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## Terrorism & Political Violence

KASHMIR, SRI LANKA & ACEH

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# TERRORISM AND POLITICAL VIOLENCE

## Kashmir, Sri Lanka & Aceh\*

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### JAMMU KASHMIR LIBERATION FRONT (JKLF) AND HIZBUL MUJAHIDEEN

*Dr. Sumantra Bose<sup>1</sup>*

There are several groups operating in Kashmir characterized by differing agendas and varying modes of operation. Groups such as the Lashkar-e-Taiba (LeT)

and Jaish-e-Mohammed (JeM) adopt a hard line and resort to terrorist related violence in the valley, while others such as the Jammu and Kashmir Liberation Front (JKLF) and Hizbul Mujahideen (HM) are secessionist movements with an ethno-nationalist agenda. Both groups provide an interesting case study for a comparative analysis of the different strands of violence in present day Kashmir.

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\* Report of the conference organized by the Institute of Peace and Conflict Studies (IPCS) along with the Social Science Research Council (SSRC) and the Norwegian Institute of International Affairs (NUPI) on 9 August 2005. The conference was the outcome of a study undertaken by the Social Science Research Council (SSRC) in partnership with the Norwegian Institute of International Affairs (NUPI). It was an intensive and systematic study of protracted violent conflicts from around the world. Cases include the United Kingdom, Palestine, Sri Lanka, Nepal, Kashmir, Colombia, Northern Uganda, Indonesia, and Spain, among others. The project seeks to draw lessons from these conflicts and to help shape a common frame of understanding between analysts and policy makers in order to formulate policies that have a greater likelihood of success in resolving protracted conflicts. Following almost two years of field research and analyses, the project will now focus on policy recommendations and dissemination of findings.

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The JKLF's conception can be traced to the mid 1960s, although its emergence as a significant group in Kashmir occurred only in the late 1980's. While the group is regarded as one of the pioneers of separatist movements in the state, its militant face dwindled by late 1993 onwards. Despite the fact that the group ceased to be a force on the ground, its 'legacy' continued to live on, prompting several analysts to study its role in Kashmiri politics. While the JKLF has all but disappeared, the HM continues to be an active and destructive force within the state, with recent bombing campaigns a testament to the group's resilience. Despite the efforts and successes of the security forces at 'decapitating' several top militants, HM continues to remain a major threat to peace in the valley.

The Hizbul's ability to remain in existence over the years can largely be attributed to the group's deep roots to the soil and society of J&K. Unlike most other militant groups operating in the Valley, HM is able to boast of a strong cadre on both sides of the border, making it harder for security forces to completely eliminate and cripple its operations. While similarities exist between both groups, it would be dangerous to over simplify this, as both groups have a very different set of goals.

Although both groups have played an important and active role in Kashmiri militancy in the past and arguably continue to do so presently, it is important to make a comparative analysis between the JKLF and HM, to ascertain the reasons behind the demise of one and the continued presence of the other. A key aspect to the eventual decline of the JKLF was the absence of the 'state factor' or state sponsorship. While the JKLF enjoyed widespread support amongst the local Kashmiri population and from within Pakistan occupied Kashmir (POK) in the late 1980s, the emergence of other militant groups and the rise of insurgency in the Valley, meant that the organization's official financial backing from across the border was removed.

In comparison, HM has been an organization deeply rooted to the soil of Jammu & Kashmir. It has had the advantage of committed cadres and grass root supporters, in the form of Jamaat-e-Islami (JEI), which ensured its sustained presence in the Valley over the years. Ironically, the group's association with JEI and its resilience to survive over the years has also been its disadvantage, as it is considered a sectarian organization with fundamental ideals, a characteristic not favoured by the majority of the valley's inhabitants.

In several respects the JKLF can be considered the parental insurgent group in the Kashmir valley, occupying a very prominent role for the first 3-4 years. The surge in radical groups post 1987, translated into a widespread movement amongst the Kashmiri youth to join organizations fighting for Kashmir's independence and a decline in the number of members for the JKLF. However, despite the reduction in membership, the JKLF continued to remain relatively popular within the Valley, partly because of its

ideology which had a popular resonance on both sides of the LoC and because of the JKLF's call for independence as opposed to a pro-Pakistan rhetoric of the other insurgent groups. While several groups vowed allegiance to Pakistan, the JKLF leadership pressed for absolute autonomy, a notion for which it was considered the vanguard and which won it considerable success amongst locals. Although several other organizations were quick to articulate the ideas of the JKLF, the group had been able to establish a core nucleus at the heart of the Valley, which responded well to the public demand for independence as opposed to a re-unification with Pakistan.

*A question mark remains over whether it is necessary and useful to bring insurgent groups to the negotiating table and to include them in the political process for finding a viable and desirable solution to the Kashmir conflict.*

A question mark remains over whether it is necessary and useful to bring insurgent groups to the negotiating table and to include them in the political process for finding a viable and

desirable solution to the Kashmir conflict. While it is beneficial to incorporate as many groups as possible, so as to find a solution favourable to all parties, political analysts are often confronted with the 'spoiler problem', which assumes that the inclusion of non-state or smaller actors will act as a hurdle to finding a potential solution. Analysts have often argued that to circumvent this problem, it is necessary to identify between the moderates and the extremists and to bring the former to the negotiating table. However, while this is an appealing prospect, as history has shown it is not always an easy task differentiating between moderate and extremist groups.

Following its demise as a militant group in 1993, the JKLF has re-positioned itself as a political organization. Although the group does not enjoy the same leverage as it once did, it has been argued that its decision to forego the way of the gun, to

be the voice of the Kashmiri people, should be rewarded by the state and central governments. The group's leader Yasin Malik has emerged as a changed man, willing to stand along with others such as Omar Abdullah and engage in constructive dialogue. On the other hand the HM has clear links with sponsors from across the border and continues to be an insurgent group bent on causing destruction within Kashmir. While the group has suffered disintegration from within, it claims to represent the people of Kashmir particularly in the rural areas. Both the JKLF and HM are significant players in the politics of Kashmir. While several other groups have created more of a splash, these two groups could be regarded as serving a deeper political purpose and in the wider picture could be useful players in the peace process.



In regard to the peace process between India and Pakistan it would be wise to sound a note of caution for three main reasons. Firstly, it is important to note that both countries are operating on different priorities and expectations. President Musharraf has been floating a wide range of ideas and propositions, with the hope of judging the Indian response or to assess how his own people will react. It is important that both countries move away from the fixation on territory, that has dominated the peace process so far. It is imperative that Musharraf distances himself from the need to re-claim Kashmir territory and that the Indian government realizes that the land they hold so sacred is not as important as it is made out to be. Secondly, Musharraf and the Pakistan government must realise that they are working on a different time frame to their

Indian counterparts. Musharraf is quite possibly living with the realization that he is on borrowed time and that a settlement must be reached within 2 years. India on the other hand, despite its failings, is a democratic nation, necessitating that it work towards peace in a slower, but steady manner. Lastly, while Confidence Building Measures (CBMs) play a significant role in the peace process, it is important to realize that they have their limitations. There is no doubting the

significance of the bus service between Srinagar and Muzaffarabad, however, in the larger picture it will not settle the Kashmir dispute and has created a sense of progress that is far from reality.

## DISCUSSION

**Question:** While you are skeptical of the current peace dialogue, I would like to know your outline plan to the peace process?

**Dr. Bose:** The idea of the peace process is to get a solution which would be mutually acceptable to all parties involved. The simplest of these solutions would be to make the LoC a soft border, a move which has already been put in motion with the start of the bus service. Another alternative would be 'self-rule', as opposed to autonomy. While it could be argued that self rule

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and autonomy are one and the same, the idea of autonomy has several bad connotations. The idea would be to make Kashmiris the masters of their own house, as this would fit in well with India's strategic interests and our democratic framework. The last possibility would be to have a system of 'complex power sharing', the first

signs of which were visible when Malik and Abdullah shared the same platform. This not only depicts a human element to the problem, but would show the Kashmiris that there are no factional feuds and vested interests in a peace settlement. It is also essential to ensure that the peace process does not remain stagnant and continues to move forward.

**Question:** There has been a constant reference to insurgency and insurgents operating in Kashmir. How is this different from terrorism and terrorists? The violence in Kashmir is largely religious and over the years we have been witness to a systematic effort at ethnic cleansing. Why should we move away from the notion of terrorism?

**Dr. Bose:** While there is no real difference between insurgency and terrorism, it is important to use neutral terms. Militancy has been the most commonly used term, even by our own counter-insurgency units operating in the valley. It is more important to perhaps draw on the difference between secular and non-secular, after all it is something which cannot be denied and continues to re-appear in politics. Religious politics is a game which is being played by everyone in the state and has been around for several decades, since the Dogra King ruled Kashmir. While religion is an important aspect of Kashmiri politics, it is not the sole and most important and we would not be doing justice to the conflict, if everything were to boil down to religion.

**Question:** The growth and decline of the JKLF and HM has been closely linked to the surrounding environment, which did or did not support them and their power structures. How has insurgency and militancy changed with the new environment and how, if at all, has 9/11 changed insurgency in the Valley?

**Dr. Bose:** This has been an important aspect of the Kashmir problem for the entire duration since 1947. The growth and decline of the JKLF and HM has been a constant feature for the last fifty years and can be closely related to the changing policies of the state.

**Question:** The prospect of encouraging moderates to participate in the peace dialogue is very interesting. However, would they gain the support of the local people? Groups such as HM have links with the United Jihad Council (UJC). How have these links evolved over time?

**Dr. Bose:** The HM has evolved as a group over the years. It was seen as being partly responsible for sponsoring the visit of the Hurriyat to Pakistan and Pakistan Occupied Kashmir and has more to gain through a peace process in Kashmir. The United Jihad

Council is an organization rooted to the soil of Kashmir and in several respects has tied down the HM and has ensured that it does not follow the same path as the Lashkar-e-Taiba and other groups not affiliated with the UJC.

**Question:** If, as was argued, the JKLF has indeed given up the role of the gun for more peaceful purposes, then why hasn't the JKLF contested the free and fair elections?

**Dr. Bose:** The JKLF's decision to not pursue politics is two fold. Firstly, to side with the Indian government on the peace talks would be suicidal for a group which is already experiencing reduced support. The JKLF would not want to show that it has been morally and literally defeated, and with a large presence of supporters from across the border, it would be subject to

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hard line views, which could discredit its political sincerity. Secondly, given the high levels of security on the ground across the state, there is no guarantee that the JKLF will witness a true depiction of their support. With a history of doctored elections in the state, the JKLF would not want to be humiliated by a fudged election result. It is also impossible for the JKLF not to ignore Pakistan and the support that it has received and continues to receive from across the border.

**Question:** While it is argued that Malik has changed, it is possible that the real change has been with the conception of a more moderate JKLF and that Malik has adapted to these changes. Is it necessary to get the JKLF more into the mainstream and maybe by doing so, we use the PDP in the process?

**Dr. Bose:** There are and will be many operating problems to this and it cannot be done openly. The JKLF has lost its relevance not as an organization, but as an urban based movement. On the other hand, HM has been able to build up its support in the rural areas. Even if the JKLF was to join with the PDP and contest elections, it remains to be seen how well and how many seats they would win. For the HM it could be argued that their involvement with JI has been a hindrance to their growth. JEI is the most ideological group in J&K and indoctrinates its cadre through its teachings. It is important that the HM distance itself from the JEI and refrain from being its armed wing.



**Question:** Do you believe that the elections in 2002 were not genuine and free and fair elections? Is there a difference between India's idea of autonomy and your idea of 'self rule'? The CBMs we talk about today are constraints of the ceasefire. Pakistan only seems to have one view on the Kashmir issue. Why should India continue to give so much more to Pakistan? Are we really that desperate for peace in Kashmir?

**Dr. Bose:** There is no difference between fair elections and genuine free and fair elections. There are pro-independence people who live in Kashmir and holding elections will be a limited test of their free will. As for self rule and autonomy, there is no difference of substance between the two concepts. Finally, I agree that India might be giving too many concessions to Pakistan, but it is important to note that Pakistan regards itself as the aggrieved party in this dispute and will continue to make demands on India, which may seem unfair and ridiculous. The CBMs between the countries are vitally important, but one must not get carried away with the extent to which they are effective.

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**Question:** The JKLF has been completely marginalized. India wants to encourage the electoral process. When you look at a

place like Mizoram, the insurgents were successfully brought into the peace process. In J&K there are three important points to make on the peace process. Territory is a vital aspect to any negotiations, positive agreements such as the CBMs are undeniably important, and credit must be

given to the army for carrying out successful anti-insurgency operations.

**Dr. Bose:** The JKLF might have been set back to negligible levels, but as history has shown, insurgency in the Valley has mainly involved the JKLF and HM and to a greater extent the ISI. The average village in Kashmir represents 2 kinds of movements, the national conference and the Jamaat. The National Conference has not been eliminated by terrorists and the Jamaat has not been destroyed by renegades. There are too many forces involved in the movements of Kashmir. While Mizoram has had considerable success on the peace front, one has to question if this has been an exceptional case and if the case for Mizoram is even comparable to that of Kashmir.

#### **Final comments by Dr. Bose**

In recent years there has been an insurgency and militancy defeat in the valley. The JKLF was a unique group which has never been replicated in the Valley, and while it did eventually fail to survive, it has continued to perpetrate random acts of violence. The groups currently operating in the valley have had very little influence within the state and negligible influence outside. Contrary to what most people believe, it has not been religion acting as a driving force on the ground, but the indoctrination of the people by the militant propaganda machines which have fueled the movement. The rise of organizations in Kashmir can be largely attributed to the ground situation and certain policies of the Indian government. The bottom line is that the people of Kashmir want peace, and not autonomy, or a merger with Pakistan.

#### **Concluding Remarks: General Banerjee**

The terminology and words used play an important role in discussing these issues. Following the attacks on the September 11<sup>th</sup> 2001, 'terrorism' was the word most widely and perhaps appropriately used in reference to today's discussion. In the early 1990's it was Anti Nationalist Elements (ANEs) which was used by the security forces to describe the militants and

in turn defend the manner in which operations were conducted. The launch of the bus services between Srinagar and Muzaffarabad in early April was a milestone and almost euphoric in the sentiments it generated among the people, and has come to be associated with the peace process, and while it is a slow and drawn out process, there is a possibility that results conducive to all parties can be found in the near future.

**LIBERATION TIGERS OF TAMIL EELAM***Dr Brendan O' Duffy<sup>2</sup>*

One of the broad comparative lessons of the Sri Lanka conflict is that majoritarian form of democracy does not fit into societies with deep ethno national divisions such as language and religious differences, especially if these overlap with territorial aspirations. Majoritarian democracy in such a context exacerbates conflicts rather than ameliorate it. One of the broad lessons in the Post World War situation has been that there is nothing 'normal' about so called 'normal democracy'. There is no pattern which fits into all societies. Rather, the Westminster style of democracy has to fit in conditions which are based on deep cultural, social and economic divisions.

Therefore, the origins of LTTE's aspirations for national self determination is a historic



by-product of the failure of majoritarian institutions of Government in Sri Lanka to deliver adequate collective cultural and

human rights and chances of upward mobility to the minority community.

It would be inappropriate to blame the majority community for the inadequacy of a majoritarian democracy to deliver. A dominant community like the Sinhalese would practice what within the Westminster model would be in its interests. While looking at conflict regulation, a commonality that could be drawn out in cases of Kashmir, Sri Lanka, the Northern Ireland and the Israel- Palestine is the role of the British. Partition, Westminster majoritarianism, associated legal forms, minimalist protection of collective rights and strategy of divide and rule played a role in all these above cases. It is, therefore, quite understandable for the Sinhala majority community to want to turn the tables as they believe that in the colonial regime the Tamils had advantages in the fields of education and public administration, which subsequently gave them an advantage in employment .

This majoritarian reversal manifested itself in the language issue e.g. the Sinhala only Act of 1956, the failed attempt in 1957 to achieve linguistic pluralism and a degree of autonomy and the failure again in 1967 for a Language Act. This combined with specific territorial impetus such as internal colonization and irrigation schemes produced a sense of disadvantage and discrimination in the Tamils. The first generation of Tamils tried using the democratic process to reverse this but failed due to the deep entrenchment of majoritarian ethos in the 1972 constitution of Sri Lanka. The younger generations convinced about the futility of the constitutional route, took to radicalism which laid the ground for a separatist campaign. Given the social, economic and military context, the emergence of the LTTE into a formidable paramilitary organization is no mystery.

**A Hurting Stalemate**

By the late 1990s both the Sri Lanka Government and the LTTE felt they were in a 'hurting stalemate'. From. the latter's

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perspective they could respond to the war, to the Indian intervention and to the gradual improvement in the Sri Lankan army's capabilities. By the 1990s the LTTE's terror campaign had reached Colombo.

Yet with the knowledge that they could not be militarily defeated, the LTTE also realized that their campaign was not a 'progressive' one. International isolation, internal problems of sustaining high levels of recruitment and social problems arising out of forceful recruitment especially of children combined to produce the belief that their goal of Eelam was becoming difficult to attain.

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From the Sri Lankan Government's perspective though it could hold the LTTE, the existing status quo was unsustainable. The economy was shrinking and the historical patterns of growth were paling in comparison to South East Asian countries. Tourism was getting marginalized. The international finance was getting scared off and there were desertions in the army which cut into the personnel needed for counter operations.

### LTTE'S motivations in negotiating for Peace

There have been doubts on the LTTE's credibility in negotiating for peace. It could be buying time to re strengthen itself to launch what would be the 'Eelam War No.4'. The Past events suggest a temptation for the LTTE leadership to use the ceasefire for this tactical purpose.

- In 1987 Prabhakaran acquiesced to the India Sri Lanka Accord and then engaged in war with the IPKF.
- In 1990 it entered into a tactical alliance with the UNP against the IPKF. On the IPKF'S withdrawal it withdrew and went back to war.
- In 1995 the ceasefire talks with Chandrika Kumaratunga led to nowhere.

The above would be interpreted as 'tactical ceasefire preludes' to relaunch.

### The Difference in the Present Situation

The erstwhile LTTE belief of not being in a hurting stalemate and effecting successfully its terror campaign to force the government to capitulate has taken a beating. The Army, the international community and India need to be

credited for this.

### The 'Generational Effect'

The LTTE is experiencing generational changes. The leadership under Prabhakaran has been fighting in the jungles for 20 years. They have families and they are thinking of life after the war. It can be compared to the Sinn Fein leadership like Gerry Adams who got involved in their 20s and now in their 50s have begun to change ideas as they are aware of the hurting stalemate.

The impact of the generational effect on Prabhakaran has to be certainly considered. The LTTE leadership is considering life of 'Peace with Honour' through self governing arrangements i.e. Federalism.

**Acceptance of Federalism as the Solution**

The Sinhala society though not uniformly, has accepted the 'F' word as the solution to the problem in Sri Lanka. There is a consensus though not admitted, building on autonomy and devolution. The JVP which broke from the ruling coalition on this issue is an exception to the consensus building in the majority community.

**India's Role**

India's role is quite vital. It needs to play the role of a facilitator for the Peace Process and of an External Guarantor to the final solution. Its legacy is mixed. It has bequeathed a positive legacy in the form of the India Sri Lanka Accord. The idea of Federalism though not explicit is intrinsic in the idea of substantive and entrenched devolution as a basis of government, potential reconfiguration of provincial system to give some indirect recognition to self determination aspirations and individual and collective rights protection.

**The Role of the International Community**

Norway's role as a facilitator though not effective is positive. It is better than of a guarantor. Post 9/11 the U.S. fear of LTTE serving as a model to other separatist organizations especially in the context of organizational capabilities is understandable. Along with Canada and the U.K to some extent it has proscribed the LTTE. The events in the last two years of negotiation justify this approach. However, in the current context this is too draconian. A probationary status needs to be created for organizations which have signed Memorandum of



Understanding and internationally recognized ceasefires. It is perverse to ban the LTTE from visiting the United Kingdom to learn about devolution.

Naval cooperation and the defence deal being worked out with India are important aspects of the security situation. Yet a system of 'probation' is better in situations of potential transformation.

The Government has to be aware of the outfit's need to remain cohesive. It is crucial for the latter to demonstrate to its hardliners that coming to the negotiating table is not a sell out. This is needed to maintain the integrity of the movement and prevent

spoilers from coming in and the Government to have a partner to negotiate with. To this effect the International regime needs to re calibrate its policies too.

**DISCUSSION**

**Question:** Does the generation change mentioned by the speaker indicate that decisions are not being taken by Prabhakaran alone and the people participating in the belong to the second Generation or rung?

**Dr. O'Duffy:** The question does the newer generation like Tamilselvan have a clout? The new public face of LTTE is not simply universally educated. To get to the top rung one has to be a Balasingham or fight ones' way there by proving oneself militarily. The second and third rung leadership has enough clout and solidarity apart from the Karuna faction to take the followers to a political settlement.

Prabhakaran has the ultimate say but the autonomy and capacity of the second generation leadership should not be underestimated. It has an influence on Prabhakaran. It's not a top down process. There is a political debate in the higher echelons towards accepting something short of an independent state. This is primarily because of Sinhalese society's acceptance of Federalism as solution. This has to include power sharing at central and local levels.

**Question:** What are the Speaker's observations on the Tsunami having a positive effect in galvanizing the peace process in Indonesia but the PTOMS widening the space between the two groups in Sri Lanka?

**Dr. O'Duffy:** The PTOMS was agreed to. The Joint Mechanism has caveats. The Tsunami has positively brought the two sides into a pragmatic deal whose implementation remains to be seen.

**Question:** What would be considered different now from the earlier situation? The hurting stalemate should be read as both sides' realizing that military victory is not possible. The LTTE did not reap the benefits of the capture of the Elephant Pass, which was closest to a military victory in 2000 especially at a time when the Sri Lankan Army was in disarray.

**Dr. O'Duffy:** As mentioned Hurting stalemate would mean that military victory is not attainable. The unsustainability of the status quo plus the negative effects drives the LTTE and the Government into looking for a solution. On the question of Elephant Pass there are limits to offensive capabilities. It is one thing to overrun a military installation and another to hold on to Jaffna when the

Government would retaliate. Large human waves helped in victories but this involved costs of lives as well as recruitment problems.

**Question:** It became clear to the LTTE post 9/11 that U.S. as well India would not allow Eelam. What is wrong with the present stalemate of no war no peace? It is not hurting the LTTE as it runs a parallel Government enabling a de-facto Eelam.

**Dr. O'Duffy:** No there is a lot of expectation to deliver. The status quo does not allow the LTTE to deliver as they would like to. Systematic rather than draconian taxing as well as accountability is not possible. This would have helped to consolidate autonomy in areas of their control in a more public way. An autonomy program in a time of great expectation would help them to sustain their hold.

**Question:** Would the LTTE have been weakened by a sincere implementation of the diluted India Sri Lanka Accord and what is the air capability status of the LTTE?

*The second and third rung leadership has enough clout and solidarity apart from the Karuna faction to take the followers to a political settlement. Prabhakaran has the ultimate say but the autonomy and capacity of the second generation leadership should not be underestimated.*

**Dr. O'Duffy:** It would be difficult for any Sri Lankan Government to allow its implementation. The merger of the North and East provinces and allowing substantial autonomy with LTTE domination in face of JVP aggression would be difficult to sell. If the Indian Government has insured that autonomy arrangements were implemented, rights protected and no abuse happened by security forces then the pressure to deliver on LTTE would had been greater. The air power poses threat of suicide bombing on Colombo, Trincomalee. It's a threat to economic installations. But an air capacity of such

small scale does not affect the over all balance of force.

**Question:** In context of Generational Effect the spate of recruitment from among children which form its largest cadre has gone unstopped. The international community has been quite ineffective on this account. Also the regionalism within regionalism which has arisen with the rebellion of Karuna, would it affect the demand for Eelam?

**Dr. O'Duffy:** The child recruitment though unjustified is difficult to stop but is under the international spotlight. A substantial role in the split was due to the East supplying disproportionate number of cadres. It is a drive difficult to sustain. In context of the North and the East one formula advocated would be a form of self determination creating a parallel process in which a province in Sri Lanka would be allowed to secede if it has support of the other provinces. Also North and East merger would not be needed if stable devolution or federal systems were worked out.

### Comments

- The Sri Lanka stalemate is not hurting as they are in a position to overcome it. Otherwise the next step would be anxieties reflected in the peace process which is not happening. Talking of generational change the structure and ideology of the LTTE based on vengeance as well as the power hierarchy is intact. The positive use of political terms should not symbolize acceptance of Federalism within the Sinhala society. None of the proposals till now have mentioned it.

There was a hue and cry when at the Oslo rounds the LTTE talked of Internal self determination. This is also the problem of the fractured polity in Sri Lanka. The government does not reflect a majority mandate.

- The failure of the LTTE to sustain the momentum after capturing the Elephant Pass and subsequently drive to peripheral areas, lay due to the losses suffered in trying to repel the Army's effort to open the Palaly highway. It was beaten though it occupied Government territories. At the political front the 2004 elections was the zenith of its political aspirations. It allied with the TNA which performed well. It shows it never gave up entirely on the political process despite waging war. Also the degree of resistance to the Federal solution in the South should not be underestimated. The significance of JVP which has a massive following and the role of Buddhist Clergy needs emphasis.

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- Prabhakaran listening to second generation leadership is unlikely. The role of Tamil diaspora in funding the LTTE especially in the wake of Tsunami is important as it would help them survive for some more time. The air capacity of the

LTTE is relevant to make up for the growing recruitment problem. India's involvement keeping in mind the resurgence of extremism and growing Tamil sentiments in Tamil politics is hazardous and unadvisable. On the question of hurting stalemate, in Kashmir there was no follow up by a peace process even after the mutually

hurting stalemate situation was recognized. Hence the South Asian perception is different from what William Zartman would prescribe.

### **Response**

- There are two other elements to Zartman discourse beside hurting stalemate. Existence of valuable spokesperson i.e. leaders who can take people along and existence of a framework for agreement. In Kashmir the nature of polity, absence of a road map and disagreement on an end game, make a viable negotiating process difficult. In Sri Lanka the prospects are better with the LTTE being a cohesive and totalitarian outfit. So chances of leaders deal to remain on that side are larger. Problems exist on acceptance in Sinhalese society. But longer the peace process lasts, however imperfect, the Government can sell it as the people want peace. The agreement has elements of progressivity.
- The LTTE's holding to the ceasefire and supporting the TNA shows that it is looking for a long term political goal.
- The Indian Government needs to play a regional role but it has to be specific and realistic. It will not be intervention considering the IPKF legacy. It should be of an external facilitator to a treaty that recognizes self determination as a solution. That ways it can protect its own territorial integrity by recognizing a mechanism that protects that of Sri Lanka. This in addition to the defence deals would be realistic.
- Even if Prabhakaran calls the shot he is in touch with issues of Federalism and political autonomy and transition. He is not only a military strategist but also a political leader. There is a degree of discourse among the high

echelon of leadership. That shows receptivity to the idea. The Indo Sri Lanka Accord was rejected as LTTE was not a party to it. It was brokered by greater powers and on basis of proposals tabled unilaterally by the Government.

- The Sri Lankan Government's commitment to recognize the LTTE as a primary negotiator if not the sole representative of the Tamils shows a degree of flexibility in Sinhala society. There has been a commitment from both sides to explore the interim self government path.

## FREE ACEH MOVEMENT (GAM)

*Dr. Kirsten Schulze<sup>3</sup>*

### Brief History

Most of the world was unaware of Aceh till the tsunami hit the region. The conflict started in 1976. Popular grievances in Aceh have been the history of broken promises during the Indonesian struggle against the Dutch. Indonesia promised special status to Aceh after independence as the Aceh resistance fighters started the independence struggle against the Dutch. This was granted after Indonesia got independence in 1949, only to be revoked in 1951. War broke out in 1953 and in 1959 the special status was restored. This was yet again revoked in 1967 when Suharto, a Javanese by origin came to power after Sukarno. He introduced the Javanese administration system which destroyed all the earlier administrative systems that the Acehenese had.



### Economic Factors

In 1971 natural gas was discovered in the east coast of Sumatra. Modernisation and

urbanization followed with migrants flowing in looking for employment opportunities. As the foreign flow increased, Indonesia began to corner all the resources and benefits leaving Aceh without any share in the projects.

As a result of modernization there was large scale pollution, killing indigenous fishing industry. Other effects of urbanization followed such as gambling, prostitution and crime in a society which was mainly Islamic. Consequential societal unrest followed. The Free Aceh Movement (Gerakan Aceh Merdeka; GAM) is not an Islamist movement. There are no jihadis and suicide bombers involved here.

### 5 Main Targets of The GAM Armed Attacks

1. Security forces.
2. Civil state infrastructure: Judicial system, local government officials and politicians.
3. Education system: It was believed to be brainwashing Aceh students into

*The Free Aceh Movement (Gerakan Aceh Merdeka; GAM) is not an Islamist movement. There are no jihadis and suicide bombers involved here.*

thinking like Indonesians. As part of the decentralisation process in Indonesia, huge financial resources were poured into education. Schools were taxed by GAM and head masters were shot for not complying.

4. Economy: To draw a response from the Indonesian government the pipelines and foreign workers were attacked.

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5. Javanese Migrants: Indonesian Government was seen as the Javanese government. The struggle had ethnic overtones and all Javanese in Aceh were attacked.

**Development of Insurgency: 3 Phases**

**1976:** Right after the establishment of GAM in 1976 under the leadership of Hasan de Tiro the Acehnese leader living in exile in Sweden, GAM employed hit and run tactics. The primary objective was to turn Aceh into an independent Islamic state. The movement was suppressed by the Indonesian military and most of the leaders went into exile.

**1980's:** The insurgency re-emerged as the guerrillas gained confidence and professionalism following their covert training by Libyan paramilitaries in the mid-1980s. In the late-1980s GAM launched several effective manoeuvres against Indonesian military installations in Aceh. They reorganized in the ground for guerrilla warfare. The army was sent in for counter insurgency operations and the Indonesian military perpetrated widespread human rights abuses.

**Post Counter Insurgency:** This was made up of an organization of about 1000 odd people who tried to turn it into a popular movement. An entire new generation of recruits seeking revenge came up, though they were unsure about the ideology of GAM.



**Expansion and Criminalisation of GAM**

Economic and democratic reforms were going on in Indonesia in the mid-nineties and there were economic problems in Jakarta and a separatist movement in East Timor. Feeding on the previous counter-insurgency operations, GAM decided to expand from the east coast to the centre and to the west which was untouched by the GAM till then. The recruits for these areas were petty criminals and thugs who extracted money from the people.

Options opened up for both Indonesia and GAM and GAM saw east Timor as a blue print for its own path to independence. It put across feelers for a possible peace process. On the ground there was recruitment and there was a parallel peace process going on between March 2002 and May 2003. GAM's position in the negotiations was only independence, whereas for Indonesia, it was anything but independence. Indonesia's autonomy package has not been implemented even by 20%. According to the package 70% of the resources were to go to Aceh. The agreements had no input from the local population of Aceh. In May 2003, the ceasefire broke down. GAM did not hand over arms as it was supposed to do. The final meeting to reconcile collapsed and Indonesian government imposed martial law in Aceh.

From a military perspective, Indonesian side learnt from the previous counter insurgency operations. The operations were more professional and the degree of abuses decreased. Erring soldiers were court-martialed. By May 2003, GAM had almost 80% control of

Aceh. However GAM had developed weaknesses because of criminalization. Information started flowing from the villagers to security forces. The forces unraveled the civilian side of GAM control, cut off logistics and weapons supplies coming through Thailand and the Jakarta black market. Indonesia was not able to touch top level command structure of GAM.

In September 2004, General Susilo Bambang Yudhoyono, who was part of the earlier peace process, was elected as the new President of Indonesia defeating incumbent Megawati Sukarnoputri. This acted as a catalyst to restart the talks between the Indonesian government and GAM. GAM did not have the resources to keep up the movement and put forward the idea of restarting the peace process.

They agreed to talk about something other than independence, like self government, autonomy, right to form political parties, conflict transformation and rebuilding civilian structure that was ruined during the counter insurgency period.

On 15 August 2005, a Memorandum of Understanding (MoU) is to be signed between the two parties on these lines. The right to have local political party in Aceh will need special legislation. As a precondition to having a political party in Indonesia the party is stationing the party head quarters in Jakarta. This is the most contentious issue in the peace process. The other conditions are demobilizing troops, decommissioning of arms, having a flag and hymn of their own and rehabilitation of GAM fighters into society.

The Indonesian military will have to withdraw non organic troops sent for operations whereas the structure of the organic troops would remain the same. A reconciliation commission would be set up and a human rights investigation will be conducted. Compensation for people who lost property during the counter insurgency is to be given.

### Problems Areas Foreseen in the Implementation of the MOU

Decommissioning of arms, demobilisation of troops and compensation for abuses under the agreement will be major problem areas. The effectiveness of political parties is ridden with problems. At the moment the Acehenese are enthusiastic about a multi party system. With 12 different parties running, a single party is unlikely to win a majority. The criminalization of GAM is a major problem. The party might not do as well as they think and might get disillusioned and revert to armed struggle. In terms of economic development of the Acehenese, farming has no social status and this would difficult for the people, majority of who are in the farming sector.

The agreement deals with GAM and Indonesia, not Aceh. The local populace needs to be involved in the process. Their issues might be fostering underneath the soil and new organizations might come up. Other organizations were not included in the talks and they provided key information against GAM. They feel that GAM is being rewarded for its violence and they might also resort to violence. Expectations from Indonesia would not be fulfilled. They expect GAM to disappear after the peace agreement. But the GAM has not given up on independence. Their long term goal remains as incompatible as ever.

The speaker is cautiously optimistic in the short term and pessimistic of the long term implications of the ongoing peace process.

### DISCUSSION

**Question:** Tsunami has expedited talks in Indonesia between GAM and the Indonesian Government and has galvanized the peace process. But in Sri Lanka the agreement was close, but was struck down. Why?

**Dr. Schulze:** In Aceh there was nothing on the ground in terms of aid organizations. They had to move through Jakarta to the



affected areas. The aid organizations made it clear that they would move with aid only if there is peace on the ground. Huge financial benefits were flowing in to make both sides come to the negotiating table in Indonesia.

**Question:** What is the relation between the maritime pirates of the Malacca Straits and the criminals in GAM? Is there an overlapping with the GAM criminals? If so, are you accepting two levels of criminality, pirates and others? If the sources of alienation are strong enough to mobilize the people on one front, is it necessary to take them on another front?

**Dr. Schulze:** GAM has undergone a process of criminalisation. Grievances of economic exploitation were on the eastern

coast due to oil exploration and modernization. On the western coast, people were more or less equal. There people had not heard of the GAM. There was no ideological pressure motivating people to join the movement. So there was forced recruitment of petty criminals. The GAM commander on the eastern coast was respected; took care of the people and the responsibility was almost hereditary. But after 2002, GAM commanders got involved in kidnapping, piracy and extortion. They were not educated people like the earlier commanders. There was a decline in the quality of GAM workers. Those involved in piracy in Acehese don't move away from the coast. They are not involved in the pirate gangs on the high seas. GAM only has small boats and weapons.