



POLICY OPTIONS FOR DEMOCRATIC REFORM

RECONCILIATION AND THE PEACE PROCESS IN SRI LANKA: FRAMEWORKS, CHALLENGES AND WAYS FORWARD

Dev Anand Ramiah and Dilrukshi Fonseka

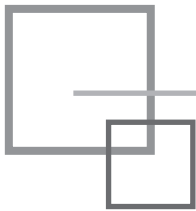
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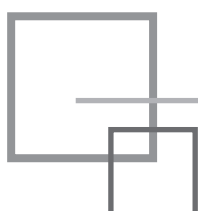


Preface

This paper is the joint effort of two authors in our personal capacities. The aim of writing this paper is to collate our combined knowledge, insights and experiences on reconciliation and to inspire an in depth discussion on the subject as it pertains to Sri Lanka. We consider this paper a work in progress and to that end invite and encourage all readers to engage with it in a critical and constructive manner.

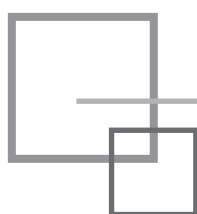
We would like to thank the Berghof Foundation for Conflict Studies Sri Lanka Office for facilitating the opportunity to share our ideas. We would also like to thank our readers Norbert Ropers, Manjri Sewak and Sanjana Hattotuwa for their feedback on the first draft. We are also grateful to our respective teachers, colleagues and fellow practitioners, in particular to John Paul Led-

erach, Howard Zehr, Ron Kraybill, Norbert Ropers, Graeme Simpson and Rama Mani, who have encouraged our work in this field. This paper was enriched by our encounters at various forums, in particular, the WISCOMP-IDEA Symposium on 'Reconciliation in South Asia: Exploring the Terrain' (Delhi, India 2005), the GTZ-FES Conference on 'International Comparative Experiences in Reconciliation' (Berlin, Germany 2005), the International Experts Group Meeting on Reconciliation (Ottawa, Canada, 2004 and Stockholm, Sweden 2006), the Berghof-CPA-IDEA workshops (Sri Lanka, 2004), and the Berghof facilitated working group meetings on reconciliation (Sri Lanka, 2003-2004).



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Executive summary

Reconciliation requires a multi-layered approach for transforming societies emerging from conflict situations. It should also be initiated early in the pre-settlement stage and form part of peace making, rather than being added as an afterthought. In this way it can genuinely form part of the settlement of conflict and be taken into account in any negotiated power sharing, relief, rehabilitation and reconstruction efforts.

To date, reconciliation in Sri Lanka has not been well integrated into the conflict transformation process, and it is fair to say that reconciliation initiatives have been poorly planned, with little effort made to include a political, socio-economic, religious or cultural focus. Yet Sri Lanka has employed the usual range of reconciliation devices: truth commissions, trials, reparations and official apologies, although these were mainly initiated by the government (one of the parties to the conflict) without the involvement of the Liberation Tigers of Tamil Eelam.

Specific initiatives have included:

- A National Action Plan on Reconciliation (2002) aimed at building on grassroots actions and incorporating reconciliation into government activity;
- A Presidential Truth Commission on Ethnic Violence and Presidential Apology (2001) to investigate violence that occurred 1981-84, and to pay reparations to victims.

The way forward

Place reconciliation in the correct context

For any reconciliation process to be effective it has to be firmly linked to the local context. In Sri Lanka, to be effective, retain credibility and meet public expectations this means exploring both how inter-faith relationships can assist the process, and assessing the public's view of reconciliation. International experience provides an important guide for how to do things, but perspectives deriving from this should not be allowed to overwhelm knowledge obtained from local experience.

Develop a rights-based approach

Reconciliation needs to be underpinned by sound human rights principles and structures. Justice and redress are good starting points, but these may end up leading into compromises about the extent to which they can be pushed without undermining the entire peace process. Access to classical retributive justice processes is important for victims. Ultimately, however, it may be less effective in redressing social, economic or political human rights violations that are better addressed by the application of restorative justice measures which are more likely to heal the wounds not only of the specific individuals in question, but also of the wider community.

Find avenues for interim reconciliation

Confidence and trust building measures, concessions and symbolic gestures are important, even before a settlement has been achieved. In Sri Lanka this could include: full implementation of a national language policy that gives Tamil speakers equal rights; educational reform intended to ensure that history is not taught from a partisan perspective; dealing with difficult land ownership issues; and exploring the role of institutions such as the media, religious institutions and civil society in reconciliation processes.

Personify reconciliation

One of the most powerful lessons from international experience is the need to personify a society's reconciliation experience. The importance of a figure like Nelson Mandela in South Africa rests partly in his ability to inspire society to reconcile even when many people are opposed to it.

Develop multiple processes for advancing reconciliation

Never adopt a single approach to reconciliation that effectively channels a society's hopes into a single dialogue process and is then supposed to 'deliver' on all the contentious issues. Official dialogue and negotiations need to be supported by unofficial / 'Track II' processes. Similarly, it is worth constructing thematic approaches to reconciliation.

Integrating reconciliation into official level negotiations will be facilitated by the development of parallel processes and mechanisms. Despite some clear weaknesses, two mechanisms developed during the 2002-3 negotiation process in Sri Lanka - the sub-committee and special advisory models - are worth considering. In particular, it is worth noting that the relatively successful committees established during this period dealt with so-called 'soft' issues within the official security discourse.

If agreement were reached on its establishment, a sub-committee on reconciliation could be developed as a stand-alone entity, linked to but not reliant on the peace talks and comprising individuals and experts outside the formal peace negotiations team. The 'Special Advisor' model is also feasible, similar to the appointment in 2002 of an officially appointed Human Rights advisor to the peace process. It would also be worth considering the establishment of a circle of reconciliation advi-

sors, drawn from the national and international arenas and tasked with advising the official peace negotiation teams on reconciliation issues.

To date, 'Track I.V' and 'Track II' initiatives in Sri Lanka have been far too dependent on the 'Track I' peace process. As a consequence, these processes have ebbed and flowed according to the dictates and current state of official peace negotiations. Civil society can do much more to keep communication lines open between groups through the development of ongoing, multi-stakeholder dialogues. It should redouble its efforts when an impasse looks likely to undermine the necessary foundations for reconciliation, and work using every means at its disposal to avoid a complete regression into violent conflict. One idea worth exploring in this area is that of a 'Single-Text Process', a multi-stakeholder forum that seeks to arrive at a minimum consensus on contentious issues through dialogue.

Develop official level capacity for reconciliation

Those involved in reconciliation processes at the official level need to develop a genuine understanding of what the process means, what it can achieve and where it may come unstuck.

Generate stakeholder-specific strategies and interventions

Different groups may be at different stages of preparedness to engage in the reconciliation process. Understand their needs, fears and limitations but also ensure that the reconciliation priorities of the entire community take precedence over the wishes of particular social groups.

Link reconciliation to development

Pushing forward with reconciliation without seeking to bring about tangible improvements to people's lives will ultimately prove to be counterproductive.

Ensure gender sensitivity in reconciliation interventions

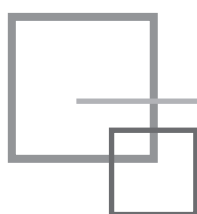
In Sri Lanka, women's groups have often served as a rallying point for mobilizing communities towards reconciliation.

Explore and expand on the reconciliation palette

There are many possibilities for advancing reconciliation, even in small or symbolic ways. Don't ignore them.

Develop non-traditional resources for reconciliation

Psychology, religion, culture, literature and the creative arts all offer important scope to assist the reconciliation process.



1. Introduction

A single approach cannot transform a society that has experienced decades of violence into a peaceful one. Rather, conflict transformation is best understood as a process, or more accurately, as multiple processes that resolve problems and restore and renew broken relationships. Alongside the tough challenges - the so-called 'hard issues' - of security, power sharing and economic reconstruction, are the tougher challenges of helping individuals and groups to deal with and integrate their painful pasts, to foresee and work towards interdependent futures. These, the challenges of reconciliation, are the most complex of all.

Over the past few decades, the notion of reconciliation has found its home within the conflict transformation discourse. Today, more and more peace practitioners recognize the importance of restoring or rebuilding relationships in the context of violent conflict, and also recognize this task as separate – but not disconnected – from those of peacemaking and peace building. Reconciliation processes in societies as different as Eastern Europe, Guatemala, South Africa and East Timor have not only contributed to this change, but also provide the necessary insights to be able to articulate and advance reconciliation within the context of conflict transformation.

Despite its increasing popularity the reconciliation dimensions of conflict transformation are still underdeveloped and under-emphasized. Reconciliation is

very often viewed as a post-conflict priority, in which healing broken relationships and building new ones are viewed as tasks that ought to follow the more urgent priorities of conflict settlement, negotiated power sharing and relief, rehabilitation and reconstruction (RRR). This post-conflict conception of reconciliation is often viewed through the lens of transitional justice, or more specifically, through transitional justice mechanisms such as truth commissions or war crimes tribunals. Too often, reconciliation is also regarded as a 'soft' priority, as one that is 'warm and fuzzy' and unsuitable for official engagement or strategic intervention. By extension of this same logic, reconciliation is looked upon as an essentially grassroots activity, or as something that 'just happens', requiring no intervention or facilitation.

The theory and practice of reconciliation in Sri Lanka faces the same challenges as it does in most other societies. Not discounting or devaluing the considerable and innovative work being done in the name of reconciliation in Sri Lanka, it is still accurate to say that reconciliation has not been fully integrated into the conflict transformation process. The generic challenges to mainstreaming and integrating reconciliation are confounded by more specific ones. First, the 'no war – no peace situation', the escalating threats to human rights and human security in Northern, Eastern and Southern Sri Lanka and the increasing frag-

mentation within and between interest groups are not conducive to moving ahead with reconciliation.

Secondly, there is significant resistance from many quarters to mainstreaming reconciliation. This is due in part to the experience of previous 'reconciliation' initiatives that are perceived as poorly or badly implemented. Thirdly, there has been little effort to locate reconciliation in the Sri Lankan context in ways that are attuned to the needs, interests and fears of the people or that account for political, socio-economic, religious and cultural factors. This in turn explains the disaffection many people feel towards the concept and its application to the local context.

Against the backdrop of such challenges, this paper is a critical exploration of broader reconciliation in Sri Lankan society. It attempts to set out a framework for discussion on the subject: by presenting a conceptual and practical overview of reconciliation, by flagging some salient points for consideration when designing – or deliberating on designing – a reconciliation process at the macro-societal level, and by making several generic and specific recommendations for moving forward towards this end.

This paper argues for building reconciliation into all phases of a peace process, including pre-settlement, settlement, post-settlement and even any stalemate phases. It argues for discussing post-conflict variants of reconciliation earlier rather than later in a peace process, so that all issues pertinent to reconciliation are factored in, not added on as an afterthought. It contends that reconciliation is most effective when conceptualized and put in place at all levels (the macro, meso, and micro levels). Finally, notwithstanding the fact that relationship-building is an ongoing and organic process, and that in the end reconciliation is a personal and collective choice rather than an official imperative, this paper argues that much more needs to be done to initiate and facilitate the process, particularly at the macro level. In essence, this paper provides parameters to guide future discussions and interventions on reconciliation in Sri Lanka.

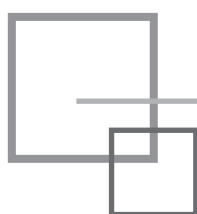
Two caveats are in order. First, the preliminary focus of this document is to comment on the potential, challenges and recommendations for implementing reconciliation in Sri Lanka at the official or macro-societal level (or track one as it is called in the peace-

building discourse).¹ The primary audiences for this paper are institutions, organizations and others who are mandated or inspired to facilitate processes at the macro-societal level. This is by no means a comprehensive paper on multi-track reconciliation in Sri Lanka, though perhaps much of what is stated will be relevant and therefore applicable to reconciliation at other levels.² Second, this paper offers a framework for implementing reconciliation within the ongoing conflict transformation process in Sri Lanka and more specifically against the backdrop of the Cease-fire Agreement (CFA) between the Government of Sri Lanka (GoSL) and the Liberation Tigers of Tamil Eelam (LTTE).

The spectrum of reconciliation needs in Sri Lanka, however, is far wider in scope. These include (but are not limited to) those intra, inter and group relations adversely affected by the civil insurrections of the 1970s and 1980s, by intermittent periods of political and electoral violence, by the recent rise of religious extremism, as well as by the less visible but ever pervasive structural and cultural violence inflicted along class, caste and gender lines. Again while much of what is stated will resonate with the spectrum of reconciliation needs and challenges in Sri Lanka, this paper is by no means a comprehensive roadmap for addressing them all. It is however premised on and underpinned by a strong personal belief of the authors that discussions and deliberations on reconciliation focused on the ethno-political conflict cannot and should not take place in a vacuum, but rather within the larger challenge of rebuilding or building the gamut of fractured inter-group and intra-group relations in the country.

¹ The three track discourse in peacebuilding discusses different levels of actors to a peace process (top leadership, middle-range leadership and grassroots leadership) and their different roles, approaches and interventions. It serves as a useful tool for distinguishing different levels of intervention while remaining alert to the potential for cross-fertilization across these levels.

² We anticipate in time to supplement this paper with similar in-depth forays into reconciliation at the meso {track 2} and micro levels {track 3}.



2. Frameworks for reconciliation

2.1 Conceptual framework for reconciliation

Reconciliation is one of the most elusive concepts in conflict transformation in spite of its increasingly common usage.

It carries a wide variety of connotations and commands a wide variety of affiliations and aversions. This stems from several reasons: conceptual misunderstandings, its close-affinity to one or more faith traditions and the use, overuse and abuse of the concept in particular contexts.³

The study of reconciliation is in its embryonic stage. To that end a degree of conceptual chaos is, to a certain extent, justifiable. In fact, attempting to harness the subject simply for the sake of conceptual clarity could potentially limit the evolution of the concept itself. The chaos however is too costly a luxury at the operational level. At this level, it is useful and important to develop a basic taxonomy with which to carry forward the discussions and interventions. The intention here is not to define reconciliation but rather, to provide a basic framework for operationalizing the concept.

John Paul Lederach - a renowned peace researcher and practitioner with vast experience in Colombia, Nicaragua, Somalia and the Philippines – suggests that reconciliation is a framework in which the concepts of truth, mercy, justice and peace encounter and interact.⁴ Lederach offers some useful premises to build on. First, he points to the too often neglected dimension of relationships within a conflict. Reconciliation is viewed as ‘putting right’ the broken relationships; a backward looking exercise of acknowledging and dealing with a painful past. Second, he appreciates reconciliation as a tangible space for encounter and engagement; a forward looking exercise of building empathy and understanding among conflicting groups. Reconciliation comes to mean the marrying of the reflective and proactive processes of dealing with the past and envisioning the future.

Gráinne Kelly and Brandon Hamber – two practitioners working out of Northern Ireland – also offer a working definition of reconciliation as involving five interwoven and related strands:

³ Fonseka, D. (2003) *After The Violence: Women and Reconciliation*, Peace Monitor, Volume 5 Issue 3, Center for Policy Alternatives, Colombo.

⁴ Lederach, J. P. (1997) *Building Peace: Sustainable Reconciliation in Divided Societies*, USIP, Washington DC. USA

- developing a shared vision of an interdependent society;
- acknowledging and dealing with the past;
- building positive relationships;
- significant cultural and attitudinal change; and
- substantial social, economic and political change.⁵

Learning from the work of other reconciliation thinkers and practitioners, Kelly and Hamber underscore three other definitive characteristics of reconciliation. First, they understand reconciliation to be a necessary process after violent conflict, but as one that cannot be imposed. Second, they underscore the essential paradoxes of reconciliation (between looking back at the past and looking forward to the future; between truth and mercy; and between justice and peace). Third, they acknowledge the ideological underpinnings that colour our understanding of and relation to reconciliation. What is laudable about this particular working definition is that it was founded on an extensive exercise of consultations with a spectrum of stakeholders within the community in question. This kind of exercise is a necessary starting point for any society embarking on a reconciliation journey, as communities are likely to feel far more vested in a process that is self-defined than imposed.

Based on the frameworks offered by Lederach, Kelly and Hamber⁶, reconciliation can be understood as the convergence of multiple processes that move a society to restoring fractured relationships and/or building new relationships in the context of violence. These processes:

- Can be facilitated by different actors (political leaders, civil society, business leaders, religious leaders etc)
- Can be aimed at or impact on a range of intermediaries (victims, perpetrators, bystanders, etc)
- Can take place at a number of levels (grassroots, macro-political, inter-group, intra-group etc)

- Can happen over a range of timelines (latent conflict, open conflict, post-conflict, interim etc)
- Can draw on a variety of potential tools, mechanisms and institutions (trials, truth commissions, reparations, apology, acknowledgement, reform, memorials, art, music, theatre etc).

These actors, intermediaries, levels, time-lines and tools together constitute the conceptual framework for reconciliation: what we term the ‘reconciliation palette’⁷.

2.2 Process framework for reconciliation

It is wrong to assume that concepts will sustain themselves in practice and shine through the most unprincipled of approaches. The process through which the substance is translated into practice is as important – and as value-laden – as the substance itself. The conceptual framework offered above has to be underpinned by salient principles of good process.

Some points for consideration in this regard are:

- Inter-linkage to a common vision

The reconciliation palette offers a wide array of choices and combinations. Herein lies both opportunity and risk. The opportunity is self-evident, i.e. it is the multiplicity of interventions and entry-points for building harmonious relationships among and across divides. The risk is that this multiplicity of choice can contribute to conflicting interventions becoming counterproductive, if not dangerous. Reconciliation processes must be geared to a common set of visions for the society in question. This vision is best arrived at through a thoughtful and sincere assessment of the needs of the people. The most recent literature on the subject argues that the very processes through which societies negotiate the tensions of reconciliation and move towards a single vision are themselves processes of healing and reconciliation.

⁵Hamber, B. and Kelly G. (2004) A Working Definition of Reconciliation, Paper published by Democratic Dialogue, Belfast. Available at http://www.seupb.org/cosul_other.htm

⁶We find these frameworks useful because they are based on comparative and cross-cultural experiences. They are intended for providing some parameters for understanding the notion of reconciliation. However, even the broadest of frameworks have to be contextualized to the situation at hand. As we go on to argue in the course of this paper, the first step to advancing reconciliation in Sri Lanka is to find its roots – conceptual and otherwise – in Sri Lanka.

⁷The term is borrowed from Dan Smith’s Peacebuilding Palette, Smith uses a ‘Palette’ instead of a ‘Toolbox’ because he believes that “...the interplay between the different elements of peacebuilding goes beyond the purely mechanical and is harder to predict than toolbox metaphor implies.” Like Smith we too find palette a better way to explain reconciliation framework, as the elements can be combined in any number of context-specific ways—like mixing paints. [*Mine Action and Peacebuilding*, New York September 14, 2004 by Christian H Ruge, Fafo Institute]

➤ **Timing and sequencing**

The issue of timing and sequencing in relation to reconciliation is crucial and problematic. On the one hand, the design of a macro-societal exercise for reconciliation is contingent on the nature of the conflict settlement, in other words, it will be conditioned and constrained by the power sharing agreements, political and military configurations and socio-economic relations of the post-conflict scenario. In such instances, it is unwise – if not dangerous – to develop processes prematurely. Often, the principle stakeholders to a negotiated settlement may also be the principle perpetrators of past violence. Engaging in any kind of reconciliation in such instances could be potentially harmful to a nascent peace process. Principle stakeholders will often be averse to the very idea of reconciliation until they feel they are on their way to addressing their grievances.

On the other hand, notwithstanding the need for political pragmatism on the issue of timing and sequencing, discussions about reconciliation are never premature. On the one hand, individuals and communities are able to engage with reconciliation organically without external or top-down influences. There is also value in discussing the sequencing of multiple processes, where reconciliation initiatives can be mapped out over a period of time according to realities and limitations. For example there could be room for reconciliation interventions at the micro level, with intervention by civil society and grassroots organizations that could eventually lead to more macro-societal political interventions in the later stages. Understanding reconciliation above and beyond its post-conflict manifestation opens the door to a rich variety of approaches, entry points and vehicles that can be timed and sequenced in ways that help, not hinder, the conflict transformation processes of respective societies.

➤ **Inclusivity and representation**

Key to the success of any reconciliation initiative is its inclusive and representative character. This is especially so in cases where exclusion and misrepresentation have been very much a part of the conflict's narrative. Both scenarios pose the risks that reconciliation processes will either be purloined for political mileage or contribute to further divisiveness.

Discussions and deliberations on reconciliation must necessarily include all those with a vested interest, and should not be confined only to those around the negotiating table. This is especially pertinent in

instances when the parties to the negotiation process are not necessarily the only parties to the conflict or are not representative of the needs of the affected communities. While those affected by the conflict are imperative for dealing with the past, the forward thinking aspect of reconciliation necessarily needs to include more than these people, and place itself in a far wider social dialogue that includes those who were not directly part of the conflict, including for instance, the diaspora and children.

➤ **Public consultation, participation and engagement**

The deliberations and decisions on reconciliation cannot remain solely in the hands of the major political actors. The most successful of experiences have been in societies that created high degrees of synergy between the interests, needs and fears of the public and the political elite. This can be achieved in many ways: needs-assessments, education and awareness raising, information sharing, and national consultations and submission processes. It is often unnecessary to begin the analysis, assessments and discussions from scratch, in lieu of the innovative work that has already been done in this regard by civil society institutions. What is needed is an approach that builds necessary conduits between the macro and micro; the elite and the communities, the civil and the political, so that the decisions when taken reflect the needs of the communities at large.

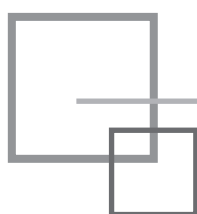
Public participation in reconciliation processes is not merely a numbers game. Rather, it is a measure of the depth and breadth of public engagement on the subject. This degree of public engagement can be achieved in several ways: education and information, seminars and workshops, media programmes, public debates, town and community meetings. It calls for an entire society to be caught up in the spirit of reconciliation and to be enveloped in dialogue on the issue. In a process of reconciliation, there is the tacit understanding that not all views can be accommodated. What is important is not necessarily to meet all aspirations of a community, but to give them the sense that the spirit of their input is heeded and reflected, as best can in the final vision of reconciliation.

➤ **Principles and values**

These principles could include: commitment to cooperation and collaboration; recognition of the diversity of opinion; sensitivity to gender, religion, ethnic identity, and language; fair and equitable decision-making; commitment to implementation; transparency; and

the promotion of peaceful relations among people. An initiative for reconciliation must explicitly embody such a set of values, and strive at all times to propagate and promote these values.

The work of those mandated or inspired to deal with reconciliation in Sri Lanka must be underpinned by sound conceptual and practical frameworks. When moving from theory to practice however, it is likely that these frameworks will be tested against the specific context. The reconciliation process in Sri Lankan society will be shaped by a sum of political, economic, social and cultural considerations. For example, experience demonstrates that concepts like mercy and forgiveness are frequently resisted as culturally irrelevant and similarly, mechanisms such as Truth Commissions are rejected in light of (unfavourable) past experiences with the same. Yet essential features like inclusiveness and public participation are problematic given the confrontational nature of politics and the extremely top-down nature of decision-making in the country. The specific context, more than anything else, calls for the setting of high benchmarks for reconciliation approaches. It is important to begin with the best and most principled framework for reconciliation and then assessing its limitations and making the necessary compromises rather than to start with nothing at all.



3. Reconciliation in Sri Lanka

3.1 Overview of relationships in Sri Lanka

It is futile to talk about reconciliation without first examining the state of relationships needing reconciliation in the country. It is almost impossible to deal with the range of contradictory relationships in Sri Lanka. Any attempts to do so will be subjective, incomplete and inconclusive. In this paper it is only possible to outline a few relationship divides.

The relationship between the majority Sinhala and minority Tamil communities has been affected by disputed historical grievances (claims of entitlements to polity by the Sinhalese – 'Sinhadipa, Dhammadipa'⁸ concepts – and counter claims of entitlements to traditional homelands by the Tamils), discriminatory legal and regulatory acts (citizenship, language, land settlement and educational policies), sporadic and systematic violence (the ethnic pogrom of 1983), and periods of open violent confrontation between the Liberation of Tamil Tigers of Eelam (LTTE) and the Government of Sri Lanka (GoSL).

Those communities (predominantly Tamil and Muslim) living in the North and East of the country have faced the brunt of open warfare, (death, injury, displacement and severe underdevelopment), while those communities living in other parts of the country (majority Sinhala, but also Tamil and Muslim) have known the conflict through terrorists attacks, the loss of male kin enlisted in the armed forces and stalled economic development. The Muslim/Tamil and Muslim/Sinhala relationships have also been affected by the armed conflict, by acts of targeted violence against Muslims in the North and East and by a growing alienation of the Muslim community in the most recent peace process. The fault lines between the three major communities are non-linear (they periodically exacerbate and ameliorate) and are fashioned by other factors such as geographic proximity, religion, gender, age, lived memory⁹, and of course individual and group experience.

Quite apart from the inter-group relations, there are intra-group relations worthy of note. The Tamil community has deep fissures, the deepest among those groups that sanction or reject the means and/or the ends of the liberation struggle. Similarly the Sinhala

⁸ "Sinhadipa Dhammadipa" refers to the Sinhala claims that Sri Lanka is the island of the Sinhalese and the island of the Buddhists

⁹ Lived memory is one's own formulation of a narrative based on first hand experiences, often shaped through stories of the lived memories of grandparents and parents.

community stands divided, predominantly along deep seated party political affinities. As with inter-ethnic relations, intra-ethnic relations are also fashioned by issues of religion, class, caste, gender and language.

There are a few other dynamics worthy of note in the context of this paper. First, the conflict narrative as well as its lived memory often refers back to the 'old days'¹⁰; frequently to a pre-1956 era when the two main communities co-existed in relative harmony. The younger generations (particularly the post-1983 generations that have only known the 'other' through the armed conflict) do not have a lived memory of positive co-existence and *inter alia* show higher potential for deep(er) rooted animosities. Second, relational analysis in Sri Lanka leans less on the rhetoric of historical and deep-rooted ethnic differences and more on the systematic failure of the political elite to deliver a resolution to the problem. To that end, the interpersonal relationships between the different groups are to a large extent conciliatory and turn antagonistic only when they intersect with the political.¹¹ Third, some of the relationships have greater opportunity for interaction (by virtue of democratic practises such as elections, the Parliament etc), while others have little or no space for the same.

The afore-mentioned relationship divides and dynamics lead to a number of conclusions. First, although the armed conflict is primarily between two groups, its resolution and reconciliation involves many more. Second, intra-group relationships may well be as fragmented as inter-group relations. Third, political relationships impact upon group relations and political reconciliation holds potential for facilitating a narrative of positive co-existence. Third, when strategizing for rebuilding relationships, it is important to acknowledge those existing spaces for dialogue and interaction (that must be capitalized on) and those that do not exist at present (that must be created). Fourth, protracted violence combined with a continued non-resolution of core issues will deepen the interpersonal divide and in time transform the conflict into deep-seated animosities (the so-called 'Palestinization' of relationships). The challenge of rebuilding relationships in Sri Lanka will only grow more difficult with the passing of time.

3.2 Overview of reconciliation in Sri Lanka

Against the backdrop of an overall theoretical framework and a snapshot of fragmented relationships in the country, it is now useful to take a closer look at reconciliation in Sri Lanka. The concept is most frequently discussed within the context of the ethno-political conflict. In fact, many of the reconciliation interventions carried out to-date at the macro (track one-), meso (track two) and micro (track three-) levels have revolved around the fault lines of this same conflict. There have been fewer attempts to address reconciliation in the context of other political, socio-economic, cultural and religious fault lines that exist and rupture from time to time. There is also a less visible commitment to reconciliation at an institutional level.

In the context of the ethno-political conflict and more specifically against the backdrop of the most recent CFA, a greater part of reconciliation activities have taken place at the track two and track three levels, with less visible commitment to the subject at the track one level. The reconciliation activities at track three are those organic or facilitated activities that foster reconciliation through people-to-people interactions. A good part of such activities take place outside public and media gaze. However, the signing of the CFA in 2002 led to a surge of reconciliation activities between communities in the South and those in the North and East of Sri Lanka that also caught the attention and interest of the media and public at large. The relative security and access afforded by the CFA encouraged people to travel across the geographical divides (in many instances, for the first time) and in so doing, gave them an opportunity to traverse the emotional and relationship divides.

For example, as pilgrims from the South travelled to religious sites in the North and East that had been inaccessible during the war,¹² they were first hand and first time witnesses to the war-affected areas of the North and East. Similarly, as people from the North and East travelled to the South with greater ease, they were able to interact with and experience the hospitality of civilians of the other community. It is important

¹⁰ Eh Kale... 'in Sinhala/'antha kalam'in Tamil

¹¹ This is both positive and negative. It is negative because the façade of conciliatory relationships is often used to deny the root causes to the conflict. There are a good many who will say 'I have Tamil friends' or 'I have Sinhala friends' and yet gravely object to any and all notions of self-rule and shared rule by one community with the other.

¹² Such as 'Madu'(a Catholic Church) and 'Nagethivu' (Buddhist Temple)

however, not to oversimplify the relationship between the CFA, the peace process and reconciliation. On the one hand, it is likely that increased people-to-people interactions considerably bridged the divide between the North and the South. At another level, it is plausible that the CFA and the subsequent peace negotiations resulted in certain stakeholders hardening their positions and further isolating themselves from other groups.

Additionally, it is important not to romanticize the relationship between interaction and reconciliation. Encounters and interactions have the potential to either improve or impede reconciliation, depending on the nature of the encounter as well as individual experience. In order to establish the impact of the CFA on reconciliation, it is important to find out if the people-to-people contacts nurtured in the context of the CFA and the peace process were sustained in the long run, and whether these improved relations were resilient enough to withstand the subsequent threats to the CFA and the ebbs and flows of the peace process.

Track two reconciliation activities in Sri Lanka consist largely of planned interventions facilitated by civil society. For the ease of analysis, they can be broadly categorized under four areas: promotive, preventive, pre-emptive and restorative¹³.

- *Promotive interventions* are those that promote reconciliation without explicitly identifying reconciliation as an objective. The reconstruction and development activities in the North and East, in as much as they promote economic and social well-being and contribute to confidence-building between stakeholders and their constituencies, are promotive interventions.
- *Preventive interventions* are those that promote reconciliation as an explicit objective through active engagement and relationship building. These include, but are not limited to, inter-community exchange programmes, cultural and sports festivals and dialogue processes.
- *Pre-emptive interventions* are those that focus on tackling emerging challenges to harmony, i.e. those activities that prevent the regression or deterioration of relationships. For instance, peace committees (and commissions) that address issues before

they become conflict flash-points fall into the category of pre-emptive interventions.

- *Restorative interventions* are those that have healing elements to them. These include, but again are not limited to, psychosocial counselling, healing through the creative and performing arts, memorializing, historical accountings etc.

Track two reconciliation activities have mushroomed over the past few years. It is unfair to assess these activities without an in-depth exploration of their impact. It is possible however to make a few general observations in this regard. First, certain types of interventions appear to be over-done at track two. With the onset of the track one peace process several individuals and organizations mobilized around pre-emptive and preventive interventions such as inter-community exchanges, multi-stakeholder dialogues, peace-committees, conflict resolution training, reconciliation media programming etc. For example, since the CFA there have been hundreds of track two conflict resolution training workshops for various intermediaries. Similarly, certain communities in the North and East boast of multiple peace committees with as many as five or six committees set-up by different organizations servicing the same target population.

In contrast there has been little done in the realm of restorative interventions, and many of the activities remain largely confined to the psychosocial sector and then only to a handful of individuals and organizations that operate with innovation and sensitivity to the local context. Secondly, there has been very little in the way of agenda-setting, option-generating, capacity-building, public mobilization and political lobbying on reconciliation by track two actors. Third, many of the interventions have been one off activities lacking the sustainability required for restoring fractured relationships over time. Fourth, a good majority of them appear to work within comfortable circles of like-minded intermediaries, and have little access and outreach to those who fall outside of the circles mentioned earlier. Finally, most interventions appear to suffer from a creativity block and are unable to move away from textbook interventions to more strategic and context-specific ones.

¹³ These classifications are used in the context of dealing with religious conflicts in Bock, J. (2001) *Sharpening Conflict Management: Religious Leadership and the Double-edged Sword*, Praeger Publishers

3.2 Analysis of past interventions ¹⁴

To an outsider looking in, it would appear as though Sri Lanka has experimented with the entire textbook of interventions: from commissions, trials and reparations to apologies. Many of these interventions have been initiated by the state, with little or no initiation or involvement by the LTTE or any other group. Given that past interventions have a direct bearing on reconciliation attempts, it is worthwhile exploring some of these initiatives in detail. The idea here is not to discuss the pros and cons of a particular initiative, but rather to examine how well they hold up and hold true to the conceptual and process frameworks discussed previously.

The National Action Plan on Reconciliation (RRR-OCG)

In 2002, the GoSL embarked on a programme for developing a National Action Framework for Reconciliation under the Office of the Commissioner General (OCG) for Relief, Rehabilitation and Reconciliation (RRR). As articulated in the Cabinet Paper on the programme, it was formulated 'to inspire and develop trust between the people of the North and the South, to promote better understanding'.¹⁵ The OCG strategy was two-pronged. The first part of the strategy was the formulation of a National Action Framework for Reconciliation that would guide reconciliation from conceptualization to implementation. The second was the creation of the necessary mechanisms for implementing the Action Framework.

There were several positive features to this programme. First, it built on existing grassroots consultations. Second, it actively encouraged the involvement of civil society organizations. Civil society groups were given an independent mandate to carry out consultations on four identified areas - new national vision, institutional and constitutional provisions, emerging challenges to harmony and inter-community trust-building - with each area being facilitated by a leading civil society organization. Third, the framework rightly identified the role of the state bureaucracy in fostering reconciliation and both set-up and strengthened the capacities of personnel within each ministry to ensure that reconciliation was mainstreamed into all aspects of government activity.

The programme was not without its weaknesses. One was its insensitivity to the ever-fluctuating dynamics of the peace process. Although the plan was launched during active negotiations between the GoSL and the LTTE, it continued beyond the negotiation stage and into the stalemate phase, when the more sensitive alternative would have been to re-strategize accordingly. A second shortcoming to the programme was the continued non-participation of the LTTE, the opposition parties and other political stakeholders. Although invitations were extended to all stakeholders, it was naïve to imagine that they would all join the reconciliation bandwagon given prevailing conditions. This begs the question as to whether the time was indeed 'ripe' for developing a 'national' plan for reconciliation given the asymmetries between the protagonists; the political disunity in the South; and the breakdown in the negotiations aimed at resolving 'national' questions. The non-participation of one or more stakeholders does not necessarily invalidate a macro-political reconciliation approach. In fact, it is unrealistic to expect all protagonists to move towards reconciliation simultaneously at any given time.

However, the RRR-OCG could have limited the scope of its objectives according to prevailing political realities. A more realistic programme would have been to build the capacities of the state to address reconciliation until the time was indeed ripe for a multi-stakeholder reconciliation exercise. Finally, the involvement of civil-society also proved a double-edged sword. On the one hand, a civil society led initiative resulted in a more inclusive and representative process. On the other hand, a majority of the recommendations made (particularly those addressing root and proximate causes to the conflict, such as language parity, equitable access to education and public service employment) required the agency and will of the state. The division of labour between a mostly civil society led process of consultations and recommendations and a mostly state-led process of implementation resulted in a significant disconnect between the two, which in turn increasingly eroded faith in the process.

In conclusion, the model of a National Plan for Reconciliation continues to hold significant promise - particularly in determining the role of the state in reconciliation - and to that end deserves serious consideration in the future. However, the task of devel-

¹⁴ The two initiatives selected by the authors are within the context of the past two, track 1 peace processes. There are other macro political initiatives such as the 'Commission of Inquiry into the Involuntary Removal or Disappearance of Persons (three geographically distinct commissions) which are not discussed in the paper.

¹⁵ Formalized with the approval of the Cabinet Paper 03/0096/114/003

oping a 'national plan for reconciliation' was at many levels both premature and presumptuous. Furthermore, the success of a process like this one depends largely on an understanding of its limitations, and the ability to prevent the process from losing steam well before fruition.

The Presidential Truth Commission on Ethnic Violence and Presidential Apology for Black July

The Presidential Commission on Ethnic Violence was set-up by H.E. The President in August 2001. It was mandated to do the following:

- investigate acts of ethnic violence that took place between 1981-84;
- document instances of violence for the historical record; and
- pay minimum reparations to those affected who came before the Commission.

The three member Commission held public hearings in Colombo and heard over 939 cases. Its official report was made public in 2004 and was marked by an official apology tendered by H.E. The President of Sri Lanka to the victims of the 1983 ethnic pogrom. The gesture activated a programme of reparation for the victims.

There were several positive features to the Commission. Although Sri Lanka has had several commissions of inquiry into single or multiple acts of violence, this Commission presented itself as the first official inquiry into acts of ethnic violence in the country. Most importantly, it was the first official inquiry to investigate the ethnic pogrom of July 1983; an event regarded as a watershed in the conflict. To this end it was both a significant and symbolic departure from the typical practice of the state to date, which was to deny or defend its complicity in inciting ethnic violence among communities and failing to take all measures necessary to contain the same. Although the Commission had its detractors, it was generally welcomed by victims and survivors and some sections of civil society as a long awaited and necessary measure to acknowledge and redress the violence that took place during that stretch of time. The Commission received the highest levels of state patronage, which contributed to raising its stature as a serious political exercise. It also received considerable state media coverage, which helped sustain some public

interest in its work, particularly during the early stages of its inception.

There were, however, several negative features to the Commission: notably the timing of the exercise. Initiatives such as truth commissions pose particular problems when established during a pre-settlement phase. In the case of Sri Lanka, during the pre-settlement phase, the Commission was operating at a time of intense warfare between the principal parties to the conflict, the Government and the LTTE. The Commission came across as if it was a one-sided body - a vehicle of the Government which was itself party to the conflict - working in isolation, disconnected from the continuing violence in the country and any measures to resolve the conflict by peaceful means.

Furthermore, the Commission did little to engage all political parties, particularly the opposition parties, and was soon perceived as a political mud-slinging campaign by the government against the opposition. The Commission also confined its work to the period between 1981-84, ignoring the periods of violence that preceded and followed this period. Should Sri Lanka adopt another exercise of this nature it will be hard to find a way to work around a prior Commission that already looked at a slice of the country's violent history. The Commission's most serious lapses were to do little to assess the needs of those affected or to consult with civil society or educate and inform the public. As a consequence it became isolated and viewed largely as a political exercise with little expert support and low public participation.

A few additional points are in order on the Apology itself. Most commendably, the Apology was the first expression of regret by a political leader for the events of 'Black July'. The second is that the Commission's Report - combined with the Apology - activated a programme of reparations to the victims. According to the latest figures from the Ministry of RRR, over 5000 persons have applied for compensation for loss of life and property. At one level, the number of applications is testimony to the faith people have in the process, despite its shortcomings. At another level it gives some sense of the value of physical compensation as a tool for reconciliation in the country. The timing of the Presidential Apology was, however, not ideal. The fact that the apology came when the commitment on all sides to restarting the negotiations was weak, meant that it may not have resonated in the community at large.

Furthermore, the fact that the President's apology was set against the backdrop of what was seen as a highly partisan Truth Commission relatively weakened its acceptability among many sections of society. When the most recent round of peace negotiations commenced, many anticipated that both the government and the LTTE would express some form of regret for the violent actions of their pasts. It was believed that a reciprocal (and generic) expression of remorse on the part of the GoSL and the LTTE at the commencement of the negotiations would have contributed to building trust between the respective leaderships and their constituencies and have set the tone for a process. There were similar calls for an apology during the 20 year commemoration of Black July in 2003. ; Such calls resonated in civil society but fell on deaf political ears. These more evocative opportunities for an apology were sadly missed.

In conclusion, the Commission and the Official Apology were singular and unprecedented attempts at dealing with the country's violent past. However, the deficiencies of timing, political inclusiveness and public participation gravely impeded the success of such interventions and now seriously hamper the potential for similar interventions in the future.

3.3. Challenges and drawbacks to reconciliation

Reconciliation and the peace process

While the Ceasefire Agreement of 2002 has held if tenuously to date, there has been little progress by way of resolution of core issues to the conflict. The resumption and continuation of peace negotiations have been further complicated by new dynamics both in the South (i.e. the emergence of the JVP as a vehement critic of the peace process) and in the North and East (i.e. the intra-LTTE conflict and the ensuing violence between the so-called Vanni-LTTE and Batti-LTTE). Given the current scenario, it is likely that the path to conflict transformation will be as or more protracted than the conflict itself. It is also likely that short spells of active negotiations will be interspersed with longer spells of inactivity, where some will support the ceasefire (in principle if not in practice) but make no substantial progress towards a settlement.

The fragile ceasefire and current 'no-war/no-peace' situation in the track one peace process pose par-

ticular challenges to operationalizing reconciliation at the official level. Reconciliation interventions are far more likely to have the desired impact when undertaken within the parameters of an ongoing peace process. This is less significant at track two and track three where political stakeholders are less involved and where interventions are once or twice removed from the vagaries of peace talks and settlements. Nevertheless even track two and three interventions stand higher chances of success when operationalized during an on-going peace process because they are able to make use of the momentum usually generated by activities at track one. Having said that, active negotiations do not necessarily advance reconciliation. The relationship between the two is mitigated by several other factors such as prevailing security conditions and the inclusive and participatory nature of the negotiations themselves.

The types of interventions under discussion in this paper (i.e. track one interventions) are significantly affected by the dynamics of a peace process. Ongoing negotiations and movement towards a settlement provide a framework for institutionalizing reconciliation and an environment for state and non-state actors to engage with reconciliation. Progress at the negotiating-table builds confidence between stakeholders and makes them more receptive to exploring their relationships with each other. A peace process gives stakeholders the legitimacy to initiate unilateral or bi-lateral reconciliation exercises and to participate in exercises initiated by others (e.g. civil society dialogue processes).

Stakeholder resistance

A second challenge to operationalizing reconciliation at the official level is the level of resistance to the idea in Sri Lanka. The nature, degree and motivations for such resistance are varied. Although all stakeholders accede to the importance of reconciliation in principle, their approach and commitment to reconciliation is based on different definitions, perceptions and ideologies, and founded on different interests, needs and fears. Below, is a brief look at some of the positions *vis-à-vis* reconciliation, articulated by one or more of the key stakeholders in the country.

- *'Reconciliation is a soft priority; it will overload the peace process'*

Many of the political stakeholders are inclined to resist reconciliation because it fails to fit into their list

of hardcore issues. Many understand it as a 'soft priority', not deserving attention at track one, and view it instead as far more suitable for engagement at the grassroots and community levels. Even those who are more aware of its importance and strategic value still understand it as something to be talked about after the hard issues (political arrangements, reconstruction and rehabilitation) have been deliberated and decided on. There are many who believe reconciliation will also over-load an already issue-heavy peace process.

➤ *'Reconciliation should follow a political settlement; it's a post conflict priority'*

Stakeholders are likely to resist reconciliation in the absence of a peace process or in the absence of any movement towards a settlement. At a workshop on the subject, a participant articulated this belief with the adage: "good fences make good neighbours". There are many who echo this sentiment and believe that the negotiated settlement to the conflict and the process by which it is arrived at will determine and shape the nature of reconciliation between the different groups in the country.

➤ *'Equity is a precondition to reconciliation'*

Those most affected by the conflict frequently resist reconciliation in the absence of tangible improvement to their living conditions. Again in the words of a participant at a Multi-Lateral Needs Assessment Validation workshop, *'The people of the South are seated in comfortable chairs, we in the North are lying on the floor. We need to sit equally with our friends from the South before we can talk about reconciliation'*. This speaks to the notion of equality as a precondition for genuine reconciliation between the communities. Some feel that as long as there are significant imbalances in the political and socio-economic standings of the different communities in Sri Lanka, reconciliation will always be considered as a sop to the majority conscience.

➤ *'Reconciliation undermines us (stakeholders), our (their) negotiating strength and the support of our (stakeholders') constituencies'*

Some fear that if reconciliation comes too early it will undermine their legitimacy and their bargaining power within the peace process. If a reconciliation process improves relationships within and between communities, it will also call to question the need for political representation as well as the need for political stakeholders as 'representatives' of different groups in the country. They also fear that the promise of premature co-existence will call to question the demands for

power-sharing and self-determination of the minority communities. Some also fear that their counterparts will use unilateral gestures of reconciliation to win the hearts and minds of the opposing constituency.

➤ *'Intra-group reconciliation should precede or run parallel to inter-group reconciliation'*

Many point to the absence of intra-group harmony as an obstacle to reconciliation. For example, many Sinhalese cite fratricidal conflicts within the Tamil community as proof of irreconcilability with the Tamil people. In the same vein, many in the Tamil community see little hope for Sinhala-Tamil reconciliation unless there is an exercise of consensus-building between political parties in southern Sri Lanka. Similarly, the political infighting within the Muslim community is regarded as a major obstacle to improving the relationships between Muslims and other communities. Overall, there is a strong belief among many that achieving a degree of reconciliation within the communities is paramount and should pave the way to achieving reconciliation across communities.

➤ *'Reconciliation is transitional justice'*

Although dealing with the past is not the only element to reconciliation, it is still a vital element. Any movement toward addressing past violence immediately opens up debates about individual and collective complicity for human rights violations, accountability, prosecution and punishment. These kinds of debates are sensitive - in particular, for the principal parties to the armed conflict - as it makes them vulnerable to scrutiny.

➤ *'Reconciliation is amnesia'*

Quite apart from those who equate reconciliation with dealing with the past, there are also some who correlate it with erasing the past. Individuals and communities who have suffered egregious violence are often resistant to reconciliation because they fear it will be an exercise of whitewashing that will suppress their need for accountability and justice.

➤ *'Reconciliation is culturally and socially inappropriate'*

The refrain that reconciliation is 'un-Sri Lankan' is a recurrent one. Some believe it to be a western import unsuitable for Asian cultures and societies. For example, there are those who believe public truth seeking and collective healing to be unsuitable to what are essentially private and conservative societies. Others feel that those concepts associated with reconciliation are Judeo-Christian values that are incompatible

with Buddhist, Hindu and Islamic faith traditions. For example, a participant at a workshop commented that a Truth Commission would be inappropriate in a majority Buddhist country such as Sri Lanka, given that Buddhists believe in Karmic forces to deliver truth and vindication and that rebirth or the after life would determine the reward and punishment for one's actions in this life.

➤ 'Reconciliation is not needed in Sri Lanka'

Sri Lanka's post independence history has been a violent and turbulent one. Aside from the ethno-political conflict, the country has also witnessed several civil insurrections, political and electoral violence as well as fratricidal conflicts. There are those that deem a formal reconciliation process *vis-à-vis* the ethno-political conflict to be an unnecessary luxury given that the country has withstood all other conflicts and has moved forward relatively successfully without like processes.

Politics of reconciliation

Political conditions and constraints have a direct bearing on reconciliation as they do on most things. The lack of a political consensus among the political elite narrows the space for inclusive reconciliation interventions and thereby diminishes their impact on society at large. The lack of a political consensus between the two main political parties in the South is particularly damaging in this regard. Many of the macro-political reconciliation exercises initiated by the two parties when in power failed to include the other in a comprehensive and satisfactory manner by choice or by circumstance. Exercises such as the National Plan for Reconciliation and the Presidential Truth Commission on Ethnic Violence are therefore viewed as politically partisan initiatives that are more about gaining political leverage and one-upmanship rather than about promoting reconciliation in the country.

Perceptions aside, another challenge to reconciliation at track one, is that such initiatives can easily be manipulated for political gain by one or other grouping in the country. When a stakeholder initiates an unilateral reconciliation exercise or conversely refrains from participating in an exercise of another, it sends out strong political messages about the levels of trust between them, their confidence in the process, and their vision for the future.

Hard issues vs. soft issues

The peace processes in Sri Lanka – like most peace processes around the world – are conducted within a real context of security and power. This inevitably leads to the classification of topics as hard and soft issues. The so-called 'hard issues' are those with direct implications on security conditions and power balances, while the so-called 'soft issues' are those whose associations to security and power are seemingly negligible. Topics like demilitarization, power-sharing, resettlement are considered to be hard issues that deserve priority, while topics like gender, reconciliation and even human rights are viewed as soft issues to be dealt with depending on time, resources and the whims of the participants.

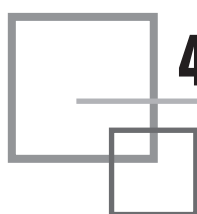
The fact that a majority of those involved in the process in Sri Lanka have adopted the security approach to peace makes them less open to doing their bit for reconciliation. Both the Government and the LTTE and other political actors respond to the concept of reconciliation only when encouraged (or pressured) to do so by civil society or the international community. In fact, many of the political elite believe that taking the first step towards reconciliation will weaken their standing on 'hard issues' at the negotiating table. This idea of reconciliation as a 'soft issue' and as one that potentially emasculates remains a continuing challenge for operationalizing reconciliation at the official level.

Role of state and non-state actors

The role of the state in reconciliation is complicated, particularly when the state is also a party to both the conflict and the settlement. The challenge is further confounded by adding a non-state actor into the equation, i.e. the LTTE. Currently, the field of reconciliation offers few resources or strategies that state and non-state parties can apply, particularly in the interim and stalemate phases. On a related note, operationalizing reconciliation carries legal implications and opens the door to certain legal repercussions, which, governments are reluctant to make themselves vulnerable to. For example, if the state or non-state actor tenders an apology for a specific atrocity, they may also become liable for prosecution. The situation is further complicated if there is already an on-going legal process (a trial, or a sentence) around that specific act.

Prescriptive vs. elicitive reconciliation

A key challenge to operationalizing reconciliation at any level in Sri Lanka, is to first understand its roots and resonance in society. Sadly, many have been more keen on importing international ‘success’ models – by way of foreign experts and workshops – and less keen on understanding the indigenous sources and motivations for reconciliation in their own country. The western liberal models of reconciliation, combined with the experiences from places like South Africa, Northern Ireland and Guatemala have dominated the reconciliation canvass in Sri Lanka, particularly at the track two level, and have precluded the possibility of creative and innovative indigenous responses. As a whole, the country is no closer to understanding people’s perceptions about reconciliation, let alone their needs, interests and fears. The country is also no closer to understanding the sources, practices and traditions, if any, that give resonance to reconciliation and that can become resources for operationalizing reconciliation in Sri Lanka. As a result of these lapses the reconciliation under discussion in most circles and forums is often far removed local needs, capacities and resources.



4. Recommendations and ways forward

The final section of this paper offers some ideas for moving ahead with reconciliation in Sri Lanka, again focusing on the macro-political or ‘track one’ process. These ideas are formulated with the intention (and anticipation) of informing decision makers and policy advisors as well as organizations and individuals who work on reconciliation issues at the broader political level. Some recommendations are concrete ways for moving forward, while others are less concrete and framed as insights, ideas and strategies for working through obstacles and resistance to widening and deepening the reconciliation discourse in Sri Lanka.

4.1 Explore roots and resources for reconciliation in Sri Lanka

The essential starting point for reconciliation in Sri Lanka is to contextualize it. As observed earlier, the discourse has been dominated by western liberal approaches and international comparative experiences. These influences are not wholly negative. It is likely that this subject – like many others – will continue to be influenced by a western, liberal, Judeo-Christian approach as well as by much touted international experiences from South Africa and Northern Ireland that popularized the concept of post-conflict reconciliation in the 1980s and 1990s. Also, it must be acknowledged that several civil society actors in Sri

Lanka used international comparative experiences on reconciliation as a launching-pad for introducing the discussion to the country at a time when the subject was too sensitive to be localized. The time is ripe to find ways of ‘locating’ reconciliation within Sri Lanka. Those keen on advancing the debate must begin by moving out of workshops held mainly with international experts and move into the harder terrain of primary research, option generation, scenario building and problem solving for reconciliation in Sri Lanka.

Exploring the roots and resources for reconciliation in Sri Lanka requires two methods. One the one hand, it requires much more dialogue around the political, socio-economic, religious and cultural conditions in the country: how they resonate with and relate to notions of reconciliation, and how they can complement or challenge its applications. For example, it is essential to sustain a dialogue on spiritual resources within Buddhism, Hinduism, Islam and Christianity that lend themselves to reconciliation and on the value of and potential for inter-faith reconciliation in the country. Similarly, it is important to explore the opportunities provided for reconciliation through cultural practices, literary and artistic traditions, and social norms within and across the different communities in Sri Lanka.

On the other hand, there needs to be an assessment of people’s perceptions, needs and capacities *vis-à-vis* reconciliation. One simple – but fundamental - starting

point would be to carry out far reaching public consultation on the subject. This could take many forms: public surveys, town hall meetings, focus group discussions, dialogue workshops, problem solving workshops, training and interviews. Public consultations of this nature are not only important at the inception of broad based reconciliation interventions, but should ideally accompany the life span of such approaches in order to monitor changing perceptions.

It is best not to start with a pre-conceived notion of how reconciliation should occur in Sri Lanka irrespective of existing public surveys or dialogues about the subject. In fact, it is best to steer clear of the very term 'reconciliation', but instead to engage in dialogue about the different notions and expectations of Sri Lankans in order to truly find how people view the nature and process of reconciliation. There is a wealth of good practice methodology available in this regard, derived particularly from consultations about attitudes and perceptions towards reconciliation carried-out by the Truth and Reconciliation Commission (TRC) of South Africa.¹⁶

A note of caution: there is an alarming tendency to romanticize indigenous approaches to reconciliation. The literature is replete with material that idealizes the Gacaca trials in Rwanda or the Circle Processes in East Timor but fails to assess their impact and potential, or to question their inherent biases and hierarchies. Specific local approaches also need to be examined with a critical eye so that problems and shortcomings can be identified. The over-riding importance of finding local solutions should not exclude drawing on outside experience.

4.2 Develop a rights-based approach to reconciliation

Sri Lanka's reconciliation process has to be underpinned by sound human rights principles and frameworks. A rights based approach to reconciliation carries a number of implications. First, it calls for ensuring that those affected by the violence are consulted on their needs as well as ideas for working through it and are well informed about reconciliation interventions being carried out on their behalf. Public engagement and public consultation are not simply the hallmarks

of good process design for a rights based approach to reconciliation, but a responsibility of those mandated to facilitate reconciliation and a right of those persons affected by the reconciliation process.

Second, a rights based approach to reconciliation calls for addressing human rights violations in the context of the conflict. This is not a proviso that can be compromised for the short term gains of a peace settlement. Undoubtedly the nature and degree of the justice that is administered will be shaped by the realities on the ground. Nevertheless it is important to start with the principle of justice and redress and then proceed to compromise where necessary, instead of reducing reconciliation to an exercise of amnesia and impunity.

It is here that a broader understanding of justice is both necessary and useful in the Sri Lankan context. The rigorous execution of retributive justice is not always an available or viable option for societies emerging from conflict for a number of reasons. First, the existing model of retributive justice is often preoccupied with the backward looking exercise (What happened? Who did it?) at the risk of neglecting the forward looking exercise (What needs to be done in order to make things right?), both of which are equally important within the reconciliation framework. Second, the retributive model is more geared to handling the so-called first-tier of human rights violations (loss to life, limb and property) and less effective in addressing the second and third tier of violations (threats to political, economic, social and group rights) that often constitute the root causes of conflict.

Third, the retributive model may not always provide closure and healing to victims. The solution here is not to ignore the importance of justice in the reconciliation equation, but rather, to look for alternative and complementary forms of justice. The restorative justice model¹⁷ offers the space for placing accountability, while focusing on the measures necessary for addressing the 'harm done' to the victims and to the community at large. From a reconciliation stand point the fundamentals of restorative justice - moral learning, community participation respectful dialogue, apology, forgiveness and making amends¹⁸ - are better equipped to facilitate individual and collective healing. However, it is inadvisable to follow the most recent

¹⁶ Lombard, K. (2003) *Revisiting Reconciliation: The People's View*, Report of the Institute for Justice and Reconciliation, Cape Town

¹⁷ The field of Restorative Justice is often seen as a "western" concept. However it has its origins/roots in the Maori, Aborigine, First Nation, African practices

¹⁸ Johnston, G (2002) *Restorative Justice, Ideas, Values, Debates*, Willan Publishing, UK

trend of pitting retributive and restorative justice models against one another. It is equally inadvisable to categorize the various reconciliation models (prosecutions, truth commissions) as being either retributive or restorative. The idea here is to design processes that borrow from the best of all available models according to their viability and appropriateness to Sri Lanka. By thinking beyond retributive justice, the door is opened to a rich array of options. Much more needs to be done to think through the justice element of reconciliation as well as to explore local and community based practices in Sri Lanka.

Third, a rights based approach to reconciliation allows for a more holistic reconciliation agenda for the country that encompasses the gamut of human rights violations: direct, indirect, physical, political, economic, socio-cultural, individual and group. Too often, the reconciliation discourse is too focused on the rights violations within the context of open warfare and less on those violations that constitute the root and proxy causes to the conflict. A rights-based approach to reconciliation will offer a frame of reference that goes above and beyond models like truth commissions and tribunals and into avenues like political reform, minority rights safeguards, education reform and language parity measures that are necessary for transforming relationships in the country.

4.3 Look at avenues for interim' reconciliation

It is not feasible to adopt essentially post-conflict measures in essentially pre-settlement environments. Exercises such as truth commissions require certain pre-conditions (the support of all stakeholders, minimum security) that do not prevail in pre-settlement contexts. Furthermore, such exercises are best developed within a negotiation process than outside it and are more likely to succeed if they are part of a settlement than if they are operationalized in isolation. Unfortunately, the current reconciliation debate is too focused on its post-conflict variant and as a result, there is little in the way of innovation in pre-settlement contexts.

One possible way forward is to develop 'interim measures of reconciliation' that are specific to the Sri Lankan context. This idea is derived from Chris Mitchell, who describes 'gestures of conciliation' i.e. initiatives

that can contribute to normalizing relations between stakeholders and their constituencies.¹⁹ Such measures could include: confidence-building mechanisms, trust-building mechanisms, concessions and symbolic gestures. These measures are not a new phenomena in peace negotiations, and in fact, they have been used by stakeholders in the Sri Lankan process - though not to their full potential, and certainly not to their full reconciliation potential.

These gestures need to be initiated using the appropriate frames of reference: in this instance, that of reconciliation. Also, smaller gestures of reconciliation have to be followed in steady sequence, so that they create a cumulative impact that is recognized by the receiver. Finally, interim measures need to be initiated at the appropriate level which connote a degree of commitment and irreversibility so that they are recognized as credible initiatives by the receiver.

The other way forward for interim reconciliation is to explore those measures that can be undertaken by one or more parties that are not necessarily dependent on the outcomes of the official process but that will nevertheless contribute to improving relationships between persons and communities. In the Sri Lankan context, there are several avenues worth exploring in this regard.

a. Full implementation of a comprehensive language policy

Language is a core construct of identity and one of the more visible cultural markers. In Sri Lanka, language issues are considered a root cause of the conflict, originating from the passing of the 'Sinhala Only Act' in 1956 which mandated Sinhala as the official language, effectively blocking non-Sinhala speakers from holding positions in the public administration and impeding their interactions with the same. This law was replaced by the 13th Amendment to the Constitution in 1987, which declared Tamil as the other official language in Sri Lanka and led to the establishment of Tamil as the administrative language in majority-Tamil divisional secretariats and the setting up of the Official Languages Commission and the Department of Languages.

However, despite constitutional guarantees, the language policy lies dormant and continues to impede the minorities and their interactions with the state as well

¹⁹ Mitchell, C. (2000) *Gestures of Conciliation: Factors Contributing to Successful Olive Branch*, St. Martin's Press Inc, New York

as limit interactions between Tamil and Sinhala speakers. The reasons for this include the lack of political will, low incentives and motivation and the dearth of human and financial resources. The full implementation of the language policy is something that can be undertaken by the GoSL (with the support of donors and civil society) as a concrete attempt at reconciliation.²⁰

b. Educational reform and educating for reconciliation

Education in general - and history education in particular - is frequently used by parties as a primary tool for identity and nation building.²¹ Under these circumstances, history is presented in the form of 'chosen traumas' and 'chosen glories' that pit identity groups against each other. The situation is no different in Sri Lanka. The history as taught in schools does not provide a fair portrayal of the country's history. Moreover, it does not adequately touch on the origins and evolutions of the country's ethno-political conflict. Also, despite a common education system throughout the country, history curricular in certain areas of Northern and Eastern Sri Lanka are supplemented by textbooks courtesy of the LTTE that present their own partisan versions of historical events.

The situation is further compounded by the nature of the country's teaching methodology where more emphasis is laid on the memorization of facts and figures than on critical engagement and analysis. Given that historical contestation is very much part of the conflict's narrative, the objective of educational reform should not be the standardization of history. A more feasible way forward would be to review how history is being taught in schools and to explore how to teach the more substantive elements in ways that allow students to engage with different points of view and empathize with the multiple perceptions of a common situation or event. A panel of educationists can be tasked with exploring this in depth. Such a panel should be representative of all communities and be augmented with international expertise where needed.

c. Dealing with land issues

Issues relating to land are as contentious in Sri Lanka as in many other peace processes. In the post-CFA context, land issues have emerged as a primary challenge to ethnic harmony, particularly to Tamil-Muslim relations in Eastern Sri Lanka. At the risk of oversimplifying an extremely complex issue, land problems broadly fit into two categories:

- (a) private/agricultural land occupied by the military forces and the LTTE and
- (b) land occupied by individuals as a result of primary and secondary displacement.

Some of those issues pertaining to land are linked to issues of security and military parity and are therefore inevitably linked to the peace process and its outcomes. While dealing with the gamut of land issues before a final settlement is not feasible, it is still possible to make some progress in the interim. During the fifth round of negotiations between the GOSL and LTTE in Berlin, the parties agreed to establish three committees in the Batticaloa, Trincomalee and Ampara Districts to address issues of occupied Muslim agricultural land and to facilitate their return to legal ownership. Although the subsequent breakdown in negotiations effectively cancelled the functions of such committees, civil society organizations also seized the momentum to generate local solutions for land issues, including developing land registries and initiating military-civilian dialogues aimed at facilitating land return.

The report on Land And Property Rights Of Internally Displaced Persons by the Centre for Policy Alternatives (CPA), recommends the establishment of a quasi-judicial Temporary Land & Property Council to deal with land issues as part of a three pronged strategy with the first two focusing on informal dispute resolution and mediation boards. The report recommends that the Council be made up of a representative group and be supplemented with comparative expertise on land and property issues where needed. The report further recommends that the Council be mandated to settle land & property disputes arising out of the conflict, make recommendations for the allocation of state land to the landless, issue procedures for replacing lost titles and deeds, review contracts

²⁰ There is an abundance of good practice on language policies in multicultural settings from countries like India and Canada

²¹ Philippou, S and Makriyanni, C (2004) What does it mean to think historically? Approaches to teaching and learning history: Proceedings of the first educational seminar by the Association for Historical Dialogue and Research, Nicosia, Cyprus

and leases which could not reach their full term due to displacement, review illegal land alienation and devise just settlements for affected persons (compensation, alternative land, etc).

d. Exploring institutional accountability and institutional potential for reconciliation

As mentioned earlier, exploring issues of personal and collective accountability can be complicated, if not counter-productive in pre-settlement environments. Furthermore, facilitating individual and collective healing in environments where the potential for recurring violence is very real can be counter-productive and dangerous for the affected persons. One of the avenues worth exploring in the interim is the accountability of institutions and their impact on relationship divides in the community. For example, reconciliation exercises in Sri Lanka will be well-served by a series of systematic and in-depth studies into the role of the media, religious institutions and even civil society, and how they affected and continue to affect group relations in the country. Such studies – in the shape and form of report, commissions, inquiries etc – should feature and comprise of both backward and forward looking elements, i.e both explore historical accountability but also future potential with regard to reconciliation. The purpose of such exercises exploring the institutional angles to reconciliation is to supplement individual and collective reconciliation exercises in the future.

4.4 Personify reconciliation

A good reconciliation process must have a human face. In fact, one of the most powerful lessons from international comparative experiences is of the need to personify a society's reconciliation experience. Former President Nelson Mandela is one such example of this. The importance of individuals like Mandela rests in their ability to inspire their societies to reconcile even when large numbers of people were opposed to this course.

Those who seek to lead any kind of reconciliation process in Sri Lanka must also personify it. One of the more unfortunate legacies of the conflict and the political culture in the country is that it has left very few leaders who are widely respected and accepted by

all sides of the divide. This is what makes the human face to reconciliation all the more important. The inability to find a face for reconciliation does not make the process redundant, though it might require looking more widely for people to take on such a role in a smaller but equally profound manner. In the absences of a Mandela, it is better to look for thousand smaller Mandelas. If these individuals cannot to be found in political circles, the alternative would be to look for them in social, cultural and religious circles, but remaining mindful that these arenas can also be politicized.

Furthermore, if they cannot be found within Sri Lanka, the alternative would be to look for individuals in the Diaspora or in the international arena. One concrete way of moving forward would be to create a 'circle of reconciliation personalities'; individuals from around the world who have inspired reconciliation within their communities and can support similar processes in Sri Lanka through regular and high profile visits, sustained dialogue with stakeholders; and outreach to the different communities. Developing this kind of group should only be viewed as a short to medium term approach. In the long run, the 'critical yeast' for advancing reconciliation has to be 'home-grown'.²²

4.5 Develop multiple processes for advancing reconciliation at track one

Reconciliation consists of multiple parallel processes at the macro, meso and micro levels, both across and within these levels. One of the glaring weaknesses of the last negotiation process was the overwhelming emphasis and pressure on a single dialogue process to deliver on all contentious issues. The peace talks between the GoSL and the LTTE (facilitated by the Norwegian Government) were seen as the panacea to resolving all substantial and operational issues, yet, in hindsight, was one of the contributing factors to its downfall. For reconciliation to be integrated into the official level it would be wise to explore mechanisms for alternative and parallel processes.

The two mechanisms that were developed in the course of the last negotiations process - namely, the sub-committee model and the special advisory model - are worthy of some consideration in this regard. A

²²The metaphor of the critical yeast signifies the value of a few strategic individuals who can catalyze a reconciliation process in a society.

close look at these four sub committees demonstrates that the committees on political affairs and de-escalation failed miserably while the sub committees on immediate humanitarian and relief needs (SIRHN) and gender (SGI) were relatively successful in comparison.²³ It is interesting to note that the relatively successful committees dealt with as the so-called ‘soft’ issues within the security discourse. It is important to highlight two weaknesses of the sub-committee model before recommending it as a viable mechanism for integrating reconciliation into the official process.

Firstly, with the exception of the gender committee, the key individuals involved in the peace negotiations were also the members of the sub-committees. This greatly diluted the possibility for multiple discourses and placed added strain on an already overstretched negotiation team. Secondly, the survival of these committees was inextricably linked to the peace talks (courtesy of their terms of reference), which made them susceptible to fluctuations (and eventually breakdown) in the official process. If one were to opt for a sub-committee on reconciliation, it should be developed as a stand-alone entity, linked to but not reliant on the peace talks and comprise of individuals and experts outside the negotiations team. The special advisor model is also feasible, similar to the appointment of Mr. Ian Martin (former head of Amnesty International) as advisor on Human Rights. On a related note, it would be useful to adopt integrate the proposal for a circle of reconciliation advisors (drawn from the national and international arenas) who can accompany the negotiations team on reconciliation issues.

The official dialogue process has to be buttressed by unofficial ones. Sadly, the track 1.5 processes (unofficial dialogues in which official stakeholders, proxies and advisors participate in their private capacities) and track two processes (civil society dialogues) in Sri Lanka are far too dependent on track one and consequently ebb and flow according to the dictates of the official process. Civil society can do much more to keep open communication lines between groups through multi-stakeholder dialogues and should redouble their efforts when an impasse looks likely to create and sustain the necessary foundations for reconciliation and avoid a complete regression into violent conflict. One of the ideas worthy of further exploration

and expansion as a potential complement to the official dialogue process is that of a Single-Text Process, which is a multi-stakeholder forum that aims to arrive at a minimum consensus on contentious issues through dialogue (in physical and virtual domains).

4.6 Develop capacities for reconciliation at the official level

There is a significant lack of conceptual understanding of reconciliation at the macro-political level. In fact, if one were to listen carefully to the voices resistant to reconciliation one would understand that a good many of the arguments raised are done so based on an incomplete or incorrect understanding of the concept or of one or more of its elements. The gaps in understanding are not confined to the principal stakeholder but also extend to the facilitators, donors and even civil society actors. The task of operationalizing broad reconciliation has to be preceded by developing a conceptual understanding of what constitutes reconciliation.

It goes without saying that the ‘how’ of capacity-development at track one is more complex and challenging than the ‘why’. Experience shows that the official level requires a different approach from the traditional workshop and training circuit. It requires one-on-one conversations, closed door dialogues and policy input. It requires a finely tuned understanding of the resistance to reconciliation and finely honed strategies for working through them. It also calls for a committed group of individuals and organizations to think ahead on reconciliation, to conduct visioning exercises, to carry out public consultations, to generate options and alternatives and to share inputs with track one actors in a sustained and committed manner.

One recommendation is to set up a working group on reconciliation for interested individuals and organizations that can think through reconciliation in a systematic manner. A second way of moving forward is to increase the linkages between the official and unofficial levels in closed and open meetings. A third recommendation would be to improve the capacity of mid-level decision makers and advisors who are able to influence their superiors. A fourth recommendation is to work with bilateral and multilateral donor agencies to sensitize them to reconciliation

²³ Some gender experts argue that mechanisms such as the sub-committee only add-on issues like gender to the peace process. While mainstreaming reconciliation into the track I process is the ideal scenario, in the interest of pragmatism (and in the absence of political will) a reconciliation sub-committee with a strong ToR could be a feasible alternative.

to assist them to take reconciliation friendly funding and policy decisions. A fifth recommendation would be to build the capacity of institutions and agencies - particularly the public service sector - to implement reconciliation. Admittedly, the possibility for engagement with non-state actors on these and other issues is somewhat limited and may require more sustained interventions through proxies and the Diaspora.

4.7 Generate stakeholder-specific strategies and stakeholder-specific interventions

Stakeholders in Sri Lanka are at very different stages of preparedness and ability to grapple with reconciliation. As mentioned earlier, different constituencies deal with reconciliation from different ideological vantage points, based on diverse positions, interests and needs. If this is the case, it is foolish to use the same cookie cutter model to advance the cause of reconciliation with all stakeholders. For example, it is futile to carry out collective healing exercises for communities in the North and East at a time when violence remains a recurring threat. Again, it is inadvisable to lobby for a truth commission when the promise of a settlement is more elusive than ever before. It is important to identify all interested groups in the country, understand their resistances, and develop ways for working with and through them.

At the macro-political level, it is simply inadequate to appeal to moral conscience. It is necessary to draw out the strategic value of integrating reconciliation into the country's conflict transformation process. A greater understanding of this strategic value will compel the facilitators to develop a negotiations agenda with a mix of hard and soft issues, to breakdown many of the stakeholder resistances to reconciliation, and to encourage stakeholders to engage with reconciliation without fear of being undermined at the negotiating table. For example, if a stakeholder initiates an interim gesture of reconciliation he or she will immediately gain the moral high ground and *inter alia* a stronger hand at the negotiating table.

In such an instance the facilitators can step into (a) actively recognize the gesture; (b) encourage others to follow suit; (c) facilitate the promotion of such measures by flagging the usefulness of reconciliation in the wider peace process; (d) give guarantees that in the short term, parity of status will be maintained at the

negotiating table irrespective of the stance towards reconciliation; (e) make a principled and unequivocal case that reconciliation is integral to and inextricably linked to medium and long term processes; (f) encourage tracks 1.5, two and three and work to build confidence behind the scenes..

It is also important to impress upon stakeholders the value of a 'reconciliation friendly' track one process and how this can facilitate reconciliation at other levels. At present, many of the decisions that are made - or not made - are weighed against political and security costs. Similarly, all decisions, (e.g. a decision to close the A9 route, or the re-imposition of the *Prevention of Terrorism Act*) carry hidden implications for reconciliation. A greater understanding of reconciliation at track one would ensure that reconciliation 'costs' are also given serious - if not equal - consideration.

It may also be necessary and useful to organize stakeholder-specific interventions until the time is ripe for more multi-stakeholder approaches. Organizations keen on advancing macro-societal reconciliation can begin by organizing reconciliation activities (discussion-groups, dialogue processes, healing exercises, memorials, media programmes) about specific acts of past violence (e.g. the burning of the Jaffna library of 1982, the Central Bank Bombing of 1995), specific themes (e.g. educational reform, promoting multilingualism) and specific social formations (women, youth, combatants).

There is also considerable value in taking up the cause of intra-community reconciliation in the Sri Lankan context. As mentioned earlier, the fragmentation within communities is often seen as a stumbling block to advancing reconciliation across communities. The task of intra-community reconciliation however promises to be challenging. Again, it requires sustained, strategic and often confidential interventions by actors or organizations that have gained adequate trust and credibility among all sub-groups within the community.

One caveat is in order. Quite often the principal stakeholders to the conflict are likely to act against the best interests of their constituencies and resist reconciliation to protect their own power and political position. For example, many actors frequently cite arguments of timing ('too-early/too-late') and cultural relativity ('western concept', 'un-Buddhist/un-Hindu') to avoid opening up debates on accountability for past atrocities. While it is important to listen to stakeholder resis-

tances and to develop strategies for working through them, it is also important to look at the partisan political power interests behind such resistance and not to fall into the trap of accepting these objections at face value. There is a fine line between being responsive to the positions of various stakeholders in Sri Lanka - and understanding their needs, fears and limitations - and pandering to them. The positions of one or more stakeholders must never take precedence over reconciliation priorities of the entire community.

4.8 Link reconciliation to development

Sri Lanka's conflict was fuelled by structural inequalities among different ethnic groups, especially in the fields of education and employment. Furthermore, decades of open conflict between the GoSL and the LTTE in the North and East have resulted in significant discrepancies in the economic development of those areas in comparison to other parts of the country. There is then a contiguous relationship between the return to normalcy and economic development on the ground and the restoration of relationships between communities across the divide. In fact, pushing forward with reconciliation in the absence of tangible improvements on the ground will not only sound hollow but also increase stakeholder resistance.

It is clear that stakeholders across the board have understood the vital link between peace and development. They need to build on this understanding and also recognize that equitable socio-economics is fundamental for moving communities toward reconciliation. This will reap several benefits. First, stakeholders will be able to weigh the reconciliation costs of their development policies as well as strategically use development to promote reconciliation. Secondly, at a more concrete level, stakeholders will be able to explore mechanisms like compensation, reparations and socio-economic reform as entry points for advancing reconciliation in Sri Lanka.

4.9 Ensure gender sensitivity in reconciliation interventions

Gender sensitivity and gender representation in reconciliation interventions are very much part of good process design. Some points are worthy of mention in this regard. The gender dimensions to reconciliation are not formulaic. The interests of men and women

in reconciliation are shaped by their experiences and roles in conflict situations, their positions and predicaments in post-conflict environments and by their individual and collective attitudes and perceptions. It is important to pay heed to the gender perspectives of concepts like war, peace and reconciliation and to integrate gender needs and concerns in this regard. For example, female victims of sexual violence in war are often wary of seeking justice and reparation, fearing social stigmatization or retaliation. In such situations, it is important to put in place adequate security frameworks and psychosocial support structures as well as sensitize the community at large before embarking on any exercise of truth seeking, justice and redress. Integrating gender concerns also acknowledges the valuable and different roles men and women play with regard to reconciliation. Women's groups in Sri Lanka have often served as rallying points for mobilizing communities towards reconciliation. Reconciliation interventions are also 'ripe' opportunities for pushing the issues of gender inclusiveness and representation in macro-societal agendas.

4.10 Explore and expand on the reconciliation palette for Sri Lanka

The reconciliation discourse is overly dominated by discussions on using one or two mechanisms based on their perceived successes in post-conflict societies. This often closes our minds to the variety of options available within the reconciliation framework. As mentioned earlier, understanding reconciliation as a 'palette of options' opens the door to a rich array of interventions. Several of these are unused or underused in the Sri Lankan context. For example, reparative justice and reform offers potential for addressing and redressing both the consequences as well as the underlying causes of a conflict. It can take many forms: legal restitution, indemnity, commemoration, educational revision, symbolic redress. Similarly, collective memory serves as an opportunity for reflecting on the causes and effects of the conflict and as a reminder of those events and incidents that should not recur.

Memory can be fostered in a number of different ways: through temporal and structural aids (memorials, commemorations, symbolic days) and also through longer term processes (revision of history lessons, reform in school curricular). The reconciliation palette does not simply open the door to a multiplicity of tools and mechanisms, but also to a multiplicity

of actors, intermediaries, levels and time lines. While those organizations or individuals working at or with macro-political reconciliation may not have ready and direct access to the entire palette, it is still possible for them to facilitate and support activities at different levels. For example, the Sri Lankan media can be used in a far more sustained and effective way for promoting reconciliation among the communities through awareness building, education and reconciliation programming.

The reconciliation palette offers an assurance: that there is always a choice of how to go about the process. It is no longer simply a choice between doing something or doing nothing; it is no longer a toss between a war crimes tribunal and a truth commission. There are many choices and strategies between these extremes to be negotiated and contextualized for Sri Lanka.

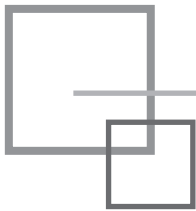
4.11 Develop 'non-traditional' resources and sites for reconciliation

Reconciliation, even macro-political reconciliation, need not be operationalized through political frames. Just as the theory of reconciliation is informed by various disciplines like psychology, religion, culture, and literary and creative arts, its application can also be rooted in or borrow from these various disciplines. The international comparative discourse on reconciliation as well as its Sri Lankan variant tends to be overly-focused on political interventions and text book ones at that. There are too few reconciliation interventions in the religious, cultural and literary spheres, and even fewer to facilitate and strategize 'non traditional' means of reconciliation. One of the ways of developing a 'home-grown' reconciliation process is to sustain a dialogue on the potential for reconciliation through literature, the creative arts, the performance arts, and religious and cultural practices.

4.12 Good process design is fundamental for sustainable reconciliation

It is difficult to develop clear criteria for measuring the success or failure of processes for reconciliation. Success is often relative to the alternatives instead of to some ideal situation. It is also difficult to deter-

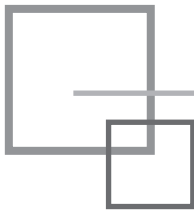
mine whether success and failure lie in the particular strategy or approach or in its implementation. Moreover the assessments based on immediate visible results may be different from those based on longer term indicators. To this end, greater emphasis must be placed on the processes through which reconciliation frameworks are translated into practice. More often than not, the process more than the substance will prove to impact the success or failure of a particular intervention, and *inter alia*, be the true litmus test of the intervention itself.



5. Conclusion

There is no textbook to inform Sri Lankans why, when and how they can and should address the tyrannies of their violent pasts and move towards a more peaceful future. In the end, the country's reconciliation journey will be shaped by individuals: individuals who are embedded in identity networks; individuals deeply affected by and affecting their political, economic, social and cultural environments; and individuals with varying capacity and commitment to work through divisive pasts and envisage interconnected futures. In the end, the country's reconciliation journey will be fraught with challenges. The challenges can be faced if those of us who are entrusted or inspired to take up the task of reconciliation are better able to grasp the nettle - with all its conceptual contradictions and practical difficulties - and become adept at seeing what reconciliation can look like for Sri Lanka.

We need to learn better from international comparative experiences but to also adopt indigenous reconciliation strategies, approaches, and practices that suit our own political, cultural, social and religious circumstances. Most importantly, we need to become better at creating the social energy and synergy necessary for catalyzing reconciliation within this society. A prescriptive and didactic guide to macro-political reconciliation in Sri Lanka is best left alone. A more informed, insightful and strategic approach to political reconciliation in Sri Lanka is within the realm of the possible.



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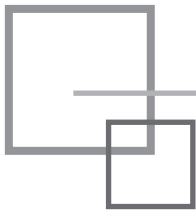
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Acronyms

| | |
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| CFA | Ceasefire Agreement |
| CPA | Centre for Policy Alternatives |
| GoSL | Government of Sri Lanka |
| LTTE | Liberation Tigers of Tamil Eelam |
| OCG | Office of the Commissioner General |
| RRR | Relief, Rehabilitation and Reconciliation |

