Missed Opportunities in the Wake of Disaster

- the Bargaining Process Applied to Post-tsunami Sri Lanka

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List of abbreviations
CFA- Ceasefire Agreement
CNO- Center for National Operations
GA- Government Agent
GoSL- Government of Sri Lanka
ICRC- International Committee of the Red Cross
INGO- International Non-Governmental Organization
JHU- Jathika Hela Urumaya (Sinhala-Buddhist Monk Party)
JVP- Janatha Vimukthi Peramuna (Marxist Sinhala-Buddhist party)
LTTE- Liberation Tigers of Tamil Eelam
NGO- Non-Governmental Organization
P-TOMS- Post –Tsunami Organizational Managements Structure
SCOPP- Secretariat for Coordinating the Peace Process (GoSL agency)
SIDA- Swedish International Development Agency
SLA- Sri Lankan Army
SLFP- Sri Lanka Freedom Party (Left wing party)
SLMM- Sri Lanka Monitoring Mission
TAFREN- Task Force For Rebuilding the Nation
TRO- Tamil Rehabilitation Organization
UNDP- United Nations Development Program
UNP- United National Party (Right wing party)
Introduction and problematization

How do natural disasters affect peace processes and internal ethnic conflicts? Empirical knowledge concerning the answer to this question is scarce; there are few cases where internal conflicts have been touched by catastrophic events such as earthquakes, typhoons or tsunamis. Still, such events do adding to the hardship of civilians already caught up in much misery and suffering brought on by internal warfare.

Peace processes during internal armed conflicts should be viewed as sensitive and fragile; the actions of the parties involved, as well as external events, threaten to overturn attempts to achieve peace and plunge states back into civil war. Plenty of research has been conducted on how the behaviour of the parties involved affects the outcome of a peace process, and also on how external parties can cause positive or negative spirals within such processes\(^1\). However, the lack of observable cases has left the field open when it comes to external events such as natural disasters. Certain theoretical perspectives on war and on the cohesion of social groups point towards how such events may affect internal warfare and peace. For example, some people would claim that external threats may help two rival ethnic groups to overcome their differences and ‘rally around a common flag’\(^2\). On the other hand, one might argue that a catastrophe, and the vast amounts of financial support that disaster-stricken states might receive from the surrounding world, can add yet another dimension to the conflict, thus exacerbating the conflict and complicating the peace process. None of these perspectives have been fully investigated in the setting of natural disasters and their effects on peace processes and internal conflicts; they remain merely theoretical starting points.

Due to the events of December 2004 when a tsunami struck the coasts of Indonesia, Sri Lanka, Thailand and many other countries – leaving in its wake tens of thousands of dead and enormous material destruction – an almost unique situation presented itself where it became possible to test and evaluate such theoretical propositions as the ones stated above. The destruction wrought by the tsunami affected not only the Lankesian situation, but also the war-torn region of Aceh in Indonesia and also reached as far away as Somalia; where yet another internal conflict raged. The lack of empirical knowledge and theoretically tested models for such scenarios meant that great insecurity surrounded the situations in these different locales. Would violence flare up in those places where peace processes seemed to be moving forwards, or at least were not moving backwards? Or would this disaster lead to the

\(^1\) For example, Jackson 2000 and Harzell, Hoddie and Rothchild 2001
\(^2\) Levy 1989, Lian and Oneal 1993
laying aside of arms and a joint effort to rebuild after the destruction that had been wreaked? Answers could be hard to find.

This Minor Field Study attempts to address this empirical and theoretical gap by looking at the case of Sri Lanka and the Sri Lankan peace process after the tsunami of December 2004. This study will look at what effects the tsunami had on the peace process between the government of Sri Lanka (GoSL) and the LTTE, analyzing and attempting to predict the chances of its future success in the wake of the havoc caused by the tsunami. The study will make use of the bargaining model of war attempting to use this rationalist theoretical model to analyze the effects the tsunami might have on the willingness and opportunities of the parties to disengage from the peace process and rekindle the armed conflict. The aim of the study is twofold – to study the specific case of Sri Lanka and to attempt to make use of the bargaining model of war, with the added variable of a natural disaster.

The study will thus contribute to research in three ways, firstly through its analyses, predictions and policy recommendations for the specific case of the Sri Lankan internal armed conflict and its peace process. Secondly through a theoretical testing of rationalist theoretical perspectives on the outbreak, process of and termination of war under the effects of a natural disaster. Lastly, the study will contribute to our general knowledge, both theoretical and policy-related, of the effects of natural disasters on fractionalized states.

Disposition
This minor field study will begin with a presentation of the research question followed by a description of the background to the conflict and current setting of the conflict. The sections following will be concerned with theory, defining and operationalizing concepts necessary to the research and explaining and modelling the theoretical framework in depth.

Theory will be followed by a section on research design, outlining what methodological tools will be used and what one must take into consideration to when using them.

Methodology is followed by a presentation of the empirical results that are later analyzed in the summary of the research. Finally, we elaborate on the conclusions of the research and outline our policy recommendations.

Research question
From the short introduction a more specific research question should be formulated. A multitude of different questions and hypotheses can be derived from the rather uninvestigated theoretical propositions stated above. We have chosen to use the following research question:
"How did the tsunami of December 2004 affect the Sri Lankan peace process between the GoSL and the LTTE?"

This question aims to investigate how the Tsunami affected the interactions between the warring parties and how natural disasters can affect intrastate conflict and the peace processes that follow them. We believe that this question encompasses the most vital concepts for the understanding of the process of conflict itself, and also the concepts inherent in a peace process. The research question not only asks how the Tsunami affected the peace process itself, but also includes how it affected intra- and inter-group behaviour. The distinction is necessary; the direct effects of the tsunami on the peace process are one thing, indirect effects due to a change in intra- or intercommunal behaviour are an entirely different point of concern. On the basis of this distinction we can study what effects the tsunami has had on the fibre of the political societies of Sri Lanka, and thereby determine if any indirect effects have taken place. Naturally, the outcome of a peace process relates not only to the terms of the process itself, but also to the internal cohesion of parties and to the relationship between the disputing groups.

**Conflict background, the peace process and the current situation**

Sri Lanka, known as Ceylon before 1972, is a multiethnic socialist republic, whose two largest population groups are the Sinhalese and the Tamil. Emancipation from British rule came as early as 1948, and Tamil political leaders early expressed their concern about their status as an ethnic minority within the Sinhalese dominated political entity. In the constitutions of 1956 and 1972 it became clear that Sinhalese cultural, religious and linguistic values were to be favoured above those of the Tamil, sparking the fires of indignation among the Tamils. In response to these discriminatory policies Tamil nationalist parties and also extremist military groups (such as the LTTE) were formed, mainly in the 1970s and 1980s, and began sporadic fighting with the intent to establish a separate Tamil state (Tamil Eelam). The fighting escalated to civil war in 1983, following an LTTE attack on the Sri Lankan army that prompted subsequent pogroms against Tamil civilians in the Sinhalese dominated territories. The civil war has raged for about 20 years, killing more than 65,000 people.

A ceasefire agreement (CFA) was signed in February 2002, after six rounds of peace talks facilitated by Norway. The CFA became the defining force behind the initiated peace process.

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3 By ‘peace process’ we of course mean the different continuous processes, facilitated by Norway and monitored by the SLMM, of finding agreeable solutions to the incompatibility.

4 The following conflict background is derived from the conflict summary of the Uppsala Conflict Database (http://www.pcr.uu.se/database) and also from Ahmed 1996.
process and aimed to find a negotiated and permanent solution to the ongoing ethnic conflict (see CFA). Norway continued its successful work in the negotiation of the CFA and assumed its role as facilitator of the peace process. A monitoring mission was established, the SLMM, whose task it was to monitor and assist the parties in the implementation of the CFA. The SLMM is compiled of staff from the different Scandinavian states. Despite almost three years of facilitation by the SLMM and Norway, progress has been slow, and the parties have not been able to agree on any joint institutions or moved forward in any sizeable way towards a permanent solution. When the tsunami struck on 26 December 2004, the country was more or less on the brink of renewed armed conflict.

Another complicating issue that one has to be aware of in both the pre- and post-tsunami scenarios is the breakaway of the Karuna faction from the mainstream LTTE cadres in March 2004. Karuna, previously an LTTE colonel, left the LTTE after an internal disagreement with the highest level of the LTTE organization and was joined by an unknown number of soldiers. He took to guerrilla warfare but was driven out of LTTE controlled areas only to take refuge in the vicinity of Batticaloa where he continued to wage war on the LTTE. Rumours claim that he is supported by, and works in alliance with, the GoSL and the SLA. His motives and political goals are unclear, but he remains a thorn in the side of the LTTE.

The devastation caused by the tsunami led to the massive inflow of NGOs, INGOs and donor money to the island of Sri Lanka. As much as three billion dollars was pledged, and over 150 organizations either came to Sri Lanka or expanded their aid programs in order to help the disaster stricken populations along the coasts. Having the conflict in mind the GoSL and the LTTE attempted to set up a joint mechanism for aid – the P-TOMS – also referred to simply as ‘the joint mechanism’. The goal of this tool was to distribute aid funding fairly evenly in those areas controlled by the LTTE, under international revision, and also to set up a platform for future talks between the parties. But the LTTE walked out on the P-TOMS discussion following the murder of one of their high profile members in the eastern parts of the country. However, discussions continued through the facilitator, and an agreement was reached and also signed by president Kumaratunga. The platform for further discussion was abandoned though, following the assassination of foreign minister Kadirgamar, of which the LTTE were suspected.

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5 This view of the process as having come to a halt, and maybe even reversed, was given by Mats Lundström, ADC for SLMM and, the Secretariat for Coordinating the Peace Process (SCOPP) in various interviews.
6 Economist, 25 June 2005, page 64
Opposition towards the P-TOMS mechanism was sometimes fierce within the Sinhala community, due to the perception that it endowed the LTTE with its much sought after international legitimacy. Finally, a legal complaint was filed against the P-TOMS claiming that it is unconstitutional and the issue is currently (time of writing being October 2005) being examined by the Supreme Court. A verdict is due in late November, following the presidential elections.

The presidential elections might become a deciding factor for the future of the peace process. The SLFP candidate Rajapakse vehemently opposes the P-TOMS and concessions to the LTTE, while the UNP candidate Wickremasinghe has a more lenient approach towards these issues and the LTTE. One must also take into consideration the influence of the JVP and JHU parties, which have nationalist Sinhala-Buddhist agendas, and increasing popular support.

Definitions and operationalizations

A number of concepts need to be further defined and operationalized in order for this research to obtain validity and reliability. Specifically these concepts are ‘effects of the tsunami’ and ‘the peace process’. These concepts also constitute the independent (the tsunami) and dependent (the peace process) variables, which are to be studied in this research. Finally, we need to define more specifically what it is we are trying to measure when we speak of the ‘effects’ of the tsunami.

Definitions; effects of the tsunami

When speaking of the tsunami, and determining what effects it has had on the different aspects of the Lankesian conflict, it is necessary to point out that we refer to both the indirect and direct effects of this phenomenon. The direct effects of the tsunami are such things as material destruction, the loss of life and any other physical and psychological damage that the tsunami caused on Sri Lanka. The indirect effects are such factors as the increase in foreign aid, the influx of foreign aid workers, the political reactions of disgruntled civilians, and so on. That is to say, effects that are somehow linked to the tsunami, but not directly brought upon by it. It is necessary to include such effects in the definition and operationalization of ‘effects of the tsunami’ since the research question would otherwise be too narrow.

7 The UNP and SLFP candidates must be regarded as the only candidates with enough support to actually win the Presidential seat.
Definitions; peace process

The provisions of a peace accord seldom constitute the steps and provisions necessary to facilitate a lasting peace.\(^8\) A peace process is perhaps best described as a step-by-step approach, where parties through reciprocal actions, with the aid of mediators build confidence and political institutions, and resolve issues in order to exchange war for peace.\(^9\) The process starts when attempts are made to contact the other parties to ensure fighting stops and negotiations begin. The cessation of hostilities and signing of peace accords is the next step, although which of the two should come first is disputed amongst scholars. The peace building consists of two phases. The first is the transitional phase in which institutions are reformed and attempts are made to reconcile parties and revitalize the economy. The final phase is one of consolidation in which parties go even further in their attempts towards reformation, reconciliation and societal and economic vitalization.\(^10\)

There are many pitfalls and obstacles to peace settlements, as Licklider points out. He claims negotiated peace will always be more difficult to settle than peace after military victory. The main reason logically being that violence erupted since parties found war a better option than a peaceful *status quo*. Military victories are harder to come by these days since conflicts often revolve around intangible identities rather than ideology. External pressure to end wars has increased since the end of Cold War as bipolarity has ended and the intellectual climate leans more heavily towards human rights, and is another factor pressing for settlement. Drawing on Zartman, Licklider argues that as the situation moves towards a hurting stalemate\(^11\), parties will be more willing to negotiate a settlement. Making these settlements work and preventing renewed war is another issue altogether. Trust between groups is rare; the capabilities of the other remain as opposed to military victories; initial goals of conflict are not resolved, and are made permanent in the compromises involved in the peace-accord; the interests of factions within groups will be threatened by peace and may lead to renewed violence, the so-called spoiler problem. The risk of recurring civil war is high. Approximately 50 percent of the ongoing violent conflicts have emerged from previous conflicts.\(^12\)

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\(^8\) Ball 2001, pages 721-723  
\(^9\) Sisk 2001, pages 785-786  
\(^10\) Ball 2001, pages 721-723  
\(^11\) The term ‘hurting stalemate’ refers to a situation in an armed or unarmed conflict where none of the engaged parties have the capability to achieve a decisive victory, and also find themselves in a position of being continuously affected by the war effort. See Zartman 2000.  
\(^12\) Licklider 2001, page 699
As such a transitional country, Sri Lanka is at high risk. This underlines the importance of studying what such a calamitous event as the tsunami brings to an already sensitive process.

**Operationalizations; effects of the tsunami**

How then will we measure the ‘effects of the tsunami’? Since the bargaining model of war is a rationalistic elite model of war it is imperative that we try to capture how the tsunami affected the factors that are important to such decision-making elites. In the bargaining model of war the most relevant factors for war and peace are the beliefs of an actor and how that actor chooses to act upon such beliefs. Following from this is that what becomes important is how the beliefs of the elite actors affect their behaviour and attitudes. These two concepts, behaviour and attitude, also combine with the factor of an incompatibility to form what is commonly referred to as ‘the Conflict Triangle’; containing these three elements which may lead up to armed conflict. The behaviour and attitudes of the parties are the key to understanding how a conflict will progress within the bargaining model of war. Thus, the vital element is the changes as they are perceived by the actors themselves, or by other actors that are locked in the same bargaining process.

From this follows that ‘the effects of the tsunami’ can be operationalized as: “Any direct or indirect impact of the tsunami on the beliefs, attitudes and behaviour of the parties, or on the conflict’s incompatibility, with regard to the Lankesian civil conflict and peace process”.

**Theoretical framework; rationalist explanations for conflict and war**

This section on theory will firstly explain the basic tenents of the rationalist explanations for war, then attempt to explain the earlier stages of the Sri Lankan conflict through the application of the model. Finally a new theoretical model will be constructed building upon the situations and scenarios that may threaten the peace process according to the rationalist paradigm. Examining these key issues will then be the foundation for the empirical study.

The selection of the rationalist bargaining model of war as a tool of analysis is based on its ability to account for the continuous escalation of conflict into war, and thus the possibilities inherent in such a model to predict the likelihood of continued or renewed conflict in new bargaining situations that occur when new incompatabilities, resources or events influence a scenario. By applying this model to the direct and indirect effects of the tsunami on the Sri

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13 Wallensteen 2002, page 35
Lankan situation and its parties we should be able to reach sound conclusions regarding the future of the conflict, the peaces process and policy recommendations.

The bargaining model of war sees war as being politics, simply in another form. International politics are basically disputes over certain sought after goods, goods that states will pursue by any means possible. At an early stage in a conflict states will usually rely on words or political or economic leverage in order to attain the goals that are deemed necessary for the advancement of the state’s interests. Thus war is not the breakdown of ‘normal politics but the continuation of politics by other means, as the usual paraphrasing of Clausewitz goes. Proponents of the bargaining model see the causes, initiation and termination of warfare as a consistent process that can be likened to any other process of bargaining, for example a process of strike and lock-out in a workplace. From this follows that the essence of conflict is disagreement over resource allocation and/or policy choice. When a resolution for a conflict cannot be found between two parties solely based on words or other kinds of leverage, states may initiate war in order to get what they want. War has no value of its own, since it is always costly. It is instead a costly mean to an end. When the benefit of the sought after good is perceived as higher than the costs of war it is fully rational to engage in warfare. This might mean that warfare is always the means to solve conflicts. Empirically we know that this is untrue; states probably prefer not to go to war. From this follows that states always prefer to reach a bargain that is short of costly warfare; it is simply more rational.

The problem then is that such bargains might be hard, or even impossible, to reach within the sphere of ‘normal politics’. The logical way forward is that states will only engage in warfare if they believe that they have a chance of success, and if they believe that the benefits such a war could lead to are higher than the expected costs of the said war.

This means that parties will engage in warfare when they cannot agree on the allocation of a good that is highly sought after, and when they cannot agree on what the likely outcome of a war would be. This is highly logical; weak parties will most probably not engage in warfare with a much stronger party since both parties know what the likely outcome of a war would

14 Reiter 2003, page 27
15 Reiter 2003, pages 27-28
16 Reiter 2003, page 28
17 Of course it is possible to claim that war is never rational, for example from a moral standpoint. Also, some wars may seem highly irrational due to the sought after good, and some people would claim that this is the result of psychological mechanisms or cultural traits. That war can be rational is not empirically proven, but instead it is a tenet that the rationalist models of conflict and war build upon.
18 Reiter 2003, page 29
be. Knowing this, parties are likely to instead reach a deal regarding the good that is equivalent to a post-war deal. This in order to not incur the costs of war\textsuperscript{19}.

In sum, this means that parties will engage in warfare when they cannot agree on the likely outcome of a war. Such a dispute then becomes necessary in order to establish who has the better bargaining position. This is the first of Fearon’s three conditions for war.

The second of Fearon’s conditions is the commitment problem\textsuperscript{20}. If there exists apparent advantages of striking first, in order to gain a better bargaining position, the parties might be enticed to do so. Also, parties may grow in power over time, thus changing their bargaining position, making their commitment not to fight more and more unlikely as time passes. Such scenarios may prompt the initiation of warfare from either side in order to prevent eventual losses. When parties in a conflict have problems with commitment to non-violent action, or the other party believes that this is the case, warfare might be the outcome. When the balance of power shifts, bargaining positions also shift, making commitments of not going to war harder to adhere to, and also less credible to the opposing party. Thus, a descent into war becomes possible.

Fearon’s third condition revolves around indivisible goods\textsuperscript{21}. Fearon, and Reiter, argue that certain goods in the realm of politics are indivisible, for example some pieces of territory or such abstract goods as sovereignty. Though the term indivisible goods is disputed, this condition has some merit. The logic is that certain goods cannot be divided into smaller pieces, and so they cannot be shared by two or more parties; a prewar bargain is simply not possible. When disputes concern such goods the descent to war becomes possible and also probable.

The bargaining model then proposes that military means are an integral part of the bargaining process, tools that are used to convince the other party of one’s resolve and capabilities. Warfare determines which party is the most powerful, and therefore which party has the stronger bargaining position. Once a war has raged for an indefinite period of time the parties will likely have updated their beliefs regarding the costs of a war and their and the opponents’ capabilities and resolve. In other words, it should have become clear who will win the war, or who will achieve the most favourable military position. In the end, the stronger

\textsuperscript{19} Reiter 2003, page 29
\textsuperscript{20} Reiter 2003, page 30
\textsuperscript{21} Reiter 2003, page 30
party will achieve the most favourable outcome in regard to the disputed good and the conflict will have been solved.

Theoretical framework; application to the case of Sri Lanka until 2003

In order to analyze the effects of the tsunami on the Sri Lankan peace process we deem it necessary to apply the theoretical framework to the Lankesian conflict up until the year 2003. Through such an application it will become clear how the bargaining model of war functions, and how the tsunami may effect the future peace process.

In this application we assume that the main parties to the conflict are the Government of Sri Lanka (GoSL) and the Liberation Tigers of Tamil Eelam (LTTE). We hold the view that the incompatibility of the conflict is one of discrimination, however the position of the parties has been hardened by 20 years of warfare so that the issue is now more one of territory.

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22 This was only a brief overview of the bargaining model of war, incorporating only its most fundamental propositions. Many of the concepts and arguments above are much more complicated in other literature and can account for much larger variations and different scenarios. This presentation serves only the purpose of this paper, pointing out those arguments and propositions that are vital for this study. More information on this perspective is available in Reiter, 2003 and Fearon, 1995.
Figure 1: Bargaining Model of War and the Sri Lankan conflict

The bargaining model of war is applicable to the above figure explaining the political situation in Sri Lanka from 1972 up until the commencement of the peace process in 2001/2002. In 1972 it became clear that an incompatibility existed between the GoSL and the Tamil minority. We assume this incompatibility to be that of discrimination and territory, and thus a conflict is created since both parties have disparate opinions regarding the dispersion of these scarce goods at the same moment in time. Since the parties wish to reach an agreement in which their goals are fulfilled they enter into a bargaining process in which such outcomes might be possible to reach.

At this point Fearon’s three conditions for war become interesting; what conditions forced Sri Lanka into civil war? It is possible, and probably even correct, to view the incompatibility

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23 Although the goal of Tamil political activity and opposition in the 1970s was not (in most cases) to achieve an independent state we have made use of this generalized incompatibility since it became the most important one once the LTTE was firmly established as the most powerful actor representing the Tamil minority.

24 This definition of conflict is derived from Wallensteen 2002, pages 15-16.
as being indivisible; at least regarding territory. Although some scholars might claim that all scarce goods, even those of an abstract nature, might be divided through creative and integrative solutions we view this incompatibility as indivisible, at least at such an early stage in a conflict where the government is unlikely to yield any territory or sovereignty to insurgents. Discrimination is of course not an indivisible incompatibility, which would suggest that other solutions than than territorial ones are, in theory, possible. Nevertheless Fearon’s third criterion is fulfilled through the LTTE’s position of separate territory as the solution.

The political and military situation of the early 1980s also points towards the conclusion that problems of credible commitments existed in the Sri Lankan case. Before and during the outbreak of civil war in 1983 the LTTE had consolidated their power and had become the leading Tamil extremist group; growing in strength and numbers. This increase in military strength most likely prompted the GoSL to attack before their numbers grew even larger, and also the LTTE must have felt that their political impetus was best used for a first strike advantage. Thus no credible commitments to peace, and first strike advantages, existed and were acted upon; fulfilling Fearon’s second criterion.

There seems to also have existed disagreements between the parties on their opponent’s resolve and capacity. Being the militarily stronger party, the GoSL might have underestimated the LTTE’s possibilities and strong resolve to conduct guerilla warfare in an effective manner. Likewise, the LTTE seems to have underestimated the GoSL’s resolve to consolidate their pre-war territory and end the Tamil insurgency. When the war broke out the military power balance was asymmetric, and thus the GoSL most probably believed they could win an upcoming war. Some signs would indicate that there existed disagreements on resolve and capacity, but it also seems likely that this criterion was not the most important factor in the case of Sri Lanka. The position of the LTTE that they sought a separate territory, combined with a powerful increase in the strength of the LTTE, most probably would have plunged the state into war even if the parties had been even more asymmetric.

The bargaining process brought on by the latent conflict becomes manifest by the war which is the product of the failed bargaining; i.e. that states could not agree on an outcome that they both preferred to war. War then serves to reduce uncertainties over which party has the stronger bargaining position and thus will ultimately attain its goal at the expense of the

25 Ahmed 1996, pages 256-264
26 These conclusions stem from the assumption that parties of equal power are more war prone than states that have an asymmetric power relationship (Reiter 2003, page 29) and from the assumption that states are very sensitive regarding the loss of territory (Buzan 1991, page 186).
other party. In the Lankesian scenario this does not seem to have been the case, and decisive victories have been lacking. Instead, around the year 2001, a stalemate of sorts was reached when the warring parties seemed to realize that compete military victory is extremely hard to achieve. Uncertainties about the capabilities and resolve of the opposing party diminished; the armies of the LTTE and of the GoSL were shown to be almost at equal parity, and it became clear that war between the parties was extremely costly. This stalemate effectively ended the war and gave way to a peace process under Norwegian mandate; an event that might be viewed as the start of a new bargaining process in which the three conditions leading to war have to be investigated and tested once more. We assume in this theoretical testing that this is the case; the peace process is the manifestation of a less bellicose round of bargaining in which resolve and capabilities and the costs of a new war are all weighted anew in order to reach solutions acceptable to both parties. In a way then the war has reduced uncertainties; it is clear that war is extremely costly and that both parties have strong resolve and strong capabilities. This peace process means a bargain process under new circumstances.

This is also where we insert the independent variable of the tsunami. How does the tsunami of 2004 affect the different stages of the peace and bargaining process? How does it affect the capabilities and resolve of the actors? The assumption, and at the same time the proposition of this research, that we will make use of is that the direct and indirect effects of the tsunami will have had a strong impact on all of these factors, thus changing the fundaments of the hitherto established peace and bargaining process. These theoretical assumptions are illustrated in Figure 2 below.

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27 Ahmed 1996, pages 264-265
28 It is also possible to view this peace process and stalemate as an instance of Zartmann’s ‘ripe moment’; i.e. a situation in which the possibilities of reaching a lasting peace through negotiations are especially favourable. See for example Zartmann 2000.
The figure shows that we expect to find effects of the tsunami mainly in Fearon’s three criteria for war. Within the criterion of capabilities and resolve we expect to find alterations on two different levels; on the classic level mentioned by Reiter, which contains such elements as number of soldiers, tanks etc, but also on the level of political cohesion, i.e, the level of intra- and interparty communication and cooperation which is also a determinant for beliefs of resolve and capabilities.

Secondly, we believe that the tsunami will have had strategic interaction effects on the parties’ and their relationships with one another, changing the foundations for credible commitments. The tsunami might also entail enticing opportunities for first strikes, diminishing levels of trust.

Thirdly, it is possible that the tsunami has affected the third criterion, the disputed good in question. We do not believe that the tsunami could have changed the view of the parties’ of the good as being indivisible, but we do believe that the tsunami might have had other effects on this factor. It is fully possible that the incompatibility has evolved or expanded after the tsunami, bringing in new issues that are now linked to the overarching incompatibility;
making it more complex that before. For reasons of simplicity we will refer to this factor as ‘Incompatibility’ and not ‘Indivisible goods’.

Any effects on the above stated factors will have repercussions on the bargaining process, since they risk diminishing the amount of information that each party has about the other. When access to such information decreases uncertainty increases, leading to a probabilistically higher risk of war within the bargaining model of war. The proposition here is that the tsunami adds new factors and new information which threatens to blur the images that the parties have of each other; changing the view that a peace process and a stalemate are the only possible paths to a mutually acceptable peace. In a way the tsunami disrupts and changes the earlier conditions of the bargaining process. It is also important to note that we make dynamic use of the bargaining model; i.e. that we believe that each of the criteria, and changes in them, can affect the other criteria as well. This means that it will be difficult to isolate a single effect of the tsunami under a single criterion and that factors may emerge in different contexts.

The bargaining model of war will here help us to determine the effects, further down in the chain of bargaining, of changes in the different clusters of factors. Through the use of this model we can predict what the consequences of such new information might be.

It is our belief that by investigating these three clusters, and by making use of the bargaining model of war in which these clusters are of relevance, we can satisfactorily answer the research question proposed in this paper: "How did the tsunami of December 2004 affect the Sri Lankan peace process between the GoSL and the LTTE?"

By answering this question through the study of the above factors and using once again the bargaining model of war we will also be able to make predictions about the future of the Lankesian peace process, and hopefully even make generalizations regarding the effects of natural disasters on internal ethnic warfare.

**Theoretical framework for policy recommendations**

Creating sound policy recommendations is a vital part of this research. Simply relying on the bargaining model of war as a tool for analysis will most probably yield only theoretical and probabilistic conclusions regarding the Lankesian conflict and peace process. This would not serve the aim of this research in a satisfactory manner, since creating policy recommendations is a way of learning how to cope with the effects of similar disasters in the future. We thus deem it necessary to also include an analysis of the third party/NGO’s efforts post-tsunami in order to produce feasible operational policy recommendations. Doing thus will enable us to
reach the policy recommendations that are necessary in order to fulfil the aim of this research. Furthermore, it enables us to identify and isolate for those indirect effects caused by the tsunami through the influx of foreign aid.

NGOs and donor organizations work to a large extent by clearing the ground for constructive talks by rebuilding the society and defusing means of conflict. We argue that this incursion between parties could and should be seen as informal mediation/intervention in the peace process. Although it is up to governments to organize formal negotiation, changes in attitudes and relationships that may facilitate positive peace are perhaps best shaped by actors outside the formal process of negotiation.29

In Sri Lanka, the tsunami led to a multitude of actors to administer disaster relief. Although this might seem to be a limited short-term commitment it has distributional effects that may affect the dynamics and structures of the conflict. Furthermore, great number of actors may constitute a problem in itself. The cost-benefit calculus of development cooperation shows mixed results. On the positive side is the ability to share the burdens, put more leverage into negotiations, the ability to work in different stages of conflict and on different levels, building peace not only top-down.30

Too many cooks spoil the broth, it has been said. This is the major problem of development cooperation and mediation in general; increasing complexity may lead to confusion and failure due to lack of leadership and coordination, which in turn stem from different analyses of the problems and goals of development. This may result in mixed messages, resources being wasted in handoff, difficult issues being passed round between actors, and so forth.31

NGOs have an important role to play in conflict scenarios. However, the complexities of conflict often distort NGOs’ interventions. Aid falls into the wrong hands, governments are relieved of the burden of feeding their people and can spend more money on arms, aid is distributed to one faction and not the other which fuels tensions. This may increase inter-group tensions and undermine the authority of local administrations. If all donors build wells

29 Saunders 2001, pages 483-495
30 Aall 2001, pages 367-370
31 Crocker et al. 2001, pages 501-502
or support the educational sector, it is likely that many other important issues, tasks and sectors will remain without funding.\footnote{Anderson 2001, pages 637-646}

Donor coordination is of the essence in the implementation of a peace treaty and the reconstruction of a post war society. It is also essential for all donors to be conflict sensitive in order to ensure that aid helps to disarm the conflict and not fuel it by for instance financing housing projects directed towards a specific ethnic group.\footnote{SIDA, \textit{How to Conduct a Conflict Analysis}, 1997}

Aid can have immense impact on conflict if it is conflict sensitive and used to connect people across warring lines, but at least, it should not worsen the situation. According to Anderson, “do no harm” should be the basis motto for NGOs.

Our analysis aims to evaluate the effect of foreign aid in general on the willingness and opportunities of the parties to disengage from the peace process and yet again manifest the armed conflict in line with the bargaining model of war. This means we will focus on the strategic level and evaluate, for instance, donor coordination and distributional matters. In addition, our interviews have shown that the influx of aid and development organizations has had major impacts on the general political situation in the country and therefore is of importance to the research as a whole.

**Methodology**

Our methodology is intrinsically linked to our theoretical models and assumptions. We stated earlier that the attitude and the beliefs of the parties involved in the peace process are of the utmost importance. Therefore, it is of relevance to investigate the beliefs held by all parties regarding the effects of the tsunami on the different components of the dependent variable (the peace process). In order to identify these attitudes we would argue that interviews are the best tool at our disposal. Secondary sources will most probably not be able to yield us the same amount of information. Also, it risks being skewed by the interpretations and biases of other researchers. Consequently we will base our research upon open-ended interviews with parties and actors within both the LTTE and GoSL that have insight into and influence on post-tsunami policy in regards to the peace process. We have interviewed representatives of
peace secretariats, local NGOs and peace organizations and also analysts from both the Sinhala and Tamil sides. For a complete list of these organizations, see Appendix A.

NGOs and INGOs are an important category for interviews and research, for one thing because of their importance to the aid and development section of the research, but also since they are more likely to be objective and cooperative than the other parties. A range of organizations are present in the area, both aid and development organizations and foreign embassies. We have chosen to interview highly situated individuals within aid organizations, the facilitators (Norway) the SLMM and foreign embassies. For a complete list of the interviewed NGOs and INGOs, see Appendix A.

By conducting interviews with both parties to the conflict, but at the same time including neutral actors and organizations it should be possible to create reliable empirical material. Furthermore, the bargaining model of war, as opposed to non-strategic explanations for war, requires that both parties be studied.

Some people might argue that in order to correctly apply the bargaining model of war, one should interview the elite actors themselves, in order to clearly perceive their attitudes and positions. However we find this to be true only to a certain extent. Such interviews are likely to be highly biased, containing official views, and only yield their positions and not the underlying attitudes and behaviours of those parties. These positions are already known, and for this research we believe it to be more interesting to engage in dialogue with neutral parties that can give us information pertaining to what goes on behind the scenes of politically correct actions and statements.

Also, we should mention that at the time of this study the country was in the middle of a presidential election campaign, rendering it hard to interview political actors, and also hard to identify the vital political actors since the outcome of the elections was unknown at the time of writing.

There are problems with all methods of data collection, and this applies to interview techniques as well. You can never completely eliminate the interviewer effect and the person being interviewed may also consciously or unconsciously skew or distort the information provided. This may be particularly true when it comes to such sensitive matters as civil war,
peace and ethnic relations since these are identity driven processes in which a united front or the conscious use of false information might be beneficial to the cause. It is also important to remember that the interviews were conducted on behalf of not only peace and conflict research, but also on a grant from SIDA, the Swedish International Development Agency. This may cause recipients of aid to distort or skew their current situation in order to gain favours. However, the great advantage with interviews is that they may provide in-depth knowledge on occurrences and attitudes not expressed in written documents or official papers. In our interviews the interviewees were prompted to take part on their own terms and with their own perspectives and points of view. It can thus be inappropriate to use standardized questionnaires, and instead we made use of open-ended questions, revolving around our central issues. Our interview format was therefore adapted to the different individuals and organization that we interviewed, but never straying from the original issues. If the interviewee seemed to have problems with the overarching format more detailed questions were available.

There is also the question of ethics to take heed to. One of our interviewees has requested to be quoted anonymously due to the sensitive nature of some of the interviewee’s replies. The interviewee did not feel that he/she would be safe if his/her name was published. We chose to respect the interviewee’s will, and therefore one anonymous source appears in the empirical material. This of course becomes a reliability problem for the research, but we feel that the safety of this interviewee is more important than perfect reliability. Also, some of the statements made by this interviewee are important to the research and could not be excluded.

This research, as all qualitative research, has both pros and cons. The advantage of a single case study is that you can reach a high level of validity, especially through the technique of interviews. The drawback of such a study is of course the relatively low reliability, in view of the fact that it is virtually impossible to enact the exact same interview since they often take the form of participatory dialogues. Also, single case studies often lack the quality of generalization, and this is also true for this study. However, seeing that the study includes some policy recommendations in regards to aid and development, some degree of generalization is present since the recommendations are valid for all organizations that intervene in conflict-ridden societies.
Empirical results; Incompatibility\textsuperscript{34}

According to the definitions of conflict drawn up by Wallensteen (2002), the Sri Lankan civil conflict is a territorial conflict, seeing that the LTTE does not want to topple the GoSL, but instead wishes to claim a separate homeland for its ethnic group; the Tamil Eelam. However, the underlying source of the conflict should be seen as being one of discrimination from the government following the new constitutions of 1956 and 1972. This suggests that there might be other possibilities for solution than the separation of one territory into two. The two possibilities for a simple solution; the defeat of the Tamil organizations or the separation of territory might not be necessary then, since the initial grievances are of a discriminatory nature and could be addressed within the existing constitution\textsuperscript{35}. The conflict is commonly viewed as being ethnic, something that to an extent is true, although the Tamil people are not all supportive of the LTTE, making this also a political conflict\textsuperscript{36}.

Neither of the two options; defeat or separation, appear likely at this stage. This is further discussed under the heading Capabilities and Resolve.

A disparate view of the origins of the conflict is presented by the LTTE. Its peace secretariat suggests that the conflict has its origins in the artificial state created by Britain, and that the question therefore is not one of separation, but of a return to a pre-colonial situation in which the Tamil had their own self-governing kingdom. The question then is one of Sinhalese assimilation of Tamils, as well as that of discrimination and land\textsuperscript{37}.

None of the interviewees believe that the tsunami has affected the goals of the LTTE or those of the GoSL. Inherent in these statements is the belief that neither party has changed its goals due to the destruction caused by the tsunami; such as might have been seen in Aceh. A weakening, or rethinking, of the goals of the parties therefore must be viewed as non-existent.

\textsuperscript{34} The views expressed by the interviewees in this research are the personal views of the said people, and does in no way reflect the policies, ideas or points of view of the organizations that the interviewees are affiliated with, unless this is specifically stated.
\textsuperscript{35} Also, a separation of the territory does not seem very likely, seeing that the parties are both strong, and that the makeup of the Sri Lankan constitution makes it difficult to drive an amendment through the parliamentary institutions. Extreme left and Buddhist parties could and would block any such decisions; decisions that require a two-thirds majority.
\textsuperscript{36} The view of the conflict as ethnic is commonplace, and found for example in such interviews as Mats Lundström 12/9 2005, and Dr.Jehan Perera 9/9 2005.
\textsuperscript{37} Puleedevan, 22/9 2005
However, a related question – whether or not the tsunami generated new issues or incompatibilities – yields a different set of answers. A number of interviewees pointed out that the political aftermath of the tsunami in many ways fused with the overarching conflict, adding more issues to this already complex patchwork of disputes. For example, the tsunami opened up the possibility for the LTTE to gain international legitimacy and recognition through its work with the P-TOMS and other tools for aid distribution. This, we would argue, complicates the conflict in that it draws in international parties to a greater degree than before, and introduces the international political dynamics of external parties. This competition for legitimacy and aid funding between the parties has added fuel to the conflict. This statement is collaborated by other sources; one claiming that the issue of aid and development has fused with the incompatibility, deepening the conflict further.

Another interviewee stated that the tsunami had led to further polarization between the two parties, as well as in relation to the Muslim community, making the political situation in the southern and eastern parts of the country even more unstable. The additional issue here is the one of the Muslim question; i.e. this group not being included in either the peace process or the negotiations leading up to the P-TOMS. However, the P-TOMS did identify the Muslims as a key group, but recognition of them came not through dialogue, but through grace, exposing the weakness of the community. The Muslims now appear to be polarized from both the Sinhala and Tamil community, being excluded as they are from most political power. Yet another ethnic issue such as this points towards the exclusionary powers of the Sri Lankan political institutions, and shows the simple Sinhala-Tamil dyad to be in a metamorphic stage towards a widening conflict. This is further discussed in the section on Political Cohesion.

Another additional issue brought to the fore by the tsunami, more specifically by the influx of aid funds and organizations, is the increase in tensions between those internally displaced by the war and those who became victims of the tsunami. The massive flow of aid to the tsunami victims after the disaster resulted in an unbalanced funding situation, in which the internally displaced found themselves receiving less aid and support than those struck by the tsunami. This is of course because the tsunami aid funding had to be directed exclusively

38 Dr Jehan Perera, 9/9 2005
39 Mats Lundström, 13/9 2005
40 Sheila Richards, 26/9 2005
41 Sheila Richards, 26/9 2005 and Devanand Ramiah, 29/9 2005. Also Chulani Kodikara and Shanaka Jayasekara, 12/9 2005
42 Sheila Richards, 26/9 2005 and Laurence Christy, 22/9. Also Devanand Ramiah, 29/9 2005
towards those victims, due to the provisions set up when money was raised. These tensions have polarized some communities within the parties themselves. This is further discussed in the section on Political Cohesion.

Further, some interviewees stated that the role of Norway had become an integral part of the post-tsunami web of incompatibilities. Norway’s role as a facilitator, and the future of this role, has become a much debated issue; both between the LTTE and the GoSL and within the Sinhala community\textsuperscript{43}. The question is used often for scapegoating in the Sinhala community, and Norway is often accused of being biased towards the LTTE.

To conclude the question of the tsunami’s effects on the incompatibility issue we would claim that the goals of the two main parties, the LTTE and the GoSL, remain the same, and that the general incompatibility has not been altered. However we would also argue that several lesser issues have been linked to the greater incompatibility or even fused with it. This entails a new web of complexity in the conflict, making a solution probably even harder to come by than in the pre-tsunami context. The most troubling symptom of an increasingly complex post-tsunami conflict is probably that of increased polarization, both between and within communal groups, something that may effectively block political compromises or integrative solutions through consensus. This increased polarization is as much a new issue for the conflict scenario, as it is a symptom of the effects other issues have had.

**Empirical results; Political Cohesion**

Within the bargaining model of war the question of political cohesion within groups and between groups is important since it must be viewed as an important variable for the capabilities and resolve of the parties. Also, as can be seen in the section on Incompatibility, political cohesion, or rather lack of it, may spawn new issues and sow seeds of conflict related to the overarching incompatibility.

Initially, from the day of the disaster and approximately one month afterwards, there appears to have been a statewide increase in the interparty cohesion of all ethnic communities. This increase took the form of spontaneous on-the-ground aid across community boundaries in the

\textsuperscript{43} Kjersti Tromsdal, 14/9 2005 and Dr. Jehan Perera, 9/9 2005
tsunami stricken areas\textsuperscript{44}. Even such parties as the extremist JVP believed that help should be given to all communities\textsuperscript{45}. About a month after the disaster the levels of communication and interaction between the different communities appear to have returned to earlier lower levels of cohesion, even decreasing. This will be discussed further on\textsuperscript{46}. A disparate view is given by SCOPP, and also by a Tamil official, who claim that cohesion levels overall have increased after the tsunami disaster\textsuperscript{47}.

This initial increase in interparty cohesion however was found mainly at the grass-root, person-to-person level, and was not visible on the elite level\textsuperscript{48}. Instead of increased cohesion on this – possibly the most important – level, the issue of tsunami aid was hi-jacked for political reasons, with the LTTE attempting to persuade the international community to channel funds directly to them\textsuperscript{49}, and some Sinhalese politicians politicising aid and using donor money in their own patron-client systems\textsuperscript{50}. For example, the Prime Minister and presidential candidate Rajapakse was caught with his hand in the cookie-jar, while directing millions of rupees to a private account with the explicit, but not acted upon, intention of delivering it to his constituents in Hambantota\textsuperscript{51}.

The political arena therefore appears to have become more polarized and fragmented, mainly due to the politicisation of aid, and the failure of the P-TOMS. The concept of the P-TOMS was supported by the LTTE and the majority of the SLFP and UNP elite. However the JVP party left the government coalition (in which it was engaged with the SLFP) over this issue, and later on the presidential candidate Rajapakse also denounced the joint mechanism; an action viewed by many as a strategy to win nationalist Sinhala votes in the upcoming elections\textsuperscript{52}. The P-TOMS thus appears to have widened not only the gap between the LTTE and the GoSL, but also to have fragmented the political parties in the South. In this way the it has become negative both as a symbol, and in practice, of interparty political cohesion\textsuperscript{53}. The joint mechanism, that was supposed to be a joint platform for both aid and dialogue, ended up pushing the parties apart.

\textsuperscript{44} This view is shared by almost all interviewees, specific examples are given by Maram, 22/9 2005 and Dr.Jehan Perera 9/9 2005.
\textsuperscript{45} Sheila Richards 26/9 2005
\textsuperscript{46} See note 40
\textsuperscript{47} Chulani Kodikara and Shanaka Iayasekawa 12/9 and Maram 22/9 2005
\textsuperscript{48} Devanand Ramiah 29/9 2005
\textsuperscript{49} Solveig Olafsdottir and Marcel Izard 30/9 2005
\textsuperscript{50} Kjersti Tromsdal, 14/9 2005, Kulasabanathn Romeshun 7/9 2005
\textsuperscript{51} This event was widely covered in Sri Lankan newspapers. Also stated by, for instance, Sheila Richards 26/9.
\textsuperscript{52} See for instance Dr. Jehan Perera 9/9 2005 and Kulasabanathn Romeshun 7/9 2005
\textsuperscript{53} Kjersti Tromsdal 14/9 2005 and Dr. Jehan Perera 9/9 2005
In addition to the failure of the joint mechanism as a platform for dialogue and understanding, the exclusion of the Muslim community in the process leading up to the P-TOMS further fragmented Sri Lankan society.\textsuperscript{54}

A second issue related to interparty cohesion is that of the escalating armed conflict in the east of the country between the Karuna faction and LTTE cadres. The suspicion of SLA and GoSL involvement in Karuna’s actions (guerrilla warfare, assassinations, etc) has been yet another negative factor for interparty cohesion. It also has some effects on Tamil intraparty cohesion through fragmenting the political scene in this area.\textsuperscript{55}

When viewing the intraparty cohesion of the parties it would appear that cohesion in the Sinhalese community has decreased, while the Tamil community has seen an increase in cohesion, primarily in the northern parts of the country.

The reason for the decrease in Sinhala cohesion is the polarization and the fragmenting of the political arena, discussed at some length above. That being said the disputes regarding aid have fragmented society on a political party level, but at the same time brought more resolve to those who oppose concessions to the LTTE. This can be seen in an increase of aggressive and violent rhetoric.\textsuperscript{56}

Some interviewees stated that the situation in LTTE areas has been quite the reverse; there has been an increase in cohesion and an increase in support and respect for the LTTE. The reasons for this increase appear to be that the LTTE distributed aid effectively and was quick to organize the incoming NGOs; showing its ability to act swiftly without the backing of the GoSL. At the same time the GoSL was perceived to have distributed more aid to the South than to the North, thus abandoning the Tamil community.\textsuperscript{57} Disparate views exist though, one analyst claiming that the slight increase in support for the LTTE has not bridged the gaps in the Tamil community, in the context of intra-community reconciliation.\textsuperscript{58} Also, it is worth noting that the authoritarian and military structure of the LTTE’s organization makes it difficult to measure levels of cohesion since not many dare speak up against the organization due to fears of retaliation.\textsuperscript{59}

\textsuperscript{54} Sheila Richards 26/9 2005 and Cherian K. Mathews 27/9 2005
\textsuperscript{55} Anonymous source 21/9
\textsuperscript{56} Anonymous source 21/9 and Kjersti Tromsdal 14/9 2005
\textsuperscript{57} Solveig Olafsdottir and Marcel Izard 30/9 2005, Laurence Christy 22/9 2005, Maram 22/9 2005 and Sheila Richards 26/9 2005
\textsuperscript{58} Devanand Ramiah 29/9 2005
\textsuperscript{59} Solveig Olafsdottir and Marcel Izard 30/9 2005
Lastly, there is the issue of increasing tensions between those who have been internally displaced by the war and the tsunami victims. This must be viewed as affecting both intra- and interparty cohesion since these groups exist within the Muslim community as well as in the Sinhala and Tamil ones. As stated earlier, the unbalanced allocation of funds for aid and development has created differences in living standards and employment opportunities between these three groups. There has also been inflation in the prices of some essential goods, which has pushed those internally displaced by war into further poverty. Although attempts have been made to divert funds to those displaced by the war this situation may well become a source of new conflict if it is not properly handled.

To conclude this section, it seems as if the polarization brought on mainly by the politicisation of aid and the dispute regarding the P-TOMS has led to a decrease in the overall cohesion between the two parties. No talks on the elite level have been held in the past few months. On the grass-roots level several effects are visible. Tensions have arisen between the internally displaced and the victims of the tsunami. Within the Tamil communities it appears as if cohesion has increased, but this assumption is hard to validate, as mentioned above. The political scene in the Sinhala areas has become deeply fragmented, which suggests a lower level of cohesion than previously noted. Overall then the situation has gradually deteriorated from an initially hopeful one. As some analysts have said: “…the situation has never been worse”\[^{61}\]. Polarization entails lower levels of trust and confidence between the parties, less constructive dialogue and a widening of the gaps between the parties’ positions. This has a negative effect on the peace process since it makes integrated solutions harder to come by. It also entails changes in the resolve of the parties, the LTTE probably having strengthened theirs and the Sinhala having done so in some respects but not in others.

**Empirical results; Credible Commitment**

Within the bargaining model of war the factor of credible commitment to peace (sometimes referred to as first strike incentives or advantages) is important since it conveys the level of trust that the parties have for one another. Low levels of trust are conducive to comparably higher risks of initiated warfare, which is why the investigation of how the tsunami has affected such trust must be deemed as vital to the research question.

\[^{60}\] Cherian K. Mathews 27/9 2005, Maram 22/9 2005 and Kjersti Tromsdal 14/9 2005

\[^{61}\] Mats Lundström 13/9 2005 and Kjersti Tromsdal 14/9
When asked directly whether the chances of armed offensives had increased or decreased post-tsunami, replies were in general pessimistic, with some reservations. A number of interviewees claimed that party-to-party trust had deteriorated to such a level that armed offensives were now more likely than before. However, a common view is also that the general public, both Tamil and Sinhala, are weary of war, and that the increased international attention to the conflict makes offensive actions less likely. Also, the infrastructural weakening of both sides makes war too costly. A signal that points towards a comparably higher risk of new armed offensives, i.e. in the opposite direction, are for instance increased recruitment of child soldiers by the LTTE; a strategy that has a negative effect on their quest for legitimacy but one that they nevertheless pursue. In our opinion this is a sign of how highly they regard military security and preparedness for war at this moment in time. Yet other signals of an increase in the risk of renewed war is the GoSL procurement of arms for their naval capacity, a sudden withdrawal of political presence from SLA controlled areas by the LTTE and the continuous increase of killings and violations in the “shadow war” in the eastern areas. Perhaps the situation is best summed up in Dr.Jehan Perera’s words: “Both parties want peace…but at the same time aim to weaken each other through coercive methods. This obviously leads to a problem with credible commitment towards such a peace”. Of course, such actions can also be seen as signalling, conveying to the opponent that one is powerful. This method of demonstrating strength might be especially important in a post-tsunami context, in which many rumours circulated saying that the LTTE’s military might was severely crippled. One analyst pointed out that: “…the military damage of the LTTE is much less than what the South portrayed it to be, and more than what the LTTE portrayed it to be; but we will never know for sure”. However, such aggressive and costly signals need not show intent, but instead preparedness, for war. Intent then, should be measured strictly in how committed the parties are to the peace process itself. This is developed further below.

If some signals point towards there being an increase in the risk of renewed war post-tsunami, others point in the opposite direction. The influx of donor funding, and the increase in

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63 Dr.Jehan Perera 9/9 2005, Anonymous source 21/9 2005
64 Sheila Richards, 26/9, Solveig Olafsdottir and Marcel Izard 30/9 2005. See also Sunday Times, September 25, page 11.
65 Anonymous source 21/9 2005 and Maram 22/9 2005
66 Dr.Jehan Perera 9/9 2005
67 Devanand Ramiah 29/9 2005
international attention should be viewed as decreasing the risks of such renewed war. The increased international attention places considerable pressure on both parties to commit to the peace process in order to get funding directed to them\textsuperscript{68}. For instance, the co-chairs were unanimously behind the setting up of the P-TOMS, exerting pressure on the evolution of the process. Paradoxically some of the same countries that backed the P-TOMS were unwilling to channel funds through the mechanism, since the LTTE has been designated a terrorist organization in some parts of the world (in the US, for instance)\textsuperscript{69}. But the increase in international attention should not be viewed as solely positive, since there are negative externalities. This is further discussed in the section on International attention and Aid.

The second factor pointing towards a decrease in the risks of renewed warfare is the weariness with armed conflict present in the general public of both the Tamil and Sinhala communities. At the grass-roots level the common man seeks peace, not war, after 20 years of devastating warfare\textsuperscript{70}. There exists a will to achieve peace, but some would claim that peace for those living in the North is not the same as peace for the people living in the South. It might be viewed as a war of semantics, in which the meanings of “unitary” and “federal”, as stated in the Oslo accord, have very different meanings for the Sinhala and the Tamil\textsuperscript{71}.

When asked about the credible commitments of the parties to the peace process practically all respondents claimed that both parties were committed to such a process, although there were some reservations regarding how such commitments are shown. The LTTE claimed that the GoSL had not shown their commitment in any decisive manner, but that they had been forced to commit themselves because of the realization that they could not win an all-out war\textsuperscript{72}. This then appears to be a forced commitment, and not one based on trust or an altruistic desire for peace. The LTTE also claims that the GoSL’s commitment is only for show, for instance they state that the signing of the P-TOMS only aimed to appease the international community, and that President Kumaratunga knew all along that the mechanism would not be implemented since it was unconstitutional. Further, they also claim that the GoSL is conducting a war by proxy through the Karuna faction in the eastern parts of the country in order to weaken the

\begin{itemize}
  \item \textsuperscript{68} Puleedevan 22/9 2005 and Mats Lundström 13/9 2005
  \item \textsuperscript{69} M.F. Marrikar 28/9 2005
  \item \textsuperscript{70} Anonymous source 21/9 2005 and Sheila Richards 26/9 2005
  \item \textsuperscript{71} Sheila Richards 26/9 2005 and Puleedevan 22/9 2005
  \item \textsuperscript{72} Puleedevan 22/9 2005 and Maram 22/9 2005
\end{itemize}
LTTE by separating the North from the East\textsuperscript{73}. We have not been able to validate these claims, although rumours abound.

All respondents feel that the LTTE is committed to the peace process, although some would say that it is not committed to the same degree as the GoSL\textsuperscript{74}. The killings in the eastern parts of Sri Lanka, the recruitment of child soldiers and the increase in violations of the CFA would, superficially, point towards a lack of commitment on the part of the LTTE with regard to the peace process. However, this apparent lack of commitment can be explained in a number of ways. Firstly, some people point out that the LTTE, due to its military structure, is primarily concerned with security and therefore violent action is often used not to revoke the peace process, but to enhance the organization’s own feeling of safety\textsuperscript{75}. Another explanation is that the statistics supplied by the SLMM – frequently used by the GoSL to point out LTTE’s flaws – can be viewed as portraying a skewed image of its actions. Violations include such acts as hoisting the LTTE flag and showing propaganda material; not very severe violations\textsuperscript{76}. But the majority of violations are about child recruitment issues, and even though child recruitment is a crime under international law, this may not indicate a lack of commitment but rather an increasing feeling of insecurity and a need to retain the balance of power\textsuperscript{77}. From this it is possible to draw the conclusion that the LTTE is committed much the same as the GoSL to the peace process. But we have some reservations with regard to this view as well.

The parties appear to be committed to the peace process, or at least to the general concept of peaceful relations. But the path from commitment to actual peace is complicated by a highly visible lack of trust between the two parties. Within the LTTE there seems to be a complete lack of trust in both President Kumaratunga and the presidential candidate Rajapakse\textsuperscript{78}. Such a lack of trust in two of the most important figures in Sinhalese politics is of course not conducive to building confidence and sustaining dialogue. Likewise, the LTTE’s commitments and promises are looked upon with great scepticism by the Sinhalese party, for example the view of them “…taking a mile when given an inch”\textsuperscript{79}. Some believe that this is

\textsuperscript{73} Puleedevan 22/9 2005
\textsuperscript{74} Chulani Kodikara and Shanaka Iayasekawa 12/9 2005 and Mats Lundström 13/9 2005
\textsuperscript{75} Kjersti Tromsdal 14/9 2005, Chulani Kodikara and Shanaka Iayasekawa 12/9 2005
\textsuperscript{76} Devanand Ramiah 29/9 2005
\textsuperscript{77} Mats Lundström 13/9 2005
\textsuperscript{78} Laurence Christy 22/9, Puleedevan 22/9 2005 and Sheila Richards 26/9 2005
\textsuperscript{79} Quote from Sheila Richards 26/9 2005.
why the P-TOMS was viewed with great scepticism in the Sinhala community, since there was a widespread belief that such a mechanism, and the legitimacy it lent to the LTTE, was the first step towards a federal solution, or a separate state. A further complicating matter in regard to the P-TOMS, and to trust in general, is the volatile and unstable nature of Sinhalese politics. As previously noted, the political consequences of the tsunami have been a polarization and fragmentation of the political arena, leading to a great uncertainty in regard to who will rule, in coalition with whom, and when. The political opposition may uproot any earlier commitments made by the previous regime, which might mean that the LTTE would not be willing to trust the GoSL’s statements and actions. Statements and promises made in election times have a propensity to be forgotten or simply ignored when power has been taken. On the other hand, history has shown that agreements made by previous governments have to a large extent been upheld and built upon by successor regimes. This shows how unpredictable the existing vacuum in Sinhalese politics is at the present time.

Another indicator of commitment and trust is the use of violent rhetoric. Before the tsunami rhetoric was at a peak, due to the LTTE proposal for the ISGA. In the aftermath of the tsunami, rhetoric became less violent and more reconciliatory; a situation that lasted only for a month. Since then most respondents agree that rhetoric has become increasingly harsh and violent, reaching another peak at the disclosure of the P-TOMS agreement. This points also to a lack of trust in the other party’s good intentions.

To conclude the section on credible commitment we would claim that the political consequences of the tsunami on this factor were initially positive, in that the P-TOMS had the ability to form a confidence building and dialogue facilitating platform. But this effect lasted for only a month, until the issue became highly politicised and linked to concessions to the LTTE. The level of trust between the two parties had deteriorated even before the tsunami, but the effects of the P-TOMS fiasco, the political assassinations and the negative signals sent out by the parties led to a more serious deterioration in levels of trust.

80 Kulasabanathn Romeshun 7/9 2005
81 Dr. Jehan Perera 9/9 2005
82 Kjersti Tromsdal 14/9 2005
83 Sheila Richards 26/9 2005
84 Dr. Jehan Perera 9/9 2005
85 For example Anonymous source 21/9 2005, Kjersti Tromsdal 14/9 2005
It seems as if both parties have a commitment to peace, however for both parties this implies a peace on their own terms. There does not seem to be any shared concept of what the peace process should actually entail in the form of confidence building measures and reciprocal steps towards a peaceful solution. This can be seen in the signals that the parties send out in the form of harsh rhetoric and violent breaches of the CFA. The commitment then that the respondents spoke of as being existent within both parties might be viewed as being a forced commitment, and not one built on trust and a shared vision of a peaceful future. Such a forced commitment, and the continued deterioration of trust brought on by the tsunami, should definitely be viewed as negative implications for the future of the peace process. A positive aspect though is that the tsunami did not lead to the creation of any first strike advantages or any structures that in the future appear likely to act as such incentives.

**Empirical results; Capabilities and Resolve**

The factor of capabilities and resolve of the parties has an important place within the bargaining model of war since it displays their relative capacity and willingness to fight. There is a risk that changes in capabilities and resolve will lead to a shift in the balance of power making war a preferred option in a setting where there was previously a stalemate. In discussing capabilities and resolve we make the assumption that the pre-tsunami context was that of a parity status in regard to this factor.

The tsunami appears not to have given rise to any major shift in the balance of power between the parties with regard to vital infrastructure and military forces. The GoSL does not seem to have been weakened in any relevant manner, either in the military or civilian sectors since no vital installations existed in the coastal areas. The same goes for the LTTE areas, which were populated mainly by fishermen and already devastated by the civil war. However, there are some uncertainties regarding the capabilities of the Sea Tigers to conduct naval warfare; some people claim their operative capabilities to have been crippled, while others state that such speculation is wishful thinking. Of more importance for the LTTE’s military capabilities is

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86 The semantics regarding a territorial solution can be quite confusing. The Sinhalese, for example the JVP and JHU, view federalism and a unitary state as mutually exclusive, while the LTTE endows the concept of a federal state with virtues that strikingly resemble sovereignty. While a federal state might not be unitary in the literal meaning of the word some federal states, such as Germany or the United States, should be viewed as more cohesive and united than Sri Lanka. Likewise the LTTE view the unitary state of the Sinhalese to mean ethnic dominance by the Sinhala over the Tamil minority, and federalism to mean virtual self-government.

87 M.F. Marrikkar 28/9 2005, Laurence Christy 22/9 2005
88 Mats Lundström 13/9 2005 and Economist January 8 2005, page 26
89 Puleedevan 22/9 2005 and Kjersti Tromsdal 14/9 2005
the defection of the Karuna faction in the East. Losses here are unknown, but it has removed, at least for the time being, the strategic option of launching military attacks simultaneously in the North and East; the outcome of this struggle will be important for LTTE’s future capabilities. The conclusion here must be that the infrastructural damage of the tsunami has not shifted the balance of power.

However, it does appear to have given rise to new levels of uncertainty, as predicted within the bargaining model of war. This explains that even though the parties were not weakened by the devastation in any vital way, there has been an increase in mobilization by the LTTE, whilst the GoSL are fortifying their positions and procuring new arms. The mobilization of the LTTE takes the form of increased recruitment of both child soldiers and civilian volunteers for their organizations, and also the acquirement of a basic air force. Such “low-level mobilization” then might not be a sign of lowered capacity after the tsunami, but instead is proof of the parties’ needs to seek clarity in the uncertainties brought on by the disaster. The increased number of CFA violations should also be viewed in this light; as attempts to discover the “new” capabilities of their opponents.

The stalemate then is not a “hurting” one, but instead a stalemate in which the parties, especially the LTTE, have the opportunity to strengthen their capabilities. In the case of the LTTE it now has the opportunity to construct parallel governmental structures although they do not have the financial resources.

The massive influx of aid funds has had disputed effects on the capabilities of the parties. On the one hand, it is claimed that the influx of funds strengthened both parties in relation to their pre-tsunami power bases. On the other, the proposed distribution of two-thirds of aid to the northern and eastern provinces would probably strengthen the LTTE more than the Sinhala party, altering the power base in their favour. In reality though the GoSL has funneled funds directly to the South, leaving the north-eastern provinces to be funded mainly by the NGOs and INGOs. However, in the weeks following the disaster the GoSL sent some direct assistance to Jaffna, Killinochchi and Mullaitivu through their

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90 Chulani Kodikara and Shanaka Iayasekawa 12/9 2005 and Kjersti Tromsdal 14/9 2005
91 Anonymous source 21/9 2005
92 Sheila Richards 26/9 2005 and Laurence Christy 22/9 2005
94 Economist, 20 August 2005, page 41
95 Chulani Kodikara and Shanaka Iayasekawa 12/9 2005
96 Dr.Jehan Perera 9/9 2005
97 Dr.Jehan Perera 9/9 2005
Government Agents (GAs) in those districts. In the South this proliferation of NGOs in the North has given rise to the belief that international organizations are biased in favour of the LTTE; but the presence of many organizations in the North and East is simply the result of the GoSL not being able to work effectively there. At the same time some of the INGO’s have been present there even before tsunami to help the war affected internally displaced persons. This has helped them to respond to the crisis instantly. Although the INGOs do not funnel funds directly through the LTTE but instead through local NGOs present there, those organizations are in turn taxed by the LTTE authority, which may increase their fiscal capacity.

If the LTTE benefits from the influx of donor funding, the same goes for the GoSL. Some analysts claim that the GoSL was in an economically tight spot, and that the sudden inflow of tsunami funding bailed it out of these fiscal problems. Furthermore the lack of transparency in the GoSL bureaucracy can lead to substitution effects in which badly needed funds for social development may be directed towards operations to increase the military or infrastructural power base. It is hard to validate whether or not this has happened in Sri Lanka.

The issue of increased or decreased resolve is closely linked to the question of political cohesion but should not be viewed as being the same concept. Cohesion should be viewed as measuring the level of dialogue, communication and cooperation within a group, while resolve depicts determination to reach a goal. Harsher rhetoric can also be seen as a sign of increased resolve.

In the case of the LTTE it appears as if resolve has been strengthened. This is not only a result of the increase in political cohesion mentioned earlier, but also an effect of the LTTE’s effectiveness in dispersing aid to the needy, the perception of the GoSL’s lack of care for the Tamil community and the “rally around the flag” effect of the disaster. Some respondents claim that the effectiveness of the LTTE’s aid efforts, and the ineffectiveness of the GoSL’s, to a certain extent bridged gaps within the Tamil community, brought the LTTE a new degree of respect and strengthened the belief that the only solution to the problem is that of the

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98 Solveig Olafsdottir and Marcel Izard 30/9 2005 and Cherian K. Mathews 27/9 2005
99 M.F. Marrikar 28/9 2005 and Sheila Richards 26/9 2005
100 Devanand Ramiah 29/9 2005 and New Routes, “After the Tsunami”, page 4, nr.2 2005
101 Sheila Richards 26/9 2005 and Maram 22/9 2005
creation of the Tamil Eelam. However it is hazardous to simply claim that the Tamil community’s resolve has been strengthened since, as stated earlier, most opposition towards the LTTE from within the Tamil community is effectively silenced. There is no simple way around this problem. But as one analyst put it: “…the LTTE’s resolve is very high, and the GoSL may not be able to match this resolve due to their democratic and unstable system.”

This quote also indicates that the polarization of the Sinhala community makes it hard to measure the level of resolve within this party, seeing that different factions hold very different viewpoints on the political conflict. Following the increased number of CFA violations, and the assassination of foreign minister Kardirgamar we would claim though that the resolve not to give concessions to the LTTE has increased among the factions advocating a unitary Sri Lanka. The GoSL is at the moment one such a faction.

The question of the P-TOMS appears to have had a strong effect on the resolve of both parties. For the Tamil people the failure of the GoSL to implement the joint mechanism strengthened their view of the government as untrustworthy and unwilling to stand by their agreements. This should strengthen their view that the only feasible solution is separation.

On the Sinhala side the P-TOMS has caused the break-up of the government and an increased polarization of society, as mentioned earlier. The preliminary ruling of the P-TOMS as being unconstitutional by the Supreme Court must be viewed as having strengthened the cause of those supporting the continued existence of the unitary Sri Lanka.

To conclude this section we would claim that the tsunami had no serious direct effects on the capabilities of the parties. However, that being said, the uncertainty generated by the tsunami regarding the other party’s capabilities led to both parties attempting to strengthen their capacities. Yet there appears to have been no shift in the balance of power that led to the CFA. The outcome of the Karuna situation is of the essence to the balance of capabilities in the future.

According to the bargaining model of war, this status quo in the parity of the parties reduces the chances of renewed conflict and is therefore positive for the evolution of the

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102 Laurence Christy 22/9 2005, Sheila Richards 26/9 2005 and Puleedevan 22/9 2005. For increase in respect for the LTTE see Devanand Ramiah 29/9 2005
103 Dr.Jehan Perera 9/9 2005
104 Dr.Jehan Perera 9/9 2005 and Puleedevan 22/9 2005
peace process. Both parties appear to be aware of the other’s relative strength, perhaps through the wide use of signalling.

A conclusion, which is harder to analyse, is that both parties have increased their resolve, which can be seen in the harsher rhetoric and the increasing polarization within the Sinhala community and between the parties’ positions. This increased resolve may have a positive effect in the bargaining model of war, if the resolve of both parties is apparent and visible to the other side. Correctly assessing the other party’s resolve sends a strong signal that victory will not be easy to achieve, and thus has a pacifying effect. The high number of costly signals points towards such an understanding.

The possible negative effect is, of course, that having a high resolve can skew one’s view of the possibilities of victory in armed combat. Such high resolve in combination with violent rhetoric and actions may push parties into a position in which war is the only possible outcome in the eyes of the public.

The effects of the increased resolve is a complex issue to analyse without further insight into how the parties perceive their opponents. However we can safely say that this strong resolve makes it increasingly hard to reach a negotiated settlement in the post-tsunami context.

**Empirical results; International attention and Aid**

International attention and aid as factors which effect a bargaining process do not normally constitute a variable in the bargaining model of war. However, at an early stage in our research we recognized the significance of aid and the international community in the post-tsunami setting. We therefore deemed it crucial to isolate for this factor in order to evaluate the explanatory range of the bargaining model of war in a post-disaster setting. As will be shown in the analysis, the effects of the influx of aid and increased international attention must be integrated into the bargaining model of war when it is applied to a post-disaster setting.

When the tsunami struck a number of NGOs and other organizations were already in place in Sri Lanka, working with development and aid work in a wide number of sectors. Many of the organizations had been present in Sri Lanka for several years and had developed networks of local NGOs and had hired local personnel. In the immediate aftermath of the tsunami these organizations were on site within hours, distributing aid and coordinating efforts. Since a lot
of the hands-on work was done by local staff with knowledge of the cultural settings of Sri Lanka. Work in the initial efforts went smoothly and helped strengthen the communal spirits within all communities\textsuperscript{105}. People from all over the country travelled to the disaster stricken areas to assist in the relief work, increasing the intercommunal spirit. When the magnitude of the disaster became known, and the international community began pledging funds, the GoSL set up the CNO to coordinate and channel assistance centrally. All organizations were permitted to enter the country and all relief items were accepted, whether they were needed or not. Coordination on the lower levels was taken over by the international community\textsuperscript{106}. This meant bypassing local structures and the expertise of the local NGOs. The exception was the North, where the LTTE (PDS) forced most external organizations to work with and through already existing local NGOs wherever possible, and to be coordinated by the LTTE itself\textsuperscript{107}. The uncontrolled influx of NGOs and INGOs, and their lack of conflict sensitivity, spawned a number of new issues important to the conflict\textsuperscript{108}.

Some of these issues have already been discussed, for instance, tensions between internally displaced persons and the tsunami victims, the question of a possible substitution effect caused by incoming aid, and the possibility of aid and development shifting the pre-tsunami power bases of the parties. These questions were closely related to other factors in the bargaining model of war and have therefore been discussed in other sections of this research. However, other important issues remain, that relate to the bargaining process itself, and to the post-tsunami conflict setting.

Most of the respondents feel that the increase in international attention following the tsunami has had a positive effect on the peace process\textsuperscript{109}. This focus of the international community on the conflict quite naturally increases the estimated costs of initiating warfare since such actions are generally frowned upon within this body. In this way, the international community’s presence asserts pacifying leverage, keeping the country out of war\textsuperscript{110}.

\textsuperscript{105} Solveig Olafsdottir and Marcel Izard 30/9 2005
\textsuperscript{106} Sheila Richards, 2005, \textit{Conflict Resolution, Peacebuilding and the Humanitarian Community}, University of Bradford (Working paper), pages 3-6
\textsuperscript{107} Cherian K. Mathews 27/9 2005
\textsuperscript{108} Solveig Olafsdottir and Marcel Izard 30/9 2005 and Sheila Richards 26/9 2005
\textsuperscript{109} For instance Maram 22/9 2005, Cherian K. Mathews 27/9 2005 and Kjersti Tromsdal 14/9 2005
\textsuperscript{110} Dr. Jehan Perera 9/9 2005 and Devanand Ramiah 29/9 2005
The LTTE feels that the attention sheds light on the, in their words, atrocities committed by the GoSL, and therefore strengthens justification for its cause\textsuperscript{111}. The GoSL on its part feels that international attention should be more focused on the atrocities of the LTTE, and that the international community has been too lenient so far\textsuperscript{112}. The recent EU travel ban points in the direction of the international community taking a harder stance towards the LTTE.

The parties might see positive aspects for themselves, but the international attention also makes the parties careful of their actions as the focus of international media has the power to endow legitimacy to causes and paths of action\textsuperscript{113}.

Another aspect of the international community’s presence is its capability to exert pressure through aid and development funding. Such pressure appears to have been vital in the run up to the P-TOMS, which was supported by the co-chairs, and could have had a significant impact on confidence building measures\textsuperscript{114}. The big wallets of the international donors assert considerable leverage on the parties’ actions and statements, as they are both aware of the source of the much sought after funding\textsuperscript{115}. International political attention is intrinsically linked with donor funding, seeing that legitimacy and recognition are the requisites for receiving such funds. In this way, the big wallets assert yet more pacifying influence on the bargaining process as they constitute a source of potential capabilities, greatly sought after by the parties.

In the Sri Lankan setting, the fact that the LTTE is labelled as a terrorist organization in some countries of the international community serves to a certain extent as yet more leverage to use for pacification and to force the LTTE to give up their continuous violations of international law and human rights abuses\textsuperscript{116}. But such bans also have negative implications, seeing that the label effectively disqualifies the LTTE from having parity status with the GoSL. Such a negative aspect is for example the inability of the US and Japan to fund the P-TOMS, or any other joint mechanism for funding. The double standards of the co-chairs – they hail the mechanism but refuse to fund it – thus limits the capability of such structures to function as confidence building and pacifying mechanisms. Some analysts claim that this imparity threatens to push the LTTE into a corner, and further down the road into war\textsuperscript{117}.

\textsuperscript{111} Maram 22/9 2005 and Puleedevan 22/9 2005
\textsuperscript{112} Chulani Kodikara and Shanaka Iayasekawa 12/9 2005
\textsuperscript{113} Cherian K. Mathews 27/9 2005 and Devanand Ramiah 29/9 2005
\textsuperscript{114} Mats Lundström 13/9 2005
\textsuperscript{115} Dr.Jehan Perera 9/9 2005
\textsuperscript{116} Chulani Kodikara and Shanaka Iayasekawa 12/9 2005 and Devanand Ramiah 29/9 2005
\textsuperscript{117} Mats Lundström 13/9 2005 and Devanand Ramiah 29/9 2005
further thrust in this direction was the exclusion of the LTTE from the 2003 Washington Donor Conference, which effectively ended LTTE’s participation in the high-level peace talks. A more recent event is the EU travel ban, initiated in September 2005. The bargaining model of war suggests that the balance of power, or parity status, is essential to a bargaining process in which peace in combination with an equitable solution is the likely outcome. These types of international interventions should then be viewed as increasing the risk of war according to this theoretical framework.

The general performance of the GoSL, the late arrival of some NGOs and INGOs with short-term commitments, and the lack of coordination between these, ended up exacerbating the conflict setting. The GoSL lacked the capacity, the experience and the overview to effectively coordinate the influx of funds and organizations that converged upon Sri Lanka in the aftermath of the tsunami. The result was a situation in which NGOs did their own Lanka consultations, did not share information and got locked into struggles over turf. For instance, local NGO staff became highly sought after and were attracted by the higher salaries of the newcomers, undermining local district councils and NGOs. The lack of coordination between agencies, despite GoSL initiatives such as TAFREN, led to organizations duplicating work and neglecting important sectors.

Also, the fact that many organizations were forced to disperse all of their funds within a given timeframe led to, for example, the purchasing of large fishing vessels instead of the traditional canoes (which may lead to future over-fishing), and lately quite a number of organizations have simply distributed cash grants to tsunami victims. The impact of this on the communities is an increase in the number of people who are dependent on donor funding, inflation and, as previously mentioned, greater tensions between the internally displaced and the tsunami victims. As one analyst pointed out, a lot more harm than good has been done by some organizations, and yet another said that the coordination of relief efforts was like: “…herding cats.”

The insensitivity of some Christian aid organizations when distributing aid has also led to an increase in religious tensions. The label of “Christian” has to a certain extent become a put
off for Buddist, Muslim and Hindu people. Such insensitive action prompted the JHU, the Buddhist monk party, to attempt to pass a legislative bill outlawing “unethical conversion”, i.e. conversion based on economical incentives

The organizations that appear to have shown the greatest conflict sensitivity are those that have, pre-tsunami, had a presence in Sri Lanka for several years with a high percentage of local staff. Their conflict sensitivity stemmed from their staff’s knowledge of the conflict setting, something that in many cases was completely lacking within the newly arrived organizations. Many officials appear to have had the illusion that Sri Lanka was at peace, since the CFA was in place. In reality, as one analyst points out, the Sri Lankan situation is one of “no war-no peace”.

It would be unfair to label the relief and development work in post-tsunami Sri Lanka as a complete failure. No doubt the efforts saved a lot of lives, and in the short run many have been provided with transitional shelters as well as means of livelihood. Above all, there has been a proliferation of safe drinking water schemes and sanitation. It is however quite clear from the respondents that, in the long run, the relief effort most probably will have a negative effect on the conflict setting.

Of importance to the post-tsunami context are also the situations of the facilitator (Norway) and the monitor (SLMM). Norway as the facilitator of the peace process is responsible for the facilitation of talks between the parties. The task of the SLMM is twofold; one task being of a preventive nature, inducing the parties to meet and engage in dialogue on the local level; and the other to receive and process any possible complaints the parties may have. This mandate is expressed in the CFA. Both the facilitator and the monitor have come under heavy criticism since the CFA came into place, Norway for being too lenient towards the LTTE, and the SLMM for using carrots and no sticks.

The tsunami appears to have had less impact on the facilitator and the monitor than on the parties. The increase in international attention and the entry of a greater number of international actors has not diminished the role of either the facilitator or the monitor. There

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125 New Routes, “After the Tsunami”, page 5, nr.2 2005
126 Solveig Olafsdottir and Marcel Izard 30/9 2005, M.F. Marrikar 28/9 2005
127 Laurence Christy 22/9 2005
128 Cherian K. Mathews 27/9 2005
129 This we deem to be the general view of our respondents, for instance Devanand Ramiah 29/9 2005
130 Mats Lundström 13/9 2005
132 One deviating response exists, that of Dr.Jehan Perera 9/9 2005, who claims that Norway’s role has diminished.
has however been an increasing level, post-tsunami, of violent rhetoric aimed at the facilitator and the monitor. Violent criticism is now commonplace, but the criticisms raised are often of such a nature that they are outside of the mandate given to the SLMM and Norway by the CFA. For instance, the SLMM is criticised for not providing security and not enforcing its rulings on violations of the CFA. However, this is not included in their mandate. Likewise, Norway is often criticised for treating the LTTE as an equal party to the GoSL, and also for using a “carrot and carrot” approach. But Norway’s role is to create trust and to communicate the positions of the parties, not to force the process forwards regardless of the wills of the parties. The formulation of the mandate means that Norway lacks the type of stick so often called for in this type of situation. One explanation for this is that the increased complexity of the conflict setting and the uncertainties of capabilities and resolve brought on by the tsunami, in combination with the deteriorating situation in the eastern parts of the country, have caused the number of violations of the CFA to increase. This in turn spawns violent rhetoric in the form of criticisms that cannot be tackled within the existing CFA mandate. The situation then can be seen as having expanded beyond the boundaries of the current CFA. However, it is unlikely that the CFA will be renegotiated, despite its shortcomings. We will discuss this further in the section on Policy recommendations.

Many conclusions can be drawn from the above section. We found that aid efforts and international attention following the tsunami have affected the general conflict setting, as well as the calculations for the bargaining process itself. Furthermore, aid efforts and the work of NGOs have had effects on other factors mentioned in other sections.

The general conflict setting has been altered through increased tensions between internally displaced persons and tsunami victims, the possible substitution effect of aid and development funding, the possibility of a shift in the power bases of the parties and the short-term NGOs relief efforts.

The increased tensions between internally displaced persons and tsunami victims alters the conflict setting by adding new issues of conflict to the overarching incompatability and

133 Mats Lundström 13/9 2005 and Kjersti Tromsdal 14/9 2005
134 Anonymous source 21/9 2005
135 Chulani Kodikara and Shanaka Iayasekawa 12/9 2005
136 The violations can, as stated in the section on Capabilities and resolve, be viewed as signalling, aimed at reducing the uncertainty regarding the capabilities of the other parties.
137 Sheila Richard 26/9 2005
decreasing political cohesion, both intra- and interparty\textsuperscript{138}. The possibilities of substitution effects means additional capabilities can be added to either party, and that levels of trust are undermined\textsuperscript{139}. A possible shift in pre-tsunami power bases threatens to overturn the balance of power on which the current CFA is founded, and to increase the likelihood of renewed war. This is only likely if aid is shared disproportionately in relation to the pre-tsunami power bases. It is difficult to evaluate if this is the case at the moment.

The effects of the temporarily stationed NGOs on the conflict setting is a general destabilization of the economic and political realities that prevail on Sri Lanka. It is hard to predict the precise long-term impact, but we can say with some certainty the unstable political and economic situation, with increased tensions and dividers, will not improve the conflict setting. Especially not in a country like Sri Lanka, in which events not directly linked to the conflict easily become fused with it through political bargaining and the assertion of the patron-client system.

The international community’s interest should be viewed as positive with regard to the peace process. Increased international attention, and the big wallets of international donors, have had a pacifying effect on the parties, most likely through the extra factor it adds to the equation of the costs of renewed war. Therefore these two factors mainly affect the bargaining process itself. One reservation must be made however, since international sanctions such as the labelling of the LTTE as a terrorist organization and the EU travel ban, though they may seem to have a pacifying effect on this party, may in fact disrupt the parity status and push the LTTE into a corner. Within the bargaining model of war such sanctions should be seen as hazardous since, if taken to an extreme, they shift the balance of power.

To sum up, there is no clear-cut answer as to how international interest and the influx of aid following the tsunami have affected the peace process. There is both a positive and a negative side to the story. However, many of the negative effects could have been avoided if international actors had been more conflict sensitive. We will elaborate upon this in the section on Policy Recommendations.

We argued earlier that the factor of the International community and Aid was not a part of the bargaining model of war equation, as it is normally applied. However, the above analysis and

\textsuperscript{138} For a more thorough discussion see the section Political Cohesion, pages 23
\textsuperscript{139} For a more thorough discussion see the section Capabilities and Resolve, pages 31
facts point towards the conclusion that this factor has had an important influence on the parties’ views of the bargaining process. Excluding this factor, as the strict application of an unmodified version of the theoretical framework would in effect do, would not give us the complete picture of the effects of the tsunami on the peace process. We therefore deem it necessary to include this factor in our final theoretical analysis as yet another indirect effect of the tsunami.

Summary of empirical results
The research question in this study is “How did the tsunami of December 2004 affect the Sri Lankan peace process between the GoSL and the LTTE?” The research question is of a strictly qualitative nature, and therefore the method of inquiry has also been strictly qualitative. This makes it impossible for us to answer the question in any way measuring degree; we cannot say that the tsunami has had a “major” or “minor” effect since data simply is not compiled in that way. Our method of inquiry instead allowed us to investigate in detail what effects the tsunami has had on all levels of society and interaction; and in this way to answer the question “how?” We can also utilize a quantity of comparison, as many of our research questions focus on pre- and post-tsunami comparisons. The results we now present will focus on these two areas; specific description of changes and comparison with the earlier situation. We will begin with a general summary of the effects, followed by a more detailed description of individual factors.

The pre-tsunami peace process was like a roller coaster with both highs and lows. Immediately before the tsunami, relations had reached an all-time low, bringing the parties to the brink of war and the derailing of the peace process. Some analysts predicted that war would have broken out in February had the tsunami not struck when it did. Thus, the tsunami—seen by one respondent as “…a blessing in disguise” – opened up a window of opportunity for the parties to bring the peace process back on track. The initial upsurge of intercommunal cooperation and communication were signs of the potential to build bridges between the disputing factions. As we have shown, this window of opportunity was wasted by all parties – this is true of both the two main parties and the international actors present at the scene. The GoSL, and other actors within the Sinhala community, as well as the LTTE used the tsunami as a means of scoring political points, to further their agendas, and ended up politicising the

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entire issue and polarizing the communities. Some of the international actors who convened on Sri Lanka failed to acknowledge the conflict setting when they distributed emergency relief, further complicating the situation. The co-chairs and the facilitator did not manage to use enough leverage to set up a joint mechanism that could have altered the downward spiral when this opportunity presented itself. The politicization and polarization processes, the lack of trust between the parties, combined with the failure to act on the opportunities provided, caused the peace process to revert to an even more precarious situation than the one that prevailed before the tsunami. Hence, the overall effect of the tsunami on the peace process must be said to have been the opening of a window of opportunity that when squandered fuelled the conflict further bringing the peace process to an all-time low. We would even argue that a peace process, in the academic sense of the word, does not exist. All that can be found in the Sri Lankan conflict is a CFA, which is constantly violated.

The general summary above points to the factors we deem to have had the greatest impact on the peace process. The first factor of importance is the issues that have become fused or directly linked to the incompatibility. Such additional issues are struggles over aid and development funds and a widening of the ethnic issue to also include the Muslim community. This means that we have a more complex conflict setting than in the pre-tsunami context, making it more difficult to reach solutions.

The second factor is that of increased polarization; between the communal groups of Sri Lanka but also within the Sinhalese majority. There are several reasons for this polarization; firstly, that of the exclusion of the Muslims from political power, which has been made visible by the P-TOMS process from which they were excluded. Secondly, the inability of the GoSL to act in the North and East effectively increased the Tamils’ belief that the Sinhala majority do not care for them. The third issue refers to the tensions that emerged between persons internally displaced by the war and and victims of the tsunami. Finally, the vehement political conflict within the Sinhala community regarding the P-TOMS and the aid deals with the LTTE has fragmented and polarized this community. Such polarization entails lower levels of trust and confidence between the parties, less constructive dialogue and a widening of the gaps between the parties’ positions. This has a negative effect on the peace process since it makes integrated solutions harder to achieve.

The third insight gained from the research is related to both the factors of Credible Commitment and the Capabilities and Resolve of the parties. The uncertainties concerning capabilities and resolve brought on by the tsunami prompted a situation of signalling from
both sides in which they attempted to display capabilities and resolve, and to gather information about the other party’s level of coercive power. In no way did the tsunami shift the balance of power between the parties, but the activities initiated to establish that fact signalled non-committal towards the peace process due to the many violations of the CFA and the strengthening of capabilities. This led to further polarization of the parties, and also to even greater deterioration in levels of trust\footnote{The P-TOMS fiasco and the Karuna situation in the East are other factors that convey negative images of commitment.}. Nevertheless, the parties appear to be as committed to peace post-tsunami as they were pre-tsunami, but maybe not committed to the peace process in its existing form. The tsunami then has had no significant effect on the already low level of commitment to the peace process\footnote{The GoSL’s apparent lack of will to ratify the P-TOMS could be seen as a sign of non-committal. We however deem this to be more an issue of not wanting to yield more legitimacy to the LTTE as a negotiating party, since this might disrupt the power parity of the conflict.}. The signs of non-committal should be viewed as signalling related to the question of capabilities and resolve. The tsunami has neither weakened the commitment of the parties, nor made it stronger.

Likewise, at this point in time the tsunami has not had an effect on the capabilities and resolve of the parties in such a way as to alter the balance of power between them. This conclusion is positive for the peace process since it means the parity status on which the process rests remains in place. Less positive for the bargaining process is the increasing resolve of the Tamil community and the Sinhala hardliners. The polarization of the post-tsunami conflict setting appears to have hardened the positions of these groups, making integrative solutions harder to come by and the equations for the balance of power more complicated in the future.

Of greater importance to the capabilities of the parties, especially those of the LTTE, is the outcome of the Karuna situation in the East. The fallout of the “shadow war” is of great importance for the strategic options of LTTE warfare.

More insights stem from the conclusions regarding the international community’s actions and the influx of aid funds. The effects of the international attention on the peace process should be viewed as positive, in view of the fact that the increase in attention, and the funds at the disposal of the international donors, have had a largely pacifying effect on the parties\footnote{The pacifying effect stems from the leverage international actors have when distributing aid and development funds, and also when endowing international recognition and legitimacy.}. But leverage must be used with care, since too tough a stance may shift the parity status and thereby, according to the bargaining model of war, lead to renewed warfare. The efforts of many short-term NGOs and the lack of coordination and leadership on the part of the GoSL
lead to an increasingly complicated conflict setting, with an increase in certain tensions and the spawning of completely new issues. The incompatibility and the plausible solutions have therefore become more complicated, affecting the process negatively.

Our final observation concerns the precarious situation of the facilitator and the monitor. The conflict setting has become increasingly complex and now the conflict setting now extends well beyond the boundaries of the current CFA, making Norway’s and SLMM’s already weak mandates even more insufficient. The tsunami then has created a situation in which the CFA and the mandate of the facilitator and monitor no longer incorporate all of the current issues relevant to the conflict. These insights and summaries make up the core of the distinguishable effects, direct and indirect, that the tsunami has had on the Sri Lankan peace process, effectively answering the research question stated.

Conclusions

In light of the insights presented in the empirical summaries, the overall conclusion of this research must be that the tsunami has had a negative impact on the peace process in that integrative solutions will now be harder to come by than previously. There was an opportunity for making breakthroughs but it was lost, and all the parties involved must take responsibility for this failure.

It is hazardous to attempt to offer any degree of generalization from a single case study such as this one. Especially in view of the fact that the tsunami appears to have fostered peace in the Aceh province in Indonesia, but failed to do so in Sri Lanka. The effects then of a natural disaster on a peace process appear to be disparate; this would be a good venue for future research as a comparative study between these two civil conflicts might yield more opportunities for generalizations.

Applying the analytical tool of the bargaining model of war to our findings leads to the conclusion that an immediate return to war is not likely, even though the peace process is severely damaged. This conclusion stems from the fact that there have been no violent shifts or alterations in Fearon’s three criteria for war; no serious imparity of capabilities and resolve, no worsening of credible commitment or increase in the incentive for first strikes and no overhaul of the view of the incompatibility as being indivisible. A theoretical conclusion of this research is that the bargaining model of war in an unmodified version cannot accurately describe the entire spectrum of the conflict setting. Using the model one could easily come to the conclusion that the pre- and post-tsunami settings are identical, since no shifts in the three
criteria were visible. Only the inclusion of the factors of political cohesion and international attention and aid allowed us to account for actual changes in the conflict setting; changes that we would claim are vital for describing the post-tsunami conflict. Such changes are, for example, increased polarization and the effects of the relief effort. We would therefore also claim that these factors should be included whenever the bargaining model of war is applied in a post-disaster setting.

Policy recommendations
Drawing upon the conclusions, summaries and insights of the above sections we have devised, in conjunction with the theoretical framework on policy, a number of policy recommendations for the Sri Lankan case. Some of these recommendations are created specifically for the Sri Lankan scenario, whilst others are of a more general nature for use in comparable situations of communitarian conflict and natural disaster.

• The SLMM should be made more visible, seeing that this is the key to its success. This can be done within the existing CFA mandate through an expansion of the monitoring mission to include larger numbers of monitors. Furthermore, it is problematic for the SLMM to be associated so strongly with Norway. The shift of leadership from Norway to another Scandinavian country might sever such links between facilitator and monitor. It appears likely that both parties would accept such a change. A stronger mandate would be useful, although this would have to come through a renegotiation of the CFA, which appears highly unlikely.

• Norway and the SLMM would benefit from a strong and coherent information strategy seeing that they are constantly abused and discredited in the media. They appear to lack a strategy for conveying their message out to the public. In a media setting which is sometimes laden with violent rhetoric and populated by biased actors, it is simply not enough to apply a strategy of low-key rebuttals that never get published.

• In regard to aid, governments should be more selective when inviting actors to take part in relief efforts. Selection should be made on the grounds of (1) long term commitment and (2) previous presence in the country since experience and historical and cultural knowledge leads to more sensitive aid. If possible (3) aid should be funnelled through local NGOs making use of local staff and their expertise regarding the conflict. Coordination is of the essence, and (4) governments in dangerous areas should draw up plans for dealing with coordination problems in the event of a massive
influx of aid and organizations. (5) Donors should also attempt to receive open mandates from their contributors in order to widen the number of projects and sectors to which money can go. Doing so would, for instance, make it possible to ameliorate the situation in Sri Lankan between the internally displaced and the victims of the tsunami.

• The international community should take care when using sanctions against warring parties. The bargaining model of war suggests that the parity status in a stalemate is of the essence to the peace process that follows. Disrupting such parity by marginalizing one of the parties is likely to have negative effects on a possible peace process. We would claim that this holds true in Sri Lanka as well; the labelling of the LTTE as a terrorist organization and the recent EU travel ban have, in our view, not moved the process forward. Rather, it risks pushing the LTTE into a corner from which war is the only exit.
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Appendix A

List of interviewees

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- Chulani Kodikara, Deputy Director to the Secretary General, Secretariat for Coordinating the Peace Process, 12/9 2005
- Devanand Ramiah, Peace and Development Analyst, UNDP, 29/9 2005
- Dr. Jehan Perera, Director, National Peace Council, 9/9 2005
- Kjersti Tromsdal, Second Secretary, Royal Norwegian Embassy, 14/9 2005
- Kulasabanathn Romeshun, Program Officer; Peace, Democracy and Pro-poor economic development, SIDA, 7/9 2005
- Laurence Christy, Director of Planning Division, Tamil Rehabilitation Organization, 22/9 2005
- M.F. Marrikar, Program Director/Deputy Resident Representative, Forut, 28/9 2005
- Marcel Izard, Communication Coordinator, ICRC, 30/9 2005
- Mats Lundström, ADC, SLMM, 12/9 2005
- Mr. Maram, Director of International Agencies, Planning and Development Secretariat for the LTTE, 22/9 2005
- Mr. Puleedevan, Secretary General, LTTE Peace Secretariat, 22/9 2005
- Shanaka Iayasekawa, Deputy Director to the Secretary General, Secretariat for Coordinating the Peace Process, 12/9 2005
- Sheila Richards, Program Officer; Peace, Democracy and Pro-poor economic development, SIDA, 26/9 2005
- Solveig Olafsdottir, Communication Delegate, ICRC, 30/9 2005