

## Of Peace and War

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ANALYTICAL PIECES HAVE appeared in various magazines about the peace process that was initiated last year in Bengal's Junglemahal by Ms Mamata Banerjee, Chief Minister of West Bengal. These efforts soon bit the dust and have had to be virtually aborted. The intention of this piece is to ask a series of questions (and perhaps provide some answers) related to the past practices in the international arena of initiating peace negotiations between warring parties and/or a rebel force and the state and relate them to the recent experience in West Bengal.

There are certain fundamental definitions that need to be visited when one deals with the mechanics and success of peace negotiations. The process followed towards one defined objective may be unsuitable when deployed against another.

- 1.0 A peace treaty—which is an agreement between two or more hostile parties, usually countries or governments that formally ends a state of war between the parties.
- 1.1 An armistice—which is an agreement to stop hostilities between nations without a peace treaty.
- 1.2 A surrender—in which an army agrees to give up arms, decommission and be integrated into society or into a regular army.
- 1.3 A ceasefire—in which the parties may agree to temporarily or permanently stop fighting, as negotiations are initiated.

Some may argue about these definitions and add or subtract some clauses here and there, but in the broad scope of things, there is not much else that one needs to enunciate.

In approaching such a negotiation, certain important measurement indices need to be considered to have an objective evaluation of the intensity and proportion of the strife. Otherwise one is playing into the hands of one of the parties, instead of preventing violence. In any negotiation for cessation of hostilities, it must be understood that both parties are equal and not beholden in any way to the other.

There have been cases in history where peace talks were initiated in order to suppress a band of 300 initial guerrillas and 8,000 peasants have been killed, and military coup d'états have been staged with US support to enable the political manoeuvrings of the ruling elite and their foreign backers (in this case the military right-wing dictators and the United Fruit Company in Guatemala in the 1960s or ongoing attempts to encircle the FARC in Colombia while drawing them into negotiations and killing off their leaders one by one).

In other cases, over 40 battalions of armed forces of the state, including helicopter squadrons, have been held at bay by small bands of mobile guerrilla units belonging to two different insurgencies, as in the Philippines (Moro National Liberation Movement / Islamic National Liberation Movement and the Maoist New Peoples' Army) for nearly 40 years. In each case the extent of the violence, structural or physical, the actual balance of forces of the

two contending armies, the areas under their respective controls, the list of demands from both sides or one side, as the case may be, the stages of the negotiation and as well the authority, independence and credibility of the intermediaries who have been engaged in carrying out the mediation, must all be quantified.

In other words what weight do the rebels carry, what weight the interlocutors carry and what weight does the government carry?

Also, if the state government launches military operations using paramilitary special forces, helicopters, drones and snipers to militarily defeat the rebels and if the revolutionary or rebel group declares itself to be engaged in a “People’s War” against the state using its mobile guerrilla units, its regular army units and all means of guerrilla war, landmines and rocket launchers, are the two forces effectively at war, even if they have not declared war formally? While one side uses the rhetoric of “war on terror”, the other side may state that it is involved in a “war of resistance”. One does not have to declare oneself to be formally at war in order to carry out hostilities over an effective area. If the theatre of conflict is widespread, it is natural that a cessation of hostilities is tantamount to calling for a ceasefire.

Therefore, to reinforce the categories and definitions raised earlier, the following questions need to be asked:

Are we looking at a temporary cessation of hostilities as in a ceasefire prior to negotiating demands?

Are we asking for a surrender of one of the forces, like when there are two feuding forces – as has been the case in the past in South America and in Africa or even in the North East provinces of India?

Are we asking for a demobilisation of one of the forces and their possible integration into a new or existing force? Perhaps, as in the debates raging on in Nepal and even in relation to the Karen rebels in Myanmar or in India’s North East.

Are we asking for a semi-permanent peace treaty with areas remaining under the physical control of the two parties concerned, until a democratic unification is possible?

Is the state using the peace treaty as a ploy to have areas not under its control vacated, so that its “development” activities could be pursued? Is it a precursor to forced displacement of the resident population?

Has a stage been reached where the two contending military forces had reached the conclusion that no one could obliterate the other?

There are other possibilities as well which are an admixture of these above situations. However, the first task is to define the target objective.

When it comes to taking the route of negotiations, both parties must follow certain ground rules and definitions about the objective conditions for negotiations. Peace negotiations cannot be commenced on an ad hoc basis or on the basis of individual directives.

- 1) The state (government) must constitute a Peace Council or a negotiating committee within its mandate. The rebels must constitute the same within their organisation. Without such an organised thought process within both parties, one is often subjected to the flamboyant directives of individual leaders. “I am for talks. Go talk peace. That is my directive” – such a stand is short-sighted, nearly egotist and Machiavellian. Governments often do not have elected leaders who have studied the history of peace negotiations worldwide and the careful steps that must be followed to ensure their success. Similarly, the rebel representatives must seek a detailed mandate from their leadership; otherwise there is a tendency towards bravado without socio-economic purpose. So both the parties must have a Peace Council that the leaders are subject to and intermediaries can rely on and which has possibly carried out a strategic exercise, even to the extent of a simulation exercise of all possibilities as the negotiations unfold. Was this in place during the recent peace initiatives in West Bengal?
- 2) The term interlocutor means not just a messenger in the middle between two bosses, but an independent leader(s) who has the authority from civic society as well to negotiate firmly with both sides. It is the pressure of the civic society that must result in “talks”, not the directives of the current state. Had the situation reached such an untenable point that the large masses of civic society were demanding immediate peace negotiations in Janglemahal? Or was the state in a rush to demonstrate how it could carry out its version of “development” in a hurry, which the previous regime had miserably failed to accomplish? There was a time when civic society in West Bengal was demanding peace talks. However, it eventually seemed to have lost its momentum and instead seemed to have become a tactic of the newly elected government to deflect the demands of the civil rights movement to meet its own election promises (withdraw its forces and release political prisoners).
- 3) Interlocutors or intermediaries must have well-known national credentials and neutral stature. Typically they could be former judges, well-known citizens whose scientific, artistic, academic, administrative and social organising skills have earned them nationwide (if not international) respect which has not been marred by any kind of partisan political engagement in the past. They should also not have received any favours from the existing state. Such interlocutors do not necessarily have to be of human rights and civil liberties background, and preferably not of a law-and-order disposition. Did the entire team of intermediaries handpicked by Mamata Banerjee have the national credibility that the task required? Sincere and selfless as they were, these interlocutors were essentially unknown outside Bengal, except for Sujato Bhadra. Typically, it became a “provincial”-minded approach, almost a localised diktat, with no national characteristic – whereas the Maoist belt around Janglemahal is comprised of Bengal, Jharkhand, Orissa and Chhattisgarh, without taking into account the non-contingent states of Bihar, Maharashtra and Andhra

Pradesh. The interlocution was dead before it got off the starting block, because it had no national presence. From Amartya Sen and Jean Dreze to P Sainath, Medha Patkar, Anand Patwardhan, Arundhati Roy, Aruna Roy, B D Sharma, Prashant Bhushan and a whole host of others have been essentially pointing out the violence that is inherent to the socio-economic development that has been followed in the country for 63 years. The government's own expert committee has declared that the onslaught in the tribal areas and the signing of countless Memorandums of Understanding (MOUs) are tantamount to the "biggest land grab since Columbus". The Naxalite agenda is neither mysterious, nor is it an alien concept. It has been in the national mind space for 40 years and more so since Prime Minister Mr Manmohan Singh declared in 2005 that they were the "biggest internal security threat to the country". Therefore, it is natural that one would expect that a peace negotiation with the Naxalites should have a nation-wide stature.

- 4) There is the need for a code of secrecy to be observed throughout the process of negotiations and leaks to the press, by one or the other party, are a sure guarantee that trust cannot be built and the negotiations are bound to fail. Neither the police forces nor the press and media should have any inkling about the process. Both these set-ups in India tend to repeat officialspeak, almost like a disease. The negotiations must be initiated in absolute secrecy and while the negotiations are on, neither of the two parties or the interlocutors are supposed to make hostile or adversarial statements. It has often been found that during negotiations, one side leaks information to either its policing forces or to sections of the media, to thwart an unfavourable trend or to carry out an "elimination".
- 5) Since the rebel forces are typically "underground" it is essential that after the initial outer perimeter is set up, through link-persons, the actual venue for a face-to-face discussion at the first stage itself be done at a place under the command and control of the rebels and they must call the shots in terms of surveillance, security and passageway. They must decide where and when and how many people they are prepared to meet. At this stage it is possible to talk about a high-level meeting in a plush office setting around a table. As negotiations proceed successfully, the rebels are often disposed to appointing an "open" representative to represent them at a meeting with the state.
- 6) As the discussions advance and several levels of preliminary tasks and negotiations are completed by both sides, it may be necessary that meetings are held under the auspices of a neutral and foreign observer perhaps even at a neutral country. These tasks could include socio-economic policy implementations under joint command, key prisoner release and a decision not to fuel any adverse commentary on each other.
- 7) It is also essential that the United Nations is duly informed by this stage of these proceedings. The human rights situation is pathetic in India and especially in West Bengal. A Maoist prisoner was found dead in his cell recently and as per the Asian Human Rights Centre, there has been an average of four deaths per day in India in police or judicial

custody (<http://www.achrweb.org/>). It is natural that such a peace process be watched closely by international bodies.

Accompanying all these target objectives, there could be supplementary demands seeking socio-economic justice, joint monitoring of human rights violations, political prisoner release, withdrawal of paramilitary and vigilante forces and reparations.

The question to ask is the following: During the recent attempts at peace negotiations in West Bengal and for that matter the previous attempts at negotiations in Andhra where the negotiators acquired legendary status (Kannabiran, S R Sankaran) for their extraordinary zeal and earnestness to bring about peace and even the poorly conceived attempt by Swami Agnivesh, all of which resulted in the killing of Naxalite leaders – were they justified by the objective conditions on the ground? Were certain essential steps taken prior to commencing these negotiations? The answer is No.

In Bengal, there was no theoretical basis nor did any objective conditions exist for any negotiations or a face-to-face other than a unilateral and temporary declaration of a ceasefire by one side (which the Maoists did) given that violence and strife was becoming unbearable for the common masses of Junglemahal, and whereby the government should have reciprocated with a complete withdrawal of the Joint Forces and the various vigilante forces (which it did not, but pretended it did) and then the detailed negotiations could have been contemplated. The only aspect that was on the cards was a ceasefire and a withdrawal of the Joint Forces.

As per the Philippine National Democratic Front the basis for negotiations from the point of view of a popular resistance war is that a stalemate condition must be reached. A resistance army typically engages in tactical offensives and opens many guerrilla fronts. Eventually a stalemate is reached. This is what happened in Algeria during the FLN's national liberation struggles against the French colonisers, in Dien Bien Phu again with the French, and later on in Vietnam with the Americans and as well to a certain extent in Guatemala, in Colombia, in Nepal and in Philippines. Even the Taliban whose social development policies are starkly regressive, but their primary agenda remains one of ridding their country of foreign occupiers, pursue an effective strategy that eventually enables secret negotiations (as Hilary Clinton recently admitted) and the Taliban have been able to open a "foreign office" in Qatar. Civic society and international opinion demand "peace talks" and a cessation of hostilities. Not all peace negotiations have been successful and many have resulted in horrendous backstabbing and the killing of the peace negotiators themselves.

Far from reaching any such stage, the conditions in Bengal were marked by inadequate political development and political organisation of the region, repeated internecine revenge killings, "area domination" exercises by vigilante groups and the absence of any professional revolutionary resistance army that could hold sway against the Joint Forces and thereby also earn the respect of the rural Adivasi population. It is noteworthy that some of the key organisations and leaders of various mass fronts that were set up have gone on to flip sides. This of course is a separate discussion, but the key here is to understand that the objective

political conditions did not exist for a stalemate to be reached. The new government of West Bengal also did not attempt to provide any openers by lifting the ban on the Maoists and their various mass organisations or remove the charges under the Unlawful Activities (Prevention) Act (UAPA) against some key leaders. In other words there were absolutely no substantial peace offerings from the state to begin with.

In Ireland, since the 1980s a peace process had been initiated (through a well-known intermediary Father Alec Reid), even though the British government would keep denying it, right into the 90s. Eventually it led to discussions between the Sinn Fein (the open political arm of the Irish nationalist movement) and the Social Democratic Labour Party of John Hume. Through a detailed process by 1993 there was a Joint Declaration of Peace, followed by several temporary ceasefire declarations by the Provisional IRA after 1994. There was international involvement and awareness throughout the negotiations. Ceasefire and decommissioning was not the priority item on the agenda in the beginning. No serious politician should engage in tough talk, like “surrender, or else”, during this sensitive process. There were many breakdowns, but the process eventually co-opted Senator George Mitchell of the United States, who developed the Mitchell Principles, based on which Gerry Adams, the leader of the Sinn Fein eventually convinced the IRA to decommission by 2005. The IRA has not disbanded, but has chosen to use “exclusively peaceful means” to further its struggle. Furthermore, the negotiations led to the repeal of the British Ireland Act from 1920. In the case of India, the British Sedition Act of the 1890s is still in force. (Nobody in India seems to be terribly bothered about annulling this Act, even though several hundred voiceless Adivasi people have been jailed based on that. The eloquent Dr Binayak Sen was able to draw some attention to it.) “The Belfast Agreement included a devolved, inclusive government, prisoner release, troop reductions, targets for paramilitary decommissioning, provisions for polls on Irish reunification, and civil rights measures and “parity of esteem” for the two communities in Northern Ireland” ([http://en.wikipedia.org/wiki/Good\\_Friday\\_Agreement](http://en.wikipedia.org/wiki/Good_Friday_Agreement)). The Sinn Fein today is the second largest political party in Ireland.

In the Philippines, as per a recent report in the website of counter-currents.org, the Philippine New Peoples’ Army (NPA) “has a definitive 5-year program in place to reach a stage of “strategic stalemate” by enhancing its armed forces to platoon and company strength, augment its organs of political power (at the urban and rural municipality level through mass organizations) and concentrate on implementing the 5 hectare land ceiling limit in areas under their control”. In the meantime internationally monitored peace negotiations continue in The Hague. The New Peoples’ Army continues to hold on to its arms and areas of control. There is no undue rush to secure local “developmental” advantages in the name of the peace process. There is no demand that the NPA must demilitarise or disband for development to happen. The fundamentals need to be worked out first. Whose life is affected? Whose livelihood has been spurned for centuries, whose education, health and sanitation has been ignored? Who has been denied access to grow his/her own food? Whose land has remained un-tilled and un-harvested? These are the questions that both sides and the intermediaries should have

reviewed before entering the peace process. The Philippines have since 1974 instituted a National Democratic Front comprised of 17 organisations and their political pressure has allowed the initiation of “peace negotiations” in The Hague which could only take place after several initial joint declarations with the government had been achieved. Even here there were several instances where the Arroyo and Aquino governments have engaged in subterfuge.

According to the same website, “The 4 points of discussion in the current negotiations of the NDF with the Philippine government are :

- 1) Mutual respect for Human Rights (there is agreement on that)
- 2) Agreement on socio-economic reforms, viz., land reforms, nationaliza-tions, etc. (these are at the second stage of negotiations)
- 3) Political and constitutional Reforms and
- 4) End of Hostilities”

The website continues, “He (Fidel Agcaoili, Chairperson of the NDF-Monitoring committee, the negotiating arm of the NDF, based in the Netherlands), asserted that the Hague declaration which initiated the discussions, clearly also stated that there would be no pre-conditions on each other, no demands for ceasefire and no imposition of each other’s constitution on the other.” The detailed negotiations on point number 1 allowed for joint monitoring of violations of human rights and other detailed steps. This is a step-by-step process based on objective conditions that the Philippines have implemented in their negotiating process.

In Guatemala, it took almost 30 years of negotiations between the rebel guerrillas, the involvement of the United Nations, assisted by foreign governments Norway and Spain (Oslo accord), the involvement of Catholic bishops, at least 15 different peace accords with detailed procedures, joint civil liberties monitoring programmes (while the United States was busy assisting in coups, one after the other, which resulted in the killing of some 8,000 peasants between 1966 and 1968 and massive carnage in the countryside till the mid-1980s) and eventually a series of high-level negotiations which led to a pluralist parliamentary system. Four rebel guerrilla groups united together to have a common front in the negotiations, which eventually led to restoration of some form of democracy by 1985. The process was achieved through a careful step-by-step approach to the peace process. Not all is hunky dory in Guatemala now; in a small country of only 13 million, over 200,000 lives were lost, but the peace process was very structured, even though it was repeatedly sabotaged.

The Battle of Dien Bien Phu marked the end of French involvement in Indochina. Giap’s Viet Minh forces handed the French a stunning military defeat (through extraordinary political and military campaigns), and on 7 May 1954, the French Union garrison surrendered. At the Geneva Peace Conference, the French negotiated a ceasefire agreement with the Viet Minh, and independence was granted to Cambodia, Laos, and Vietnam. This was of course a different type of Peace Accord, with the colonial masters making a hasty retreat. Very soon after, there was the Evian Accord in Algeria and once again France had to pack up and leave

after Ben Bella and the legendary FLN brought the war to its doorstep. [The Americans are shy to sign any peace accord, except one attempt in Vietnam (Paris Accord), which failed in 1973 itself with Nixon sabotaging the accord through Kissinger and resuming the bombing of North Vietnam, although Kissinger got the Nobel Prize with North Vietnam's Le Duc Tho for it...] Now the argument may be made that in this case, a foreign colonising force was being fought against and there is little relevance for Junglemahal. Unfortunately, in this new world order, the same colonising wars are fought invariably by proxy. Irrespective, elite divisions of the US army with some of its most advanced tank regiments were involved in Joint Counter Insurgency Exercises just a few miles out of New Delhi last year. Similar exercises have been concluded with other nations as well. Today, a war can be upgraded in no time with "foreign engagement" deep in the interior of the country and it would be made to look quite natural and normal.

So, the question is what were the interlocutors in Bengal thinking when they agreed to take up this task, under the scanty circumstances that prevailed here with Ms Mamata Banerjee at the helm? What was the theoretical understanding of the objective conditions for "peace negotiations" that led them to accept this responsibility?

Without a historical understanding of the immensity and national/international scope of the peace processes on the part of the interlocutors, without an objective analysis of the contending forces and the absence of a groundswell of political opinion in the wake of a strategic stalemate, a peace process could be a dubious affair. With rebels negotiating for some breathing space and the government attempting to pull off some "coups" (some prize surrenders, some "encounters", some announcements about jobs and building bridges), the overall strategy for "peace" was ill-conceived from the beginning. It was disadvantageous for the citizens who seek peace and the rebels who have a cause. The state will of course always talk peace and make war. □□□