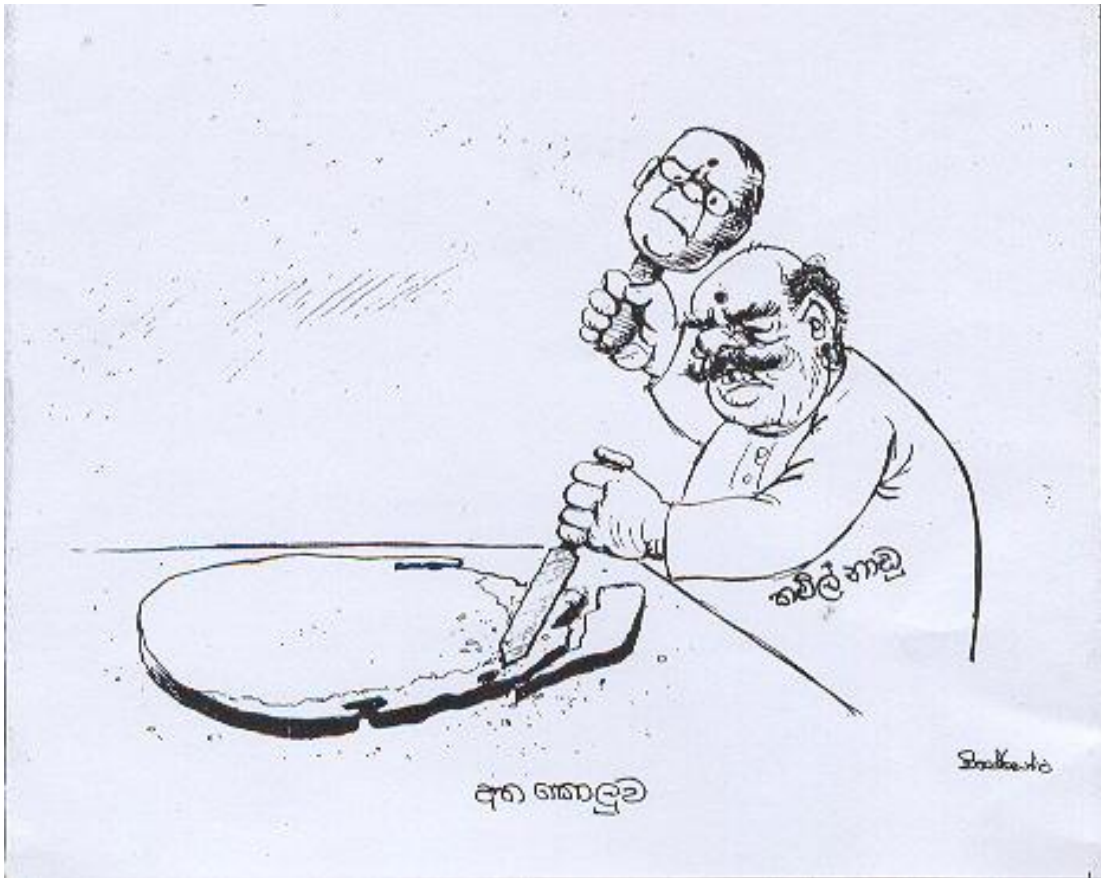


Figure 1

Sinhala Nationalism vs. Tamil Nationalism: A Meeting of Minds

With the outbreak of the ethnic war, as observed by Uyangoda, the Sri Lankan conflict increasingly came to be seen in terms of zero sum outcomes for each warring faction. Thus with regard to negotiation processes that sought a political solution to the conflict, the underlying logic within which the contending groups acted was on the basis that the enemy should not possess any military or political capacity to define or influence the terms of the settlement.²⁵ At the APC and Thimpu, we see that the Sinhala ruling elite and Tamil militant groups lacked faith in a negotiation process, and acted on the basis that a military engagement would bring about more concrete outcomes. Therefore, we find sections of the Sinhala political elite, in power and in opposition, such as Jayawardene, Athulathmudali and Sirimavo Bandaranaike, advocating the eradication of terrorism as a prior condition to state reform, and the APC was seen as a smokescreen to carry out a military build-up by the Sri Lankan government in preparation for war.²⁶ The Tamil militant groups, on their part sought

²⁵ Uyangoda, Jayadeva. 'Travails of State Reform in the Context of Protracted Civil War in Sri Lanka', op.cit., p.39

²⁶ *Lanka Guardian*, 'Amirthalingam's statement' (reproduced from the Daily News), 1 January, p.12. Ketheshwaran Loganathan notes that while the APC was in progress, steps were taken by the government to settle 200,000 people in the North and East on the basis of national ethnic ratios, op.cit, p. 96.

to gain a monopoly over ethnic Tamil politics in the North and East, by operating on the argument that political engagements with the Sinhala political elite have not brought about significant outcomes. They were keen on undermining the TULF which continued to persist with the negotiation process (albeit with pressure from India). A *satyagraha* organised by the TULF in the Jaffna, to commemorate Black July, met with lukewarm public support due to pressure from the Tamil militants, especially the LTTE and the Eelam People's Revolutionary Liberation Front (EPRLF). A two-day strike called by these two militant groups brought Jaffna, Killinochchi and Batticaloa to a standstill.²⁷ It appears that at this stage, the Tamil militant groups shared a common strategy with the Government of Sri Lanka in attempting to derail the negotiation process, while undermining the TULF as the legitimate voice of Tamil nationalism.

An issue of the LTTE's official organ *Viduthalai Puligal* stated in an editorial that

"The All Party Conference will not provide a solution to the Tamil problem. The history of the past 17 years proves it. The old generation Tamil leaders, who have become bald talking to Sinhala leaders, have not lost their hope of winning Tamil rights through talks.....They must realize that a revolutionary new generation has come on the political stage."²⁸

The Thimpu Talks: The 'Terrorists' and the 'Deceivers'²⁹

By late December 1984, the APC had collapsed, and by 1985, the violence between the Tamil militant groups and the armed forces had spread into the Eastern Province. Moving beyond confrontations between Tamil militant groups and the State's security forces the violence had begun to impact on civilian life, with clashes taking place between Tamil and Muslim groups³⁰. Tamil militants also began to attack Sinhala civilians in areas such as Madawachchiya, Nikaweratiya and then Anuradhapura. The Anuradhapura attack in May 1985, dealt a severe blow to the ruling UNP's already badly bruised image.³¹ Newspaper commentaries and Sinhala political parties implied that the Government was failing to provide security to the citizenry from terrorist attacks.

With Indira Gandhi's sudden demise at the end of 1984, there was also fresh hope in the Sri Lankan South that the new Indian Prime Minister would follow a different approach from that of his mother. Sri Lanka needed Indian cooperation to eliminate what was constructed as the scourge of terrorism in the island.

²⁷ Loganathan, Kethesh, *Lost Opportunities*, op.cit., p.97

²⁸ <http://www.sangam.org/articles/view2/print.php?uid=575>

²⁹ The Thimpu Talks were held in Thailand on 8 July and 9-17 July 1985.

³⁰ *Lanka Guardian*, 'New battles on the Eastern Front', 1 May 1985, p.5

³¹ *Lanka Guardian*, 'Anuradhapura, aid and the ceasefire', 1 July, 1984, p.5.

J.R Jayewardene met with Rajiv Gandhi in New Delhi in early June, and both leaders agreed that immediate steps should be taken to create a proper climate for progress towards a political settlement.

Following the meeting with Gandhi, Jayewardene, at a press conference, stated that if the Tamil terrorists laid down their arms, he would engage in talks with them, and they would be granted an amnesty. He further promised that, if the violence in the North and East stopped, the security forces would be removed.

There was, on the other hand, some apprehension in Jaffna over the new situation. Opinion from the North demonstrated that, for some, it was not the state but the militant groups that were their protectors.³² The Tamil groups were even more sceptical of the proposed negotiations. Uma Maheswaran of People's Liberation Organisation of Tamil Eelam (PLOTE), at a press conference in Madras, stated that experience had shown that talks were of no use and that history, for the past 35 years, had proved only that talks bore no results for Lanka's minority Tamils³³. Anton Balasingham of the LTTE stated to the *Financial Times*, that "our aim is to shift the balance of military power in our favour so we can negotiate with the Government on our own terms".³⁴

In response to a proposal for a cessation of hostilities, Tamil militants and political leaders maintained that the Government had to adhere to various conditions.³⁵ By March 1985, four of the Tamil militant groups had come together to form the Eelam National Liberation Front (ENLFF), - the four being the LTTE, the EPRLF, Tamil Eelam Liberation Organisation (TELO) and Eelam Revolutionary Organisation of Students (EROS). Though the militants initially declared that they would boycott the talks, when the ENLFF leaders went to Delhi to explain their stand, they were told by the officials of the Research and Analysis Wing (RAW) and the Indian defence and external affairs ministries that they had no option but to attend the negotiation process³⁶. The Tamil militant groups therefore felt that they were being virtually frog-marched to the talks by the Indian Government.

It was therefore the external factor, in the form of Indian involvement, that created the space for the Thimpu negotiation and pushed the protagonists in Sri Lanka's growing civil war to enter, albeit unwillingly, in to a political engagement. Thimpu became a forum in the form of an international arena, where the protagonists sought to legitimise their political positions. For the Tamil militant groups, operating outside of democratic politics but seeking to be the principle voice of ethnic Tamil politics and as non-State actors engaged in the use of violence to fulfil their political objectives they required Indian/international recognition and legitimisation for their struggle. Thimpu, then, was a space for the protagonists to practice a form of political posturing, rather than a forum for a meaningful engagement on state reform as a way forward for resolving the ethnic conflict. It is in this context that we can understand

³² *Eela Nadu*, 'Can we allow it to be forced? 30 June, 1985, p.4

³³ *Lanka Guardian*, 'Uma Maheswaran reluctant to lay down arms', 15 June 1985, p.7.

³⁴ *Lanka Guardian*, 'From ethnic strife to cold war', 1 May 1985, p.3.

³⁵ *Eela Nadu*, 'If the proposal submitted by President is unsatisfactory we have India's support, 21 June 1985, pp.1and 8.

³⁶ *Lanka Guardian*, 'Thimpu talks - a search for a solution', (reproduced from India Today), 1 August 1985, p.6.

why the Sri Lankan ruling elite presented a set of proposals no different to the proposals for District Councils, which had been rejected by the Tamil political elite an year earlier at the APC. It also explains why the Tamil militant groups laid down a set of pre-conditions in the form of the famous Thimpu Declaration, which was rejected by the Sri Lankan Government.

Negotiations: War by Other Means - The Making of the War Trap

Commentators of Sri Lanka's past attempts at negotiation have observed that each encounter at the negotiating table between the Sri Lankan/Sinhala political elite and the Tamil militant groups, namely the LTTE, seems to have further hardened the resolve of the protagonists that a return to the battle field was the most logical and possibly, the better arena to achieve positive outcomes in fulfilling their political objectives. Uyangoda even describes peace negotiations in Sri Lanka as a continuation of the war for state formation projects by other means, on the part of both Sinhala political elites and the Tamil militant political elites.³⁷ A decisive military victory over Tamil militancy was seen by the Sinhala political elite as way of granting minimum state reform or no state reform. On the part of the Tamil militant groups, strategic military gains were believed to achieve maximalist goals of substantial political autonomy or full secession. At this juncture, with the material support that the Tamil militant movement was receiving from India, it appears that all the militant groups were operating on the logic that gaining ideological legitimacy for their militant struggle against the Sri Lankan state would enable them to make significant political gains. Ketheswaran Loganathan, a member of the EPRLF and a participant at Thimpu, has recorded that the method of subverting the negotiation process by the Tamil militant groups was to fuel public opposition to the negotiations. While the negotiations in Thimpu were going on, demonstrations were being organised by the militants in the North. The demands of the protestors reflected the common position taken by the Tamil militant groups' vis-à-vis the Sri Lankan state.

The *Eela Nadu* reported that the protestors in Uddupiddy chanted slogans and carried placards questioning the negotiation process. They rejected any form of power-sharing and called on the Indian government to recognize the right of the Tamil people to self governance. In Koppay, protestors carried placards stating "People, let us save Eelam". There were also placards condemning the activities of the armed forces and the Government, demanding that all restrictions in the North be removed, the army withdrawn from the North, the East and the Hill Country, the Tamil rebels under detention be released, the hill country people be granted citizenship, and the settlement of Sinhalese in the Eelam area be stopped³⁸.

At a *hartal* planned for 8 July (the day of the first summit in Thimpu) leaflets were distributed that demanded an explanation from the Tamil militant groups in Bhutan, asking

³⁷ Uyangoda, Jayadeva. *Ethnic Conflict in Sri Lanka: Changing Dynamics*. Policy Studies 32, Washington: East-West Centre, 2007, p 11, Sahadevan, P. 'Negotiating peace with the LTTE', in Sahadevan, P. and De Votta, Neil. *Politics of Conflict and Peace in Sri Lanka*, New Delhi: Manak Publications, 2006, pp.232-297.

³⁸ *Eela Nadu*, 'Widespread protests against the ceasefire in the Jaffna peninsula', 4 July, 1985, pp.1 and 8.

whether the talks were the respect shown to all who have died because of the fascist Sri Lankan Government³⁹.

As Sahadevan has written of Thimpu, all the militant leaders saw Thimpu as an international arena to seek legitimacy for their political struggle.

Padmanabha of the EPRLF, interviewed by *Frontline* prior to the Thimpu talks, explained their position in negotiating with the Sri Lankan Government in the following terms; “we realize that our struggle is yet to gain international recognition because of certain misconceptions and the lack of clarity about the nature of our struggle”.⁴⁰ Balakumar of EROS stated that the militant groups wanted to justify to the world that their struggle was “a reasonable one”.⁴¹ LTTE’s spokesperson Anton Balasingham stated that “...we have to go through the universal process (of negotiations) to find out what the enemy is up to and we should make world opinion favourable (to us)”.⁴²

The Tamil militants’ strategy for gaining recognition and legitimacy for the armed struggle was to expose the reform-resistant nature of the Sinhala political leadership. Padmanabha’s comments, as well as that of the other leaders, tend to be revealing. “By going through the peace process initiated by the Indian government, we feel that the incapacity of the Sri Lankan government to resolve the fundamental grievances of our people and its real design to solve the problem through military means will be fully and decisively exposed”.⁴³

Sri Sabaratnam, leader of TELO, in his interview to *Frontline*, stated that, due to the Indian government’s good offices, the TULF did hold talks with the Sri Lankan Government, but without caring for it, the Sri Lankan Government dragged on the talks. Balakumar of EROS commented that “thus far all talks have ended in failure. The people who represented the Tamils (at these talks) could not do anything for the Tamils ... But this time, it is going to be very different ... We know that Mr. Jayewardene is playing the same old game, which he knows very clearly and we also know the rules of the game he plays”.⁴⁴

Anton Balasingham on the same topic stated that the TULF was negotiating with the Sri Lankan government for a long time. Several agreements were made and abrogated. “The APC was a fiasco. ... we will never be enticed into political games”.⁴⁵ Interestingly, the statements of the militant leaders also revealed their fear of negotiations as a trap that would result in minimal or no state reform rather than a way forward. In subsequent attempts at negotiation, the LTTE would continue to demonstrate this same mentality and operate on a strategy of exposing the reform-resistant character of the Sinhala political leadership. The LTTE used this strategy for instance in the 2002 peace talks with the United Front

³⁹ *Eela Nadu*, ‘Large hartal on Monday protesting the Bhutan talks’, 6 July 1985, pp. 1 and 8.

⁴⁰ *Frontline*, ‘Militant perspective on the ceasefire and the Thimpu talks,’ vol. 2, no.16, 1985, pp. 16-18

⁴¹ *Frontline*, ‘Militant perspective on the ceasefire and the Thimpu talks,’ vol. 2, no.16, 1985, p. 17

⁴² *Ibid.*

⁴³ *Frontline*, ‘Militant perspective on the ceasefire and the Thimpu talks,’ vol. 2, no.16, 1985, p. 16

⁴⁴ *Ibid.* p. 18

⁴⁵ *Lanka Guardian*, ‘From ethnic strife to cold war’, 1 May 1985, p.9 and *Divaina*, ‘We have a common political goal’, 4 July 1985, pp. 1 and 4.

Government, when they offered to explore a solution within a federalist framework. This was meant to expose the reform-resistant nature of the Sinhala political leadership, on the basis that Ranil Wickremasinghe's government could never initiate a process of state reform to create a federal system. The process of ethnic outbidding, entrenched in Sri Lanka's electoral politics would prevent it. The rationale was that this situation, in turn would give the LTTE justification to return to a military solution.⁴⁶

On the part of the Sinhala political elite, the discourse of terrorism enabled a situation where a minimalist position on state reform could be justified. Therefore, we see that the Sri Lankan Government's response to the Thimpu Principles was a reiteration of the position taken at the APC.

- a. complete renunciation of all forms of militant action
- b. surrender of arms and equipment
- c. closure of training camps in Sri Lanka and abroad
- d. return of refugees
- e. restoration of damaged places of worship.⁴⁷

Throughout the Thimpu negotiations, the newspapers in the South such as the *Sun* published commentaries on the intransigence of the "terrorist groups". The Minister for National Security, Lalith Athulathmudali was quoted stating that over 200 violations had occurred, since the cessation of hostilities, by the terrorist groups, with the LTTE being responsible for a large number of the violations. "If they do not desist we will be forced to take action", Athulathmudali warned.⁴⁸ The response to the Thimpu Talks by the opposition parties and sections of Sinhalese civil society groups reflected a similar position.⁴⁹

The Thimpu negotiations came to an end when, at the second round of negotiations, the Tamil militant groups rejected the proposals put forward by the Sri Lankan Government for a conservative system of Provincial Councils, on the basis that they did not adhere to the Thimpu Principles. The Tamil delegation walked out of the negotiation process after accusing the Sri Lanka Government of violating the terms of the ceasefire. Their allegation was that this was proof that the Sri Lankan Government was seeking a military solution and that it was farcical to continue the peace talks at Thimpu.

⁴⁶ The offer of a federal solution was explained as a bargaining gambit by LTTE negotiator Anton Balasingham to a representative of a newspaper covering the peace talks in Thailand. Interview with N. Vidyadharan (former editor of *Uthayan*) November 2009 and September 2010.

⁴⁷ *Sun*, 'Lanka lays down pre-conditions for any peace agreement, 14 August, 1985, p.1 and 3.

⁴⁸ *Sun*, 'Attempts to sabotage Thimpu Talks, 3 August 1985, pp. 1 and 3.

⁴⁹ The appeal for the eradication of terrorism and Sinhalese people to be resettled in their original homes in the North and East came from the Maha Nayake Thero of the Asgiriya chapter, Ven. Palipane Chandananda, Ven. Maddihe Pannaseeha, Ven. Sobitha Thero, the leader of the SLFP, Sirimavo Bandarnaike, the leader of the Parliamentary Opposition, Anura Bandaranaike, MEP leader Dinesh Gunawardene, representatives of the All Ceylon Buddhist Congress, Sinhala Bala Mandalaya and the Buddhist Theosophical Society, *Lanka Guardian*, 'Postpone Thimpu talks; call by new Front', 15 August 1985, p.4.

In the public domain, a glance at the national press reveals that whether sympathetic or critical of the UNP Government, the Thimpu negotiations were constructed as a forum where a legitimately elected government was forced to negotiate with terrorists due to external pressure. An editorial in the *Sun* noted that “those who masterminded and schemed to subvert the Thimpu deliberation have gained a partial success”. The groups (implying the Tamil militants) subverting the talks were described as “*satanic elements, to whom peace and settlement are anathema.*”



Figure 2

A Wijesoma cartoon in the *Island* depicted a dour looking Jayewardene, forced to serve a hapless Amirthalingam and a predatory tiger (Figure 2). Political satire in the popular press would continue to play on the term Tamil Tiger, to depict Tamil militants in dehumanised forms. The Tiger clearly was dissatisfied with the fair served up by the Sri Lankan president. These depictions fitted the predominant discourse of Tamil militancy as “terrorist”, committed to an agenda of violence, and the Tamil moderate leadership as having become merely instruments of terrorism. The very logic of the discourse on terrorism could strengthen the resistance for state reform.

Conclusion

The early attempts at negotiation in the form of the All Party Conference and the Thimpu Talks were at a juncture where the protagonists in Sri Lanka's ethnic conflict and incipient civil war sought to sabotage talks, in the belief that a military solution or military upper hand would impact directly on the question of state reform. War, in other words, would define political outcomes, and the zero-sum logic of military endeavours shaped negotiating positions, resulting in a situation where the peace negotiations were treated (to repeat Uyangoda's description) as war by other means. The Sinhala political elite by defining and engaging with the Tamil ethnic insurgency as terrorism and a threat to the State precluded the possibility of an early negotiated settlement to the ethnic Tamil problem of power sharing. The Tamil militant leadership undermined negotiations on the basis that they were time-buying exercises on the part of reform resistant Sinhala political elites. The APC and Thimpu then appear to be historical moments where the behaviour of political agents played a role in creating the war trap that the protagonists of Sri Lanka civil war would continue to return to.

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