ESSAY

Analysing the Sri Lankan civil war through the lens of conflict resolution theory

Sonia Dey

Department of History, University of Calcutta, Kolkata, West Bengal, 700073, India

Abstract

This paper offers a detailed perspective of third-party intervention as a major toolkit in conflict resolution. It assesses the efficacy of third-party intervention under certain working conditions, also at the same time points out circumstances that hinders attempted conflict resolutions. Third party intervention was used as a toolkit in the attempted peace process in Sri Lanka, to help resolve the decades-old Sri Lankan ethnic conflict between the government and the Tamil separatist faction, LTTE. India was the first to attempt mediation through its peacekeeping forces, which counteracted under unforeseen circumstances and quickly lost the peacekeeping approach and turned into muscle-mediation. Norway too played a prominent role in the process, but it adopted an unbiased and non-coercive peace facilitation approach. Despite which, Norway came under a barrage of criticism for biased mediation policies. This research points out what two different types of mediation can achieve from a single conflict and what are the conditions required for third party mediation to achieve success, under a complex situation like the Sri Lankan case. The Sri Lankan peace process explores how mediation by force can backfire but at the same time exposes the powerlessness of non-coercive third-party mediation. This study holds potential to drive future researchers closer to exploring means to minimize the impacts of such limitations on future reconciliations.

Keywords

Conflict Resolution, Sri Lanka, Civil War, Third-party intervention, Mediation, Peace Process, International Community

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Introduction

Conflict resolution is a process of addressing conflicts and disagreements between individuals, groups or nations and attempting to resolve the same in a peaceful manner. The process involves finding a mutually accepted solution that can eliminate the conflict as well address the underlying reason that leads to conflicts and eventually restore relations and promote peace. One of the major toolkits used in conflict resolution is third-party intervention, which is essentially a process where external mediators are involved in a conflict, to necessarily facilitate a peaceful and effective resolution between conflicted parties. Mediation of this sort can range from diplomatic and peacekeeping efforts as well as using inter-personal channels of communication. Third-party interventions are often sought for several reasons, such as neutrality or impartial nature of mediators and their unbiased engagement, facilitation of communication particularly under situations where adversaries are unable to communicate with each other given the ongoing animosity, some mediators prefer the use of peacekeeping to create a safe environment for mediation and finally, the possession of technical expertise by some mediators to successfully implement a mediation. This research intends to analyze the complexities of third-party intervention, as a tool in the process of conflict resolution, viewing it through the perspectives of the peace processes which were attempted in Sri Lanka, in response to the devastating civil war that ravaged the South Asian nation for nearly three decades, particularly from 1983–2009. A particular emphasis has been given to analyse the consequences of the two types of mediation, involving both persuasion and coercion, and their outcome in the Sri Lankan peace process and identifying the need of involving local bodies in the processes of conflict resolution. Prolonged conflict between the government of Sri Lanka and the separatist faction of the minority Tamil community, Liberation Tigers of Tamil Eelam (LTTE) resulted in a stalemate that prevented the realization of any peaceful and sustainable solutions. Circumstances like this caused only devastation in terms of lives, resources and property, alongwith a further deterioration of inter-communal relations. To contain this measure of violence and restore normalcy, external mediators were involved in the Sri Lankan civil war, to assist in finding a solution to the conflict.

In circumstances like intra-state or inter-state conflicts, interventions can be of different types, military interventions using force, non-military using dialogues or traditional peacekeeping. Sri Lanka experienced both military intervention by India, which can be understood in terms of use of coercion in mediation and non-military intervention by Norway, as an example of use of persuasion. Based on the case study, the focus of this paper is to examine the outcome of both types of mediation in the Sri Lankan peace process, particularly whether the use of coercion in armed mediation and peace talks or dialogues in non-coercive mediation are adequate to ensure successful conflict resolution? In this research I have also pointed out that, in third-party intervention, the involvement of the third parties and their individual

techniques to mediate are as important as involving the local bodies or civil society members, as some pointed out that in the field of conflict resolution, civil society members or NGOs particularly, play an important role as they represent a 'third system'. As a third system, the NGO community can play a general role in providing early warnings, monitoring, providing immediate relief and finding ways of resolving conflicts. Given sufficient trainings and resources, the NGO community can contribute local expertise, draw attention to the needs of the deprived section and communicate with disputants.[1] Likewise, Amy L. Smith and David R. Smock have reiterated the significance of the third system in their work by emphasizing on the fact that peace settlements should include the local community members as managers, agents and monitors of implementation. The local knowledge, networks and leadership are valuable as it increases the resources available for peace implementation, builds social capital, solidifies local ownership, and thereby increases the civil society's stake in the implementation process.[2] However, in the Sri Lankan case, even though there was plenty of room to accommodate the civil society, the mediation processes relatively overlooked or underestimated their role. Sri Lanka is an appropriate case study for this research as it has experienced both coercive (or for better clarity, peacekeeping-turned-armed mediation) and non-coercive mediations. The Sri Lankan peace process makes it evident that only ensuring force in coercive mediation or dialogues in non-coercive mediation is not sufficient for successful negotiation. It also exposes the mediators' lack of addressal to certain theatres of the society, leaving limited room for inclusivity, which could have played a significant role in conflict transformation.

The hypothesis of this study is, having applied two different methods of third-party mediation, one by using force and the other by dialogues and persuasion, the Sri Lankan peace process could have succeeded given the process was inclusive and democratized, and if conflict transformation was prioritized. The methodology used for this study was that the Sri Lankan ethnic conflict being analyzed through the lens of conflict resolution theory, focusing on the tool of third-party intervention, alongwith a detailed discussion on the conditions of both success and failures of external mediation. The chapter puts emphasis on third party mediation because the Sri Lankan peace process witnessed a major role played both by India and Norway as mediators rather than any internal party. Third-party interventions highlight the contributions made by external players who use means that occasionally catered to both their interests as well as the conflict's. The paper also differentiates between traditional as well as contemporary practices of conflict

[1] K. Rupesinghe, "Theories of Conflict Resolution and Their Applicability: To Protracted Ethnic Conflict," *Bulletin of Peace Proposals* 18, no. 4 (1987): 537, 538, https://www.jstor.org/stable/44481352.

[2] A.L. Smith and D.R. Smock, "Managing a mediation process," United States Institute of Peace, Washington D.C., 2008, 58, https://www.usip.org/sites/default/files/managing_mediation_process.pdf.

resolution, in order to understand the evolution of the theory and its application in the Sri Lankan case.

Understanding conflict resolution

Conflict resolution is essentially a process in which institutions and policy options negotiate the needs of parties involved in the dispute. The groundwork of conflict resolution was laid out between 1946–1969, aimed at catering to future reconciliations.[3] Unbiased and correct analyses of conflicts are one of the key elements for a successful resolution. Correct analyses of conflicts help in determining appropriate actions or strategies to be applied for maximum effectiveness. The success of conflict resolution can be determined by certain factors, such as, short-term success as well long-term success in mediation. As pointed out by Lindsay Reid, short-term success can be defined as the mediator's ability to achieve an agreement whereas long-term can be evaluated in terms of the duration of peace following the conflict.[4] Adding to this, Hussein Solomon and Sally Matthews pointed out that it is imperative to acknowledge that there are no quick-fix to ethnic conflicts and mediators' contributions should deliver a long-term result and the mediator commitment should not end with the end of conflict, rather they are required to remain behind to facilitate dialogues and prevent small violent incidents from occurring, and such are essential in the process of attaining sustainable peace.[5]

Practices of conflict resolution has evolved over time and greater emphases are given on generating solutions that benefit both sides.[6] Traditional and contemporary approaches to conflict resolution highlights the evolution of the theory from a compromised decision making to a more problem-solving approach. Traditional models of conflict resolution consist of power bargaining, dispute settlement, mediation, and negotiation. Analysts have defined power bargaining as coercive decision-making in order to arrive at a dispute settlement.[7] Having said that, conflict resolution has evolved from enforced or compromised decisions to a more problem-solving approach. The concept of mediation in conflict resolution has evolved from seeking reasonable compromises to facilitation. Facilitation helps warring parties agree to a common understanding, re-defining relationship, clarify individual goals and discover options which meet individual needs. Negotiation techniques suggest that in order to reach an effective understanding, accommodating interests of

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[3] L. Kriesberg, "The Evolution of Conflict Resolution," in *The Sage Handbook of Conflict Resolution*, eds. J. Bercovitch, V. Kremenyuk and I.W. Zartman (Thousand Oaks, CA: Sage, 2009), 5.

[4] L. Reid, "Finding a peace that lasts: Mediator leverage and the durable resolution of civil wars," *The Journal of Conflict Resolution* 61, no. 7 (August, 2017): 1409, https://www.jstor.org/stable/26363934.

[5] H. Solomon and S. Matthews, "Responding to Ethnic Conflicts," *Indian Foreign Affairs Journal* 4, no. 1 (January–March, 2009), 54, https://www.jstor.org/stable/45340770.

[6] Solomon and Matthews, "Responding to Ethnic Conflicts," 5.

[7] J. Burton, "The Theory of Conflict Resolution," *Current Research on Peace and Violence* 9, no. 3 (1986): 125, https://www.jstor.org/stable/40725036.

both sides are essential. Non-negotiable values that reflect certain group's identity needs should also be taken into consideration. When groups refrain from socializing into certain behavioural practices that run counter to their natural systems, such situations do not lead to healthy conflict resolution environment.[8] Contemporary analysis views conflicts resolution through the lens of transformation, which emphasizes two important aspects, positive orientation towards conflict and willingness to change. In such circumstances, conflict is no more seen as a tool for destruction but rather a facilitator of constructive change. A transformational approach towards conflict resolution seeks constructive changes, using the energy that conflicts generate.[9]

When conflicts reach a stalemate that hurts both the sides of the dispute, the need to mediation arises. Under circumstances where parties to conflicts are unable to resolve the dispute themselves, an external player then plays the role of a third-party mediator. A third-party mediator helps to change the level of fear and insecurity that surrounds commitment towards conflict resolution, while guaranteeing protection of interests of both sides, while facilitating a peace agreement.[10] This paper presents a detailed discussion on this model of conflict resolution and the outcome it derived from the attempted Sri Lankan peace process.

Understanding third-party intervention as tool of conflict resolution

What is third-party intervention?

Third party intervention is a given term to a process of conflict resolution, in which a person or a group intervenes in an ongoing conflict, with an objective to resolve the dispute. Third party intervention can be applied under two circumstances, either it is employed consciously by international actors or on the request of adversaries. This type of external engagements involve fact-findings and enquiry, and is often considered as a preferred mean to settle disputes, especially when disputants are unable to reach an understanding. Gerald Eisenkopf and André Bächtiger stress three key characteristics, such as communication, punishment, and mediator interests, that manipulates third-party mediation. While explaining communication, they pointed out that the availability of information in the public domain is a tool for effective mediation.[11] Information lessens uncertainty and help stakeholders to perceive conflict transparently and present their bargaining terms accordingly. With regard to punishment, the authority vested in mediators to penalize adversaries

[8] Burton, "The Theory of Conflict Resolution," 125–129.

[9] J.P. Lederach and M. Maise, *The Little Book of Conflict Transformation* (Good Books, 2003), http://peacebuildingforlanguagelearners.pbworks.com/w/file/fetch/73426925/Lederach%20and%20Maiese_Conflict%20Transformation.pdf.

[10] B.F. Walter, "The Critical Barrier to Civil War Settlement," *International Organization* 51, no. 3 (1997): 340, http://doi.org/10.1162/002081897550384.

[11] Burton, "The Theory of Conflict."

in case of the violation of peace terms can influence conflict resolutions in a major way. Mediator interests also help in shaping outcomes of conflict resolution. Under certain situations, unbiased mediation proves most effective. However, many have argued that a mediator's biasness can put pressure on its ally as well as extract concessions from the favoured side.[12] For instance, Isak Svensson has argued in his work that biased mediators, in some situations, have outperformed neutral mediators. While saying so, Svensson did not belittle the role of neutral mediators, rather argued that the outcome of biased or unbiased mediation largely depends upon the nature of the conflict. In contemporary armed conflicts, where mostly the conflict is between rebel groups and governments, the biased mediators are either government-inclined or rebel group-inclined. However, the problem arises with giving more recognition to rebel groups and legitimizing their cause which they occasionally can misuse and use to their advantage and that there is an undeniable commitment problem with the rebels. And therefore, in this context he argued that government-biased mediators are proven to be more effective as peacemakers.[13] Contributing to the debate of biased and unbiased mediation, Andrew Kydd upheld the role of both biased and neutral mediators in the field of conflict resolutions and categorized weak mediators as neutral whereas powerful mediators as biased. He specified that impartiality is appropriate for weak mediators whereas bias is seemingly accepted for powerful mediators.[14]

Who can intervene as third-party mediators?

Studies show that external actors with highly developed field mission capabilities are the one who successfully dissuade disputants from violent bargaining strategies. Mediators with greater institutional capabilities of sourcing specific and relevant information, with less variance, are likely to produce successful outcomes, as high variances can lead to uncertainty as well as erroneous predictions that often comes from a less-resourced mediator.[15] Recent studies have revealed that International organizations (IO) and regional organizations have become relatively active in the field of conflict resolution and often appears to be well-equipped in promoting resolution to armed hostilities. In case of IO, the United Nations Department of Political Affairs plays a central role in preventing conflicts and build sustainable peace. European Union (EU), North Atlantic Treaty Organization (NATO), Commonwealth of Nations (CON) are also some of the IOs that have been engaged in

[12] G. Eisenkofp and A. Bächtiger, "Mediation and Conflict Prevention," *The Journal of Conflict Resolution* 57, no. 4 (2013): 570–572, https://www.jstor.org/stable/24545609.

[13] I. Svensson, "Research on Bias in Mediation: Policy Implications," *Penn State Journal of Law and International Affairs* 2, no. 1 (April, 2013): 19, 20, https://elibrary.law.psu.edu/cgi/viewcontent.cgi?article=1026&context=jlia.

[14] A. Kydd, "Which side are you on? Bias, credibility, and mediation," *American Journal of Political Science* 47, no. 4 (October, 2003): 598, 599, https://www.jstor.org/stable/3186121.

[15] M. Lundgren, "Which type of international organizations can settle civil wars?," *The Review of International Organizations* 12, no. 4, 613–641, http://doi.org/10.1007/s11558-016-9253-0.

mediation since 1975.[16] Regional organizations, such as Arab League, brokered a ceasefire in Syria in 2015 as a part of the International Syria Support Group (ISSG),[17] African Union's Peace and Security Council (PSC) played a major role in conflict management and mediation role in the 2011 Libyan civil war,[18] also, ASEAN's mediation in the Cambodia-Thailand border dispute in early 2011,[19] are some of the examples of how regional organizations have attempted mediation in conflict-stricken regions.

Individual states too can act as third-party mediators. Mediator states are often of two types; one, great power states that often belong from the wealthy countries, identified by hegemonic stability theorists, that take interest and deploy resources in system maintenance. While the other being medium and small size states that take interests in institutionalization of peace and reconciliation efforts, along with a place in global decision making.[20] Small states often can offer peacekeeping missions to conflict zones and assist in de-escalation and trust-building measure with the help of persuasion. However, small states also occasionally lack the leverage to pressurize parties into negotiations. Whereas great powers on the other hand, can use leverage as the key factor in persuading disputants to engage into negotiations by being their guarantor of peace agreements. United States of America and Kuwait have been the primary mediators in the Gulf crisis In 2017, and both countries had adopted individual mediation approaches as big power and small power respectively.[21]

Lastly, states that are in the vicinity of a conflict can also play significant role in third party mediation, especially who are impacted in terms of regional instability, security and influx of migrants and therefore develop an interest in early mitigation of the crisis. As Stephen R. Leibel expressed that proximity can often breed willingness to participate or feel the need to join the war, given localized interests that stem out of ethnic groups crossing boundaries.[22] Indian intervention in the

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[16] Lundgren, "Which type of international organizations."

[17] "Syria: UN Envoy meets oppositions groups on effort to broker ceasefire, political transition," *UN News*, November 24, 2015, https://news.un.org/en/story/2015/11/516392-syria-un-envoy-meets-opposition-groups-effort-broker-ceasefire-political.

[18] K.P. Apuuli, "The African Union's mediation mandate and the Libyan conflict (2011)," *African Security,* 2017, 2, http://dx.doi.org/10.1080/19392206.2017.1360095.

[19] International Crisis Group, "Waging Peace: ASEAN and the Thai-Cambodian Border Conflict," Report, Asia, December 6, 2011, https://www.crisisgroup.org/asia/south-east-asia/thailand/waging-peace-asean-and-thai-cambodian-border-conflict.

[20] I.B. Neumann, "Peace and reconciliation efforts as systems-maintaining diplomacy: The case of Norway," *International Journal* 66, no. 3 (Summer, 2011): 567–572, https://www.jstor.org/stable/23104368.

[21] I. Fraihat, "Superpower and Small-State Mediation in Qatar Gulf Crisis," *The International Spectator* (2020): 3–6, https://doi.org/10.1080/03932729.2020.1741268.

[22] S.R. Liebel, "The Efficacy of Third-Party Intervention," *The Brown Journal of World Affairs* 21, no. 2 (Spring/Summer, 2015): 56, https://www.jstor.org/stable/24591054.

Sri Lankan ethnic war, for instance, could well be equated with Leibel's concept of proximity as the ripple effects of the Sri Lankan conflict could not prevent India from being just a mere regional spectator but intervened with the stature of a regional power. India's involvement also resulted partly out of New Delhi's geo-political and strategic concerns and partly from domestic political compulsions.

What are the different types of third-party intervention?

Third-party interventions can be of different nature as some use force, particularly in presence of a military while some offer non-coercive mediation by engaging combatants in dialogues and peacekeeping. With regard to military interventions, Iver Neumann suggested that great powers, usually rich countries with high military capabilities, often fall back on the use of force as part of mediation.[23] Having said that, some realists argue that these kind of interventions by powerful states, using military forces, are often aimed at promoting their own interests.[24] For example, in response to Syrian government's use of chemical weapon, that killed over 1000 civilians in August 2013, US along with its Arab allies launched a military intervention in Syria in September 2014, fearing the Syrian chemical weapons would fall into the hands of terrorist organizations, and further be used against the United States.[25] A pertinent question, in this context, is when does mediators use force as part of mediation? The answer to this question is when requests are made to states to use force on host's territory as part of mediation, it can be held as a legitimate form of intervention as it is not prohibited in the United Nations Charter, Article 2(4), which prohibits use of force against any member state.[26] Also, mediators can use force in cases of 'humanitarian intervention', a rationale that is linked to the soft law doctrine of Right to Protect (R2P) in which the international community has the obligation to intervene militarily to stop atrocities and offer protection, such as NATO's air-campaign intervention in Kosovo in March 1999 to halt the humanitarian catastrophe.[27]

Military interventions, however, does not always guarantee success and therefore negotiations through dialogues are often encouraged that involves zero coercion. This is a type of mediation process where disputants seek assistance from individual states, groups or organizations to peacefully resolve their differences, without the use of force. This type of mediation uses persuasion rather than coercion, aiming

[23] Neumann, "Peace and reconciliation efforts," 567.

[24] C. Boke, "Third-party Intervention to Civil Wars: Realists, Liberalists and English School Theoretical Perspectives," *Beyond the Horizon*, April 11, 2019, https://behorizon.org/third-party-intervention-to-civil-wars-realist-liberalist-and-english-school-theoretical-perspectives/.

[25] P.S. Baruch and B. Weinstock, "Military Intervention in Syria: Is it Legal?," Institute for National Security Studies, September 11, 2013, 2, https://www.inss.org.il/wp-content/uploads/2017/05/No.-465.pdf.

[26] Baruch and Weinstock, "Military Intervention in Syria: Is it Legal?," 1.

[27] Baruch and Weinstock, "Military Intervention in Syria."

to reach a solution that is acceptable to the both the conflicting parties, with mutual benefits.[28] Another type of mediation is done through peacekeeping, often with United Nations intervention, in which UN Security Council sends peacekeeping forces to regions that face deadly conflicts. Studies show that peacekeeping interventions often help in reducing civilian and military casualties, prevent the spread and reoccurrence of violence, help disputants reach settlement and help countries maintain post-conflict peace. It reveals that higher the commitment from peacekeepers in protecting combatants, the lesser the casualties in conflicts.[29] UN deployments in conflicts, such the African Union- United Nations Hybrid Operation (UNAMID) in Darfur July 2007, United Nations Mission in South Sudan (UNMISS) of July 2011, United Nations Organization Mission in Democratic Republic of Congo (MONUC) of July 2010 were some of the instances where non-coercive mediation and peacekeeping were used as a method of intervention to end hostilities and provide protection to civilians, humanitarian personnel and human rights defenders from imminent threat of physical violence.[30]

When is the right time to intervene?

Some argue that key to successful conflict resolution also lies in the timing of efforts. Zartman quoted Henry Kissinger, where the latter pronounced that stalemate is the most propitious condition for settlement, identifying stalemate as the right timing for intervention.[31] By timing, he means the readiness of the parties to resolve their conflict followed by a mutually hurting stalemate. When are they ready? When adversaries have limited options and their means to negotiate become costly, they grab opportunities that apparently promise to resolve their dispute and appear to be mutually beneficial.[32] This concept is perceived as *ripeness theory*, a time when disputants find themselves locked in a conflict situation, from which they can neither escape nor can they progress towards victory. When such a deadlock becomes painful and drains both sides' resources, they consider the time *ripe* for resolution. Having said that, it is equally important to identify when the time is *not ripe* for intervention. For instance, during an ongoing conflict between Armenia and Azerbaijan over territorial dispute in Nagorno Karabakh, the Iranian deputy foreign minister (with Iran being one of the mediators) said in an interview in 1992 that the situation in Azerbaijan was not ripe for mediation.[33] However,

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[28] P. Wallensteen and I. Svensson, "Talking peace: International mediation in armed conflicts," *Journal of Peace Research* 51, no. 2 (March, 2014): 316, https://www.jstor.org/stable/24557424.

[29] B.F. Walter, L.M. Howard and V.P. Fontana, "The Extraordinary Relationship between Peracekeeping and Peace," *British Journal of Political Science* (2020): 2, 3, http://doi.org/10.1017/S000712342000023X.

[30] Walter, Howard and Fontana, "The Extraordinary Relationship," 3, 4.

[31] W. Zartman, "Ripeness: The Hurting Stalemate and Beyond," in *International Conflict Resolution after the Cold War*, eds. P.C. Stern and D. Druckman (Washington D.C., 2000), 225–227.

[32] Zartman, "Ripeness: The Hurting Stalemate and Beyond," 225.

[33] W. Betts, "Third Party Mediation: An Obstacle to Peace in Nagorno Karabakh," *SAIS Review (1989–2003)* (Summer–Fall, 1999): 177, https://www.jstor.org/stable/45345845.

critique to Zartman's ripeness theory claims that the element of timing does not always guarantee successful results and that it can become an excuse for the failure to resolve a conflict and justification for inactions.[34]

In addition to the logic of timing, mediators may also intervene in conflicts when disputants are unable to negotiate and they approach a third party to become a channel of communication and help resolve the dispute. For instance, in the Sri Lankan ethnic conflict, Prime Minister Ranil Wickremesinghe, upon winning election in 2001 on promise of peace, had wrote to the Prime Minister of Norway to resume the stalled peace process in the conflict-ridden country. This was followed by a similar request made by LTTE chief, Velupillai Prabhakaran. Approach made by both sides of the conflict led Norway join the conflict as a third-party peace facilitator, followed by which the 2002 Ceasefire Agreement was signed in Sri Lanka,[35] the outcome of which will be discussed in detail in the latter half of the paper.

Challenges in conflict resolution

There are certain conditions that prevent mediators from making qualifying decisions. Conditions like lack of knowledge, that is, the insufficient understanding to address the core issue of the conflict. When decision makers or mediators are inadequately informed about the root cause of the conflict, belligerents' grievances, or incorrect predictions of the implications of mediator actions, it can often result as detrimental to the process. Some argue that power can be used to facilitate peaceful outcomes, as externally imposed power can secure parties during the process of disarmament. However, in the absence of powerful third party, belligerents often break the truce of disarmament and can attack the vulnerable side.[36] The challenge, however, is that imposition of power can sometime backfire as it occasionally makes the belligerents feel less secure than more.[37] Therefore, the question remains is how much power is too much power for conflict *resolution*? Mediators' imposition of authority in conflict resolution can occasionally be counter productive. Despite pledging to peaceful means in mediation, coercion is often what states resort to as an acceptable means, especially while dealing with threats in more complicated conflicts.[38] The use of power does not always guarantee peace, as once

[34] E. O'Kane, "When Can Conflicts Be Resolved? A Critique of Ripeness," *Civil Wars* 8, no. 3 (September, 2006): 271, https://doi.org/10.1080/13698240601060710.

[35] J.S. Moolakkattu, "Peace Facilitation by Small States: Norway in Sri Lanka," *Cooperation and Conflict* 40, no. 4 (2005): 390, https://www.jstor.org/stable/45084339.

[36] I.S. Spears, "Problems of Knowledge, Power and Political Will," in *Believers, Skeptics and Failure in Conflict Resolution* (Switzerland, 2019): 94–105, https://doi.org/10.1007/978-3-030-14144-8.

[37] Spears, "Problems of Knowledge, Power and Political Will," 106.

[38] Spears, "Problems of Knowledge, Power," 145.

the believer of use of American power could bring peace, Aaron David Miller, renounced his position after America's failure in the Palestinian peace process.[39] India's use of force through Indian Peacekeeping Forces (IPKF) in Sri Lanka in the 1990s, backfired and turned the peacemaking role into a bloodbath, ending India's mediation role in the conflict.

Violence, on the other hand, acts as another major setback in conflict resolution as it not only escalates tensions but also affects the confidence building measures. John Darby and Roger Mac Ginty have stressed that no peace process could yield result if parties involved are indulged in acts of violence or use forces to achieve their objectives.[40] Intra-party dynamics often alters according to the choice to resort to the use of violence. For example, if one faction of an organization chooses the route of using violent means in achieving their objective, the other faction prefers dialogues or other peaceful means. Such disunity within organizations may create hindrance for mediators in offering a settlement that is acceptable to both factions. Violence, on the other hand, is another factor that not only can impact the negotiation process but also poses greater threat to mediators, as pointed out by Kristine Hoglund. Violent situations can compel mediators to withdraw from peace processes as peace custodians are often targeted by adversary groups who prefer no external mediation and would rather choose violence as the only way to reach their goal.[41]

Having discussed the main facets of conflict resolution and the significance of the use of third-party intervention tool, it is indeed necessary to point out that success of mediations is subjective, and the outcomes may vary from case to case. A mediation can be considered successful when disputants accept the presence of mediators, comply to the terms of agreements and violence does not reoccur in a long time, usually 5 years from peace deals. However, the truth is after relying on both qualitative and quantitative comparative research and in-depth analyses, scholarship has come to terms with the fact that there is not *golden rule* for mediation.[42] Case studies are the most desired ways to understand the unique patterns of mediation processes that take shape in accordance with ground realities. This paper focuses on the Sri Lankan ethnic conflict as our case study, and how the conflict resolution processes unfolded and the outcomes it produced.

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[39] Spears, "Problems of Knowledge," 5.

[40] K. Hoglund, "Violence-Catalyst or Obstacle to Conflict Resolution: Seven Propositions Concerning the Effect of Violence on Peace Negotiations," Department of Peace and Conflict Research, Uppsala University, September, 2001, 5, http://uu.diva-portal.org/smash/get/diva2:1451987/FULLTEXT01.pdf.

[41] Hoglund, "Violence-Catalyst or Obstacle to Conflict Resolution," 5–8.

[42] M. Kleiboer, "Understanding Success and Failure of International Mediation," *The Journal of Conflict Resolution* 40, no. 2 (June, 1996): 375, https://www.jstor.org/stable/174357.

Third party intervention in Sri Lanka

The Sri Lankan ethnic conflict was one of many destructive civil wars in the recent history, resulting in humanitarian crises and widespread human rights abuses. Both sides of the dispute were high on mistrust and intolerance, and therefore under these circumstances, third party mediators intervened with the hope to resolve the dispute. Norway played a significant role as a third-party peace facilitator in the Sri Lankan conflict. Facilitation is one of the techniques of mediation in which the power of the ultimate decision-making lies with the disputants. The main function of facilitation is to communicate between parties, establish channels of communication between disputants, occasionally by using personal connections. From an earlier stage, Norway had started promoting peace initiatives for the Sri Lankan conflict and established contacts with the LTTE. Norway was also part of the proposed monitoring committee that was planned to set up, followed by the Cessation of Hostilities Agreements, an understanding between LTTE and Sri Lankan President Kumaratunga in 1995, which was later aborted. The Norwegian efforts, for peace facilitation, officially gained momentum when Ranil Wickremesinghe of United National Party (UNP) became the Prime Minister in 2001. Soon after joining office, Wickremesinghe wrote to the Norwegian Prime Minister to resume the stalled peace process. Similar request was also made by LTTE chief Prabhakaran, followed by which the Ceasefire Agreement of February 2022 came into effect.[43] The Norwegian Prime Minister, Jens Stoltenberg, said that if both the disputants were serious about reaching a resolution, Norway would willingly take up the mediation role, otherwise Norway had no role to play in Sri Lanka.[44] Having said that, there have been several theories regarding Norway's motivation in its involvement in Sri Lanka. Firstly, Norwegian NGOs' developmental programs for the fishing community in Jaffna required a good measure of political stability of the region. Secondly, the influence of Tamil expatriate community in Norway, who continued to support the LTTE, had high level contacts with Norwegian political parties and administration. Lastly, in a bid to reinforce its role as an international peacemaker, Norway perhaps considered its role in Sri Lanka as an indispensable one.[45]

Prior to Norway, India had played a brief role as a mediator in the Sri Lankan conflict. India deployed its peacekeeping forces, following the 1987 Peace Accord, signed between Indian Prime Minister Rajiv Gandhi and Sri Lankan President J.R. Jayewardene. The IPKF was mandated to monitor ceasefires and disarm Tamil rebel groups, at the same time New Delhi tried using its good offices to negotiate between LTTE chief Prabhakaran and Sri Lankan government. That included Indian

[43] Moolakkattu, "Peace Facilitation by Small States: Norway in Sri Lanka," (2005): 390, 391.

[44] R.N. Swamy, "Norway has to recalibrate Sri Lanka peace process," in *The Tiger Vanquished: LTTE's Story* (New Delhi, 2010), 27.

[45] Moolakkattu, "Peace Facilitation by Small States: Norway in Sri Lanka," 391, 392.

PM Rajiv Gandhi's meeting with Prabhakaran in New Delhi, in the same year as the accord, in which the former tried to negotiate with the Tamil leader to surrender arms.[46] Similar to Norway, India too had motives behind its involvement in the conflict. First, India's strategic and geo-political concerns over Sri Lanka's growing West-inclined foreign policy. The second factor being domestic politics, in which southern Indian state of Tamil Nadu pressurized New Delhi to act on the atrocities that targeted Tamils in Sri Lanka.[47]

India and Norway's intervention in Sri Lanka were not only different in terms of motives but also in nature. Indian involvement was largely seen as an armed intervention, with IPKF playing a significant role in attempting to disarm the rebel groups, especially LTTE and maintain peace in the Tamil-held regions of Sri Lanka's north and east. Here, we can draw a comparison between an actual military intervention in a civil war, as stated in Balch-Lindsay *et al.*'s article on third-party intervention in civil war processes, in which they pointed had out along with other possibilities, third-party interventions can also be successful if resorted to military policies.[48] However, it is to be noted here that the Indian intervention did not begin with such a strategy. The Rajiv Gandhi government, post the 1987 Accord, sent armed forces for peacekeeping which eventually turned violent following lack of cooperation between LTTE and the IPKF, making way for coercive mediation which I argued can be viewed as muscle mediation. The reason behind such argument is, muscle mediation has been defined as the use of coercion by a mediator, with the mediator's aim to reduce the relative strength of the opposition with relatively stronger military capability.[49] And precisely, in this context the Indian intervention can be analysed in terms of muscle mediation because not only the mediation resorted to the use of force but the mediator aim was also to reduce the armed strength or fighting capability of the Tamil rebel forces. Norway's mediation, on the other hand, involved multiple rounds of peace talks and development conferences, attended by around donor countries who showed willingness to participate in the mediation process.[50] With the help of the Norwegian effort, the Sri Lankan government agreed to accept a model that devolved state power, which the LTTE too agreed upon. In correspondence to that, the Sri Lanka

[46] S.D. Muni, *Pangs of Proximity: India and Sri Lanka's Ethnic Crisis* (New Delhi: Sage Publications, 1993), 128.

[47] V.F. Khobragade, "Indian Approach Towards Sri Lankan Conflicts," *The Indian Journal of Political Science* 69, no. 4 (2008): 912, https://www.jstor.org/stable/41856481.

[48] D. Balch-Lindsay, A.J. Enterline and K.J. Joyce, "Third-Party Intervention and the Civil War Processes," *Journal of Peace Research* 45, no. 3 (May, 2008): 348, https://www.jstor.org/stable/27640678.

[49] A.J. Kuperman, "Muscular Mediation and Ripeness Theory," *Ethnopolitics* 21, no. 2 (2022), https://doi.org/10.1080/17449057.2022.2004777.

[50] N. Manoharan, "Peace Process in Sri Lanka," Institute of Peace and Conflict Studies Issue Brief, no. 4 (January, 2003), https://www.jstor.org/stable/resrep09157.

Monitoring Mission (SLMM) was created to monitor the ceasefire, with Norway as an observer.[51]

Sri Lanka got assistance in rehabilitation projects too from the international community. Japan, a significant donor country, had sent representatives to meet LTTE leadership for discussions over reconstruction and rehabilitation of the Vanni region, a stronghold of the LTTE in northern Sri Lanka. Even before the February 2002 ceasefire agreement was signed, Japan, the World Bank and the Asian Development Bank (ADB) had rolled out funding for initiating peace processes in the country. All the official development assistance (ODA) to Sri Lanka was channelled through their Ministry of Defence in Colombo, which was highly objected by the LTTE, who later demanded direct access to foreign funds.[52]

Challenges in third-party intervention in Sri Lanka

India was the first external player to have entered the theatres of Eelam war, partly motivated to mitigate the conflict and securing Tamils rights and partly to secure its geo-strategic interests and restore regional stability. India's first step to mediation was sending relief supplies to Sri Lanka's beleaguered Jaffna peninsula on June 4, 1987, after reports of starvation of Tamils in the region. In response, Sri Lanka claimed violation of its sovereignty while India claimed it was an act of humanitarian intervention.[53] The following act of mediation was signing of the 1987 Peace Accord with Sri Lankan government, which was even questioned by top officials in the Indian government. P.V. Narasimha Rao, a cabinet member in Rajiv Gandhi's government, suggested that the accord should have been signed between Sri Lanka and the LTTE, with India being the guarantor.[54] Some expressed that India's agreement to a peace accord, that excluded one of the two warring parties, was a fundamental mistake.[55] Expecting a disputant to follow the terms of an agreement they are not even party to, could be an overestimation of Rajiv Gandhi's policies and an attempt of imposition of the Accord.[56] So much so that some held that Prabhakaran was pressurized to accept the accord and surrender arms to

[51] H. Dayaratne, February, 2011, Comment on "An appraisal of Norway's Role in Sri Lanka," IDSA, https://idsa.in/idsacomments/AnappraisalofNorwaysRoleinSriLanka_hdayaratne_030211.

[52] K. Höglund and I. Svensson, "Schizophrenic Soothers: The International Community and Contrast Strategies for Peace-making in Sri Lanka," *Cooperation and Conflict* 46, no. 2 (May, 2011): 166–184, https://www.jstor.org/stable/45084636.

[53] R.M. Gunewardene, "Indo-Sri Lankan Accord: Intervention by Invitation or Forced Intervention," *North Carolina Journal of International Law* 16, no. 2 (Fall, 1991): 216, https://scholarship.law.unc.edu/ncilj/vol16/iss2/2.

[54] V. Menon, H. Laeeq and R. Bickhchandani, "Take care, Rajiv Gandhi told Prabhakaran. Even gave bulletproof vest before Sri Lanka Accord," *The Print*, July 28, 2022, https://theprint.in/past-forward/take-care-rajiv-gandhi-told-prabhakaran-even-gave-bulletproof-vest-before-sri-lanka-accord/1058447/.

[55] B.R. Babu, "Indian Intervention in Sri Lanka: Anatomy of Failure," *World Affairs: The Journal of International* 2, no. 3 (July–September, 1998): 138, https://www.jstor.org/stable/45064546.

[56] Babu, "Indian Intervention in Sri Lanka," 139.

IPKF.[57] It can be argued that the timing of Indian mediation in Sri Lanka was a bit premature. India should have had the patience of being approached for resolution, which was not unlikely given India's geographic proximity and bilateral relationship with Sri Lanka and cultural connectedness of the Tamil community. India apparently tried to mediate the conflict following the terms of the accord, an understanding which had even received dissention from within Jayawardene's cabinet, with accusations of it being hurriedly signed while others remarked it as a means for India to gain control over Sri Lankan internal and foreign affairs.[58] Therefore, the first instance of India's intervention as a third party mediator was uninvited whereas mediation through the accord was largely an imposition of its terms on the rebels.

Norway's intervention, on the other hand, could well be seen as fitting. At the time of Norway's intervention, Sri Lankan conflict was *ripe*, according to Zartman's ripeness theory, for a negotiation as both Sri Lankan government and LTTE approached the Norwegian government to intervene amidst the stalemate.[59] Having said that, Norway faced heavy criticism in its mediation efforts as it was often accused of being biased towards the LTTE. Norway went soft on the LTTE when it boycotted negotiations and the Tokyo donors' conference in 2003. Norway was accused of ignoring LTTE's misdeeds in child recruitment and violation of the ceasefire agreement with continued attacks on political opponents, as well as granting LTTE access to government-controlled areas where no other political groups were allowed. The head of Norway-led SLMM was too accused of allegedly leaking information of national security to LTTE and prevented them from being intercepted by Sri Lankan navy.[60] Norway's biasness created a general mistrust amongst the Sinhalese towards the role of Norway as an impartial mediator as it allegedly deviated from the one of basic facets of conflict resolution, that is, impartiality. Norway was also tagged as a 'soft-power mediator' that could not counter or transform the dynamics of the conflict neither could it persuade Colombo or LTTE to shift from their entrenched positions.[61] Eisenkopf and Bächtiger's concept of mediator's authority to punish, which they argued can occasionally influence conflict resolution, was apparently not applicable in case of Norway as it had limited authority over the adversaries. Norway was invited to be a non-coercive

[57] Menon, Laeeq and Bickhchandani, "Take care, Rajiv Gandhi told Prabhakaran."

[58] Gunewardene, "Indo-Sri Lankan Accord," 217–220.

[59] Moolakkattu, "Peace Facilitation by Small States: Norway," 390.

[60] Moolakkattu, "Peace Facilitation by Small States," 394, 395

[61] R.N. Swamy, "Sri Lankan and the Peace Makers: A Story of Norway and India," Institute of Peace and Conflict Studies, December 1, 2011, 4, https://www.jstor.org/stable/resrep09193.

facilitator, who could only act within the confines of what was acceptable to the parties.[62]

Norway's role in Sri Lanka came under attack from the critics of the peace process, particularly regarding the idea of neutral facilitator in negotiation. As J.S. Moolakkattu points out in his work that the idea of facilitator is alien to the collectivist culture of Asia and the only accepted third-party role is mediation. Being a peace facilitator, Norway's role was confined to only being at the disposal of the two parties. With such limited authority in its role, Norway found it difficult to converge the diverging interests of both sides who viewed peace differently. Peace in the Sri Lankan conflict resolution discourse was always contested, as peace for the Tamil militants meant justice whereas for Sinhalese, it meant the absence of violence.[63] Having said that, the end goal of either side was victory, and victory to each meant reclaiming their power and dignity at the expense of the other. Norway's confinement of its role as a facilitator had negative impact on the peace process, as it prevented Norway from acting on 'internal matters' which was considered beyond its scope of facilitation. By the time Norway partook the peace process in 2002, the Sri Lankan civil war had seen protracted militarism, changing aptitudes of the parties and increased hostilities, a robust and ambitious approach was required to be taken by the Norwegian side. Norway's role in helping reducing violence was also questioned, as the only enforcement it had was the CFA and SLMM, which could not form pressure over the parties.[64] Security situations progressively deteriorated with resumption of military assault and increased violence from the start of 2008, resulting in the abrogation of CFA and withdrawal of SLMM monitors. The monitoring body, SLMM, faced constraints on several counts, such as the operational resources were not matched with defined tasks and evolving challenges. Resources were mainly used in terms of financing manpower and logistics rather than inviting innovative approaches to developing and implementing improved systems. As the security situation worsened from 2004 to 2006, the working relations between SLMM and the government of Sri Lanka began to weaken. SLMM monitors were not given access to areas of conflict, hindering the mission's ability to operate.[65] These exposed the lack in Norway's confidence building measure in the peace process and eventually came under criticism. At the

[62] G. Sørbø *et al*., "Pawns of Peace: Evaluation of Norwegian Peace Efforts in Sri Lanka, 1997–2009," Chr. Michelsen Institute/School of Oriental and African Studies, University of London, Report 5, 2011, 82, https://www.oecd.org/countries/srilanka/49035074.pdf.

[63] Moolakkattu, "Peace Facilitation," 397, 398.

[64] M. Wakkumbura, "Peacemaking: Touch-and-Go? A Critical Analysis of Norway's Facilitation in the Sri Lankan Peace Process," Master of Philosophy in Peace and Conflict Studies, Department of Political Science, University of Oslo, May, 2008, 63–67.

[65] The SLMM Report 2002–2008, Published by the Norwegian Ministry of Foreign Affairs, Oslo, October, 2010, 31, https://www.ptsrilanka.org/wp-content/uploads/2017/04/slmm_final_report.pdf.

same time, Norway could not leverage its development assistance to Sri Lanka, as the bulk came from other international donors, such as Japan (the largest bilateral donor to Sri Lanka), and therefore Norway's inclusion or exclusion of aid did not impact either the adversary behavior or the peace process.[66] In this context, we can co-relate Andrew Kydd's analysis on weak and powerful mediators, and in this discussion of Norway's limited influence over the disputants in the Sri Lankan peace process inevitably makes Norway the weak mediator, with a neutral role in mediation. And, as Svensson mentioned in his work that in intrastate conflicts, the equation between the rebel-side and the government is usually asymmetric and in such a setup it is often a challenge for mediators to act neutral and they naturally incline towards one side of the conflict. And precisely this happened with the Norwegian mediation role in the Sri Lankan peace process where Norway, despite claiming to be neutral and impartial, sided with the Tamil Tigers organization which drew massive criticism from the Sinhalese majority in the country, which significantly shaped the outcome of the Norwegian mediation.[67]

It was also pointed out that Norway's first mistake was to include US, Japan and EU as co-chairs of the peace process. Being aware of its low-key tacticalmediation, Norway required powers like the US to add strategicstrength and financial support. That being said, there was an inconsistency in how US and Norway viewed the adversaries in the conflict. While Norway pledged to adopt an unbiased role in the peace process, US on the other hand, had not only proscribed LTTE but had also helped the Sri Lankan government militarily. This affected Norway's relations with the LTTE as the latter blamed Norway for allowing US to discredit the organization.[68] Some reports suggested that differing donor government policies regarding their engagement with LTTE complicated the process and further limited the donor involvement in the peace process.[69] Lastly, as opposed to certain interventions where gender needs were addressed, Norway's economic development assistance in Sri Lanka was evaluated as 'hardly visible' in terms of gender approach.[70]

Norway's mediation techniques largely used personal connections and backchannel commutation and was successful in developing channels to communicate with the LTTE, through one of Prabhakaran's closest aide Anton Balasingham. Balasingham was a London-based ideologue of the group who oversaw most of the

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[66] Wakkumbura, "Peacemaking: Touch-and-Go? A Critical Analysis of Norway's Facilitation," 68.

[67] Svensson, "Research on Bias in Mediation," 25.

[68] D. Alparone, "The Norwegian Conflict Management Approach in Sri Lanka: The Limits of Weak Mediation and Bias," Strategic, Defence and Foreign Affairs, July, 2021, 4.

[69] N. Chapman *et al.*, "Evaluation of Donor Supported Activities in Conflict-Sensitive Development and Conflict Prevention and Peacebuilding in Sri Lanka," OECD-Final Report on Evaluating Conflict Prevention and Peacebuilding in Sri Lanka, October, 2009, 107, https://www.oecd.org/derec/worldbankgroup/44138006.pdf.

[70] Chapman *et al.*, "Evaluation of Donor Supported Activities in Conflict-Sensitive Developmen," 38.

peace talks, including the one in Geneva in 2003.[71] He was LTTE's chief negotiator and his closeness with Erik Solheim, Norway's Special Envoy to Sri Lanka, was the reason why Solheim could keep LTTE glued to the peace process.[72] With Balasingham's demise in December 2006, Norway had lost an essential channel of communication with the LTTE. This became a major drawback for Norway as it has lost an effective channel of communication with the Tigers. Finally, the European Union's banning LTTE by tagging them as a terror organization made things worse for Norway-led SLMM. Following EU's decision, LTTE refused to accept monitors from Denmark, Finland and Sweden (EU members) claiming they could no longer be impartial in their mediation. This left SLMM with a shortage of personnel, with only Norway and Iceland on board, which hindered the Sri Lankan peace process with limited and unarmed monitors for whom monitoring not only became difficult but also dangerous.[73]

In this context, if we evaluate the outcome of both the mediations in the Sri Lankan case, we might notice that both the mediation processes could not succeed in building confidence among the parties. Having confidence in mediators and belief in their convictions could have been a steppingstone towards peace and resolution but the mediator's role in the Sri Lankan peace process did expose a gap in the mediator duty. And this to some extent, I argue, was responsible for the limited mediator knowledge, as the mediators aimed to end the conflict before treating the core of the socio-ethnic problem that plagued the larger Sri Lankan society and their failure to create or encourage an internal mechanism for conflict resolution, including civil society or other local religious or political bodies. In Sri Lanka, there were a few civil society organisations that were formed in response to ethnic riots and repression, such as the National Peace Council and Foundation for Co-existence, Centre for Society and Religion, Sarvodaya movement and many alike. Some of these bodies considerably had good village-level outreach and could have reflected the real public sentiments if they were included in the process. Religion based organisations too had influence over the people, such as Muslims who enjoyed strong leadership in the east through the mosque-societies as well as the Catholic Churches, who were certain of influencing adversaries with concerted efforts. Camilla Orjuela points out that the connection between civil society leaders and representatives of international community played a major role in facilitating international community's interest in the Sri Lankan conflict, which considerably changed since December 2001 when peace advocacy was solely

[71] R.N. Swamy, "Switzerland taking deep interest in Sri Lanka," in *The Tiger Vanquished: LTTE's story* (New Delhi, 2010), 32.

[72] Swamy, "Switzerland taking deep interest in Sri Lanka," 34.

[73] Swamy, "Switzerland taking deep interest," 61.

taken up by the mediators, leaving civic bodies at the rear.[74] Thereby, losing out on the chance of including the 'third system' in conflict resolution as pointed out by Rupesinghe.

Final analysis

Indian intervention in the Sri Lankan conflict was hardly surprising, given its geographical proximity, shared interests and cultural connectedness with Sri Lanka. New Delhi had a fair chance to be an appropriate mediator, if the timing of Indian intervention was right and if New Delhi had patiently examined the consequences of the Accord and how it was received by the LTTE, who were not even signatory to the Accord. India's enthusiasm to get into the conflict, prior to the accord, gave impression of India's hegemonic behaviour.[75] In the Sri Lankan context, the Indian intervention can also be viewed in terms of muscular mediation, another theory formulated by Zartman, in which he pointed out that muscle mediation, which is done by a state with sufficient coercive power, can backfire when parties have the potential to escalate violence and when muscle mediator does not deploy sufficient military forces to deter such escalation.[76] India is often viewed as a regional hegemon in South Asia, as a sufficient coercive power for Sri Lanka in terms of economic and military capacity, and political influence and the act of its untimely intervention could be seen as power projection. In addition, the party to conflict the Indian peacekeeping forces came to negotiate with, was well-equipped with both ammunitions and warfare knowhows to retaliate. The LTTE had the capability for a military showdown with the IPKF and a direct conflict between the two sides ensued. A major implication that resulted out of this conflict was the inability of the IPKF to remain neutral, which is crucial in conflict resolution. There was an ambiguity in the IPKF operation regarding precise objective, confused political thinking, absence of clear mandate to cadres, lack of terrain knowledge and inappropriate ammunitions, logistic constraints as well as the lack of accurate military intelligence which exposed the unpreparedness of the Indian mediation. The fact that IPKF fought the LTTE as part of Indian government's own political agenda opposing the establishment of a separate Tamil state and having ripple effects on the separatist movements in certain parts of India, questions the real intent or the political motive of the Indian intervention. LTTE's strong resistance to IPKF demonstrated the limitations that are inherent in external intervention in separatist struggles.[77] This lay bare the challenges in muscle mediation

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[74] C. Orjuela, "Civil Society in Civil War: The Case of Sri Lanka," *Civil Wars* 7, no. 2 (August 8, 2006): 128–133, http://dx.doi.org/10.1080/13698280500422884.

[75] Babu, "Indian Intervention in Sri Lanka: Anatomy of Failure," 139.

[76] Kuperman, "Muscular Mediation and Ripeness Theory," 163, 164.

[77] K.M. de Silva, "Mediation and the Indian Intervention," Sri Lanka and the Defeat of the LTTE, India, 2012, 68, 69.

and how a competent and capable party can pose threat to muscular mediators and prevent the implementation of conflict resolution, particularly when the party's interests are not realized or compromised.

The Bosnian civil war of 1992–1995 too highlights how muscle mediation can backfire. US brokered Washington Agreement of 1994 attempted to prevent the Bosnian Serbs' territorial expansions, by militarily enabling the opposite sides, Bosnian Muslims and Croats, but it backfired as the Serbs were militarily stronger from the beginning and the US-led muscle mediation could not deter the Bosnian Serbs from seizing Muslim enclaves and thus resulting in massive violence outbreak in 1995.[78] Kosovo's conflict of 1989, between two ethnic communities of Serbs and Albanians, is another instance of muscular mediation resorted to by the US to deter the militarily-capable Serbs' attacks on Albanians. US's poorly designed mediator coercion reignited civil war, incentivized both sides to escalate the conflict and failed to prevent civilian victimization.[79] Therefore, the approach of muscle mediation in these conflict resolution cases highlight that factors like, willingness of parties, clear objectives of mediators, significant military capabilities of mediators and their exit strategies are some of the necessities for mediation of this nature and their goal should be diplomatic and peaceful resolutions rather than prolong military entanglement. In the Indian mediation, some of these essentials were overlooked. The lack of clear objective and confused political thinking impacted the IPKF operation, their change of role and conflict with LTTE conveyed wrong message to the larger audience, and finally, the absence of an exit strategy resulted in an embarrassing IPKF withdrawal. Therefore, it can be said that muscle mediation needs a lot more to succeed in conflict resolution than just mere power projection. Moreover, India's signing of the 1987 Peace Accord was criticized for being treated as a solution for Indo-Sri Lankan conflict rather than a solution for the ethnic conflict. India's choice of signatory for the Accord, that being only the Sri Lankan government and India, indicated Rajiv Gandhi's biasness towards Colombo.[80]

Norway was chosen as a facilitator in recognition with India's dislike of any big power presence in the region.[81] Norway began its role as a facilitator in an ideal situation, where both disputants in conflict approached for help. However, it did not take too long for Norway to come under the radar of criticism for being too LTTE-friendly. Norway's close contacts with the Tamil rebel group raised questions about its neutrality. Unlike the 1987 Accord, Norway's role as a mediator was acceptable to the LTTE as it often safeguarded the latter's interests, so

[78] Kuperman, "Muscular Mediation and Ripeness," 168.

[79] Kuperman, "Muscular Mediation," 171, 172.

[80] K.R. Dickwella, "Analysis the Dynamics of Norwegian Mediation: Lessons from Sri Lanka," *International Journal of Education and Research* 1, no. 6 (June, 2013): 3, https://www.ijern.com/journal/June-2013/32.pdf.

[81] Moolakkattu, "Peace," 394.

much so that personal attacks and corruption charges were made on Solheim based on his links with the LTTE.[82] A significant section of the Sinhala political class perceived Norway's biasness towards the LTTE, which they believed, were legitimized through the peace process, despite which the rebel group failed to act in good faith.[83] Some analysts have pointed out that Sri Lanka's fundamental problem was its domestic political structure and the peace process did little to transform these underlying structures and that a conflict management approach was adopted where a conflict transformation approach was required.[84] The mediators failed to address the core political issue which failed to keep the parties committed to the effort of finding a resolution. Also, lack of inclusivity generated insecurities amongst the parties, that not just affected adversary relationship but also resulted in mistrust towards the mediators.[85] Many believed that Norwegian-led monitoring mission, SLMM, did little to reduce the scale of violations. According to reports, SLMM efforts were not effective in the Sri Lankan conflict as many believed that first, that the organisations mandate was unclear and they were unable to enforce their recommendation, and secondly, the foreign nationals were unable to truly understand the conflict.[86]

Norway's mediation left little room for civil society's involvement, which can occasionally be facilitators in conflict resolution by working in war zones, monitoring negotiations, raising awareness and education as well as endorsing reconciliations.[87] More inclusion means better dissemination of information, for instance better equipped with information from the ground level to form policies that complement the ground reality as well as transparency of decision making with wider public. With availability of information in the public domain, the ownership of the process tends to expand as public feels closely associated with the process and therefore it no longer remains confined only to the realm of elite mediators and adversaries. The knowledge of the cause of the conflict and awareness of belligerent grievances as well as preparedness for the implication of mediator actions are other signs of good mediation. Not every decision made by mediators are welcomed by adversaries and with unpredictable adversary behaviour, mediators should be prepared for counterproductive outcomes and its alternative. Identifying the correct time to intervene, well-equipped with information from

[82] Swamy, "Norway has to recalibrate Sri Lanka," 62.

[83] Sørbø *et al.*, "Pawns of Peace: Evaluation of Norwegian Peace Efforts in Sri Lanka, 1997–2009," 7.

[84] Sørbø *et al.*, "Pawns of Peace: Evaluation of Norwegian Peace Efforts," 7, 8.

[85] Sørbø *et al.*, "Pawns of Peace," 8.

[86] "Sri Lanka: escalation of conflict leaves tens and thousands of IDPs without protection and assistance," Internal Displacement Monitoring Centre, Norwegian Refugee Council, November 16, 2006, 128, https://www.refworld.org/pdfid/455c380e4.pdf.

[87] "Sri Lanka: escalation of conflict leaves tens and thousands of IDPs," 9, 10.

the grounds of conflict can also be considered a sign of mediator-preparedness, and it is better facilitated if the process is a bottom-up approach, involving people working at the grassroot level. Therefore, in the two different types of mediation that were applied in the Sri Lankan conflict, we can conclude by saying that both the mediators failed in achieving what is called successful conflict resolution. We can say so because in both the cases, even though there have been claims of lessened violence after the induction of the mediators, they were unable to successfully address the underlying reason of the conflict and propose a resolution based on the societal requisites for a prolonged peace. There was a clear lack in confidence building measure, breach of trust and commitments issues that resulted in failure of the ceasefire agreement and thus longevity of peace was a far-fetched question in the Sri Lankan context.

Conclusion

The research question raised in the beginning is that whether muscle power in armed mediation and peace talks in non-coercive mediation adequate to ensure successful conflict resolution. To answer this question, I will begin by saying that conflict resolution is not an 'one-size-fits-all' concept as uniqueness of each conflict requires a solution that complements their reality and meet the grievances. Despite the approach that mediators deem fit to apply in a conflict, the core practices of mediation should include neutrality or biasness based on the mediators' role, inclusiveness, mediator knowledge and preparedness. Sri Lankan peace process, taken as a case study, witnessed the involvement of two very different nature of mediation. However, the insufficiency I would argue, was in the lack of offering a problem-solving approach.

Sri Lankan ethnic conflict witnessed both armed mediation by India and non-coercive mediation based on dialogues, by Norway. It is important to mention that Indian intervention did not start as a forceful or coercive mediation, but it certainly ended as one. India's mediation, that resulted out of a non-inclusive accord, was occasionally hailed by some for bringing about a cessation of hostilities[88] while others criticized India's involvement as the beginning of an unwise foreign policy.[89] India began the intervention largely through dialogues, attempting to bring adversaries to the negotiating table and finding a solution while maintaining Sri Lankan unity and territorial integrity. As part of Indian intervention, the IPKF played a multidimensional role in the process, which means they played the role of peacekeeping as well as military projection force both in the same operation. Scholars pointed out that the major flaw in Indian intervention was the obscurity in India's politico-military aim[90] exposing the lack of cohesiveness in decision making.

[88] Muni, *Pangs of Proximity: India and Sri Lanka's Ethnic Crisis*.

[89] Babu, "Indian Intervention," 139.

[90] Muni, *Pangs of Proximity: India and Sri Lanka's Ethnic*, 141.

India's premature act of intervention can also be held as a lack of knowledge of timing as well as the exclusion of adversary from the accord can be a held as a sign of biasness. The lack of information flow and policy transparency from the top management to the ground forces created a sense of insecurity among the peacekeeping forces, who even questioned their role transformation.[91] Lastly, in terms of coercion, scholars argue that coercive mediation can succeed if coercer has the ability to counter adversary's military strategy.[92] But in case of India, there was a real problem of precise information and knowledge of LTTE's arsenal,[93] which led to India's failure in analysing its military strategies vis-à-vis the LTTE. Lastly, LTTE's non-cooperation and counterstrikes became detrimental to IPKF's effort towards creating a conducive environment for negotiations, which quickly escalated to a fight for military victory. Therefore, coercion in muscle mediation is not the only prerequisite for successful mediation, rather understanding and acknowledging adversary capacities and designing mediation strategies accordingly are essentials for effective mediation, particularly when dealing with militarily abled adversaries. Moreover, clear objectives of mediators, well-defined strategy to use force, clear mandate to cadres and a well-defined exit strategy should also be given priority.

Norway's intervention, on the other hand, involved persuasion rather than force. However, before officially approached for mediation, Norway had started to develop channels of communication with the Tamil rebel group, based on its communication-facilitation approach. So much so, that Oslo's equation with the LTTE led to the general belief that the mediation was biased towards the LTTE and was accused of overlooking many of LTTE's offenses during its mediation process. Norway's mediation did result in several peace talks and the ceasefire agreement, the extent of violence was lessened from time to time but as a mediator Norway presumably failed in two areas. First, they failed to have onboard the Sinhalese-Buddhist hardliners side, who remained distrustful of Oslo's policies, the civil society as well as other political groups and offering a conflict transformation that resonated with a wider public recommendation. And secondly, it failed to secure commitment to prevent further violence, rather Norway's SLMM was lambasted for not having any mechanism of preventing micro cycles of violence.[94]

With their experience in the field of conflict resolution, the Norwegian intervention required more than peace talks for effective facilitation, such as, the process required innovative approaches towards conflict transformation, strategies for

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[91] Muni, *Pangs of Proximity: India*.

[92] D.L. Byman, M.C. Waxman and E. Larson, "Explaining the Success or Failure: The Historical Record," in *Air Power as a Coercive Instrument* (Rand Corporation, 1999), 30, https://www.jstor.org/stable/10.7249/mr1061af.10.

[93] Muni, *Pangs of Proximity: India*, 128.

[94] Dickwella, "Analysis the Dynamics of Norwegian Mediation," 10.

enhanced confidence building measure which was considerably compromised in the Sri Lankan case, more coordination and consistencies with other donor governments, particularly regarding their relations with parties to conflict and lastly more inclusivity was required towards civil society and religious groups who have occasionally played significant roles in mitigating conflicts at local levels. From the Sri Lankan case study, the takeaway is that mediator knowledge has the probability to work better than mediator instincts. Indian mediation started off with the instinct that the LTTE would be submissive to Indian mediation and accept the terms of the Accord without actually securing consent from the latter. Norway's instinct, on the other hand, was since being an international mediator, with global recognition of its prior mediation experiences, it would have an easy ground between LTTE and government of Sri Lanka, given its equation with LTTE. In the process, both India and Norway had failed to address the underlying crisis of the bifurcated Sri Lankan society and the lack of knowledge of how mediation would have worked in such a divisive theatre. The basics when a third party intervenes in a conflict-ridden society are to take into consideration the fundamentals of the conflict and to what extent can mediation accommodate he demands of either side. Based on this study, it can be suggested that in such crises, inclusivity is required, taking into consideration the recommendations from the elite at the top to forces working on ground. Irrespective of the nature or type of mediation, democratization of peace processes ensure participation from all corners of the society, rather than confining it to the elitists. Broader participation also expands ownership of peacebuilding, including other groups rather than confining it to only between mediators and disputants. Misinformation and misunderstandings should be dealt with at the nip of it before they spread and create false perceptions. Lastly, to my understanding, the Sri Lankan peace process is an appropriate case study that highlights how among many things, it is crucial to address the basic facets of domestic political considerations of a region in conflict and the necessity to chart out a cohesive approach to create atmosphere for a sustainable solution, irrespective of the type of the intervention that is practiced by either one or multiple external mediators.

Data availability

No data are associated with this article.