

# CONFLICT TRENDS

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This special issue of *Conflict Trends* has sought to provide a platform for perspectives from the developing South. The idea emanates from ACCORD's mission to promote dialogue for the purpose of resolving conflicts and building peace. By introducing a few new contributors from Asia and Latin America, the editorial team endeavoured to foster a wider conversation on the way that conflict is evolving globally and to encourage dialogue among practitioners and academics beyond Africa. The contributions featured in this issue record unique, as well as common experiences, in conflict and conflict resolution. Finally, ACCORD would like to acknowledge the University of Uppsala's Department of Peace and Conflict Research (DPCR). Some of the contributors to this special issue are former participants in the department's Top-Level Seminars on Peace and Security, a Swedish International Development Cooperation Agency (Sida) advanced international training programme.



## EDITORIAL

BY **VASU GOUNDEN**

In the autumn of November 1989, a German colleague in Washington DC invited several of us to an impromptu celebration to mark the collapse of Germany's Berlin Wall. At the time, we were all students pursuing our graduate-level law degrees at Georgetown University. The celebration was marked by the constant clanging of wine glasses and beer bottles, and punctuated throughout by numerous political and legal questions and arguments, which became more animated and passionate as the night and celebrations continued. In the end, though, no amount of political and legal arguments raised by such passionate graduate students could substitute for the joyous human emotions that were felt that day. What a watershed event that was! The tearing down of the Berlin Wall ushered in a new era in global politics. The eradication of the physical "wall" symbolised new opportunities and hope to dismantle the entrenched emotional and psychological barriers that prevented people from knowing each other and interacting with each other.

In October 2009, almost 20 years after my evening of revelry in Washington DC, and several thousand miles from where the Berlin Wall stood, I stood at another wall, in the Middle East – one that stretches almost 700 kilometres in length. Israel's "Separation Wall" began in June 2002, at a cost of US\$3.5 million per kilometre. While this cost is astronomical, it pales into insignificance when one considers the cost in human suffering that the wall currently brings – and will most certainly bring for the time that it stands. By late 2008, almost 300 000 people were affected by land confiscation, tree uprooting and inaccessibility to land, water and other resources in the northern West Bank, Jerusalem and Bethlehem.

Such walls and barriers of separation symbolise and mark the reality of our human existence. The lessons of history seem to evade our leaders at exactly the time when history should be evoked to provide wisdom for decision-making, so that we do not repeat the terrible lessons of the past. Human beings

continually construct walls in the name of security; walls that further divide us from each other so that we have even less opportunity to know, understand and appreciate each other. It is only through opportunities to transcend physical, psychological and emotional barriers and achieve understanding and appreciation of each other – despite our differences – that we can start to dismantle the stereotypes and misperceptions that drive us to hate each other, to denigrate and demonise each other, and that ultimately drive us to violent conflict and destructive wars which, in turn, further perpetuate insecurity. The physical walls need to come down as a symbolic gesture of the work we need to do to tear down the "real" barriers in our hearts and minds, so that we can build a humanity based on mutual understanding and appreciation.

I therefore commend the Nobel Peace Committee for having the foresight to award United States President, Barack Obama, the 2009 Nobel Peace Prize. This gesture recognises that, despite his identity and name, President Obama has come to represent – through his actions, the eloquence of his words and his very being – an openness to meet and interact with all people, thus setting an important and strong leadership example for attempting to break down the walls of prejudice and stereotyping, and for suggesting that there is an alternative to dealing with problems based on relationship-building and understanding. Despite criticisms of his new leadership from his home base, President Obama has still managed to represent all of this at a local and global level, and continues to act and speak in ways that encourage all of us to break down the walls of our own prejudices and stereotypes. This, however, is not a task that should rest on the shoulders of one man or leader alone; we all need to become active participants in tearing down the walls that divide us, and building bridges that unite us – and we need to do it now! **A**

**Vasu Gounden is the Founder and Executive Director of ACCORD.**

# PARAMILITARY GROUPS AND NATIONAL SECURITY: A COMPARISON BETWEEN COLOMBIA AND SUDAN

WRITTEN BY **JERÓNIMO DELGADO CAICEDO**<sup>1</sup>



When trying to come to terms with the study of some of the most complex armed conflicts in the world, the particularities of each context are usually highlighted in such a way that their complexity is justified. Most scholars interested in the developments of the conflicts in Sudan and Colombia appear to reach a common point of analysis. However, beyond the obvious differences arising from the contexts in which they have originated, both conflicts are situated in specific and particularly complex realities, which set them apart from any other previously studied scenarios.

While the aim of this work is not to simplify the realities of two very distinct conflicts, the objectives are to establish common ground and to acknowledge useful similarities between Colombia and Sudan. Thus, the focus will be on one of the most controversial variables of the two conflicts: the formation and use of paramilitary forces.

## New Wars and the Role of the Paramilitaries

Conflict tends to be understood as a negative phenomenon associated with violence. However, it can also be understood as a multidimensional, natural phenomenon that usually indicates the occurrence of changes within a given society. Conflicts occur when two or more actors believe their interests are incompatible, engage in hostile activities, or affect the other actor's ability to achieve its goals. Conflicts become violent when the actors involved do not wish to satisfy their interests peacefully and, instead, engage in different forms of violence.<sup>2</sup>

Throughout most of the 20<sup>th</sup> century, wars were usually confrontations between states, and were the result of an imminent threat portrayed by another country. Therefore, to guarantee national security, the state had to defend itself militarily, as it was also the only way to defend its population.



**Paramilitary forces exist in situations where regular government forces are unable to impose the will of the state on a given territory within national borders.**

However, as Mary Kaldor has established, conflicts after the Cold War are no longer initiated by an external threat; they are, instead, the result of tensions and confrontations between actors from within the country itself. Considering these conflicts have a direct effect on the security situation within national borders, the government is required to develop a new plan of action that allows it to turn the security equation around: it should be about protecting the civil population as a way to protect the state and its institutions. This, in turn, presents a greater challenge for the state, as it has to be able to control the entire country's territory to guarantee the rights and security of its people. And this is exactly where states usually fail, leading to social, political and even armed confrontation within the country, which is usually aimed at acquiring greater participation in either the country's political spheres or economic resources.<sup>3</sup>

In such complex war scenarios, there are "multiple types of fighting units, both public and private, state and non-state, or some kind of mixture" that, for a better understanding, are usually classified as regular armed

forces, paramilitary groups, self-defence units, foreign mercenaries and regular foreign troops.<sup>4</sup> Even though each of these actors is somehow present in both Colombia and Sudan, probably the most outstanding particularity is the creation and use of paramilitary groups.

The existence of paramilitary groups is the result of a situation in which regular government forces are not able, through the legitimate use of force, to impose the will of the state on a given territory within the national borders. Furthermore, the creation of paramilitary groups is the outcome of a scenario in which, not only is the state exceeded and unable to counteract the attacks of illegal armed actors, but it has also appealed to the illegitimate use of force as part of its strategy. As a consequence, these paramilitary groups become instruments that are "established by governments in order to distance themselves from the more extreme manifestations of violence".<sup>5</sup>

Paramilitary groups are usually "outside the rules and war conventions and fight the insurgency convinced that the state's weapons and resources cannot do so

effectively”.<sup>6</sup> As for the main characteristics of these groups, the most important one that needs to be highlighted is that these fighting units have very close links with the state and, as a consequence of those links, paramilitary groups often emerge by the initiative or consent of the state, which supports them by training their members, providing them with exclusive weapons for military use and other logistic aspects that are crucial to the creation of this “new army”. Furthermore, the proximity between the state and these groups is detectable not only by complicity, when the first openly supports the latter’s activities, but also by omission, when the state fails to judge members of paramilitary groups who, for example, commit serious human rights violations or undertake violent acts against civil society.

Another peculiarity of these units is that, while they may appear as small local groups, gradually they turn into private armies, with a central command, hierarchical organisation, military training, and counter-insurgency objectives.<sup>7</sup> Consequently, they are usually centred on a strong individual leader.<sup>8</sup>

Finally, the paramilitary phenomenon takes place when a private group arms itself and considers it the privatisation of the use of force. All of this usually happens parallel to the official monopoly of force that the state is supposed to have. Consequently, given the proximity and affinity between the state and paramilitary groups, in some contexts it can be assumed that the paramilitaries

are, in the end, a possible expression of state-sponsored terrorism.

### **The Colombian Government and Paramilitary Groups**

In the Colombian case, there are three key elements that explain the emergence of paramilitary groups, namely the United Self-defence Forces of Colombia (AUC).<sup>9</sup> First, the birth of these armed groups converges with those areas of the country – namely the states of Magdalena, Arauca, Bolívar and Cauca – in which the actions of the guerrilla groups – the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN) – have been open and well-known for a few decades.

Second, by 1984, the strategy of the guerrilla groups shifted to one in which they created different fronts all over the country, thus forcing the Colombian armed forces to attempt a territorial expansion. As a consequence, with increasing threats coming from the FARC and ELN, and since the government was not able to provide security everywhere, different groups of landowners started to arm themselves as the only way to avoid the guerrillas’ territorial progress.

Finally, the drug mafias got involved in trying to stop the harassment and attacks by the guerrillas, and initiated a process that deepened the consolidation of the paramilitary phenomenon. As a result, the Death



GETTY IMAGES

**Paramilitary forces usually operate outside the rules and conventions of war.**



**Members of the United Self-defence Forces of Colombia (AUC) paramilitary group brandish their automatic assault weapons during a training session, in a rural area in Putumayo province.**

to Kidnappers (MAS) group appeared as the first demonstration of the paramilitaries.<sup>10</sup>

The paramilitary security project emerged as a response to the inability of the Colombian state to deal with the guerrilla group's growth. This situation set the required conditions for the first paramilitary groups to be created with considerable support from the state – which has been and still is denied, even when there is clear evidence that shows how the state not only spurred the creation of these armed groups, but also armed them and allowed their actions. Tangible evidence includes Law 48 of 1968, which specifies that citizens can carry guns with permission granted by the government; evidently, it facilitated access to weaponry for the paramilitaries. Although the collaboration of the state was clear in the creation of certain paramilitary groups, it is necessary to

clarify that this has never been the centre of the counter-insurgency strategy of the country.

The political argument that stated that the paramilitary groups were fighting communist guerrillas in Colombia slowly became diluted to give way to the clarification of the real interests behind this phenomenon. Not only did the contra-guerrilla actions fail, but it also became evident that the strategy of containment and recovery of territory followed a well thought-out strategy that was aimed at controlling the most economically active areas of the country.

At this point, it is necessary to enquire beyond the territorial advance of these groups, and also into the economic logic behind it. Certainly, it is identifiable that the paramilitary's expansion was closely linked to the control of important production centres of illicit drugs, as well

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**Colombia's far-right paramilitaries assemble and prepare to surrender their weapons during a demobilisation process (2005).**

as corridors for its exportation. Through threats, killings and massacres, between 1997 and 2001 the paramilitary consolidated their power over areas that assured them control over drug trafficking. The territorial "footprints" of violence are not random; some examples are particular areas in the north of the country, such as the corridor between Urabá to the mountains of Perijá – which are in themselves an important centre for cocaine production.

Due to the 2003 negotiations in Santa Fe de Ralito, paramilitary groups began a highly controversial process of demobilisation and reintegration. This process does not meet the minimum guarantees for a strong peacebuilding process, as it excludes other warring actors such as the guerrillas, and it is also often interpreted as further evidence of the tacit complicity between the state and paramilitaries. It turns out to be particularly coincidental that the proposal for negotiations with paramilitary groups emerged not only with the arrival of the government of President Álvaro Uribe, who shared some ideological closeness with the paramilitary groups on how to combat

the guerrillas, but also with the geographical consolidation of strategic corridors for the production and export of drugs.

### **Omar Al-Bashir and the Use of Paramilitary Groups in Sudan**

A key consideration when looking at the Sudanese case would be establishing that the use of militia as a strategy has been a continuous element in the process of guaranteeing security in southern Sudan. Since the 1980s, and as part of the Arab belt project<sup>11</sup> proposed by Muammar Al-Gaddafi, leader of the Libyan revolution, many of Darfur's Arabs were heavily armed.<sup>12</sup> First employed by the Government of Abdel Rahman in 1985, paramilitary groups were created in the area primarily as a defence project to fight the Sudan People's Liberation Army (SPLA).

These militias, integrated by two major Arab groups – the Missiriya and Southern Rizeigat – are located in the south of Darfur and have had help and advice from the central government in Khartoum from the beginning. The government has offered its support in implementing actions leading to serial pillaging, ethnic cleansing, cattle theft and general violence. Historically, Sudan's army has chosen outlaws within these groups, given weapons, money and camels; it even organised them to defend the territory.<sup>13</sup> Therefore, created as a counterinsurgency tool, these militias reflected the inability of the military forces to respond to local rebellion.

Moreover, it could be said that the strategy behind the use of counterinsurgency Arab militias was to create a low-cost army that would reduce the political and economic costs that the regular army would face when fighting the SPLA. Indeed, from an economic point of view, it was more efficient to organise and arm militias than to deploy a military campaign to contain the rebels. On the other hand, from a political perspective, the use of this type of army allows a defence strategy that uses violence systematically, with more effective results than the strategy that the regular armed forces could have implemented. Trained and armed by the government, these groups established themselves as centrepieces of the security strategy, while gradually imposing a stronger Islamic presence in Darfur.

Even though the paramilitary phenomenon has been generalised throughout Sudan, the Janjaweed are probably the most influential group in the conflict dynamics in Darfur. The term Janjaweed – which literally means "horseman with a gun" – refers to various Arab militias operating under a tribal structure. The Janjaweed do not have a unified command, and have various leaders for their different groups. However, they have become quite powerful military structures that have managed, since the beginning, to establish continuous coordination





**In Sudan, paramilitary groups were created as a counterinsurgency tool and reflected the inability of military forces to respond to local rebellions.**

and dialogue with the government, and to get support from it.

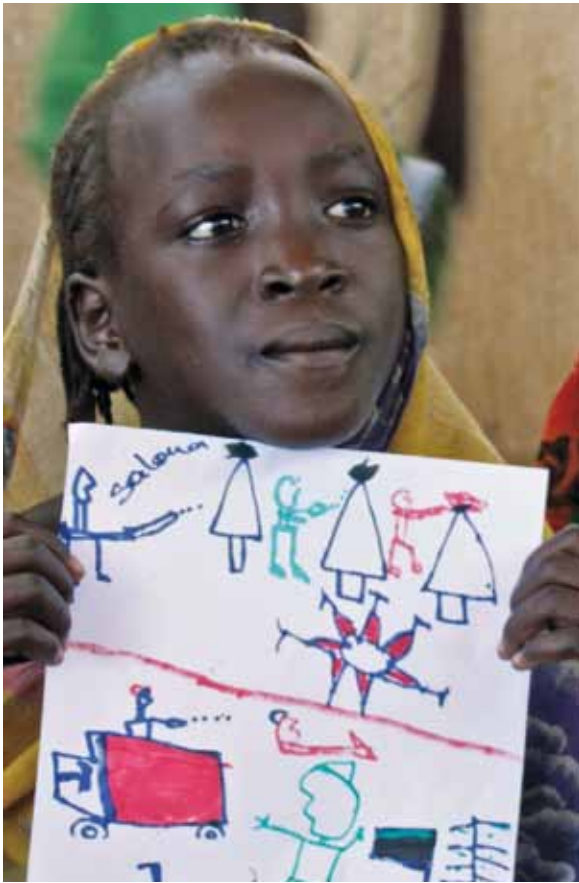
Since 1994, Al-Bashir's government has actively promoted the strengthening of these groups by encouraging indiscriminate attacks against the non-Arab population. Although the counterinsurgency project remains the core reason for these groups, the systematic slaughter of the civilian population – especially in the southern regions of the country – was allowed and encouraged. Even though the government has constantly denied any connection with the Janjaweed, and continuously refutes any military cooperation with them, many Human Rights organisations argue otherwise. According to a Human Rights Watch report, the “irregulars often went out in advance of army units” and “militias were fully integrated into the battle formation”.<sup>14</sup> This indicates the connection between the state and the militias.

From 1994 to 2003, these groups began to launch themselves as a parallel force to defend the interests of the National Congress Party. In Darfur, this process of consolidation was reflected in various ways, with

the systematic appropriation of land as the most representative. The Janjaweed not only continuously displaced the population through force, but also kept them from returning to their places of origin.<sup>15</sup> This particular issue is likely the main reason for the current humanitarian crisis in the Darfur region.

It has also been stated that the “civilian population was to be subjected to unlawful attacks, forcible transfers, and acts of murder, extermination, rape, torture, and pillaging by Government of Sudan forces, including the Sudanese Armed Forces and their allied Janjaweed Militia”.<sup>16</sup> The new alliance between both armies led to one of the bloodiest outbreaks of violence, and mostly generated profound changes in the paramilitary militias. As Human Rights Watch reported:

“Many Janjaweed fighters are organised into battalions that have the same structure as those in the government army. They use the same weapons as regular soldiers and their leaders wear stripes on their uniforms that are identical to those of the regular army. An increasing number of Janjaweed fighters wear the same uniforms as government soldiers.”<sup>17</sup>



**A refugee girl from Darfur holds up her drawing depicting Janjaweed attacks.**

This process granted highly dangerous strength and power to the Janjaweed. These militias were not only armed and trained by the armed forces, but also counted with government assets and total state support.

Because the government was continuously questioned about their practices in Darfur, the Janjaweed began to assume a convenient distance from the government. As a consequence of these suspicions, which the 2006 Darfur Peace Agreement explicitly captured, the government promised to neutralise and disarm the Janjaweed as a necessary step to an effective peace process. Since then, and as a response to this perceived betrayal, the paramilitary militias have distanced themselves from the government to the point that, today, the government acknowledges its inability to control them.

### **When Elephants Fight, the Grass Suffers**

Ultimately, apart from being supportive of the state – which is the reason why the paramilitary groups were created – they gradually became another armed faction with their own objectives and interests, due to the autonomy they gained through their actions.

In Colombia, the symbiosis with illicit drug trafficking provides the AUC a continuous and broad income, allowing it to consolidate itself as a strong and independent actor. In Sudan, the open support of the state in supplying weapons and training militias strengthened the Janjaweed to the point that they were able to confront the state when it became engaged in the Darfur Peace Agreement.

Therefore, instead of creating more secure scenarios in Colombia and Sudan, these armies have become another source of insecurity for their civil populations. In order to achieve their objectives, the two groups have the common strategy of using force against civilians as the main element of their modus operandi. This strategy has generated serious implications, in both cases. One of the most alarming elements of this process in both countries is massive population displacement. Colombia is ranked as the second country in the world with the largest population of internally displaced persons, only behind Sudan – and this, of course, has drawn the attention of the international community that closely follows the developments taking place in Bogotá and Khartoum.

In Colombia, displacement is not only a side effect of the armed conflict, but also a goal in itself. Therefore, displacement is, in most cases, the result of confrontations between armed groups, a way to gain possession of the land and, most importantly, the means for warring factions to locate themselves in a strategic territory that is usually useful for drug trafficking<sup>18</sup> According to the United Nations High Commissioner for Refugees (UNHCR), paramilitary groups have been responsible for 273 508 cases of forced displacement in Colombia. However, unofficial sources argue that, since the strategy of the guerrilla groups is to have the civil population immersed in the conflict and not displace it, the total number of displaced persons as a consequence of paramilitary actions could be as high as three million. Also, an aggravating factor in this particular scenario is that displacement resulting from the conflict has caused the population to face deeply “entrenched discrimination and marginalisation, making it even more difficult for them to access basic services, such as health and education”.<sup>19</sup>

Another concerning aspect of this disturbing reality is that a large number of displaced persons are forced to become refugees and migrate to neighbouring countries such as Ecuador, which has received 250 000 refugees, Venezuela that hosts 200 000 refugees, Brazil, Panama or Costa Rica<sup>20</sup>, amongst others. With four million refugees and internally displaced persons as a consequence of the armed conflict, the crisis equally affects Colombia’s neighbours.<sup>21</sup>

In Sudan, not only were the Janjaweed responsible for the massive displacement of people in Darfur, but



**Refugees who fled the conflict in Sudan’s western Darfur region wait outside an aid distribution building at Djabal camp, in eastern Chad.**

also for establishing checkpoints at border areas to hinder people’s access to any kind of international help. Besides trying to prevent the passage of the population between Darfur and Chad, the Sudanese government has pressured the Chadian authorities to compel the Sudanese refugees to return to their territories.<sup>22</sup> This may be one indicator of the possibility of a plan of social cleansing beyond forced displacement in Sudan. Just as in Colombia, displacement in Darfur has surpassed national borders. With an estimated 4.9 million displaced people<sup>23</sup>, neighbouring countries – especially Chad and the Central African Republic – have unreasonably suffered the consequences of the Sudanese armed conflict.

**Leadership**

As has been portrayed, the conflicts in both countries have reached an unforeseen magnitude and, instead of reaching a breaking point, they continue to escalate, with further devastating consequences. However, part of the extreme extent reached by the conflicts is a result of the strong leading figures in the countries. Both President Álvaro Uribe and Omar al-Bashir are key actors in the development of the conflicts and the role that paramilitary forces have played in Colombia and Sudan.

One of the most important manifestations of the Sudanese conflict is the use of religion as the key

differentiating factor between people and the justification for the conflict. This division of the population facilitates the actions of paramilitary forces (at least in their foundation), as a result of the exaltation of the differences within the population, with the objective of unifying one party against another. By doing so, it is easier to justify the means used by the paramilitary forces to retrieve natural resources for the government – especially since public opinion has been manipulated in such a way that the paramilitaries are perceived as the “good guys”, while the guerrillas are blamed for the country’s problems. This strategy, used by Al-Bashir, is what Vicenç Fisas calls the “Theory of the Leader”.<sup>24</sup>

In Colombia, President Uribe uses a similar strategy. By exalting the brutality and the horrors of the actions engaged by the guerrilla groups, the public opinion is so concerned and invested in criticising and attacking the guerrillas that, in a way, the actions of the paramilitary forces are reduced and even justified in the eyes of the population – no matter how brutal and inhumane they might be. This facilitates hiding some of their actions and, in a distorted manner, dignifies the government’s willingness for forgiving this organisation.

**Effects on Neighbouring Countries**

Another similarity between the Colombian and Sudanese conflicts is the spill-over of conflict into

neighbouring countries. As discussed earlier, displacement of the population in both cases is devastating for the countries themselves, but it also affects the neighbours. However, a more pressing concern is the fact that these paramilitary groups could eventually instigate conflicts with their neighbours, since they have already caused tensions in some areas.

In Sudan, the most affected neighbour is Chad – not only because of its close location to Darfur, but also because of the alleged support the Sudanese government is providing to the rebels in Chad. The governments of both countries accuse each other of attempting to destabilise their respective governments, to the point that the peace agreement signed in Doha between the two countries seems to have failed.

In the case of Colombia, its relations with neighbouring Venezuela are increasingly deteriorating – not only because of migration but also because of radical ideological differences between the two presidents. A key issue that threatens the relations between the two governments is that the Venezuelan government regards the paramilitary forces as allies of the Colombian government, and that they pose a threat to President Hugo Chávez of Venezuela. There is a belief that the Colombian president will use the paramilitaries on Chávez and take control of his country, as a consequence of the Chávez government's proximity to the Colombian guerrilla groups, especially the FARC.

### **Reconciliation or Continuation of Conflict?**

When trying to analyse the probability of ending the actions and destruction led by the paramilitary forces in both countries, and eventually achieving reconciliation within the population, it is hard not to question the real implications. First of all, these conflicts represent a significant amount of money – not only for the paramilitary forces but, in the case of Sudan, specifically for the government as well, since it has complete and unrestricted access to oil-producing areas in the south of the country. In the case of Colombia, the paramilitary and their immersion in drug trafficking allows them access to an increasing amount of income as well. In other words, it is virtually impossible to end conflicts if they remain profitable. Furthermore, it is also impossible to end these conflicts if they do not reach a breaking point – whether by being defeated or by being economically restrained.

In Colombia, even though there was a peace effort with the paramilitary groups framed within the Justice and Peace Act pushed by President Uribe, its results are intangible. This is based on the fact that the law pursues amnesty without full disclosure to the public of the truth confessed by the paramilitaries. This problem is heightened by the fact that the law was established while the conflict was still occurring, and there is yet a ceasefire or a peace agreement to be signed. In addition to this, the



REUTERS / THE BIGGER PICTURE

**The warrant of arrest issued for Sudan's president, Omar al-Bashir, by the International Criminal Court highlights the importance that the international community has finally granted to the situation in Sudan.**

population was not consulted on the creation of this law, nor has it participated in its implementation, which would probably have determined its success.

Similarly, in the Sudanese case, there is no peace agreement that compels the actors of the conflict to end it. Additionally, without the people affected being compensated for the effects that the conflict brought upon them, it is almost impossible to be able to reconcile the country. Finally, since the Janjaweed are an economically affiliated group, with strong economic interests, it is quite difficult to establish a workable method of reconciliation due to their lack of interest for political representation, which is a key aspect of a genuine and holistic reconciliation process.

### **Paramilitaries and the International Criminal Court**

The Sudanese conflict has, however, seen a recent turn of events. President Omar al-Bashir's role in the country's conflict eventually led to his being taken into custody. The International Criminal Court (ICC) issued his

warrant of arrest, promoted by its prosecutor Luis Moreno Ocampo and based on his alleged crimes against humanity and war crimes. It was a surprising decision – not only because it is the first time that a president has been charged while in office, but also because it highlights the importance that the international community has finally granted to the situation in Sudan.

The fact that President al-Bashir has been accused of having links to and supporting the Janjaweed establishes a precedent and sends a strong message: such politics undertaken by governmental actors, such as in Sudan, will be severely punished. It is hard not to draw a parallel with President Uribe who, besides being one of the creators of the first expressions of paramilitary groups in Colombia, has also been systematically questioned, primarily for the demobilisation process and possible connections with paramilitary forces.

The Sudanese example indicates that a conflict of such magnitude is very likely to draw eventual international involvement. In addition, the ICC prosecutor, Luis Moreno Ocampo, recently dedicated himself to the study of the Colombian government's actions. It is important for the country – and for its government – to realise that it does not have any type of shield against international scrutiny, and that, if impunity continues within the limits of national justice, Colombia and its president might soon enough follow the same road as Sudan and Al-Bashir – especially since the ICC will be able to prosecute and judge individuals in Colombia, starting November 2009.

With regard to the paramilitary forces in Colombia, the effort to reintegrate such members into society has been a fairly unsuccessful process, and many have promptly returned to paramilitary activities. This demonstrates the endurance and power of paramilitary forces – not only in Colombia, but in other countries as well – as such groups usually enjoy certain permissiveness from the governments in their countries. Therefore, the future of the paramilitary forces is based on their continually increasing power as a consequence of the many flaws in governments, and their incapacity to initiate fruitful peace processes or to take the required actions to make conflicts unprofitable. ▲

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#### Endnotes

- 1 This article was written with the assistance of María Angélica Castilla Oliver and Laura González Ossa, Research Assistants at the African Studies Centre at the Universidad Externado de Colombia.

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## THE PATH TO ECONOMIC AND POLITICAL EMANCIPATION IN SRI LANKA<sup>1</sup>

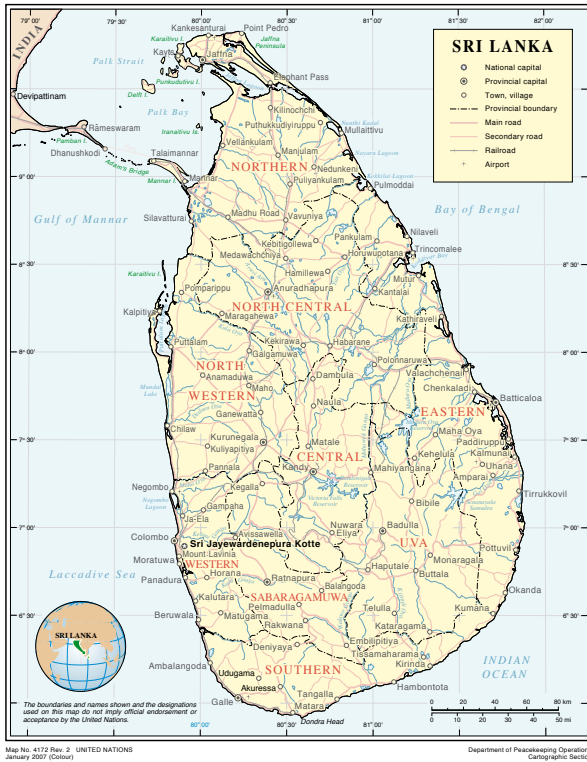
WRITTEN BY **MUTTUKRISHNA SARVANANTHAN**

### Introduction

Sri Lanka is slowly, but surely, emerging out of a vicious civil war that has lasted over 25 years (July 1983–May 2009), armed conflict since 1972, and general conflict since independence in 1948. The amount of human, material, environmental and psychological destruction caused by this long, drawn-out civil war – especially in the conflict-affected Eastern Province and Northern Province – is immeasurable and will last for generations, though some quantitative and qualitative estimation does exist.<sup>2</sup>

The purpose of this article is to set out the contours of a broad political-cum-economic policy framework for rebuilding the conflict region (Eastern and Northern provinces) in Sri Lanka. It does not intend to get into specific sectoral or sub-sectoral strategies, policies,

**Above: Politics amongst the tamil community has been narrowly focused on linguistic and religious nationalism and freedom, and barely focused on economic emancipation.**



## THERE IS A NEED FOR A RAINBOW COALITION OF DIFFERENT PEOPLES OF THE EASTERN AND NORTHERN PROVINCES IN TAMIL POLITICS IN THE TWENTY-FIRST CENTURY

the regimes of Nazi Germany and Imperial Japan in the run up to, and during, the Second World War. The LTTE's modus operandi also closely resembles the Khmer Rouge (Pol Potist) regime of Kampuchea (now known as Cambodia) in the late 1970s.<sup>4</sup>

As Sri Lanka enters a post-LTTE era after a nasty war of attrition, consequent comprehensive defeat of the LTTE and elimination of its military and political leadership, it is now time for introspection, self-criticism and remorse by the Tamil community as it endeavours to chart a way out of the current crisis. There are two potential paths ahead for the Tamil community in particular, and Sri Lanka as a whole: one is that pursued by Germany and Japan in the aftermath of the Second World War, and the other followed by post-Khmer Rouge Cambodia. Post-Second World War Germany and Japan rebounded from conflicts following pacifism, resolute adherence to democracy and the rule of law, and industriousness and, as a consequence, became economic powerhouses in the world within a short span of time. On the other hand, Cambodia is dogged by democratic deficiencies, corruption, nepotism and low-intensity authoritarianism – even after the ousting of the Khmer Rouge regime in 1979 and the end of the Vietnamese occupation in 1989 – and continues to be one of the poorest countries in the world. Thus, whilst post-war Germany and Japan reflect prosperity, post-war Cambodia reflects pauperism.

It is imperative for the people of the Eastern and Northern provinces in particular, and Sri Lanka as a whole, to draw lessons from the historical experiences of these two sets of contrasting post-war countries. Naturally, one would argue in favour of the path pursued by both Germany and Japan in the aftermath of the Second World War to be applicable to the Eastern and Northern provinces in particular, and Sri Lanka, during this post-war (although not yet post-conflict) era.

### Tamil Polity

Historically, politics among the Tamil community has been narrowly focused on linguistic and religious nationalism and freedom, and barely focused on economic emancipation and freedom. Since the beginning of the twentieth century to date, politics among the Tamil community has been dominated by three strands of class and caste politics at different time

programmes or projects. Instead, this article charts out a political and economic path for the conflict region, and an enabling environment that the national government should create and foster for speedy recovery from the conflict ruins. Economic resurrection of the conflict region, undoubtedly, would have a spill-over effect on the national economy as well.

Germany and Japan are two prime examples of the successful resurrection of battered minds and economies after war. Nazi Germany and Imperial Japan pursued militaristic paths for dominance of their respective geographical regions of the world. In the same way, the Liberation Tigers of Tamil Eelam (LTTE or the "Tamil Tigers") waged a relentless and ruthless war for the separation of the Eastern and Northern provinces from Sri Lanka. The consequences have been disastrous for the Tamil minority community in particular, and for Sri Lanka as a whole. Though the German and Japanese military pursuits for dominance were transnational wars, LTTE's separatist war was a national one. However, it could be argued that, though in pretence the LTTE's war against the Sri Lankan state was internal, its ultimate intent was to create a pan-Tamil national state based in the Eastern and Northern provinces of Sri Lanka.<sup>3</sup>

However, the LTTE's war of separation (whether national or transnational) is framed, the LTTE was an institution that resembled the militaristic adventurism of



GETTY IMAGES

**For decades the “Tamil Tigers” waged a relentless and ruthless war for the separation of the Eastern and Northern provinces from Sri Lanka.**

periods. Class and caste are put together because the latter is originally and primarily (though not exclusively) based on occupation, and thereby class.

In the early part of the twentieth century, there was no distinct Tamil politics as such. Tamil politicians at that time were part of the Ceylon National Congress (or the Indian National Congress), which advanced the cause of independence from British colonial rule. Three leading Tamil politicians of that time were Sir Ponnambalam Arunachalam, Sir Vaitilingam Duraiswamy and Sir Ponnambalam Ramanathan. All three were well-educated, upper-class elitist proponents of Hindu renaissance and nationalism who, along with leading Buddhist revivalists like Sir Baron Jayatilake, felt that under colonial rule, both Buddhism and Hinduism were marginalised and Christianity promoted. The Tamil political leaders were largely based in Colombo, although they were originally from Jaffna in the Northern Province.

Disgruntled with the upper-class elitism and Hindu nationalism of the Arunachalam, Duraiswamy and Ramanathan trio and their alliance with Buddhist nationalism, G.G. Ponnambalam established the All Ceylon Tamil Congress (ACTC) in competition with the Ceylon National Congress in the early 1940s. Subsequently, Stanley James Veluppillai Chelvanayagam established the Federal Party in the late 1940s,

advocating a federal political set-up for the Tamil-dominated Eastern and Northern provinces in the event of the end of British colonial rule in Ceylon. Thus, Tamil political leadership shifted from upper-class elitist Hindu nationalists – the likes of Arunachalam, Duraiswamy and Ramanathan – to the middle-class Chelvanayagam and Ponnambalam duo (although the latter could be classified as upper class). The Federal Party formed an alliance with the Tamil Congress and the Ceylon Workers Congress (CWC) – a hill-country Tamil trade union and political party – to form the Tamil United Front (TUF) in 1974. This was subsequently renamed the Tamil United Liberation Front (TULF) in 1976, in order to advance the cause of the Tamils, after Ceylon became a republic and was renamed Sri Lanka in 1972.

Disillusioned with the continued non-fulfilment of Tamil political aspirations, some Tamil youths took up arms against the Sri Lankan state in 1972, which resulted in the formation of several armed militant groups among the Tamils. These Tamil youths not only revolted against the Sri Lankan state, but also challenged the middle-class Tamil political leadership, as embodied by the TULF and individual Tamils who were members of the national political parties such as the Sri Lanka Freedom Party (SLFP) and the United National Party (UNP). Moreover, most of the original leaders of the first wave of armed Tamil militant groups were youths from dispossessed



castes (but not necessarily dispossessed class because, for example, the leader of the LTTE was from a middle-class family, despite being from the fishing community). Thus, the class base of Tamil political leadership evolved over time from upper-class elitist to middle class and, finally, to dispossessed caste and class.

History has proven that none of these three distinct class-based political leaderships were able to fulfil the political aspirations of the minority Tamil community entirely. However, although the upper-class and middle-class Tamil democratic political leaderships had failed to fulfil Tamil aspirations, their efforts did not bring about the destruction of their community. On the other hand, the dispossessed caste/class-based violent armed struggle to win the (real or perceived) aspirations of the Tamils in the post-1972 period has brought immeasurable destruction to the community, both physically and psychologically.<sup>5</sup>

Tamil democratic politics requires profound reform. All the present Tamil political parties (former armed groups) having “Eelam”, “Tamil Eelam” or “Tiger” in their name – Eelam People’s Democratic Party (EPDP), People’s Liberation Organisation of Tamil Eelam (PLOTE), Eelam People’s Revolutionary Liberation Front (EPRLF), Tamil Eelam Liberation Organisation (TELO),

Eelam Revolutionary Organisation of Students (EROS), Thamil Makkal Viduthalai Pulikal (TMVP), Tamil People’s Liberation Tigers, Popular Front of the Liberation Tigers (PFLT) – should rename their parties. “Eelam” or “Tamil Eelam” has become associated with negativity for the Tamil community. Even the TULF should follow suit.

The aforementioned Tamil political leaderships have been largely preoccupied with language, land, religious and political rights, with only a marginal interest in economic rights and freedom. Thus, Tamil politics throughout the twentieth century was heavily concentrated on ethnic and linguistic politics. It is now time for the Tamil community to consider what went wrong. Narrowly focused ethnic and linguistic politics should be replaced with regional politics by fostering an Eastern and Northern regional identity that is multi-ethnic, multilingual, multi-religious, multi-caste, multi-class, and multi-gender.

There is a need for a rainbow coalition of different peoples of the Eastern and Northern provinces in Tamil politics in the twenty-first century. It is the TULF that is best suited to spearhead this reform and transformation of the Tamil polity – albeit under a reformed name – because of its steadfast commitment to democracy, rule of law and independence from “Tigerism”. As one of

REUTERS / THE BIGGER PICTURE



**Protesters wear masks of the slain Liberation Tigers of Tamil Eelam (LTTE) leader, Vellupillai Prabhakaran, during a rally. Prabhakaran was shot and killed by Sri Lankan troops on 18 May 2009.**



REUTERS / THE BIGGER PICTURE

**The very first waves of armed Tamil militant groups in Sri Lanka were comprised of youths from dispossessed castes, who not only challenged the Sri Lankan state, but also the middle-class political leadership.**

the oldest and most popular democratic parties among the Tamils of the North East, TULF has a historical duty to build a broad-based democratic coalition and lift the Tamil community from its present hopelessness. Such a broad democratic coalition should be multi-ethnic, multilingual, multi-religious, multi-caste, multi-class and multi-gender, with regional identity (as opposed to racial or ethnic identity) as its political motto.

Historically, the leaderships of the Tamil political parties in the North East have been Jaffna-centric, and that has alienated the non-Jaffna Tamils, particularly those of the Batticaloa district. Economic emancipation and freedom of the people of the Eastern and Northern provinces should take precedence over the parochial linguistic nationalism of the past. It is not that language is unimportant, but it should not take precedence over economic well-being. Thus, a fundamental reorientation of Tamil politics is long overdue. The present TULF leadership should seize this historic opportunity to transform the Tamil political landscape and discourse by reaching out to other ethnic, linguistic, religious, caste and class groups. Former Tamil militant armed groups should disarm, dissolve and integrate with erstwhile Tamil democratic political parties, such as the TULF and the ACTC.

### **Economic Freedom**

A simple definition of economic freedom is the freedom to do business locally, nationally and internationally with minimal cost and minimal interference by local, national and international governments. Economic freedom, like political freedom, is an essential ingredient of democracy. Yet economic freedom is less understood – and even less underscored – compared to political freedom.

According to Gwartney and Lawson,<sup>6</sup> “the key ingredients of economic freedom are personal choice, voluntary exchange, freedom to compete, and protection of person and property.” A country’s adherence to economic freedom is measured by the Economic Freedom of the World (EFW) index, developed by the Fraser Institute based in Vancouver, Canada. The EFW index is based on 42 variables (including 22 survey-based variables derived from the International Country Risk Guide, Global Competitiveness Report and Doing Business Report of the World Bank). The EFW index has a scale of zero to 10: zero denoting no economic freedom at all, and 10 denoting the highest economic freedom.

The EFW index is subdivided into five major components:

1. Size of Government: public expenditures, taxes and public enterprises;



**Demonstrators in Sri Lanka accuse the government of repressing the media and limiting democratic freedom (June 2009).**

2. Legal Structure and Security of Property Rights;
3. Access to Sound Money;
4. Freedom to Exchange with Foreigners; and
5. Regulation of Credit, Labour and Business.

Further, Size of Government is subdivided into five components;<sup>7</sup> Legal Structure and Security of Property Rights is subdivided into seven components;<sup>8</sup> Access to Sound Money is subdivided into four components;<sup>9</sup> Freedom to Exchange with Foreigners is subdivided into nine components;<sup>10</sup> and Regulation of Credit, Labour and Business is subdivided into 17 components.<sup>11</sup> Hence, altogether 42 variables compose the EFW index.<sup>12</sup>

There is a positive correlation between economic freedom and economic growth, per capita income, life expectancy, poverty, income inequality, literacy rate, access to safe sanitation facilities and safe water.<sup>13</sup> Moreover, a cross-country study by Eriksen and De Soysa establishes that there is a positive relationship between economic freedom and human rights;<sup>14</sup> that is, the higher the economic freedom index, the better the condition of human rights. Another cross-country study by De Soysa and Fjelde disputes the argument that free-market economy is associated with political violence.<sup>15</sup>

Based on the conceptual framework of economic freedom as noted, it can be argued that the guiding principle of an economic renaissance in the conflict-affected region of Sri Lanka should be economic freedom – whereby the national, provincial and local governments should create an enabling environment for private sector-led economic emancipation of the people, with private and public partnerships where absolutely necessary.

#### **Accountability, Integrity and Transparency**

Accountability, integrity and transparency should be the cornerstone of provincial and local governments and provincial and local public administrations in the conflict region, as well as the rest of the country. A vibrant market economy can function effectively only when rule of law is supreme; merit and productivity are essential; and accountability, integrity and transparency are paramount.

In order to attain such an ethical system of governance, an independent, efficient and credible Department of Auditor General, Bribery Commission, Public Services Commission, Police Commission, Human Rights Commission and media are indispensable. The existing national level institutions are limited in

scope and heavily politicised. The present government has undermined the functions of the Public Services Commission, Police Commission and Human Rights Commission set up under the Seventeenth Amendment to the Constitution by deferring the appointment of members to these commissions indefinitely. While an independent and proactive media is essential for a vibrant, modern market economy,<sup>16</sup> the media in Sri Lanka is bruised and battered by extra judicial killings and public beatings under the present low-intensity authoritarian regime.

The functioning of the Auditor General's Department and the Human Rights Commission is undermined by apportioning inadequate financial and human resources. The latter is also politically interfered with at times. Further, the Bribery Commission has severe limitations on three counts: firstly, the legislative act setting up the Bribery Commission is fundamentally flawed, because it restricts its functions to bribery and corruption in the public sector only. Secondly, the Bribery Commission has the authority to investigate only when complaints are made orally or in writing (reactive). It has no power to investigate suspected bribery and corruption proactively on its own initiative. Thirdly, the abrupt transfer of the Director General of the Bribery Commission in 2008 is just one of the many examples of blatant political

or interventions on governance in the country will likely become irrelevant. Moreover, an equal opportunities law should be enacted to stamp out discrimination based on ethnicity, religion, gender, caste, regional origin, physical disability, political party affiliation and so on, and promote a merit-based system of economic, social and political governance. The conflict-affected provinces should become exemplary to the rest of the provinces in the country and the national government.

### **Education and Knowledge Economy**

Historically, the bedrock of regional pre-eminence in the north – particularly the Jaffna peninsula – has been education and knowledge. It is time to spread this to the eastern region as well. The north is endowed with relatively marginal natural resources in comparison to other provinces. Therefore, education was the pathway to prosperity, by way of entering professions and public sector employment. Thus, the competitive advantage that the people of the north have had is education and knowledge (or human capital).

Although the Eastern and Northern provinces are known as primarily agricultural and fishing economies, this is no longer the case, due to the protracted civil war that resulted in mass displacement, the mining of agricultural lands and coastal areas, and the exodus of

## **NARROWLY FOCUSED ETHNIC AND LINGUISTIC POLITICS SHOULD BE REPLACED WITH REGIONAL POLITICS BY FOSTERING AN EASTERN AND NORTHERN REGIONAL IDENTITY THAT IS MULTI-ETHNIC, MULTILINGUAL, MULTI-RELIGIOUS, MULTI-CASTE, MULTI-CLASS, AND MULTI-GENDER**

interference in its functioning by the executive president. Hence, the legislative act should be amended to incorporate the private and non-governmental sectors as well under the Bribery Commission's purview, and allow it to pursue cases against suspected bribery and corruption proactively, anywhere and in any sector. The national integrity system encompassing these supposedly independent institutions should have been the "watchdogs" of democracy, justice and rule of law. However, in reality they have become "lapdogs" of the powers that be.

Due to these shortcomings in the national institutions, each province should set up regional institutions to foster good governance within its province. The corresponding national institutions could undertake the oversight of the provincial institutions. When there are truly independent, impartial and non-partisan governance institutions, external or foreign interference

people overseas. During the conflict, the service sector was the largest contributor to the provincial economies of the east and north (over 65%), which was larger than the services sector's share in the national economy (just over 50%). However, presently (and since 1990 at least) the services sector in the two conflict-affected provinces is dominated by the defence and public administration sub-sectors.<sup>17</sup>

The now minimally productive service sector could – and should – be transformed into a dynamic and highly productive modern knowledge economy in order to compete in a globalised marketplace. The emerging economies in the conflict-affected provinces should seize this opportunity to foster and promote a knowledge-based economy. Information technology and English language are two indispensable ingredients of a knowledge economy. Independent, private schools and tertiary educational institutions (such as universities



**Sri Lanka should aim to build a productive, modern knowledge economy in order to compete in the global marketplace.**

and technical/vocational higher education colleges) are also indispensable to building a knowledge economy, because it would provide constructive competition to state institutions. State-owned and run schools, universities and further higher education institutions should also compete with private institutions for students. The state should provide financial resources directly to needy students.

Sri Lanka is one of the very few countries in the world where vice chancellors of universities are appointed by a political authority – namely, the president of the country. Appointments to independent governance bodies such as the judiciary, educational institutions and the Central Bank should be made by groups of independent, non-partisan, eminent persons in the respective fields to inculcate merit, competence and productivity.

**Fiscal Autonomy**

Fiscal autonomy or decentralisation is when public spending and public revenue raising authority and decision-making is devolved to the lower tiers of

government, away from the central government, within respective jurisdictions. Fiscal decentralisation has gained momentum in capitalist and communist/socialist countries (in China, for instance) and in unitary and federal states alike since the last quarter of the twentieth century. Country experiences have shown that fiscal decentralisation enhances public goods and service delivery and reduces poverty.<sup>18</sup> However, the design and plan for fiscal decentralisation should be country-specific.<sup>19</sup> The case for fiscal autonomy is not based on a dichotomy of the unitary versus federal constitutional and political model, but based on the evolving global business model directed towards subcontracting and outsourcing production and the supply chain. However, not everyone agrees that administrative, political and fiscal decentralisation is the panacea for economic efficiency.<sup>20</sup>

In post-war Sri Lanka, the national government should abdicate most of its functions and responsibilities to all nine provinces – except monetary currency, defence and foreign affairs. The national government’s primary function should be as the regulator of the

provincial governments under a unified country – such as imposing a cap on provincial budget deficits. In order to fulfil its functions and responsibilities, provincial governments should be given fiscal autonomy; that is, the power to raise and earn income and spend on public goods and services within the respective provinces. Each province should impose and collect taxes, except import duty, excise duty and value added tax on imports. Hence, the national government's revenue should primarily accrue from duties and taxes on international trade. Businesses within each province should register with their respective provincial government and pay taxes (both direct and indirect) to their respective provincial government. Both public and private sector employees within each province should pay income tax to their respective provincial government. At the same time, national government employees (such as Central Bank staff, employees of the three armed forces, Ministry of Finance employees, and so on) should pay income tax to the national government.

By providing fiscal autonomy to provinces, the national government would promote competition among provinces to attract businesses and investments (both domestic and foreign). The fiscal space envisaged for the provinces would create an environment for productive competition among provinces. The total revenue of the national government is insufficient to meet even the recurrent expenditures of the government for the past 20 years (since 1989). Therefore, part of the recurrent expenditure and entire capital expenditure of the government is financed through domestic and external borrowings. Furthermore, the bulk of annual government revenue goes towards the repayment of public debt (both domestic and external). It is, therefore, time for the national government to fix its fiscal deficit by transforming the nature, content and extent of the fiscal architecture of the national government with regard to the provincial governments.

The government's strategy of economic revival of the conflict region is focused on physical (dwellings, roads, bridges, and so on), economic (electricity, water, telecommunications, and so on), and social (schools, hospitals, and so on) infrastructure development. It is unlikely that the government has adequate resources to finance such costly infrastructure improvement. Moreover, in the context of the global financial crisis, coupled with the precarious external political relations of the present government, it is unlikely that the government will be able to mobilise adequate concessionary finance from external donors (both bilateral and multilateral).

In this scenario, the only option left for the government may be to attract private capital (both domestic and overseas) for investment in infrastructure

in the conflict region and beyond, under BOO (Build, Operate and Own) or BOT (Build, Operate and Transfer) modalities.<sup>21</sup> The government's attempt to rebuild the rail line beyond Vavuniya up to Kankesanthurai (in the Jaffna peninsula) is laudable, because the northern rail line (the legendary "Yarl Devi") used to be the highest revenue earner for the Ceylon Government Railways prior to its termination in the mid-1980s as a result of the civil war. Besides, rail transport is cheaper than road, ocean or air transport due to the lower fuel cost per passenger, and absence of traffic congestion and security checkpoints.

However, again it is unlikely that the government has sufficient financial resources to spend on this ambitious and worthwhile rail project. The government is explicitly appealing to the people for contributions, and Sri Lanka's diplomatic missions abroad are organising "benefit shows" to mobilise finance from the diaspora, which is highly unlikely to yield desired results. According to the Central Bank, the Department of Railways incurred an operating loss of approximately US\$ 118 000 every day during 2008, with an annual loss of approximately US\$ 43 million.<sup>22</sup> Whilst the government could invest its own money as well as borrow from foreign donors to rebuild the rail tracks and stations (infrastructure), it should open up passenger transport to the private sector (both domestic and foreign). Locomotives and rail cars and carriages could be invested in, managed and operated by the private sector. This kind of public-private partnership could be the best way to deal with the fiscal crunch faced by the government. Although the national government could initially rebuild the rail tracks and stations, the maintenance of the same should be handed over to the respective provincial governments.


## Conclusion

The defeat of the LTTE provides further challenges and opportunities in Sri Lanka. Tamil political leaderships and national political leaderships should transform themselves to meet the challenges of post-war Sri Lanka, and seize the historical opportunities it has bestowed. The broad policy framework suggested for post-war Sri Lanka in general, and the conflict region in particular, can be summed up as follows:

1. Economic strategy: economic freedom as the guiding principle in the conflict region as well as the rest of the country; locally, provincially and nationally.
2. Sector strategy: a knowledge economy is the key to an economic renaissance in the conflict region if it is to catch up with the rest of the country. Knowledge economic clusters can become growth indicators of regional economies.
3. State reform: transformation from a patronising state to an empowering state; that is, instead of financial

transfers from the national to provincial and local governments, the national government should create a conducive and enabling economic policy environment for provinces to compete with each other, and globally, through the provision of fiscal autonomy.

4. Political reform of the Tamils: transformation from a parochial linguistic and ethnic identity towards a more regional identity.
5. Governance reforms: genuinely independent governance bodies that will safeguard and promote democracy, and ensure justice and rule of law without fear or favour.
6. Reform of the fiscal architecture: fiscal autonomy is the key to the realisation of the foregoing economic and political reforms, and the empowerment of regions and the people.

The present need in Sri Lanka is for statespersons – the likes of Nelson Mandela and F.W. de Klerk – from both sides of the ethnic divide, to bring the nation together.<sup>23</sup> The spirit of the people of Sri Lanka, particularly of those in the conflict region, should also follow the example of the Japanese and the Germans in the aftermath of the Second World War: together we rise from the ashes, or bury ourselves. 

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- 9 Growth of money supply, standard deviation of inflation, recent annual inflation and freedom to own foreign currency.
- 10 Revenues from trade taxes (as a share of trade sector), mean tariff rate, standard deviation of tariff rates, non-tariff trade barriers, compliance cost of importing and exporting, size of trade sector relative to expected, black market exchange rates, foreign ownership/investment restrictions, and capital controls.
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# SYMBIOSIS OF PEACE AND DEVELOPMENT IN KASHMIR: AN IMPERATIVE FOR CONFLICT TRANSFORMATION

WRITTEN BY **DEBIDATTA AUROBINDA MAHAPATRA**



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Kashmir, in its current situation, represents a case of symbiosis of peace and development. The current post-violence scenario has reinforced the link between peace and development in the trouble-torn region, and has indicated how the peace process has penetrated to the grassroots and invoked a spirit of participatory development in the Kashmiri people. This article argues that the peace process has provided the required ambience for the launch of sustainable development initiatives in the conflict-ridden region. The dawn of peace in Kashmir – referred to as “sunrise” – has widened prospects of peace through economic development. In fact, the region has never had such an opportunity to build peace through economic reconstruction. This article, while delineating these

broad themes of peace and development, will also briefly look at how the conflict has exacted heavy damage on civilians, and how the peace process has provided the impetus to initiate development measures.

## **Costs of Conflict**

The erstwhile princely state of Kashmir is currently divided between India (where it is referred to as Jammu and Kashmir, or J&K), Pakistan (where it is called ‘Azad’

**Above: Tourism, one of Kashmir's main industries, has suffered tremendously due to violence in the region. The state has lost billions of dollars in tourism revenue.**





Jammu and Kashmir, or AJK) and China. A source of contention between India and Pakistan, the Kashmir conflict has resulted in immense human and material losses for both countries, through four wars and occasional border skirmishes. The onset of militancy in the Indian state of J&K – which started in the late 1980s and continued for nearly two decades – further complicated the volatile situation in the region. The militancy started as a bid for independence from India, and added to the costs of conflict substantially.

Although there is no consensus about the estimated costs of the conflict, the fact remains that the conflict has caused extensive damage to infrastructure, livelihoods, the social fabric of society, and the environment. The findings of the pre-budget Economic Survey 2007-08, conducted by the government of India, presented a grim picture on all major fronts.<sup>1</sup> Tourism, one of the main industries in the region, has suffered tremendously due to violent activities. It has declined substantially since the late 1980s, when

THE CURRENT POST-VIOLENCE SCENARIO HAS REINFORCED THE LINK BETWEEN PEACE AND DEVELOPMENT IN THE TROUBLE-TORN REGION, AND HAS INDICATED HOW THE PEACE PROCESS HAS PENETRATED TO THE GRASSROOTS AND INVOKED A SPIRIT OF PARTICIPATORY DEVELOPMENT IN THE KASHMIRI PEOPLE

militancy gained momentum. The number of tourists visiting the state per year reduced from about 7 million in the pre-militancy days to a few thousand in the following years. It is estimated that the state lost 27 million tourists from 1989 to 2002, leading to a tourism revenue loss of US\$ 3.6 billion.<sup>2</sup>

Violence has also directly affected other important sources of livelihood such as agriculture, horticulture and the handicraft industry. Infrastructure, too, has suffered immensely. From 1989 to 2002, some 1 151 government buildings, 643 educational buildings, 11 hospitals, 337 bridges, 10 729 private houses and 1 953 shops have been gutted in about 5 268 attacks.<sup>3</sup> The enormity of economic damage due to militancy is evident in the estimates of damage that occurred, estimated at approximately 4 billion Indian rupees (INR) until December 1996 alone.<sup>4</sup>

More importantly, the conflict damaged the cohesive nature of Kashmiri society, rupturing the composite Kashmiri culture that was traditionally moulded by the Sufi saints. It is worth mentioning that the split in the composite culture – also referred to as Kashmiriyat – led to the mass exodus of people in particular communities, such as the Pandits, as they were afraid for their lives in the Muslim-dominated valley. The violent atmosphere also induced a sense of resignation and frustration. The common people, caught between the guns of the militants and the security forces, were more concerned about their survival than about engaging in productive social and economic activities.

**Peace and Development**

The post-Cold War world has witnessed many remarkable developments. Conventional territorial



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**Indian and Pakistani ministers engage in talks (May 2008) to review the four-year-old peace process that improved ties after the neighbours nearly went to war in 2002, but is still to make significant progress on the main dispute over Kashmir.**



**Indian soldiers keep vigil at the Line of Control between India and Pakistan at Poonch.**

boundaries and related disputes have been challenged by increasing globalisation, transborder cultural exchanges and the popular acceptance of democratic means for conflict resolution.<sup>5</sup> This trend is equally applicable to the Kashmir conflict, which is far more complex, owing to multiple players – Indian, Pakistani, Kashmiri and other international actors. In 1998, both India and Pakistan tested nuclear weapons and, in 1999, the Kargil crisis<sup>6</sup> beckoned on these two foremost rival nations in South Asia with possibilities of nuclear confrontation, thus necessitating a process of dialogue with pressure from the international community. In October 2003, India proposed a number of confidence-building measures for improving people-to-people contacts and communications by road, rail and sea between the two countries. A truce accord between the two countries came into effect on 26 November 2003 along the India-Pakistan international border, the Line

of Control (LOC) and the Actual Ground Position Line (AGPL).<sup>7</sup>

The peace process, initiated by India and Pakistan after the Kargil crisis, is historic for two reasons. First, the 26 November 2003 truce accord indicated that the new “mood” was now for building peace in the region. Second, firing on the borders stopped almost completely for the first time. The culmination of these developments was the agreement between the then Indian prime minister, Atal Behari Vajpayee, and Pakistan’s former president, Pervez Musharraf, to initiate a peace process on the sidelines of the Islamabad South Asian Association for Regional Cooperation Summit meeting in January 2004. In a joint statement, they proclaimed a willingness to start a composite dialogue for the peaceful settlement of all bilateral issues, including Kashmir.

At an internal level, the government of India launched a major peace mission, in order to create an environment conducive to negotiations. It announced

**A TRUCE ACCORD BETWEEN THE TWO COUNTRIES CAME INTO EFFECT ON 26 NOVEMBER 2003 ALONG THE INDIA-PAKISTAN INTERNATIONAL BORDER, THE LINE OF CONTROL (LOC) AND THE ACTUAL GROUND POSITION LINE (AGPL)**

## THE CURRENT OPPORTUNITY TO BRING PEACE BY MEANS OF DEVELOPMENT TO THE REGION NEEDS TO BE UTILISED, INSTEAD OF WAITING FOR THE CONFLICT TO BE RESOLVED FULLY

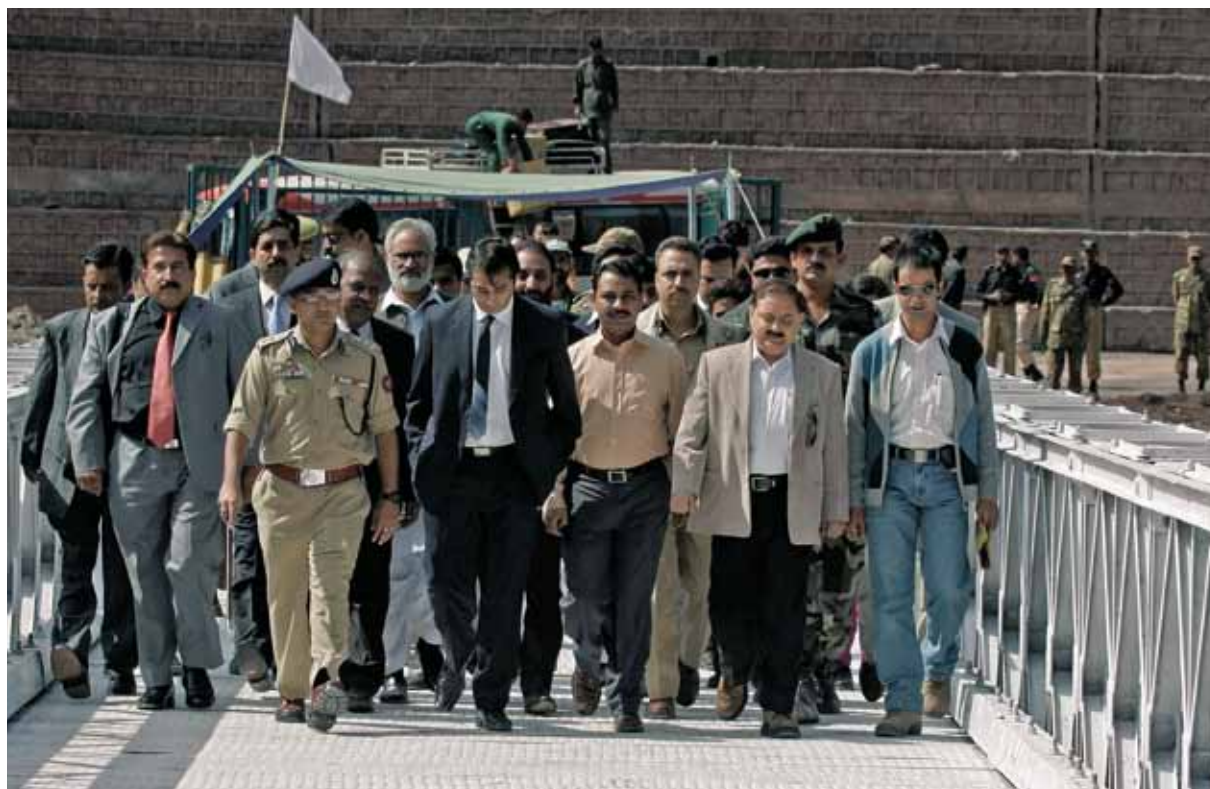
the unilateral non-initiation of combat operations in J&K on 19 November 2000 – and this initiative was extended twice, up to 26 February 2001. The broadening of democratic activities by holding state assembly elections in 2002 and 2008, which were widely recognised as free and fair, was another crucial step towards conflict transformation.

India also expressed its readiness to initiate dialogue with every group in the state that abjured violence. The talks, since 2005 – initiated by the Indian prime minister with the moderate faction of the separatist group in the Kashmir valley, the All Party Hurriyat Conference (APHC) – were an important achievement. Later, the government of India also held three round-table conferences (in February 2006 in New Delhi, in May 2006 in Srinagar, and in April 2007 in New Delhi) to listen to the diverse voices of J&K. It also established five working groups to look into various contentious issues confronting the

region, including development.<sup>8</sup> These engagements were an important step towards recognising that peace and development go hand in hand.

The easing of the visa process; exchanges through bus, train and air services between Srinagar and Muzaffarabad, and Lahore and Delhi; and the opening of intra-Kashmir routes at Srinagar-Muzaffarabad and Poonch-Rawalakote facilitated ever-growing people-to-people interaction between India and Pakistan. Other developments, such as Islamabad's open denouncement of the radical elements and exchange of prisoners at Wagah, paved the way for peace in the region. The steady decline in violent activities in the state in recent years reflects the work towards a peaceful atmosphere in the region.

Interactions with civil society activists from both sides of Kashmir indicate that the people of the region are fed up with violence and want to live in peace.



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**Business members from Pakistan-administered Kashmir walk with their Indian counterparts on a bridge connecting Indian Kashmir and Pakistani Kashmir in Kaman Post, following India and Pakistan's agreement to open a border route for bilateral trade in disputed Kashmir (2008).**



**Roads are being rebuilt in Srinagar (July 2009) as part of a massive road improvement project in Kashmir.**

Justice Abdul Majeed Mallick – a former Chief Justice of the AJK High Court, who led a delegation from across the LOC to J&K in August 2005 – expressed optimism that the current wave of people-to-people interaction would help to resolve the Kashmir conflict, as it is the people of the region who can better steer the peace process than “vested interests”.<sup>9</sup> People-to-people interactions such as the “heart-to-heart” talks in Jammu and New Delhi, in 2005 and 2007, provided occasions for leaders and activists from both sides of the LOC to speak their hearts on a single platform. The most successful outcome of the talks was that the participants agreed that violence cannot bring a solution to the Kashmir conflict.

The peace attempts within Kashmir, together with the external dimension of the peace process, have created a historic environment wherein hopes regarding the possibility of a resolution of the complex conflict remain high. This positive atmosphere has motivated the

governments, as well as the local people, to take part in the economic reconstruction of the troubled region.

#### **Economic Reconstruction**

The peace process initiated in the 2000s created the required mood in the region to initiate measures for peace through economic reconstruction.<sup>10</sup> The revival of the economy in Kashmir has gained ground with the realisation that peace attempts and development must go together in Kashmir. There is a noticeable shift in India’s policy – the earlier provision of providing central largesse to the state has been transformed into genuine development of the state by launching projects. In this context, the Bharat Nirman Programme (BNP) is significant. It was launched by the Indian government in 2005 to build rural infrastructure. Under this programme, INR 40 000 million is earmarked to be spent in 1 643 villages in the region. This change in approach is

# THE REVIVAL OF THE ECONOMY IN KASHMIR HAS GAINED GROUND WITH THE REALISATION THAT PEACE ATTEMPTS AND DEVELOPMENT MUST GO TOGETHER IN KASHMIR

fruitful in two ways. First, it helps to address economic grievances of the people by engaging them in development projects, thereby further contributing to the peace process. Second, it helps to reduce the chance of the conflict resurging, as poverty and unemployment are, among other factors, considered propellers of violence. Hence, it may prove not only costly but also imprudent to wait for the conflict to be settled fully before initiating a process of economic development.

Economic revival is an uphill task and is fraught with multiple challenges, ranging from renewing degenerating industries to tapping new resources and attracting private investment to develop infrastructure. These opportunities, especially in the context of economic development, are enormous – Kashmir is not only endowed with rich flora and fauna and scenic beauty, but also enjoyed a prosperous economy in the pre-independence era, partly due to its trade with

neighbouring regions like China, Central Asia and West Asia via the famous Silk Route.

The revival of indigenous industries, the tapping of new areas with the help of the private sector, the opening of the intra-Kashmir routes, and infrastructural development would not only boost the Kashmir economy but would also generate employment. Citing unemployment and a lack of infrastructure as the main reasons for militancy, Ghulam Nabi Azad, then Chief Minister of Kashmir, repeatedly stressed the need to pay attention to these factors. He was confident that 80% of militancy would cease “if we are able to give employment to the youth”.<sup>11</sup> In this context, a survey conducted by the British group Market and Opinion Research International (MORI) in March 2002 is worth mentioning. According to the survey<sup>12</sup>, 93% of Kashmiri respondents believed that the correct way to bring peace to the region would be through economic development,



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Residents of Indian administered Kashmir walk across a footbridge to Pakistan-administered Kashmir in Teetwal.


which would provide more job opportunities and reduce poverty.

The region also needs the attention of national and international financial institutions, as well as aid agencies. International financial institutions, such as the World Bank and Asian Development Bank (ADB), can contribute significantly towards the development of the region. In November 2004, the World Bank pledged economic assistance for Kashmir to promote peace in the region, with the plea that “economic development along with peace is essential”.<sup>13</sup> In 2004, the ADB earmarked US\$ 300 million to Kashmir as a loan for a variety of projects. It also funded road-connectivity projects that suffered devastation during the past years of turmoil. In March 2007, the World Bank also cleared INR 4 000 million for the improvement of roads in the eight state districts, under the Pradhan Mantri Gram Sadak Yojana (PMGSY) guidelines.<sup>14</sup> Under the scheme, as many as 100 new road projects were launched in the state during March 2007. Watershed development is another area where the World Bank has taken interest, and the power sector can also be boosted with the help of these institutions. Foreign aid agencies like the United States Agency for International Development (USAID), and development banks, such as the Infrastructure Development Finance Company (IDFC), can also assist in the revival of the Kashmir economy.

### Conclusion

Kashmir can become a zone of peace and development, with the participation of all parties involved in the conflict. This realisation itself is, no doubt, a grand achievement of the peace process. The Mumbai terror attack in November 2008 might have shaken the rate of peace in the region, but it was not strong enough to discourage the protagonists of peace or to encourage the antagonists of peace to return to violence. The ongoing peace process has created a space wherein conflict and development can be co-managed in the region without jeopardising the interests of the parties involved.

Kashmir is not only rich in natural resources, but it is also a repository of human resources. There have been many analyses about conflict and its negative dimensions. The current opportunity to bring peace by means of development to the region needs to be utilised, instead of waiting for the conflict to be resolved fully. The peaceful space provided by the recent thaw between India and Pakistan can be used to promote development. The conflict has brought innumerable losses for both India and Pakistan, but it is the people of Kashmir who suffer the most. The current opportunity must be used to better the living standards of the people of this troubled region. Economic development would likely steer

the ongoing peace process further, and help realise a peaceful solution to the Kashmir conflict. 

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- 3 Ibid.
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- 6 The Kargil crisis refers to the border conflict that occurred between India and Pakistan in May-July 1999 in the Kargil Heights, later spreading to other areas of the LOC.
- 7 The entire partition line between India and Pakistan in and surrounding Kashmir is divided into three segments: 198 km of international border; the 778 km LOC – extending from Akhnoor to NJ 9842 till Siachen Glacier; and the undefined AGPL.
- 8 During the second round-table conference in Srinagar (24-25 May 2006), the Indian prime minister announced setting up five working groups (WGs) to further the dialogue process in the region. While the first WG focuses on confidence-building measures, the second focuses on strengthening relations across the LOC, the third WG deals with the economic development of the state, the fourth WG aims to provide good governance to people and the fifth WG aims to strengthen centre-state relations.
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- 10 The prime minister of India, Manmohan Singh, outlined the policy of peace through economic reconstruction for Kashmir in the conference on “Global Participation in India’s Economic Development” in New Delhi on 9 January 2007, in which he invited private sector industries to invest in the region.
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- 12 The group conducted a poll of 850 people in J&K in 2002 in anticipation of the 2002 state assembly elections.
- 13 Available at: <<http://citynewslive.com/fullstory1104-insight-World+Bank+makes+Kashmir+pledge-status-25-newsID-832.html>>.
- 14 Since its inception in 2000, the PMGSY, aims to provide connectivity, by way of an all-weather road, to unconnected habitations in the rural areas. For details of the scheme and its guidelines, see <<http://pmgsy.nic.in/pmg31.asp>>.

# CONFLICT INDUCED DISPLACEMENT: THE PANDITS OF KASHMIR

WRITTEN BY **SEEMA SHEKHAWAT**



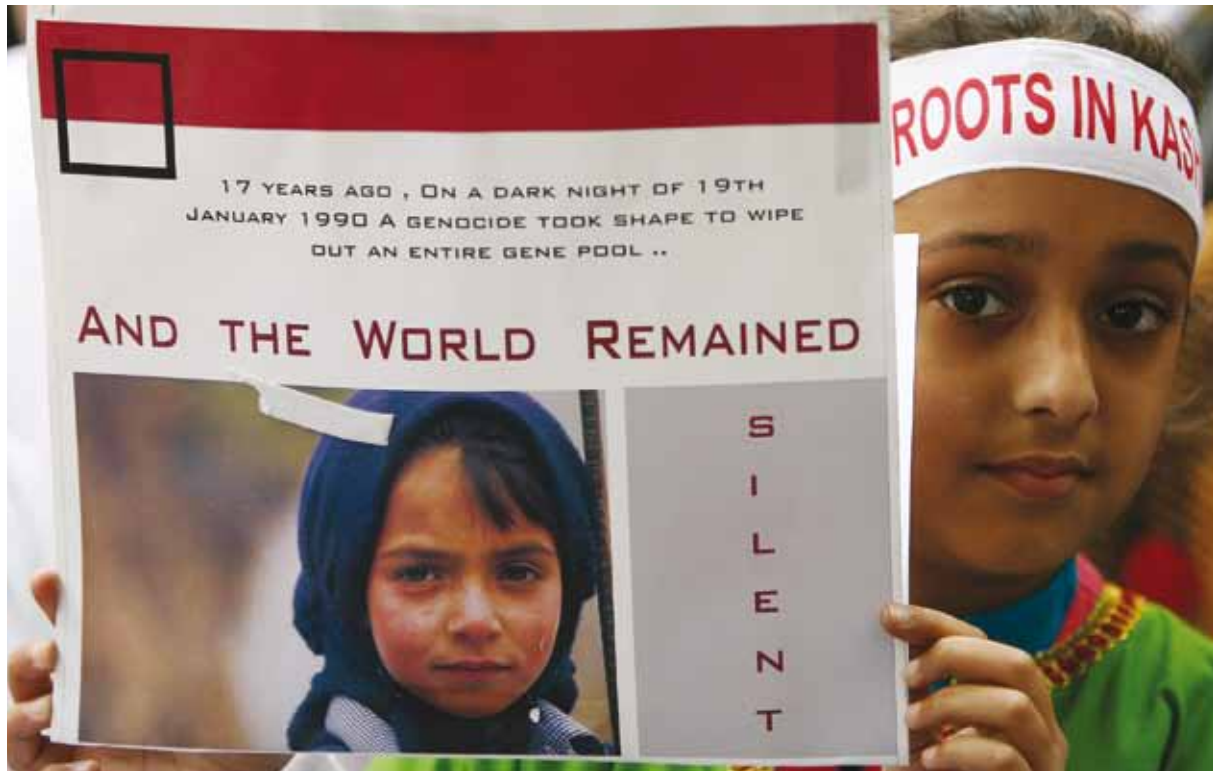
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Displacement is one of the stark realities of the Kashmir conflict. It remains dwarfed by the attention that the conflict itself has drawn. About 10 categories of internally displaced people can be identified. These people have been uprooted due either to the external dimension of the conflict in the form of India-Pakistan hostility, or the internal dimension of the conflict in the form of ongoing violent militancy in the Indian state of Jammu and Kashmir (J&K).<sup>1</sup> This article focuses on a particular group of displaced people called the Kashmiri Pandits, as their displacement is considered a prominent factor in the rupture of the cohesive fabric

of Kashmiri society. The displacement of the Pandits is unprecedented in the history of India – virtually the entire community had been forced into exile due to violent militancy. The ongoing peace process – in which India has initiated dialogue with the separatist groups for resolution of the Kashmir conflict – has generated hope for the return of these displaced people, though nothing

**Above: Kashmiri Pandit women cry over the violent killing of many of their relatives by disguised militants, at a village in Nadimarg, in March 2003.**





**Kashmiri Pandit children participate in a demonstration in New Delhi, India to condemn the National Human Rights Commission and other international human rights groups working in Kashmir for not coming to the rescue of the Kashmiri Pandits (2007).**

concrete has been achieved yet. Of late, the attempts made to address the grievances of this marginalised group appear minimal, considering the enormity of sufferings of the displaced people and their continuing uncertainty for the future.

The focus of this article, based on extensive surveys in the Kashmir valley as well as in the camps of the displaced Kashmiri Pandits during nine years of doctoral and postdoctoral research, is to highlight the plight of this group. The article argues that, besides providing adequate facilities to displaced people, it is also crucial that they be given a place in the ongoing peace process, for sustainable peace in Kashmir to be ensured.

### **The Displacement of the Pandits**

Despite being small in number, the Kashmiri Pandit community was quite significant in its role in Kashmiri society. Besides being traditionally land owning and highly educated, the Pandits were also closely associated with the courts and administration, making them a highly visible group. The militancy that surfaced in the valley in the late 1980s led to their mass exodus, challenging their socio-cultural identity as well as their livelihood.

The issue of Pandits leaving the valley, after living together amicably with Muslims for centuries, is quite controversial. There are contesting explanations for their en masse exodus. Most Pandits living in the camps on the outskirts of Jammu city believe that they were forced to leave, but there are sharp differences of opinion as to who forced them out. Some blame the whole Kashmiri Muslim community, while many others contend that it was the work of the extremist armed groups, backed by Pakistan. But, all agree that the overall situation was hostile to their existence. It is reported that an intense “vilification campaign” was launched by armed militant organisations against the Kashmiri Pandits.<sup>2</sup> Rumours were spread that a hit list was prepared of non-Muslims who may be executed unless they left the Kashmir valley. Many Pandits were also reportedly threatened through letters, posters, pamphlets, telephones and advertisements in the press. Some Srinagar-based newspapers also carried threats from militant organisations, asking Pandits to leave. An ultimatum from Hizbul Mujahideen, published in *Alsafa* on 14 April 1990, said: “All Pandits... should leave from here in two days.”<sup>3</sup> With some selective killings and rumours of more killings in the near future, the Pandits became



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**Some of the abandoned houses of Kashmiri Pandits on the banks of the Jehlum river in Srinagar. The Pandits fled the Himalayan region after a Muslim revolt broke out about 20 years ago.**

concerned about their safety, and every killing of their close-knit community members started affecting their morale.<sup>4</sup> Fear was also fuelled by extremist propaganda, even from within the Pandit community. The Pandit elders fuelled panic about the fate that would befall the Kashmiri Pandit women if they did not leave. In addition, the administration failed to assure their safety.

Pandits considered their displacement temporary, but it largely gained the status of permanence with the years passing. Most of the displaced – comprising government employees, traders, peasants and orchard owners, wealthy hoteliers, shopkeepers and even industrialists – initially disembarked in Jammu, since it was the closest Hindu-dominated city. When the number of displaced people rapidly increased, the

administration sprang into action and registered everyone. According to official statistics personally acquired from the Office of the Relief Commissioner in Jammu, as many as 33 618 families were registered with the Relief Organisation in Jammu, including 29 836 Pandit families. Most of these registered displaced Pandits live in the camps, situated at different locations in the Jammu region. They live on a meagre dole in the camps, with minimal facilities. Several families are usually huddled together for years in a single tent or a room.

#### **Life After Displacement**

The exodus has changed the lives of Pandits irrevocably in all aspects. A major problem encountered by



**A Kashmiri Pandit girl walks inside the Muthi migrant camp on the outskirts of Jammu.**

the displaced community is related to the immense economic loss of immovable properties – houses, shops, agricultural land and orchards – that they left behind. They have lost revenue as they are unable to pursue their occupations and businesses. Along with this temporary loss, many of them have also suffered irreparable permanent loss, since their immovable property has been burnt or destroyed. The property of many others was allegedly usurped, either through the tampering of revenue and land records or through illegal encroachment. According to an estimate prepared by the Kashmiri Migrant Fruit Growers Association, about 9 600 Pandit orchardists owned 3 600 hectares of apple, walnut and almond orchards with a total worth of millions of

Indian rupees (INR) in the pre-displacement period.<sup>5</sup> In the post-displacement era, most of these orchards have been either destroyed or encroached. The houses of many Pandits have also been looted. The enactment of the Jammu and Kashmir Migrant Immovable Property (Preservation, Protection and Restraint on distress Sales) Act 1997 and other legislations notwithstanding, distress sales of the properties continue, and many displaced people have sold their properties for low prices.

Whilst in the valley, the Pandits rigidly stuck to their distinct traditions governing worship, the celebration of religious festivals and elaborate rituals related to birth, initiation, marriage and death. Now, there are perceptible changes in their lifestyle, dress

**WITH SOME SELECTIVE KILLINGS AND RUMOURS OF MORE KILLINGS IN THE NEAR FUTURE, THE PANDITS BECAME CONCERNED ABOUT THEIR SAFETY, AND EVERY KILLING OF THEIR CLOSE-KNIT COMMUNITY MEMBERS STARTED AFFECTING THEIR MORALE**



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**Since their displacement, the Kashmiri Pandit community has suffered the dilution and loss of their once strong rituals, traditions and culture.**

patterns, eating habits and marriage patterns. Earlier, the community was distinct in terms of dress; now, however, it has mixed with the resident population of Jammu. There has been a dilution of traditional marriage patterns: the Koshur Vanavun (traditional songs sung at weddings and other important occasions) have been replaced by popular movie music. The increasing trend for out-of-community marriages has also been a cause of concern for a small community eager to preserve its identity and cohesiveness. To quote D.L. Chowdhury: "From a scrutiny of 511 wedding invitation cards, it was found that 45% were out of the community."<sup>6</sup> Even the most auspicious festivals are now not celebrated with the same enthusiasm, and many rituals are evaded.<sup>7</sup> The ruptured social fabric of this once close-knit Pandit community, with strong intra-community linkages, has affected their lives greatly. Also, the traditional family pattern of joint families has been largely disturbed. It has now been replaced by a nuclear family structure, since the government has provided only one room to a family, regardless of the number of family members.

The Kashmiri Pandit community traditionally had a very high literacy rate, but education has become a matter of serious concern for them in the post-displacement era. The exodus disrupted the education of thousands of Pandit students. Initially, quite a large number of them could not pursue or complete their studies, due to the indifference shown by the government. Many others lost precious years of their studies before the government made alternative educational arrangements. Even at a later stage, the displaced students have been denied admission to mainstream educational institutions. They have had to continue their education in the camp schools, camp college and camp university. These educational arrangements have not only been discriminatory, but also far from satisfactory in terms of the facilities and infrastructure. The displaced students also suffered delays in the conducting of examinations and the declaration of results. All this not only affected the academic performance of the displaced students, but also reminded them of their permanent marginalisation. Notwithstanding the odds, the displaced students have availed every opportunity to maintain their academic

## PANDITS CONSIDERED THEIR DISPLACEMENT TEMPORARY, BUT IT LARGELY GAINED THE STATUS OF PERMANENCE WITH THE YEARS PASSING

excellence – but the limited opportunities have not been able to cater to the needs of a large number of aspirants. Reportedly, the majority of the Pandit government employees have retired, and the community alleges facing discrimination in government employment.<sup>8</sup> Out of 140 000 posts filled by the National Conference Government in J&K during its tenure from 1996 to 2002, not even 1% of the posts was provided to Kashmiri Pandits. The denial of employment avenues to displaced people has been affecting the very survival of the Pandit community.

The Pandits have faced many health problems as well. The trauma of displacement, the problems of adjustment to an entirely different and hostile environment, to which they were not habituated, and so on, have afflicted many with severe health problems – both physical as well as psychological. More than 8 000 displaced

people died prematurely during the first 10 years of displacement.<sup>9</sup> The causes of death have been exposure to the hostile environment, snake bites, heat stroke,<sup>10</sup> heart problems and other ailments. The displaced people are experiencing a perceptible increase in both existent health problems as well as many new disorders, which were previously unknown or rare in the community. The problems that have become common among the camp dwellers are heat stroke, dengue fever, malaria, dysentery, jaundice, allergies, tuberculosis, bronchial asthma, pneumonia and skin diseases like scabies. Stress-related diabetes has also become rampant among displaced people of even a young age. This has not only adversely affected the productive years of their lives, but also has led to impotency in many cases. Psychological and metabolic stress, coupled with other factors, has also led to a sharp rise in deaths and a decline in the birth



**Kashmiri Pandits demonstrate against their forced displacement and request involvement in the peace process.**

rate. Other psychological disorders that have become rampant include depression, hypertension, insomnia, nightmares, hysteria, schizophrenia and phobias.

Despite claims by the authorities that all necessary facilities have been provided to the displaced people, the camp-dwellers lead a miserable life. Conditions in all the camps – set up on the fringes of the city – are grim. Currently, besides the cash relief of a maximum amount of INR 4 000 per family, each displaced family has been provided with 9 kg rice and 2 kg wheat flour per person, and 1 kg sugar per family, on a monthly basis. The displaced people find this relief meagre. There is a lack of basic amenities, proper sanitary systems and hygienic surroundings. The accommodation, comprising a single room regardless of the size of the family, has also been far from satisfactory. Even the material used in the structures is of sub-standard quality. Many of the single-room tenements have cracked prematurely and are about to collapse.

The recapitulation of the Kashmiri Pandit's story in the post-displacement era assumes a necessary part in the general conflict displacement discourse, and particularly in the context of the Kashmir conflict. An in-depth look at the suffering of the displaced Pandits living in camps brings into focus the difficulties faced by the displaced people – which usually continues unabated, even with the meagre relief measures for their survival. This life experience of displacement and all it entails is not just confined to the lives of the Pandits alone, but to displaced people in general, across the globe. It necessitates an urgency to examine and address seriously the issue of conflict-induced displacement, which has become characteristic of modern-day conflicts.

## Conclusion

The conflict-induced displacement of the Kashmiri Pandits is multidimensional in nature, as a single factor does not explain their en masse exodus from the Kashmir valley. Their post-displacement suffering in squalid camps highlights the sordid tale of those forced to leave their native homes due to violence, and who have to live in miserable conditions with no significant place in the overall conflict or resolution discourse. While fear, intimidation, militant violence and the need to survive are some of the factors that forced them to leave the valley, more poignantly, it is their marginalisation in the post-displacement scenario where authorities have largely adopted an apathetic attitude towards their suffering, that is most significant. Merely doling out meagre relief has not substantially helped these people to live a dignified life. The poor life conditions in the camps is the picture and representation of hopelessness and frustration.

There is a need to take urgent measures to address the suffering of the uprooted people, and to arrange the permanent return to their native places. For the achievement of such tasks, a multi-pronged strategy is required. Besides addressing immediate concerns, such as the poor conditions in camps, broader concerns – such as their return – need to be factored into a comprehensive strategy. The ongoing peace process in Kashmir has evoked optimism among the displaced people. But, as they rightly argue, unless the peace process is inclusive of their voices and needs, the gains may be lost without any significant impact. Hence, the authorities must address the issue with urgency – not as a mere problem in relief and compensation, but also as an integral issue towards a lasting solution for peace in Kashmir. **A**

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- 9 Warikoo, K. op. cit., n. 5, p. 235.
- 10 Heat strokes were almost unknown to the Kashmiri Pandits living in the salubrious Kashmir valley. Reportedly, in the first year of displacement (1990), there were as many as 1 056 heat-related deaths. Chowdhary, K.L. (2003) 'Health Trauma in Kashmiri Pandit Refugees', paper presented at a two-day conference on Kashmiri Pandits: Problems and Prospects, ORF, New Delhi, 1-2 September 2003.

# UNITED NATIONS PRESENCE IN HAITI: CHALLENGES OF A MULTIDIMENSIONAL PEACEKEEPING MISSION

WRITTEN BY **EDUARDA HAMANN**



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## Introduction

Haiti has had a very complex and dynamic history, from its role as the “Pearl of the Antilles” in the 18<sup>th</sup> century, to its label as the poorest country in the western hemisphere in the 21<sup>st</sup> century. In the last 60 years or so – despite gross violations of human rights, lack of security and poor or no delivery of basic services to the population – Haiti remained out of the United Nations (UN) security agenda because of its political inclusion

under the United States (US) zone of influence. It was only after the end of the Cold War that the UN Security Council (UNSC) was involved with Haiti for the first time. From 1993 to 2004, six UN missions were approved and deployed to Haiti (the first one being a joint mission with the Organisation of American States). The last and current mission, deployed in June 2004 and still on the ground, is the UN Stabilisation Mission in Haiti (MINUSTAH), and is the only one that has a truly



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**Haitian children, standing in garbage outside their homes in Port-au-Prince, highlights the extreme poverty found in Haiti.**

multidimensional mandate. This seems to render it more able to provide stability, and (eventually) promote sustainable peace in Haiti. This article aims to provide an overall and introductory discussion of the UN's recent involvement in Haiti, with special attention to MINUSTAH and its multidimensional nature, highlighting some of its features and main challenges.

### **Background**

Haiti is now considered a "failed state".<sup>1</sup> Although this is a controversial statement, it basically refers to a country whose government is not capable of providing basic security and development needs, and does not hold the monopoly over the use of force in its own territory.<sup>2</sup>

Since its independence in 1804, the Republic of Haiti (*Republik Dayti*, in Créole) has continuously faced problems and challenges in providing political stability, economic growth, basic infrastructure and a minimum

level of security for its people. A large number of *coups d'états*, together with self-referent political elites, provided the basis for a non-functioning country for about 200 years.

More recently, in the mid-1950s, the Duvaliers regime (1957-1986) began to use the existing structure under its control to persecute and kill political adversaries or whoever would pose a threat to the regime. It is widely recognised that tens of thousands of people were either assassinated or exiled by "Papa Doc" (Dr François Duvalier), who was followed in power by his son, "Baby Doc". For 30 years, Haitians faced repression, arbitrary detentions and active violations of human rights, trying to resist through some level of armed violence – but also with waves of demonstrations and mobilisations that only gained international support in the mid-1980s, especially in the US. In the 1990 elections, amidst deaths and other violent incidents, Father Jean-Bertrand Aristide





**The government of Haiti is not able to provide people with basic security and development needs and the country has been considered a “failed state”**

rose to power, and formed a government with Prime Minister René Préval. This is commonly referred to as the first free election in Haiti. A few months later, however, another *coup d'état* occurred, headed by General Cédras, who remained in power until the end of 1994, despite oil, arms and general trade embargoes imposed by the UN.

During the coup regime in 1993, the then exiled Aristide, with the support of the US, negotiated the first involvement of the UN in Haiti through the International Civilian Mission in Haiti (MICIVIH). This was a joint mission between the UN and a regional organisation, the Organization of American States (OAS) – created in February 1993 with a limited mandate to monitor the human rights situation in Haiti. Once Aristide returned to power at the end of 1994, MICIVIH's mandate was expanded also to include the more active promotion of human rights and institution building.

Throughout the next 10 years, a series of UN missions with very limited mandates followed. For several reasons, the UN could not negotiate a more robust mission, and the simple fact of authorising and

deploying a mission every two years – on average – negatively affected the UN's legitimacy and capacity of dealing with Haiti seriously.

A more comprehensive initiative was established by the UNSC on 30 April 2004, when resolution 1542 created MINUSTAH.<sup>3</sup> From the beginning until its current format, MINUSTAH was founded on three main pillars:

1. secure and stable environment;
2. political process; and
3. human rights.

This structure allowed MINUSTAH to be categorised as a “multidimensional peacekeeping mission”, with an intricate institutional arrangement in which the military, police and civilian components all fall under the responsibility of a civilian appointed by the UN Secretary-General (the Special Representative of the Secretary General – SRSG).

The idea of creating and deploying multidimensional peacekeeping missions is a (late) response by the UN to the complexity of contemporary armed conflicts, especially after the end of the Cold War. Although the

concept already existed in the UN by the time the first (joint) mission was deployed to Haiti in 1993, it took some time before the multidimensional structure was consolidated within the UN itself. MINUSTAH is the first UN mission in Haiti that truly integrates civilian, police and military components – at least at the strategic and operational levels. This increases expectations in terms of the delivery of stabilisation, security and development to the country.

### **Multidimensional Peacekeeping Missions**

Historical records show that most armed conflicts are intrastate in nature, at least since the end of the Second World War.<sup>4</sup> Nevertheless, it was only after the end of the Cold War that the UNSC acknowledged the challenges of armed conflicts as a threat to international peace and security. The late recognition brought several consequences to the type of solutions that the UNSC would propose to deal with these threats. Solutions such as peacekeeping and peacebuilding operations suffered several legitimacy crises, as they were not able to deal effectively with the situations that they were sent to control.

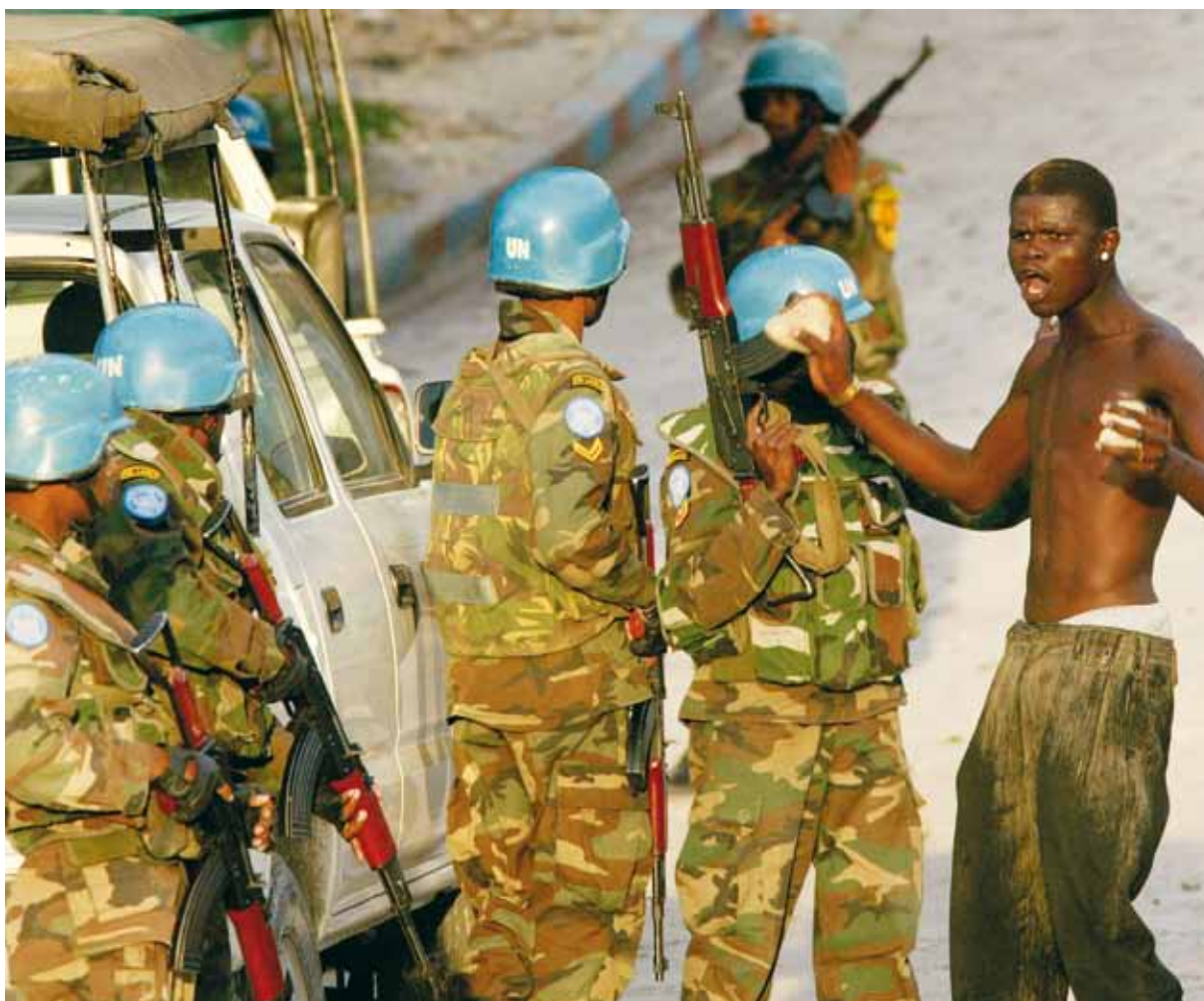
There are several differences when comparing the first peacekeeping mission in 1948 (or the first peacekeeping mission *with troops* in 1956) and the ones that were authorised by the UNSC after the 1990s. Three main factors seem to be quite relevant: the features of the conflict, the nature of the response by the UN, and the evolution of the situation within the life cycle of the conflict. The first type of missions would traditionally involve states as the main actors, would be somehow static in terms of the conflict cycle, and would depend highly on military tasks, such as monitoring ceasefires and patrolling buffer zones. They would not include humanitarian assistance or development aid, nor would they deal with other aspects of the conflict that would go beyond traditional military tasks. In the 1960s, the UN started to recognise the relevance of the conflict cycle and some intrastate issues and, when designing new tools for peacekeeping, the UNSC started deploying the first few police officers on the ground, with civilian agencies following shortly.

From the beginning of the 1990s, with the recognition that intrastate issues were definitely relevant to international peace and security, and with the need to integrate peacekeeping and peacebuilding into one



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**The United Nations multidimensional peacekeeping mission in Haiti (MINUSTAH) was established in April 2004.**



**MINUSTAH has been able to successfully provide a minimum level of security in several cities in Haiti, especially in Port-au-Prince.**

single mission in specific cases<sup>5</sup>, a multidimensional framework finally became part of the UN agenda. The military remains the key component of UN personnel in peacekeeping missions but, at the present moment, alongside the 80 500 troops and 2 200 military observers deployed to all 15 UN peacekeeping missions, there are also nearly 12 000 police officers and 18 000 civilians (both international and local personnel).<sup>6</sup> These numbers demonstrate the inevitable multidimensional aspect of most contemporary peacekeeping operations, which highlights the need for the coexistence of several actors on the ground.

Thus, there is now a clear acknowledgement that international security problems are complex and that their causes and consequences have multiple layers and, as such, complex and multilayered responses would have better chances of achieving stable and sustainable solutions. This need for a multidimensional solution, however, is not reflected in every peacekeeping

mission, since its mandate and structure largely depends on political negotiations<sup>7</sup>. When considering the UN involvement in Haiti, it is only with MINUSTAH that the multidimensional aspect was finally included as a tool for conflict resolution. MINUSTAH definitely integrates peacekeeping and peacebuilding within its structure, which increases the expectations and the chances for success, as compared to the lack of comprehensive solutions within the preceding UN missions in Haiti.

#### **MINUSTAH and its Main Challenges**

There are significant advances and small successes in Haiti. In less than six years, MINUSTAH was able to promote a certain level of stability that the preceding missions did not achieve. Every former violent neighbourhood in the capital city, Port-au-Prince, is now virtually under control of a military contingent of MINUSTAH. The relative success of the military pillar lays the ground for higher expectations in terms of achieving what has



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**As part of its multidimensional mandate MINUSTAH also has police officers on the ground in Haiti.**

been promised in the other two pillars of the mission's mandate. A multidimensional peacekeeping mission cannot be oversimplified to its military component, which means that the overall success of MINUSTAH should be assessed and measured together with the performing tasks of its other components. In other words, once the situation is relatively stable, the tasks that immediately gain importance are the ones related to development, and this is where any multidimensional peacekeeping mission – including MINUSTAH – would face major challenges to its success.

First, the lack of integrated planning and training among the three main components of a multidimensional mission makes it very difficult to think of an integrated action of any type. Some tasks are truly multidimensional – such as the disarmament, demobilisation and reintegration (DDR) of former-combatants<sup>8</sup>, promoting rule of law and institution building, and working for the protection of civilians. It is not impossible to implement these tasks

together, but it is rather difficult to do so without previous integrated planning and training, considering time constraints, limited resources, institutional biases, and the like. The UN Department of Peacekeeping Operations is trying to tackle this problem and has just launched new training materials, which aim to provide a platform for training civilians, police and military officers together. It remains to be seen whether these materials and training will facilitate interaction among the multiple players on the ground, since they explicitly include information only at the strategic and operational levels.

Second, it may be hard to assess the success of the multidimensional mission in Haiti, because of the hidden agendas of actors in the field and at high political levels (in the Haitian elite and in the UN). It seems that, apart from traditional spoilers to any peace process, some individuals and groups usually included among the “good guys” or constructive groups would also benefit from instability and from promoting a



**Former United States President, Bill Clinton (left) and United Nations Secretary-General, Ban Ki-moon (right) with Haiti's President, Rene Preval (center) during Clinton's and Ban Ki-moon's recent visit to work on an "action plan" to tackle the grinding poverty in Haiti (October 2009).**

"victimised face" of Haiti. These groups could eventually become "spoilers" – even if they are included among the constructive parties. It is possible to identify certain groups in Haiti who benefit from a non-functioning state, from corruption and from a lack of surveillance, while others want to explore cheap labour and benefit from the lack of regulations. There are some, too, who would lose their jobs if the mission effectively achieves its goals and is destined to end. These groups do not use firearms and they are not a direct challenge to the conventional military component, but there is a similar result of undermining the political and peace processes. This is why such groups should also be perceived as spoilers, even if they are not commonly perceived as traditional troublemakers. This raises at least two questions: does the UN have the mandate to deal with these internal and protracted problems and, if so, how will expectations be managed in such overestimated missions? On the other hand, if MINUSTAH does not suggest anything to deal with internal corruption in a more effective way,

how will it ever achieve its broad mandate of promoting sustainable peace?


A third challenge would relate to the development period itself. The mission in Haiti has clearly achieved its military goal and, although the situation is not sustainable – or *because* it is not sustainable – it is necessary to strengthen the development aspects of the process. However, levels of corruption are extremely high in Haiti<sup>9</sup>, and this is a major problem for political and institutional stability that ideally precedes development efforts. How can Bill Clinton, recently appointed by the UN Secretary-General as special envoy, succeed in his tasks of attracting foreign investments to Haiti in an economically sustainable and healthy way? Is it too soon for foreign investment, when considering the high risks on the ground? How is political corruption in a country that had, until recently, one *coup d'état* after another, overcome? And how far can a multidimensional mission go in terms of expanding its own mandate and consequently expanding its own institutional capacity?

On the other hand, it is widely understood that foreign investments will help the current situation in Haiti to become more stable. History shows that countries take decades to build healthy financial and economic systems; can the UN really help Haiti start this process in just a few years?

Last, but not least, a multidimensional mission also faces challenges posed by the local population. After achieving some degree of stability in the security dimension, the population itself will replace its survival concerns over being killed or violated (either by the government or by armed groups) with new demands, such as socio-economic human rights – especially food, education, health (water and sanitation) and employment. Environmental issues in Haiti are also a major challenge for the country and for the population's survival and, besides the lack of fertile soils, tropical storms continuously destroy its fragile infrastructure. These and many other problems directly affect reconstruction and further development. This is not only the case in Haiti, but also in several other developing and underdeveloped countries, and is another significant challenge faced by multidimensional peacekeeping missions.

When analysing whether and how to expand the mandate of MINUSTAH in October 2009, the UNSC will likely need to consider some of these challenges, if the chances of mission success are to be increased.

### Conclusion

It was only by the end of the Cold War that the UNSC started authorising multidimensional peacekeeping missions. However, even when the situation on the ground requires such missions, the UNSC depends on political negotiations with its member states in order to authorise and to deploy such missions effectively. This explains why the missions sent by the UN to Haiti throughout the 1990s were not multidimensional. MINUSTAH, the first multidimensional peacekeeping mission in Haiti, established in 2004, is considered to be a step forward. In less than six years, MINUSTAH managed to provide a minimum level of security in several cities, especially in Port-au-Prince, and this is perceived as a clear success of the military component of MINUSTAH. However, providing security is a necessary but not sufficient condition for the overall success of a multidimensional mission. Presently, with some stability established, MINUSTAH now faces increasing challenges to promote sustainable development, which needs to be stimulated and delivered with the assistance of its civilian and police components, together with Haitian authorities, the local population and other parallel efforts by the international community. 

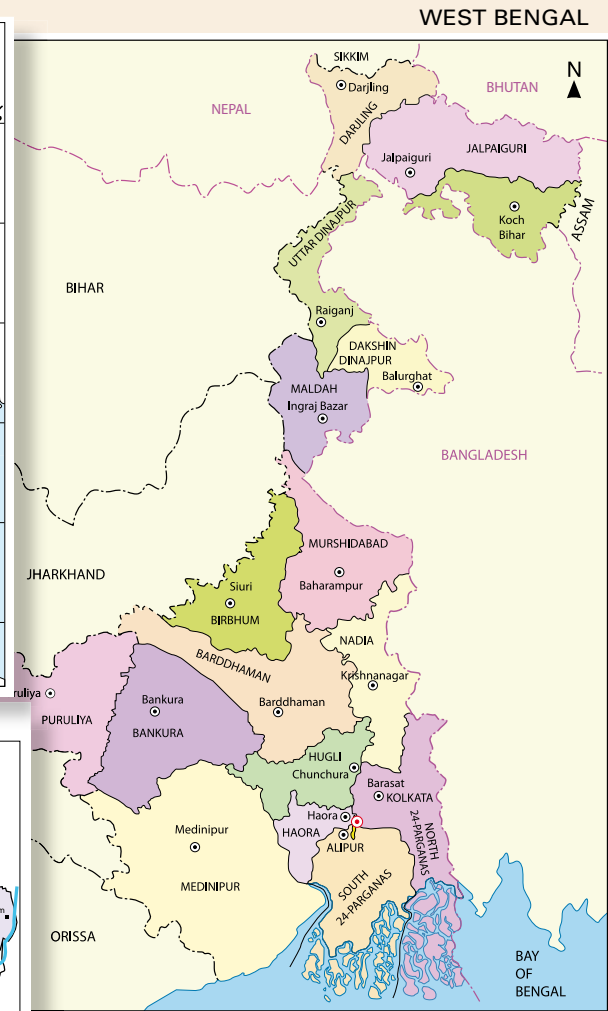
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### Endnotes

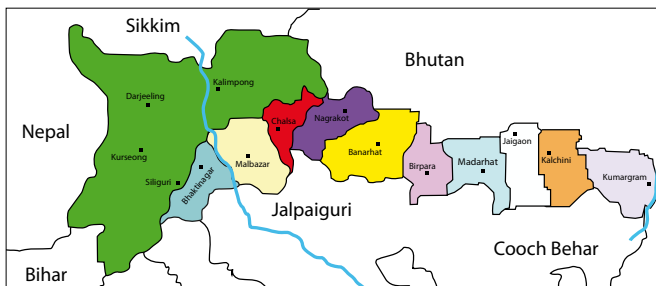
- 1 Foreign Policy and The Fund for Peace. In *The Failed States Index 2009*, Available at: <[http://www.foreignpolicy.com/articles/2009/06/22/2009\\_failed\\_states\\_index\\_interactive\\_map\\_and\\_rankings](http://www.foreignpolicy.com/articles/2009/06/22/2009_failed_states_index_interactive_map_and_rankings)> Accessed on: 10 October 2009.
- 2 The definition used by the Crisis States Research Centre since 2006, available at: <<http://www.crisisstates.com/download/drc/FailedState.pdf>> Accessed on: 10 October 2009.
- 3 It is relevant to note that, before MINUSTAH took charge on 1 June 2004, a multinational force (MNF) was created by the UNSC in the same year, as a deterrent mission. The MNF was able to prevent the armed movement from entering the capital city, Port-au-Prince, and it also laid the ground for MINUSTAH. The MNF was perceived to be a military mission, and not a peacekeeping one. For more information on MINUSTAH, see <<http://www.un.org/Depts/dpko/missions/minustah/index.html>> Accessed on: 9 October 2009.
- 4 Gleditsch, Nils Petter; Wallensteen, Peter, Eriksson, Mikael, Sollenberg, Margareta and Stand, Håvard (2002) *Armed Conflict 1946-2001: A New Dataset*. In *Journal of Peace Research*, Vol. 39, n. 5, p. 624.
- 5 For example, see *Agenda for Peace* (1992) and its supplement (1995), both by then UN Secretary-General Boutros-Boutros Ghali, and the *Brahimi Report* (2000), which is the resulting paper of a panel of experts convened by then UN Secretary-General Kofi Annan to discuss the adaption of peacekeeping missions to a new environment.
- 6 DPKO (2009) *Background Notes on Haiti* (31 August 2009), Available at: <<http://www.un.org/Depts/dpko/dpko/bnote.htm>> Accessed on: 10 October 2009.
- 7 The UNSC tailors the missions according to the problem it faces, but it also needs to take into consideration the political will of member states and some capability limits (related to the actual commitment of member states to engage their own human and political resources to the mission, once it is approved), since the UN does not have stand-by armed forces to deploy.
- 8 By the end of 2005, the UN DDR efforts failed because they did not fit the dynamics of armed violence in Haiti. The DDR project within MINUSTAH was then reframed by the UNSC, and it is now called "Community Violence Reduction".
- 9 According to Transparency International, in its yearly publication *Corruption Perception Index*, Haiti is in 177<sup>th</sup> place, out of the 180 countries analysed in 2008. For more information, see: <[http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2008](http://www.transparency.org/policy_research/surveys_indices/cpi/2008)>.

# RESURGENT GORKHALAND: ETHNIC IDENTITY AND AUTONOMY

WRITTEN BY ANUPMA KAUSHIK



PROPOSED MAP OF GORKHALAND



## Introduction

India is a multi-ethnic country with a federal democratic polity. There are 28 states, which are multi-ethnic in nature. The state of West Bengal is predominantly ethnically Bengali; however, its famous hill station of Darjeeling is populated by the Gorkha ethnic group. Due to sheer numbers, the Bengalis effectively control the political, economic and social fabric of the state of West Bengal. This has caused much resentment among the Gorkhas, resulting in

violent conflict in the mid-1980s. The agitation was led by the Gorkha National Liberation Front (GNLF), which raised the demand for the creation of a separate State of Gorkhaland, outside West Bengal but within India. The conflict was finally resolved by a tripartite agreement between the GNLF, the state government of West Bengal and the government of India in mid-1988. In order to accommodate the ethnic aspirations of the Gorkhas, the government agreed to create the Darjeeling Gorkha Hill Council (DGHC) and conceded



**The Gorkhas of Darjeeling demand autonomy and recognition of their identity through a separate Gorkha state.**

to granting citizenship to pre-1950 settlers. The state government agreed to review all cases against GNLF activists and the GNLF, in turn, called for the surrender of all unauthorised arms and withdrew all agitation activities.

Granting of the above concessions did not fully satisfy the Gorkhas, as this was not what they had fought for. The Darjeeling area was granted autonomy on the basis of democratic ideals in the form of the DGHC, and was expected to satisfy the autonomy and self-control needs of the Gorkhas. As the Gorkhas comprise a very small portion of the West Bengal population, they do not have much voice and power in the West Bengal legislative assembly. The hill council was expected to give them more decision-making powers in local matters. It also satisfied the Bengalis, as well as the government of West Bengal, in the non-bifurcation of their state.

Thus far, elections for the DGHC have been held thrice: in 1988, 1993 and 1999. The GNLF has swept the polls each time. It has also successfully negotiated for more powers and infrastructure for the DGHC and its councillors. However, the DGHC has been

accused of non-performance, dictatorial tendencies, lack of transparency and corruption, and hopes of development of the area have not become a reality. Recently, the hills again witnessed *bandhs* (strikes) and a resurgence of demands for a separate state of Gorkhaland under the Gorkha Janmukti Morcha (GJM) political party.

#### **Conflict and Peace Defined**

Peace or conflict resolution studies and research aim at increasing the knowledge and understanding of the nature and causes of conflicts, to help build structures at national and international levels that facilitate the long-term solution of violence and conflict. "Peace" not only means the absence of wars, weapons and conflicts, but also implies the presence of conflict resolution, management and prevention. "Conflict" occurs where there is an interaction between at least two individuals or groups, whose ultimate objectives are perceived by the contending parties as so much opposed to each other that these can only be achieved at the expense of the other, and vice versa. When the conflicting parties become engaged in overt mutually





**Subhash Ghising, leader of the Gorkha National Liberation Front, was the early spokesman for the Gorkha people and their demands for a separate state.**

opposing and violent interaction aimed at destroying, injuring or controlling their opponents, such interaction is armed conflict.

Conflicts indicate the existence of the incompatibility and indivisibility of goals in the relationship among different parties. For peace and conflict resolution practitioners, “autonomy” and “democracy” have come to represent paths towards successful conflict resolution, as they are able to provide solutions to the problems of indivisibility and incompatibility of goals. Such processes satisfy parties to some extent, but they do not grant all the parties their absolute claims or demands. Autonomy represents the solution to conflicts arising from territorial or territorial-related

IN SPITE OF THEIR GRIEVANCES AND URGE TO MAINTAIN THEIR ETHNIC IDENTITY, THE GORKHAS ALWAYS EXPRESSED THEIR DESIRE TO REMAIN IN THE INDIAN MAINSTREAM, THOUGH AT TIMES THEIR ETHNIC INTERESTS DOMINATED NATIONAL INTERESTS

conflicts, while democracy is seen as representing the solution to conflicts arising from power and power-related conflicts. A combination of the two was applied to the case of the Gorkhas of the Darjeeling area. This article examines how successful the DGHC solution has been.

### **Ethnicity and Identity**

The present-day Darjeeling district was originally part of Sikkim (now a state in India – but during British colonial rule, it was India’s neighbour). Darjeeling was annexed from Sikkim by neighbouring Nepal in 1780 and, from 1780 to 1816, it remained under Nepalese rule. In 1816, it was added to British India, and then returned to Sikkim in 1817. However, in 1835, British India acquired this land from Sikkim<sup>1</sup> and encouraged the Gorkhas, who originally came from Nepal, to settle in the hills. The Gorkha population increased rapidly, and today they constitute nearly 90% of the total population of the hill area. Darjeeling now has a predominantly Gorkha population in the predominantly Bengali-populated state of West Bengal.

The ethnic consciousness of Gorkhas increased with the growth in their numbers. They organised themselves into a number of organisations<sup>2</sup> and put forward many demands asserting their identity, thereby giving birth to a stronger Gorkha ethnicity and identity. Their demands ranged from wanting powers in the local district administration to wanting a separate, autonomous province. However, it was the GNLF, under the leadership of Subhash Ghising, who took the lead and became their sole spokesman in the 1980s. The GNLF raised many demands over time, such as a separate state of Gorkhaland; inclusion of Nepali/Gorkhali language in the Eighth Schedule of the Constitution; granting of citizenship to pre-1950 settlers; abrogation of Clause 7 of the Indo-Nepalese Treaty of 1950<sup>3</sup>; and the creation of a separate Indian Gorkha Regiment.

In spite of their grievances and urge to maintain their ethnic identity, the Gorkhas always expressed



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**Gorkha youth patrol a road in Kurseong as part of the recent resurgent demands for a separate Gorkhaland in West Bengal (July 2009).**

their desire to remain in the Indian mainstream, though at times their ethnic interests dominated national interests. Initially, they used peaceful means to express their demands and grievances, but the avoidance of their demands by the government till the mid-1980s resulted in their adoption of violent action.

#### **Compromise and the Accord**

To resolve the conflict – after much negotiation – two agreements were signed in 1988 between the central government, the state government and the GNLF.<sup>4</sup> Under these agreements, the GNLF agreed to drop certain demands such as recognition of their language, a separate state of Gorkhaland, a separate Indian Gorkha Regiment, and abrogation of Clause 7

of the Indo-Nepal 1950 treaty of Friendship. In order to accommodate their other demands, the government agreed to make provision for DGHC, conceded to their request of citizenship to the pre-1950 settlers, and also allowed them to join the regiment of their choice in the Indian Army.<sup>5</sup>

Granting of these concessions did not fully satisfy the Gorkhas' desire for establishing an ethnic identity within the Indian union. The state government agreed to grant autonomy to the Darjeeling area, in the form of the DGHC with a "mix" of democracy, as nearly half of the councillors were to be elected by the people of the Darjeeling area. However, the government did not grant full statehood in the form of Gorkhaland, as demanded by the GNLF.

THE STATE GOVERNMENT AGREED TO REVIEW ALL THE CASES AGAINST GNLF ACTIVISTS, AND IN TURN THE GNLF CALLED FOR THE SURRENDER OF UN-AUTHORISED ARMS AND WITHDREW ALL AGITATION ACTIVITIES



Indian supporters of the Gorkha People's Liberation Front shout slogans as they stage a protest in Darjeeling.

As per the agreements, the executive powers of the DGHC covered agriculture, public health, sanitation, hospitals, dispensaries, tourism, vocational training, public work, roads, transport, burial and cremation grounds, livestock, water, fisheries, education, markets, fairs, small-scale and cottage industries, and so on. The council had power of supervision over *panchayat samitis* (local elected bodies), *gram panchayats* (village-level elected bodies) and municipalities under the council's jurisdiction. The general council consisted of a total of 42 members, out of which 28 members would be elected and the rest nominated by the state government.

The state government agreed to review all the cases against GNLF activists, and in turn the GNLF called for the surrender of unauthorised arms and withdrew all agitation activities. Ghising expressed happiness over the signing of the two accords,

stating: "We are happy, very happy. We have got our 'identity'."<sup>6</sup>

#### Implementation of the Accord

In the elections held on 13 December 1988, the GNLF secured 26 out of 28 seats, while the opposition party in power in the state of West Bengal won only two seats.<sup>7</sup> A very happy Ghising declared: "We will change the face of Darjeeling in the next few years."<sup>8</sup>

However, the GNLF and the state government soon began accusing each other of attempting to sabotage the new council. Ghising accused the state government of withholding funds meant for the council while the state government, in turn, alleged that this had been done because of the non-submission of accounts by the council. Ghising also criticised the state government for not providing the needed infrastructure for the smooth functioning of the council.

Meanwhile, dissatisfaction against Ghising rose, due to his dictatorial style of functioning, unfulfilled promises and rumours of corruption. To divert people's attention, Ghising raised the issues of "Greater Nepal" and "no-man's land".<sup>9</sup> The Indian prime minister warned him that stern action would be taken if he tried to inflame passions in the area once again.

The Nepali language was included in the Eighth Schedule of the Constitution in August 1992. This, too, angered Ghising, who wanted Gorkhali instead of Nepali to be included in the Eighth Schedule. He threatened to revive the agitation for a separate state, refused to talk to the state government and decided to dissolve the council.<sup>10</sup> However, in a sudden reversal, Ghising agreed to talks and, after a number of meetings on the issues of how to make the council more powerful and efficient, it was finally agreed

that the bureaucratic set-up of the council would be restructured.

In elections held in December 1993 for the DGHC, the GNLF won 24 out of 28 seats.<sup>11</sup> A pleased Ghising later announced that he would like to work in cooperation with the state government.<sup>12</sup> However, Ghising and the state government soon drifted apart on the issue of panchayat (local self-government) polls, which were scheduled to be held in April 1994. Ghising argued that there was no need for the panchayat bodies in the hills, because the DGHC was empowered to look after most aspects of the administration. The DGHC requested that the state government postpone the elections and also examine the various issues and implications of holding elections in the hill council. The state government maintained that the panchayat elections were a constitutional obligation and proposed



GETTY IMAGES

**Gorkha People's Liberation Front leader, Bimal Gurung, holds up a proposed map of separate Gorkhaland.**



**Villagers clash with supporters of the Gorkha People's Liberation Front in the Champasari village area on the outskirts of Siliguri (February 2009).**

a two-tier panchayat system, with the third tier taken care of by the council. The state government offered to make some concessions, such as making DGHC councillors ex-officio members of panchayat samitis, and vice versa. Ghising argued that no poll could be held in Darjeeling, since the GNLFF had filed a case in the Supreme Court seeking clarification on the status of Darjeeling.<sup>13</sup>

In the DGHC elections held in 1999, the GNLFF won 23 out of 28 seats in the council.<sup>14</sup> However, the Indian government's decision to create new states of Jharkhand, Uttaranchal and Chattisgarh was a new stimulus for the agitation for a separate state of

Gorkhaland. Meanwhile, the GNLFF boycotted the Lok Sabha elections of 1996, 1998 and 1999.<sup>15</sup> Ahead of the 2004 Lok Sabha elections, the GNLFF supported congress candidate Dawa Narbula, resulting in his election victory with a large margin in the Darjeeling constituency. In the state assembly elections in West Bengal in 2001, three GNLFF candidates (out of five) were elected.

#### **Recent Resurgence of Demand for Gorkhaland**

The last term of the DGHC expired on 23 March 2005 but Ghising continued as the caretaker administrator of the council for three years, thanks to the state government, which passed the Darjeeling

ELECTIONS COULD NOT BE HELD BECAUSE OF THE OPPOSITION FROM GHISING, WHO DEMANDED TRIBAL STATUS FOR THE DARJEELING HILLS IN JUNE 2005 UNDER THE SIXTH SCHEDULE, WHEN HIS DEMAND FOR A SEPARATE STATE OF GORKHALAND WAS NOT ACCEPTED

Gorkha Autonomous Council (Amendment) Bill. Elections could not be held because of the opposition from Ghising, who demanded tribal status for the Darjeeling hills in June 2005 under the Sixth Schedule, when his demand for a separate state of Gorkhaland was not accepted. Acquiring “tribal status” would mean the protection of rights through the reservation of allocated seats in the state legislature. A tripartite agreement was finally signed on 6 December 2005 for inclusion of the hill council in the Sixth Schedule of the Constitution, to give the council more legislative and administrative powers.<sup>16</sup>

Intelligence agencies soon warned the Indian government against giving special status to the region in haste, as there was no consensus on the demand for inclusion in the Sixth Schedule among

the different factions, including non-tribals and tribals represented by the GJM and GNLF respectively. The warning soon became real, when thousands of GJM activists resorted to an indefinite *bandh* (strike) in February 2008. The GJM leader, Bimal Gurung, demanded the ousting of Ghising from the council for his non-performance, halting the process of conferring Sixth Schedule status to the Darjeeling hills and a separate state of Gorkhaland.<sup>17</sup> Later, Ghising was forced to resign as caretaker of the council, and the GJM resorted to further *bandhs*, hunger strikes and rallies in June 2008 to resume their demand for a separate state of Gorkhaland. They refused to talk to the state government alone, and requested tripartite talks with the Indian government and state government. The GJM emphasised that their demands



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**Gorkha People's Liberation Front flags are placed on a blocked highway during an indefinite strike in Darjeeling, Kalimpong, Mirik and the nearby hills (2009).**


for Gorkhaland were not separatist, and that it fell within the framework of the Constitution. The genesis of the present crisis lies in the Indian government's attempt to turn Darjeeling into a tribal region. This resulted in upsetting the non-tribal groups, who formed about 70% of the hill population, and who felt that the move would further divide the community.

### Conclusion

From the above account, it is very clear that the Gorkhas and the GNLF have always wanted a separate state of Gorkhaland in the Darjeeling area. However, they had to accept only the DGHC as a solution, as the West Bengal government was not ready for a partition of the state. The Gorkhas have always regarded the DGHC as a stop-gap arrangement until they are able to achieve their final aim of Gorkhaland within India. The issue of a separate state of Gorkhaland has never been a closed chapter. However, Gorkhaland is not a possibility in the near future, as the opposition and ruling party in West Bengal – the Communist Party of India-Marxist – and the Trinmool Congress (another regional party of West Bengal) are against the idea. Moreover, the current Indian government, led by Dr Manmohan Singh, is dependent on the Trinmool Congress for its survival as they are coalition partners, and the government would therefore not upset the Trinmool Congress on this matter. But the Indian government has engaged the GJM in talks regarding the future of the area.

The council experience has, however, been successful too. It did ensure the absence of armed conflict during the mid-1980s. It also placated the ethnic Bengalis, as well as Gorkhas, to some extent. Bengalis were satisfied as the state of West Bengal was not divided, and Gorkhas were satisfied as they now controlled the affairs of Darjeeling. Moreover, the end of violence gave relief to all. However, hopes of development for the area have not become a reality, due to the non-performance of Ghising's team over the past 17 years. During the 1980s, Ghising had fired the imagination and passions of the Gorkhas of Darjeeling, and they had envisioned a better future under his leadership. However, the non-performance of the Ghising-led DGHC has left many disillusioned.

The DGHC has been a victim of the same disease that affects Indian politics and administration generally – that is, autocratic and corrupt politicians and officials who are more interested in self-aggrandisement than the welfare of the masses that they profess to represent and serve. The masses are cheated by politicians, who raise emotional issues instead of concentrating on developmental issues. What was required to make the DGHC experience a success was more accountability and transparency in its functioning, along with a

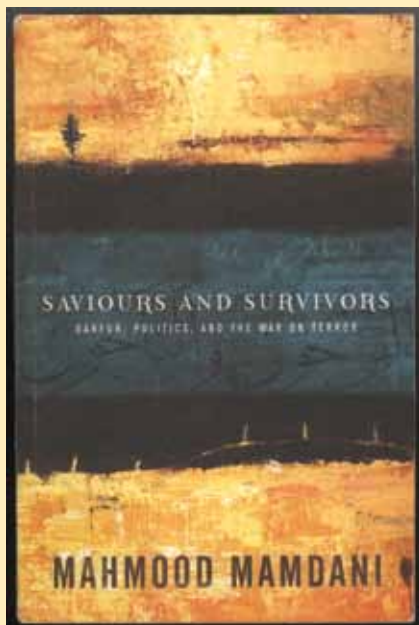
comprehensive regional development strategy capable of addressing socio-economic and environmental issues of concern to this region. This would bring sustainable development and general improvement in the quality of life of the masses. 

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### Endnotes

- 1 Timsina, Suman Raj (1992) *Nepali Community in India*. Delhi: Manak Publications, p. 35.
- 2 Examples include: Gorkha Samiti, Hillmen's Association, Gorkha Association, Hill People's Social Union, All India Gorkha League, Gorkha National Liberation Front, and so on.
- 3 Chakrabarti, Dyutis (1991) Nationalism, Ethnicity and Gorkhaland Movement: A Note on Conceptual Problem. In Ghosh, Arun and Chakrabarti, Radharaman (eds.) *Ethnonationalism: Indian Experience*. Calcutta: Chatterjee Publications, p. 106.
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- 5 (1988) Memorandum of Settlements on GNLF Agitation. *The Hindustan Times*, 23 August.
- 6 Rattan, Kamaljeet (1988) Return to Peace. *India Today*, 15 November, p. 16.
- 7 (1988) GNLF: Tensions Reappear. *Economic and Political Weekly*, 24-31 December, p. 277.
- 8 Rattan, Kamaljeet (1989) Hope of Peace: GNLF Wins Hill Council Poll. *India Today*, 15 January, p. 63.
- 9 Ghising alleged that an international conspiracy to form a "Greater Nepal" was being hatched by joining together Darjeeling, Sikkim, the Duars and parts of lower Bhutan, with the ultimate aim of joining Nepal. In January 1992, he argued that Darjeeling and its adjoining areas were leased out to British India by Nepal and that, after independence, the lease had expired and nothing was done to sign a new treaty. Since Nepal has not reclaimed the territory, the hills of West Bengal formed a "no man's land". He declared that no elections could be held in the hills until it was proven that the region had been incorporated into the Indian Union after British rule.
- 10 (1993) Mr Ghising's New Offensive. *The Hindu*, 3 April.
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- 17 (2008) Darjeeling Unrest Worries Intel Agencies. *The Times of India*, 2 February.

REVIEWED BY **KARANJA MBUGUA**



# SAVIOURS AND SURVIVORS: DARFUR, POLITICS AND THE WAR ON TERROR

Author	<b>Mahmood Mamdani</b>
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The conflict in Darfur, Sudan, has attracted a tremendous amount of attention in the last six years. Scholars, humanitarian organisations and investigative commissions and panels sponsored by the African Union and the United Nations have produced a large amount of information and analyses regarding the context, actors, causes and consequences, underlying goals and interests, and other dynamics that have been driving the conflict. These analyses, which reflect the different views and interests of the various groups in Sudan and in the West, are human rights, political science or anthropological narratives of Darfur in particular, and Sudan in general.

*Saviours and Survivors* deviates from this narrow focus and situates Darfur in the historical and contemporary world context. The book's central theme is a critique of the assumptions and biases underpinning the Save Darfur Coalition – the American organisation that has championed and internationalised the Darfur situation. The author recognises that the discourse over the conflict in Darfur has been highly polarising. He questions the prevailing orthodoxies and whether the “quick fixes” coming from the West can solve the problems in Darfur.

The book is divided into three parts and nine chapters, which are structured around four profound ideas. The first idea is a critical analysis of the dominant narrative that informs the writing of Sudan's history. At the heart of this narrative are two related ideas: Arabisation and settler-native dichotomy (pp. 75-108; 145-170). The book interrogates these two ideas by

digging deep into the historical evolution of Darfur and Sudanese society. It explores ancient sultanates and merchant kingdoms that existed prior to the formation of the modern state, and unpacks their internal dynastic contradictions and rivalries. It also analyses the socio-political issues that divide the centre of power in Khartoum and the peripheries such as Darfur, and their related ideological foundations.


Mamdani's historical account presents the conflict in Darfur more as a product of a long encounter between the colonial and post-colonial powers in Africa, and less as an outcome of immediate political grievances. He unpacks the term Arabisation, and weaves it into a larger theoretical analysis that includes Egypt. He also delves deep into the settler-native theoretical dichotomy – which is the central argument in his other two books, *When Victims Becomes Killers: Colonialism, Nativism and the Genocide in Rwanda* and *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*. The settler-native framework critiques historiography where the core narrative is that pivotal social and economic change in African societies was driven from outside. In this narrative, the key to political history was the relation between settlers (or outsiders/drivers of change) and the natives. Mamdani applies the argument to Darfur's history, which depicts some groups as settlers and others as natives. As he notes, the settler-native dichotomy played a key role in the 1987-1989 conflict in Darfur (p. 170). Mamdani summarises his critique with a call for an alternative narrative.



The book's second central idea is that the conflict in Darfur started as a civil war in the region, in which all actors saw themselves as victims (pp. 231-236). The civil war raged in 1987-1989, long before the National Islamic Front (NIF) came to power – and it did not involve the central government. "It was known as the Arab-Fur war," Mamdani writes. "For the first time, all Arab tribes came together under a single banner known as 'the Arab Gathering'..." (p. 236). Among the key causes of the conflict were climate changes and desertification. The key driver of the conflict, however, was the "tribal definition of right of access to productive natural resources" (p. 244), whose core element is the settler-native narrative. Consequently, the conflict took on "ideological and 'racist' leanings which were heavily laden with tribal bigotry" (p. 233). Mamdani avers that one of the key reasons the NIF coup actors cited, when they overthrew the government of Prime Minister Sadiq al-Mahdi in 1989, was his government's failure to stop the conflict in Darfur. The author argues that the government became a party to the conflict after 1989, when its resolution attempts failed. That argument notwithstanding, Mamdani does not excuse the failure of the government of Sudan to resolve the conflict after 2003.

The third idea in Mamdani's book revolves around the politics of the Save Darfur Coalition (pp. 48-71). Though Mamdani appreciates that Save Darfur directed media and public attention at the height of the worst violence, his analysis advances several critiques against the coalition. First, he questions the coalition's marketing and fundraising – which paid for offices, salary expenses and mobilisation in the United States, but it is not clear how many Darfuris it actually "saved". Second, he queries the coalition's failure to acknowledge the decline in mass violence and atrocities in Darfur after September 2004. Third, he questions the coalition's understanding of the history of Darfur and Sudan, and the narrative it champions. Fourth, Mamdani critiques the coalition for the way it integrated the conflict in Darfur with the War on Terror (pp. 63-65). According to Mamdani, the Save Darfur Coalition links the conflict in Darfur to the global discourse on American power and the War on Terror. In both cases, the Arabs are on the "wrong or bad side" – as *genocidaires* in Darfur and as terrorists elsewhere. As he writes, "Darfur gives the Warriors of Terror a valuable asset with which to demonise an enemy: a 'genocide' perpetrated by Arabs" (pp. 63-64). For Mamdani, highlights of this agenda include downplaying the African engagement in Darfur and resultant successes and the ending of violence on the ground; campaigns for international troops to Darfur; and the indictment of Sudan's leadership at the International Criminal Court.

The fourth idea in the book traces common features between the conflict in Darfur and conflicts in other post-colonial African societies (pp. 271-300). Among the cases that Mamdani considers is the counter-insurgency war against the Lord's Resistance Army in Uganda. He also contrasts retributive justice as advocated in Darfur, and restorative justice that evolved from South Africa's Truth and Reconciliation Commission. Mamdani draws important lessons from these cases, and highlights among them the importance of internal reconciliation (pp. 290-300).

*Saviours and Survivors* has several typographical errors. It also takes a strong position that can be misconstrued as an apology for the elite, who have governed Sudan since independence. Nonetheless, the book is very powerful. It is very clear in its main theme, and courageously addresses the contradictions of contemporary Africa. Mamdani avoids the two errors common among commentators on Africa: outright pessimism and the idea of "deliverance just around the corner". He appropriately critiques the cartoon version of Darfur and Sudan, which portrays western humanitarian agencies positively as the "saviours", and Darfurians negatively as only just the "survivors". The book also provides commendable intellectual depth. Its critique of the dominant narrative that informs Darfur's history challenges the minds of scholars and general readers alike. 

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